

7315--B

2013-2014 Regular Sessions

I N A S S E M B L Y

May 10, 2013

Introduced by M. of A. HENNESSEY, THIELE, RAMOS, PERRY, PEOPLES-STOKES, COOK, HOOPER, ENGLEBRIGHT, GARBARINO, GUNTHER, SCHIMEL -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

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

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 600-a to read as follows:
3 S 600-A. AGGRAVATED LEAVING THE SCENE OF AN INCIDENT WITHOUT REPORT-
4 ING. 1. A PERSON IS GUILTY OF AGGRAVATED LEAVING THE SCENE OF AN INCI-
5 DENT WITHOUT REPORTING WHEN HE OR SHE ENGAGES IN RECKLESS DRIVING AND
6 COMMITTS THE CRIME OF LEAVING THE SCENE OF AN INCIDENT AS DEFINED IN
7 PARAGRAPH A OF SUBDIVISION TWO OF SECTION SIX HUNDRED OF THIS ARTICLE,
8 OTHER THAN FOR THE MERE FAILURE OF SUCH PERSON TO EXHIBIT HIS OR HER
9 LICENSE AND INSURANCE CARD FOR SUCH VEHICLE OR EXCHANGE THE INFORMATION
10 REQUIRED IN SUCH PARAGRAPH, AND CAUSES THE DEATH OF MORE THAN ONE OTHER
11 PERSON AND/OR THE SERIOUS PHYSICAL INJURY OF MORE THAN ONE OTHER PERSON
12 AND EITHER:
13 A. COMMITTS SUCH CRIME WHILE KNOWING OR HAVING REASON TO KNOW THAT: (I)
14 HIS OR HER LICENSE OR HIS OR HER PRIVILEGE OF OPERATING A MOTOR VEHICLE
15 IN ANOTHER STATE OR HIS OR HER PRIVILEGE OF OBTAINING A LICENSE TO OPER-
16 ATE A MOTOR VEHICLE IN ANOTHER STATE IS SUSPENDED OR REVOKED AND SUCH
17 SUSPENSION OR REVOCATION IS BASED UPON A CONVICTION IN SUCH OTHER STATE
18 FOR AN OFFENSE WHICH WOULD, IF COMMITTED IN THIS STATE, CONSTITUTE A
19 VIOLATION OF SUBDIVISION TWO OF SECTION SIX HUNDRED OF THIS ARTICLE OR

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

LBD09595-07-4

1 OF ANY OF THE PROVISIONS OF SECTION ELEVEN HUNDRED NINETY-TWO OF THIS
2 CHAPTER; OR (II) HIS OR HER LICENSE OR HIS OR HER PRIVILEGE OF OPERATING
3 A MOTOR VEHICLE IN THIS STATE OR HIS OR HER PRIVILEGE OF OBTAINING A
4 LICENSE ISSUED BY THE COMMISSIONER OF MOTOR VEHICLES IS SUSPENDED OR
5 REVOKED AND SUCH SUSPENSION OR REVOCATION IS FOLLOWING A CONVICTION FOR
6 A VIOLATION OF SUBDIVISION TWO OF SECTION SIX HUNDRED OF THIS ARTICLE OR
7 BASED UPON A REFUSAL TO SUBMIT TO A CHEMICAL TEST PURSUANT TO SECTION
8 ELEVEN HUNDRED NINETY-FOUR OF THIS CHAPTER OR FOLLOWING A CONVICTION FOR
9 A VIOLATION OF ANY OF THE PROVISIONS OF SECTION ELEVEN HUNDRED
10 NINETY-TWO OF THIS CHAPTER; OR

11 B. HAS PREVIOUSLY BEEN CONVICTED OF VIOLATING SUBDIVISION TWO OF
12 SECTION SIX HUNDRED OF THIS ARTICLE OR ANY OF THE PROVISIONS OF SECTION
13 ELEVEN HUNDRED NINETY-TWO OF THIS CHAPTER WITHIN THE PRECEDING TEN
14 YEARS, PROVIDED THAT, FOR THE PURPOSES OF THIS SUBDIVISION, A CONVICTION
15 IN ANY OTHER STATE OR JURISDICTION FOR AN OFFENSE WHICH, IF COMMITTED IN
16 THIS STATE, WOULD CONSTITUTE A VIOLATION OF SUBDIVISION TWO OF SECTION
17 SIX HUNDRED OF THIS ARTICLE OR SECTION ELEVEN HUNDRED NINETY-TWO OF THIS
18 CHAPTER SHALL BE TREATED AS A VIOLATION OF SUCH SECTION.

19 2. A VIOLATION OF THIS SECTION SHALL CONSTITUTE A CLASS C FELONY,
20 PUNISHABLE BY A FINE OF NOT LESS THAN TWO THOUSAND FIVE HUNDRED DOLLARS
21 NOR MORE THAN FIVE THOUSAND FIVE HUNDRED DOLLARS IN ADDITION TO ANY
22 OTHER PENALTIES PROVIDED BY LAW.

23 S 2. This act shall take effect on the first of November next succeed-
24 ing the date on which it shall have become a law and shall apply to
25 violations occurring on and after such date.