

7315--C

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 -- Multi-Sponsored by -- M. of A. PALUMBO -- 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 -- 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 COMMITS 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. COMMITS 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

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

LBD09595-09-4

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

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

21 2. A VIOLATION OF THIS SECTION INVOLVING SERIOUS PHYSICAL INJURY SHALL
22 CONSTITUTE A CLASS D FELONY, PUNISHABLE BY A FINE OF NOT LESS THAN ONE
23 THOUSAND FIVE HUNDRED DOLLARS NOR MORE THAN FIVE THOUSAND FIVE HUNDRED
24 DOLLARS IN ADDITION TO ANY OTHER PENALTIES PROVIDED BY LAW, AND A
25 VIOLATION OF THIS SECTION INVOLVING DEATH SHALL CONSTITUTE A CLASS C
26 FELONY, PUNISHABLE BY A FINE OF NOT LESS THAN TWO THOUSAND FIVE HUNDRED
27 DOLLARS NOR MORE THAN FIVE THOUSAND FIVE HUNDRED DOLLARS IN ADDITION TO
28 ANY OTHER PENALTIES PROVIDED BY LAW.

29 3. FOR PURPOSES OF THIS SECTION THE TERM "SERIOUS PHYSICAL INJURY"
30 SHALL HAVE THE SAME MEANING AS SUCH TERM IS DEFINED IN SECTION 10.00 OF
31 THE PENAL LAW.

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