

7315

2013-2014 Regular Sessions

I N A S S E M B L Y

May 10, 2013

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

AN ACT to amend the vehicle and traffic law, in relation to creating the
offense of aggravated leaving scene of an accident without reporting

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

1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 600-a to read as follows:

3 S 600-A. AGGRAVATED LEAVING THE SCENE OF AN ACCIDENT WITHOUT REPORT-
4 ING. A PERSON IS GUILTY OF AGGRAVATED LEAVING THE SCENE OF AN ACCIDENT
5 WITHOUT REPORTING WHEN HE OR SHE LEAVES THE SCENE OF AN ACCIDENT WITHOUT
6 REPORTING AS DEFINED BY SECTION SIX HUNDRED OF THIS ARTICLE AND:

7 1. CAUSES THE DEATH OF ONE OR MORE PERSONS AND/OR THE SERIOUS PERSONAL
8 INJURY OF ONE OR MORE PERSONS AND:

9 (A) HE OR SHE COMMITS SUCH CRIMES WHILE KNOWING OR HAVING REASON TO
10 KNOW THAT HIS OR HER LICENSE OR HIS OR HER PRIVILEGE OF OPERATING A
11 MOTOR VEHICLE IN ANOTHER STATE OR HIS OR HER PRIVILEGE OF OBTAINING A
12 LICENSE TO OPERATE A MOTOR VEHICLE IN ANOTHER STATE IS SUSPENDED OR
13 REVOKED AND SUCH SUSPENSION OR REVOCATION IS BASED UPON A CONVICTION IN
14 SUCH OTHER STATE FOR AN OFFENSE WHICH WOULD, IF COMMITTED IN THIS STATE,
15 CONSTITUTE A VIOLATION OF ANY OF THE PROVISIONS OF SECTION ELEVEN
16 HUNDRED NINETY-TWO OF THIS CHAPTER; OR

17 (B) HE OR SHE COMMITS SUCH CRIMES WHILE KNOWING OR HAVING REASON TO
18 KNOW THAT HIS OR HER LICENSE OR HIS OR HER PRIVILEGE OF OPERATING A
19 MOTOR VEHICLE IN THIS STATE OR HIS OR HER PRIVILEGE OF OBTAINING A
20 LICENSE ISSUED BY THE COMMISSIONER IS SUSPENDED OR REVOKED AND SUCH
21 SUSPENSION OR REVOCATION IS BASED UPON EITHER A REFUSAL TO SUBMIT TO A
22 CHEMICAL TEST PURSUANT TO SECTION ELEVEN HUNDRED NINETY-FOUR OF THIS
23 CHAPTER OR FOLLOWING A CONVICTION FOR VIOLATION OF ANY OF THE PROVISIONS
24 OF SECTION ELEVEN HUNDRED NINETY-TWO OF THIS CHAPTER; OR

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

LBD09595-04-3

1 2. HE OR SHE CAUSES THE DEATH OF ONE OR MORE PERSONS AND/OR THE SERI-
2 OUS PERSONAL INJURY OF ONE OR MORE PERSONS AND HE OR SHE HAS PREVIOUSLY
3 BEEN CONVICTED OF VIOLATING ANY OF THE PROVISIONS OF SECTION ELEVEN
4 HUNDRED NINETY-TWO OF THIS CHAPTER WITHIN THE PRECEDING TEN YEARS,
5 PROVIDED THAT, FOR THE PURPOSES OF THIS SUBDIVISION, A CONVICTION IN ANY
6 OTHER STATE OR JURISDICTION FOR AN OFFENSE WHICH, IF COMMITTED IN THIS
7 STATE, WOULD CONSTITUTE A VIOLATION OF SECTION ELEVEN HUNDRED NINETY-TWO
8 OF THIS CHAPTER, SHALL BE TREATED AS A VIOLATION OF SUCH SECTION.
9 A VIOLATION OF THIS SECTION IS A CLASS B FELONY PUNISHABLE BY A FINE
10 OF NOT LESS THAN TWO THOUSAND FIVE HUNDRED NOR MORE THAN FIVE THOUSAND
11 FIVE HUNDRED DOLLARS IN ADDITION TO ANY OTHER PENALTIES PROVIDED BY LAW.
12 S 2. This act shall take effect on the first of November next succeed-
13 ing the date on which it shall have become a law.