S T A T E O F N E W Y O R K

6727--B

I N S E N A T E

March 14, 2012

Introduced by Sens. KLEIN, GOLDEN, SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to muni-meter receipts

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

Section 1. The vehicle and traffic law is amended by adding a new section 241-b to read as follows:

S 241-B. MUNI-METER RECEIPTS; AFFIRMATIVE DEFENSE. IN ANY PROSECUTION OR PROCEEDING ALLEGING A MUNI-METER PARKING VIOLATION, IT SHALL BE AN AFFIRMATIVE DEFENSE TO SUCH VIOLATION, WITH THE BURDEN OF PROOF ON THE PERSON WHO RECEIVED THE SUMMONS, THAT HE OR SHE DID IN FACT PURCHASE A MUNI-METER TICKET PRIOR TO OR UP TO FIVE MINUTES THEREAFTER FROM THE ISSUANCE OF THE SUMMONS AND THAT THE RECEIPT IS VALID FOR USE AT THE TIME AND LOCATION WHERE SUCH SUMMONS WAS ISSUED. SUCH DEFENSE SHALL BE DEEMED ESTABLISHED IF SUCH PERSON PRODUCES THE ACTUAL MUNI-METER RECEIPT OR A COPY THEREOF AT SUCH PROSECUTION OR PROCEEDING. FOR THE PURPOSES OF THIS SECTION, "MUNI-METER" SHALL MEAN AN ELECTRONIC PARKING METER THAT DISPENSES TIMED RECEIPTS SHOWING THE AMOUNT OF PARKING TIME PURCHASED.

S 2. This act shall take effect immediately.

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

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