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

1062

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 2 of section 1203-b of the vehicle and traffic law, as amended by chapter 203 of the laws of 1981, is amended to read as follows:

2. [It] NOTWITHSTANDING ANY OTHER PROVISION OF LAW OR REGULATION IT shall be a violation for any person to stop, stand or park a vehicle in any area designated as a place for handicapped parking unless the vehicle bears a permit issued under section [one thousand two hundred three-a] TWELVE HUNDRED THREE-A OF THIS ARTICLE or a registration issued under section four hundred four-a of this chapter and such vehicle is being used for the transportation of a severely disabled or handicapped person. [This subdivision shall not apply to a violation of section twelve hundred three-c of this chapter.] ANY PERSON WHO VIOLATES THE PROVISIONS OF THIS SUBDIVISION SHALL BE SUBJECT TO A FINE OF NOT LESS THAN FIFTY DOLLARS NOR MORE THAN ONE HUNDRED DOLLARS FOR THE FIRST OFFENSE AND ONE HUNDRED TO ONE HUNDRED FIFTY DOLLARS AND THE IMPOSITION OF TWO POINTS ON THE VIOLATOR'S RECORD FOR THE SECOND OFFENSE OCCURRING WITHIN A PERIOD OF TWO YEARS WITHIN THE SAME MUNICIPALITY.

S 2. Subdivision 4 of section 1203-c of the vehicle and traffic law, as amended by chapter 613 of the laws of 2003, is amended to read as follows:

4. Except as otherwise provided by local law which imposes a larger maximum fine, any person who stops, stands or parks in spaces clearly 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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out a special vehicle identification parking permit, a special municipal parking permit or whose motor vehicle is not registered in accordance with section four hundred four-a of this chapter and being used for the transportation of a handicapped person; or with such permit or registration and such person is not the one to whom the permit or registration was issued or is not transporting the person issued the permit or registration; or any person who parks in a handicapped parking access aisle; shall be subject to a fine of not less than fifty dollars nor more than [seventy-five] ONE HUNDRED dollars for the first offense and [seventy-five] ONE HUNDRED to one hundred fifty dollars AND THE IMPOSITION OF TWO POINTS ON THE VIOLATOR'S RECORD for the second offense occurring within a period of two years within the same municipality. The arresting or ticketing officer shall issue a summons to violators of this section. A ticketing officer issuing a summons pursuant to this section may provide for the removal and storage of a motor vehicle illegally parked in a handicapped parking space, or a handicapped parking access aisle.

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