

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

2012

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. KAVANAGH, QUART -- read once and referred to the
Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to authorizing
police officers to arrest a driver of a motor vehicle in certain
circumstances

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

1 Section 1. Section 1146 of the vehicle and traffic law is amended by
2 adding a new subdivision (f) to read as follows:
3 (F) NOTWITHSTANDING THE PROVISIONS OF SECTION 140.10 OF THE CRIMINAL
4 PROCEDURE LAW, A POLICE OFFICER MAY, WITHOUT A WARRANT, ARREST A PERSON,
5 IN CASE OF A VIOLATION OF SUBDIVISION (B) OR (C) OF THIS SECTION, IF
6 SUCH VIOLATION IS COUPLED WITH AN ACCIDENT OR COLLISION IN WHICH SUCH
7 PERSON IS INVOLVED, WHICH IN FACT HAS BEEN COMMITTED, THOUGH NOT IN THE
8 POLICE OFFICER'S PRESENCE, WHEN THE OFFICER HAS REASONABLE CAUSE TO
9 BELIEVE THAT THE VIOLATION WAS COMMITTED BY SUCH PERSON.
10 S 2. This act shall take effect on the ninetieth day after it shall
11 have become a law.

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

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