

5193

2013-2014 Regular Sessions

I N A S S E M B L Y

February 21, 2013

Introduced by M. of A. ORTIZ -- read once and referred to the Committee
on Codes

AN ACT to amend the penal law, in relation to the crime of display of
sexual material in a vehicle

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

1 Section 1. The penal law is amended by adding a new section 245.12 to
2 read as follows:
3 S 245.12 DISPLAY OF SEXUAL MATERIAL IN A VEHICLE.
4 1. A PERSON IS GUILTY OF DISPLAY OF SEXUAL MATERIAL IN A VEHICLE WHEN
5 HE OR SHE IS IN A VEHICLE THAT IS LOCATED IN A PUBLIC PLACE AND A SEXU-
6 ALLY EXPLICIT VIDEO IS BEING DISPLAYED ON A VIDEO OR TELEVISION SCREEN
7 LOCATED WITHIN THAT VEHICLE THAT IS CAPABLE OF BEING SEEN BY A PERSON
8 WHO IS NOT LOCATED WITHIN THE VEHICLE.
9 2. THE CRIME OF DISPLAY OF SEXUAL MATERIAL IN A VEHICLE SHALL BE
10 PUNISHABLE BY UP TO TWO THOUSAND HOURS OF COMMUNITY SERVICE.
11 3. ANY PERSON CONVICTED OF THE CRIME OF DISPLAY OF SEXUAL MATERIAL IN
12 A VEHICLE SHALL, IN ADDITION TO ANY COMMUNITY SERVICE REQUIRED TO BE
13 PERFORMED, HAVE ONE POINT ADDED TO HIS OR HER DRIVING RECORD.
14 DISPLAY OF SEXUAL MATERIAL IN A VEHICLE IS A VIOLATION.
15 S 2. The commissioner of motor vehicles is authorized and directed to
16 implement and/or amend any rule or regulation necessary for the timely
17 implementation of this act on its effective date.
18 S 3. This act shall take effect on the one hundred twentieth day after
19 it shall have become a law.

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

LBD08655-01-3