

7765

I N S E N A T E

June 5, 2014

Introduced by Sen. AVELLA -- 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 requiring vehicles to be cleared of accumulated snow and ice

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

- 1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 1229-e to read as follows:
3 S 1229-E. CLEARANCE OF ACCUMULATED SNOW AND ICE. 1. A MOTOR VEHICLE
4 OPERATOR SHALL REMOVE ACCUMULATED SNOW OR ICE ON SUCH MOTOR VEHICLE,
5 INCLUDING BUT NOT LIMITED TO THE HOOD, TRUNK AND ROOF OF SUCH MOTOR
6 VEHICLE, BEFORE OPERATING THE MOTOR VEHICLE ON ANY STREET OR HIGHWAY OF
7 THIS STATE IN ORDER TO NOT POSE A THREAT TO OTHER PERSONS OR PROPERTY.
8 ANY OPERATOR WHO VIOLATES THE PROVISIONS OF THIS SECTION SHALL BE FINED
9 SEVENTY-FIVE DOLLARS.
10 2. AN OPERATOR OF A NON-COMMERCIAL MOTOR VEHICLE WHO VIOLATES THE
11 PROVISIONS OF THIS SECTION WHERE SUCH VIOLATION RESULTS IN THE PERSONAL
12 INJURY OR DAMAGE TO THE PROPERTY OF ANOTHER PERSON, SHALL BE FINED NOT
13 LESS THAN TWO HUNDRED DOLLARS NOR MORE THAN ONE THOUSAND DOLLARS FOR
14 EACH OFFENSE. AN OPERATOR OF A COMMERCIAL MOTOR VEHICLE WHO VIOLATES THE
15 PROVISIONS OF THIS SECTION WHERE SUCH VIOLATION RESULTS IN THE PERSONAL
16 INJURY OR DAMAGE TO THE PROPERTY OF ANOTHER PERSON, SHALL BE FINED NOT
17 LESS THAN FIVE HUNDRED DOLLARS NOR MORE THAN TWELVE HUNDRED FIFTY
18 DOLLARS FOR EACH OFFENSE.
19 3. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY:
20 (A) DURING A PERIOD OF SNOW OR ICE, IF SUCH PERIOD BEGAN AND CONTINUED
21 DURING THE TIME OF THE MOTOR VEHICLE'S OPERATION, OR
22 (B) DURING THE TIME SUCH VEHICLE IS PARKED, OR
23 (C) TO EMERGENCY VEHICLES AS DEFINED BY SECTION ONE HUNDRED ONE OF
24 THIS CHAPTER.
25 S 2. This act shall take effect immediately.

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

LBD14121-01-4