

7315--D

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 -- 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 COMMITS THE CRIME OF LEAVING THE
6 SCENE OF AN INCIDENT WITHOUT REPORTING, IN VIOLATION OF PARAGRAPH A OF
7 SUBDIVISION TWO OF SECTION SIX HUNDRED OF THIS ARTICLE (OTHER THAN A
8 VIOLATION RESULTING SOLELY FROM THE FAILURE OF THE PERSON TO EXHIBIT HIS
9 OR HER LICENSE AND INSURANCE CARD FOR SUCH VEHICLE OR EXCHANGE THE
10 INFORMATION REQUIRED IN SUCH PARAGRAPH), SUCH INCIDENT RESULTED FROM
11 SUCH PERSON'S COMMISSION OF RECKLESS DRIVING IN VIOLATION OF SECTION
12 TWELVE HUNDRED TWELVE OF THIS CHAPTER AND SUCH DRIVING IN VIOLATION OF
13 SUCH SECTION TWELVE HUNDRED TWELVE RECKLESSLY CAUSED THE DEATH OF MORE
14 THAN ONE OTHER PERSON AND/OR SERIOUS PHYSICAL INJURY TO MORE THAN ONE
15 OTHER PERSON, AND HE OR SHE EITHER:

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

LBD09595-10-4

1 A. COMMITS SUCH CRIME WHILE KNOWING OR HAVING REASON TO KNOW THAT: (I)
2 HIS OR HER LICENSE OR HIS OR HER PRIVILEGE OF OPERATING A MOTOR VEHICLE
3 IN ANOTHER STATE OR HIS OR HER PRIVILEGE OF OBTAINING A LICENSE TO OPER-
4 ATE A MOTOR VEHICLE IN ANOTHER STATE IS SUSPENDED OR REVOKED AND SUCH
5 SUSPENSION OR REVOCATION IS BASED UPON A CONVICTION IN SUCH OTHER STATE
6 FOR AN OFFENSE WHICH WOULD, IF COMMITTED IN THIS STATE, CONSTITUTE A
7 VIOLATION OF SUBDIVISION TWO OF SECTION SIX HUNDRED OF THIS ARTICLE OR
8 OF ANY OF THE PROVISIONS OF SECTION ELEVEN HUNDRED NINETY-TWO OF THIS
9 CHAPTER; OR (II) HIS OR HER LICENSE OR HIS OR HER PRIVILEGE OF OPERATING
10 A MOTOR VEHICLE IN THIS STATE OR HIS OR HER PRIVILEGE OF OBTAINING A
11 LICENSE ISSUED BY THE COMMISSIONER OF MOTOR VEHICLES IS SUSPENDED OR
12 REVOKED AND SUCH SUSPENSION OR REVOCATION IS FOLLOWING A CONVICTION FOR
13 A VIOLATION OF SUBDIVISION TWO OF SECTION SIX HUNDRED OF THIS ARTICLE OR
14 FOLLOWING A CONVICTION FOR A VIOLATION OF ANY OF THE PROVISIONS OF
15 SECTION ELEVEN HUNDRED NINETY-TWO OF THIS CHAPTER; OR

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

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

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

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