

3702--A

2013-2014 Regular Sessions

I N   A S S E M B L Y

January 28, 2013

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Introduced by M. of A. PEOPLES-STOKES, GABRYSZAK, RYAN -- Multi-Sponsored by -- M. of A. BOYLAND, COLTON, RIVERA -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to directing the city of Buffalo to adjudicate traffic infractions

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

1     Section 1. Subdivision 1 of section 225 of the vehicle and traffic  
2 law, as amended by chapter 388 of the laws of 2012, is amended to read  
3 as follows:  
4     1. (A) Notwithstanding any inconsistent provision of law, all  
5 violations of this chapter or of a law, ordinance, order, rule or regulation relating to traffic, except parking, standing, stopping or pedestrian offenses, which occur within a city having a population of two  
6 hundred thousand or more in which administrative tribunals have heretofore been established, and which are classified as traffic infractions,  
7 may be heard and determined pursuant to the regulations of the commissioner as provided in this article.  
8  
9     (B) FOR PURPOSES OF THIS ARTICLE WITH REGARD TO THE ADJUDICATION OF  
10 ANY VIOLATION OF THIS CHAPTER OR OF A LAW, ORDINANCE, ORDER, RULE OR  
11 REGULATION RELATING TO TRAFFIC, WHICH IS CLASSIFIED AS A TRAFFIC INFRACTION, IN THE CITY OF BUFFALO, PARAGRAPH (A) OF THIS SUBDIVISION SHALL  
12 NOT APPLY. NOTWITHSTANDING ANY INCONSISTENT PROVISION OF A GENERAL,  
13 SPECIAL OR LOCAL LAW TO THE CONTRARY, THE CITY OF BUFFALO SHALL PROVIDE  
14 BY LOCAL LAW FOR THE ADMINISTRATIVE ADJUDICATION OF TRAFFIC INFRACTIONS.  
15  
16     (C) Whenever a crime and a traffic infraction arise out of the same  
17 transaction or occurrence, a charge alleging both offenses may be made  
18 returnable before the court having jurisdiction over the crime. Nothing  
19 herein provided shall be construed to prevent a court, having jurisdiction

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

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1 tion over a criminal charge relating to traffic or a traffic infraction,  
2 from lawfully entering a judgment of conviction, whether or not based on  
3 a plea of guilty, for any offense classified as a traffic infraction.  
4 S 2. This act shall take effect January 1, 2014, provided that the  
5 addition, amendment and/or repeal of any rule or regulation necessary  
6 for the implementation of this act on its effective date is authorized  
7 and directed to be made and completed on or before such effective date.