

6337

2011-2012 Regular Sessions

I N A S S E M B L Y

March 15, 2011

Introduced by M. of A. BRENNAN, GIBSON, BENEDETTO, LANCMAN, TITONE, BARRON, SCARBOROUGH, REILLY -- Multi-Sponsored by -- M. of A. ABBATE, ABINANTI, COOK, CYMBROWITZ, GLICK, GOTTFRIED, JACOBS, MARKEY, M. MILLER, PHEFFER, N. RIVERA, SPANO, STEVENSON, THIELE, WEISENBERG -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, in relation to prohibiting fees and charges for motorist services provided by a fire or police department

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. The general municipal law is amended by adding a new
2 section 99-v to read as follows:
3 S 99-V. FEES AND CHARGES FOR MOTORIST SERVICES PROHIBITED. 1. FOR THE
4 PURPOSES OF THIS SECTION THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING
5 MEANINGS:
6 (A) "MOTORIST" MEANS ANY PERSON WHO OPERATES A MOTOR VEHICLE, AS THAT
7 TERM IS DEFINED IN SECTION ONE HUNDRED TWENTY-FIVE OF THE VEHICLE AND
8 TRAFFIC LAW, OR WHO IS AN OWNER OF SUCH VEHICLE, AS DEFINED IN SECTION
9 ONE HUNDRED TWENTY-EIGHT OF THE VEHICLE AND TRAFFIC LAW.
10 (B) "MOTORIST SERVICES" MEANS ROADWAY AND ROADSIDE SERVICES PROVIDED
11 TO MOTORISTS WHEN THEIR MOTOR VEHICLES ARE INVOLVED IN COLLISIONS OR
12 OTHER MOTOR VEHICLE-RELATED INCIDENTS. SUCH SERVICES INCLUDE, BUT ARE
13 NOT LIMITED TO: EXTINGUISHMENT OF MOTOR VEHICLE FIRES; SECURING THE
14 ACCIDENT SCENE; STABILIZING AND SEARCHING THE MOTOR VEHICLE; EVALUATING
15 MOTORISTS FOR INJURIES; PROVIDING FIRST AID AND ASSISTING AMBULANCE
16 PERSONNEL; WRITING AN INCIDENT REPORT; AND WASHING OFF OR OTHERWISE
17 REMOVING DEBRIS FROM THE ROADWAY.
18 2. NO CITY SHALL IMPOSE A CHARGE OR FEE FOR MOTORIST SERVICES PROVIDED
19 BY A FIRE DEPARTMENT OR POLICE DEPARTMENT UNDER THE CONTROL OF SUCH
20 CITY.
21 S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD09846-01-1