

6792

2013-2014 Regular Sessions

I N A S S E M B L Y

April 18, 2013

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

AN ACT to amend the criminal procedure law, in relation to granting police officer status to bridge and tunnel officers, sergeants and lieutenants of the Triborough bridge and tunnel authority; to amend the public authorities law, in relation to providing certain powers to the Triborough bridge and tunnel authority; and repealing subdivision 20 of section 2.10 of the criminal procedure law relating thereto

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

1 Section 1. Subdivision 34 of section 1.20 of the criminal procedure
2 law is amended by adding a new paragraph (w) to read as follows:
3 (W) BRIDGE AND TUNNEL OFFICERS, SERGEANTS AND LIEUTENANTS OF THE
4 TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY WHO HAVE BEEN CERTIFIED BY THE
5 DIVISION OF CRIMINAL JUSTICE SERVICES AS HAVING SUCCESSFULLY COMPLETED A
6 BASIC COURSE AT AN ACCREDITED POLICE ACADEMY; PROVIDED THAT SUCH OFFI-
7 CERS SHALL BE REQUIRED TO COMPLETE SUCH COURSE REQUIREMENTS PRIOR TO
8 COMMENCING THEIR DUTIES AS POLICE OFFICERS.
9 S 2. Subdivision 34-a of section 1.20 of the criminal procedure law is
10 amended by adding a new paragraph (e) to read as follows:
11 (E) THE "GEOGRAPHICAL AREA OF EMPLOYMENT" FOR THE BRIDGE AND TUNNEL
12 POLICE FORCE OF THE TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY SHALL BE ALL
13 FACILITIES OPERATED BY THE TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY WITHIN
14 THE COUNTY OF NEW YORK.
15 S 3. Subdivision 20 of section 2.10 of the criminal procedure law is
16 REPEALED.
17 S 4. Section 553 of the public authorities law is amended by adding a
18 new subdivision 7-b to read as follows:
19 7-B. IN ITS DISCRETION, TO PROVIDE AND MAINTAIN A BRIDGE AND TUNNEL
20 POLICE DEPARTMENT AND A UNIFORMED BRIDGE AND TUNNEL POLICE FORCE. SUCH
21 DEPARTMENT AND FORCE SHALL HAVE THE POWER AND IT SHALL BE THEIR DUTY, IN

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

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1 AND ABOUT BRIDGE AND TUNNEL FACILITIES, TO: PRESERVE THE PUBLIC PEACE;
2 PREVENT CRIME; ARREST OFFENDERS; SUPPRESS RIOTS, MOBS AND INSURRECTIONS;
3 DISPERSE UNLAWFUL OR DANGEROUS ASSEMBLAGES AND ASSEMBLAGES WHICH
4 OBSTRUCT FREE PASSAGE; PROTECT THE RIGHTS OF PERSONS AND PROPERTY; GUARD
5 THE PUBLIC HEALTH; REGULATE, DIRECT, CONTROL AND RESTRICT PEDESTRIAN
6 TRAFFIC; REMOVE ALL NUISANCES; ENFORCE AND PREVENT VIOLATION OF ALL LAWS
7 AND ORDINANCES; AND FOR THESE PURPOSES TO ARREST ALL PERSONS GUILTY OF
8 VIOLATING ANY LAW OR ORDINANCE. APPOINTMENTS TO SUCH BRIDGE AND TUNNEL
9 POLICE FORCE SHALL BE MADE IN ACCORDANCE WITH APPLICABLE PROVISIONS OF
10 THE CIVIL SERVICE LAW AND ONLY PERSONS WHO HAVE NEVER BEEN CONVICTED OF
11 A FELONY AND WHO ARE CITIZENS OF THE UNITED STATES SHALL BE APPOINTED
12 BRIDGE AND TUNNEL PATROLMEN ON THE BRIDGE AND TUNNEL POLICE FORCE. EACH
13 MEMBER OF SUCH FORCE SHALL BE CERTIFIED BY THE DIVISION OF CRIMINAL
14 JUSTICE SERVICES AS HAVING SUCCESSFULLY COMPLETED A BASIC COURSE FOR
15 POLICE OFFICERS, WHICH COURSE SHALL BE PROVIDED BY THE AUTHORITY;
16 PROVIDED THAT SUCH OFFICERS SHALL BE REQUIRED TO COMPLETE SUCH COURSE
17 REQUIREMENTS PRIOR TO COMMENCING THEIR DUTIES AS POLICE OFFICERS. EACH
18 MEMBER OF SUCH FORCE SHALL BE A POLICE OFFICER AS DEFINED BY PARAGRAPH
19 (W) OF SUBDIVISION THIRTY-FOUR OF SECTION 1.20 OF THE CRIMINAL PROCEDURE
20 LAW.

21 THE AUTHORITY MAY APPOINT A NON-CIVILIAN CHIEF AND A DEPUTY CHIEF OF
22 THE BRIDGE AND TUNNEL POLICE DEPARTMENT WHO, IN THE DISCRETION OF THE
23 AUTHORITY, MAY BE SELECTED FROM THE RANKS OF THE BRIDGE AND TUNNEL
24 POLICE FORCE AND ASSIGN POWERS AND DUTIES TO THEM AND FIX THEIR COMPEN-
25 SATION. THE CHIEF SHALL BE THE HEAD OF SUCH DEPARTMENT. DURING THE
26 ABSENCE OR DISABILITY OF THE CHIEF, THE DEPUTY CHIEF SHALL POSSESS ALL
27 THE POWERS AND PERFORM ALL THE DUTIES OF THE CHIEF. THE BRIDGE AND
28 TUNNEL POLICE FORCE SHALL CONSIST OF CAPTAINS, LIEUTENANTS, SERGEANTS
29 AND OFFICERS. THE AUTHORITY MAY DETAIL PERSONS IN THE RANK OF CAPTAIN OF
30 THE BRIDGE AND TUNNEL POLICE FORCE TO SERVE IN HIGHER RANKS. A CAPTAIN
31 WHEN SO DETAILED TO SERVE IN A HIGHER RANK MAY BE GRANTED AN INCREASE IN
32 SALARY ABOVE THE GRADE ESTABLISHED FOR THE RANK OF CAPTAIN IN THE
33 UNIFORMED FORCE.

34 S 5. This act shall take effect immediately.