

1062

2013-2014 Regular Sessions

I N   S E N A T E

(PREFILED)

January 9, 2013

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Introduced by Sens. MAZIARZ, DeFRANCISCO, FUSCHILLO, LANZA -- read twice  
and ordered printed, and when printed to be committed to the Committee  
on Transportation

AN ACT to amend the vehicle and traffic law, in relation to penalties  
for certain handicapped parking violations

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

1     Section 1. Subdivision 2 of section 1203-b of the vehicle and traffic  
2     law, as amended by chapter 203 of the laws of 1981, is amended to read  
3     as follows:  
4     2. [It] NOTWITHSTANDING ANY OTHER PROVISION OF LAW OR REGULATION IT  
5     shall be a violation for any person to stop, stand or park a vehicle in  
6     any area designated as a place for handicapped parking unless the vehi-  
7     cle bears a permit issued under section [one thousand two hundred  
8     three-a] TWELVE HUNDRED THREE-A OF THIS ARTICLE or a registration issued  
9     under section four hundred four-a of this chapter and such vehicle is  
10    being used for the transportation of a severely disabled or handicapped  
11    person. [This subdivision shall not apply to a violation of section  
12    twelve hundred three-c of this chapter.] ANY PERSON WHO VIOLATES THE  
13    PROVISIONS OF THIS SUBDIVISION SHALL BE SUBJECT TO A FINE OF NOT LESS  
14    THAN FIFTY DOLLARS NOR MORE THAN ONE HUNDRED DOLLARS FOR THE FIRST  
15    OFFENSE AND ONE HUNDRED TO ONE HUNDRED FIFTY DOLLARS AND THE IMPOSITION  
16    OF TWO POINTS ON THE VIOLATOR'S RECORD FOR THE SECOND OFFENSE OCCURRING  
17    WITHIN A PERIOD OF TWO YEARS WITHIN THE SAME MUNICIPALITY.  
18    S 2. Subdivision 4 of section 1203-c of the vehicle and traffic law,  
19    as amended by chapter 613 of the laws of 2003, is amended to read as  
20    follows:  
21    4. Except as otherwise provided by local law which imposes a larger  
22    maximum fine, any person who stops, stands or parks in spaces clearly  
23    marked for use by the handicapped in accordance with this section, with-

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

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1 out a special vehicle identification parking permit, a special municipal  
2 parking permit or whose motor vehicle is not registered in accordance  
3 with section four hundred four-a of this chapter and being used for the  
4 transportation of a handicapped person; or with such permit or registra-  
5 tion and such person is not the one to whom the permit or registration  
6 was issued or is not transporting the person issued the permit or regis-  
7 tration; or any person who parks in a handicapped parking access aisle;  
8 shall be subject to a fine of not less than fifty dollars nor more than  
9 [seventy-five] ONE HUNDRED dollars for the first offense and [seventy-  
10 five] ONE HUNDRED to one hundred fifty dollars AND THE IMPOSITION OF TWO  
11 POINTS ON THE VIOLATOR'S RECORD for the second offense occurring within  
12 a period of two years within the same municipality. The arresting or  
13 ticketing officer shall issue a summons to violators of this section. A  
14 ticketing officer issuing a summons pursuant to this section may provide  
15 for the removal and storage of a motor vehicle illegally parked in a  
16 handicapped parking space, or a handicapped parking access aisle.

17 S 3. This act shall take effect on the one hundred eightieth day after  
18 it shall have become a law; provided, however, that effective immediate-  
19 ly, the addition, amendment and/or repeal of any rule or regulation  
20 necessary for the implementation of this act on its effective date are  
21 authorized and directed to be made and completed on or before such  
22 effective date.