

399--A

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sen. DILAN -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- 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 surcharges for moving violations in school traffic safety and speed zones

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

1 Section 1. This act shall be known and may be cited as "Clarente's
2 Law".
3 S 2. Subdivision 1 of section 1809 of the vehicle and traffic law, as
4 amended by section 2 of part DD of chapter 56 of the laws of 2008, the
5 opening paragraph and paragraph (c) as amended by chapter 189 of the
6 laws of 2013, is amended to read as follows:
7 1. Whenever proceedings in an administrative tribunal or a court of
8 this state result in a conviction for an offense under this chapter or a
9 traffic infraction under this chapter, or a local law, ordinance, rule
10 or regulation adopted pursuant to this chapter, other than a traffic
11 infraction involving standing, stopping, or parking or violations by
12 pedestrians or bicyclists, or other than an adjudication of liability of
13 an owner for a violation of subdivision (d) of section eleven hundred
14 eleven of this chapter in accordance with section eleven hundred
15 eleven-a of this chapter, or other than an adjudication of liability of
16 an owner for a violation of subdivision (d) of section eleven hundred
17 eleven of this chapter in accordance with section eleven hundred
18 eleven-b of this chapter, or other than an adjudication in accordance
19 with section eleven hundred eleven-c of this chapter for a violation of
20 a bus lane restriction as defined in such section, there shall be levied
21 a crime victim assistance fee and a mandatory surcharge, in addition to

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

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1 any sentence required or permitted by law, in accordance with the
2 following schedule:

3 (a) Whenever proceedings in an administrative tribunal or a court of
4 this state result in a conviction for a traffic infraction pursuant to
5 article nine of this chapter, there shall be levied a crime victim
6 assistance fee in the amount of five dollars and a mandatory surcharge,
7 in addition to any sentence required or permitted by law, in the amount
8 of twenty-five dollars.

9 (b) Whenever proceedings in an administrative tribunal or a court of
10 this state result in a conviction for a misdemeanor or felony pursuant
11 to section eleven hundred ninety-two of this chapter, there shall be
12 levied, in addition to any sentence required or permitted by law, a
13 crime victim assistance fee in the amount of twenty-five dollars and a
14 mandatory surcharge in accordance with the following schedule:

15 (i) a person convicted of a felony shall pay a mandatory surcharge of
16 three hundred dollars;

17 (ii) a person convicted of a misdemeanor shall pay a mandatory
18 surcharge of one hundred seventy-five dollars.

19 (c) Whenever proceedings in an administrative tribunal or a court of
20 this state result in a conviction for an offense under this chapter
21 other than a crime pursuant to section eleven hundred ninety-two of this
22 chapter, or a traffic infraction under this chapter, or a local law,
23 ordinance, rule or regulation adopted pursuant to this chapter, other
24 than a traffic infraction involving standing, stopping, or parking or
25 violations by pedestrians or bicyclists, or other than an adjudication
26 of liability of an owner for a violation of subdivision (d) of section
27 eleven hundred eleven of this chapter in accordance with section eleven
28 hundred eleven-a of this chapter, or other than an adjudication of
29 liability of an owner for a violation of subdivision (d) of section
30 eleven hundred eleven of this chapter in accordance with section eleven
31 hundred eleven-b of this chapter, or other than an infraction pursuant
32 to article nine of this chapter or other than an adjudication of liability
33 of an owner for a violation of toll collection regulations pursuant
34 to section two thousand nine hundred eighty-five of the public authorities
35 law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven
36 hundred seventy-four of the laws of nineteen hundred fifty or other than
37 an adjudication in accordance with section eleven hundred eleven-c of
38 this chapter for a violation of a bus lane restriction as defined in
39 such section, or other than an adjudication of liability of an owner for
40 a violation of subdivision (b), (c), (d), (f) or (g) of section eleven
41 hundred eighty of this chapter in accordance with section eleven hundred
42 eighty-b of this chapter, OR OTHER THAN A CONVICTION FOR WHICH A MANDATORY
43 SURCHARGE AND CRIME VICTIM ASSISTANCE FEE ARE LEVIED PURSUANT TO
44 PARAGRAPH (D) OF THIS SUBDIVISION, there shall be levied a crime victim
45 assistance fee in the amount of five dollars and a mandatory surcharge,
46 in addition to any sentence required or permitted by law, in the amount
47 of fifty-five dollars.

48 (D)(I) WHENEVER:

49 (A) PROCEEDINGS IN AN ADMINISTRATIVE TRIBUNAL OR A COURT OF THIS STATE
50 RESULT IN A CONVICTION FOR AN OFFENSE UNDER THIS CHAPTER (OTHER THAN A
51 CRIME PURSUANT TO SECTION ELEVEN HUNDRED NINETY-TWO OF THIS CHAPTER) OR
52 FOR A TRAFFIC INFRACTION UNDER THIS CHAPTER OR UNDER A LOCAL LAW, ORDINANCE,
53 RULE OR REGULATION ADOPTED PURSUANT TO THIS CHAPTER; AND

54 (B) SUCH OFFENSE OR INFRACTION OCCURS WITHIN A SCHOOL TRAFFIC SAFETY
55 AND SPEED ZONE WHEN A SCHOOL SPEED LIMIT IS IN EFFECT AS PROVIDED IN
56 PARAGRAPHS ONE AND TWO OF SUBDIVISION (C) OF SECTION ELEVEN HUNDRED

1 EIGHTY OF THIS CHAPTER, THERE SHALL BE LEVIED A CRIME VICTIM ASSISTANCE
2 FEE IN THE AMOUNT OF FIVE DOLLARS AND A MANDATORY SURCHARGE IN THE
3 AMOUNT OF SEVENTY-FIVE DOLLARS, IN ADDITION TO ANY SENTENCE REQUIRED OR
4 PERMITTED BY LAW.

5 (II) THE PROVISIONS OF THIS PARAGRAPH SHALL NOT APPLY TO: (A) TRAFFIC
6 INFRACTIONS INVOLVING STANDING, STOPPING, OR PARKING; (B) VIOLATIONS BY
7 PEDESTRIANS OR BICYCLISTS; (C) AN ADJUDICATION OF LIABILITY OF AN OWNER
8 FOR A VIOLATION OF SUBDIVISION (D) OF SECTION ELEVEN HUNDRED ELEVEN OF
9 THIS CHAPTER IN ACCORDANCE WITH SECTION ELEVEN HUNDRED ELEVEN-A OF THIS
10 CHAPTER; (D) AN INFRACTION PURSUANT TO ARTICLE NINE OF THIS CHAPTER; OR
11 (E) AN ADJUDICATION OF LIABILITY OF AN OWNER FOR A VIOLATION OF TOLL
12 COLLECTION REGULATIONS PURSUANT TO SECTION TWO THOUSAND NINE HUNDRED
13 EIGHTY-FIVE OF THE PUBLIC AUTHORITIES LAW OR SECTIONS SIXTEEN-A,
14 SIXTEEN-B AND SIXTEEN-C OF CHAPTER SEVEN HUNDRED SEVENTY-FOUR OF THE
15 LAWS OF NINETEEN HUNDRED FIFTY.

16 (III) FOR THE PURPOSES OF THIS PARAGRAPH, THE TERM "SCHOOL TRAFFIC
17 SAFETY AND SPEED ZONE" SHALL MEAN A DISTANCE NOT TO EXCEED ONE THOUSAND
18 THREE HUNDRED TWENTY FEET ON A HIGHWAY PASSING A SCHOOL BUILDING,
19 ENTRANCE OR EXIT OF A SCHOOL ABUTTING ON THE HIGHWAY FOR WHICH A MAXIMUM
20 SCHOOL SPEED LIMIT HAS BEEN ESTABLISHED AS AUTHORIZED IN SECTION SIXTEEN
21 HUNDRED TWENTY, SIXTEEN HUNDRED TWENTY-TWO, SIXTEEN HUNDRED THIRTY,
22 SIXTEEN HUNDRED FORTY-THREE OR SIXTEEN HUNDRED SIXTY-TWO-A OF THIS CHAP-
23 TER.

24 S. 3. Subdivision 1 of section 1809 of the vehicle and traffic law, as
25 amended by section 11-a of chapter 189 of the laws of 2013, is amended
26 to read as follows:

27 1. (A) Whenever proceedings in an administrative tribunal or a court
28 of this state result in a conviction for a crime under this chapter or a
29 traffic infraction under this chapter, or a local law, ordinance, rule
30 or regulation adopted pursuant to this chapter, other than a traffic
31 infraction involving standing, stopping, parking or motor vehicle equip-
32 ment or violations by pedestrians or bicyclists, or other than an adju-
33 dication of liability of an owner for a violation of subdivision (d) of
34 section eleven hundred eleven of this chapter in accordance with section
35 eleven hundred eleven-a of this chapter, OR OTHER THAN A CONVICTION FOR
36 WHICH A MANDATORY SURCHARGE AND CRIME VICTIM ASSISTANCE FEE ARE LEVIED
37 PURSUANT TO PARAGRAPH (B) OF THIS SUBDIVISION, or other than an adjudi-
38 cation of liability of an owner for a violation of subdivision (d) of
39 section eleven hundred eleven of this chapter in accordance with section
40 eleven hundred eleven-b of this chapter, or other than an adjudication
41 in accordance with section eleven hundred eleven-c of this chapter for a
42 violation of a bus lane restriction as defined in such section, or other
43 than an adjudication of liability of an owner for a violation of subdi-
44 vision (b), (c), (d), (f) or (g) of section eleven hundred eighty of
45 this chapter in accordance with section eleven hundred eighty-b of this
46 chapter, there shall be levied a mandatory surcharge, in addition to any
47 sentence required or permitted by law, in the amount of twenty-five
48 dollars.

49 (B)(I) WHENEVER:

50 (A) PROCEEDINGS IN AN ADMINISTRATIVE TRIBUNAL OR A COURT OF THIS STATE
51 RESULT IN A CONVICTION FOR AN OFFENSE UNDER THIS CHAPTER (OTHER THAN A
52 CRIME PURSUANT TO SECTION ELEVEN HUNDRED NINETY-TWO OF THIS CHAPTER) OR
53 FOR A TRAFFIC INFRACTION UNDER THIS CHAPTER OR UNDER A LOCAL LAW, ORDI-
54 NANCE, RULE OR REGULATION ADOPTED PURSUANT TO THIS CHAPTER; AND

55 (B) SUCH OFFENSE OR INFRACTION OCCURS WITHIN A SCHOOL TRAFFIC SAFETY
56 AND SPEED ZONE WHEN A SCHOOL SPEED LIMIT IS IN EFFECT AS PROVIDED IN

PARAGRAPHS ONE AND TWO OF SUBDIVISION (C) OF SECTION ELEVEN HUNDRED EIGHTY OF THIS CHAPTER, THERE SHALL BE LEVIED A CRIME VICTIM ASSISTANCE FEE IN THE AMOUNT OF FIVE DOLLARS AND A MANDATORY SURCHARGE IN THE AMOUNT OF SEVENTY-FIVE DOLLARS, IN ADDITION TO ANY SENTENCE REQUIRED OR PERMITTED BY LAW.

(II) THE PROVISIONS OF THIS PARAGRAPH SHALL NOT APPLY TO: (A) TRAFFIC INFRACTIONS INVOLVING STANDING, STOPPING, OR PARKING; (B) VIOLATIONS BY PEDESTRIANS OR BICYCLISTS; (C) AN ADJUDICATION OF LIABILITY OF AN OWNER FOR A VIOLATION OF SUBDIVISION (D) OF SECTION ELEVEN HUNDRED ELEVEN OF THIS CHAPTER IN ACCORDANCE WITH SECTION ELEVEN HUNDRED ELEVEN-A OF THIS CHAPTER; (D) AN INFRACTION PURSUANT TO ARTICLE NINE OF THIS CHAPTER; OR (E) AN ADJUDICATION OF LIABILITY OF AN OWNER FOR A VIOLATION OF TOLL COLLECTION REGULATIONS PURSUANT TO SECTION TWO THOUSAND NINE HUNDRED EIGHTY-FIVE OF THE PUBLIC AUTHORITIES LAW OR SECTIONS SIXTEEN-A, SIXTEEN-B AND SIXTEEN-C OF CHAPTER SEVEN HUNDRED SEVENTY-FOUR OF THE LAWS OF NINETEEN HUNDRED FIFTY.

(III) FOR THE PURPOSES OF THIS PARAGRAPH, THE TERM "SCHOOL TRAFFIC SAFETY AND SPEED ZONE" SHALL MEAN A DISTANCE NOT TO EXCEED ONE THOUSAND THREE HUNDRED TWENTY FEET ON A HIGHWAY PASSING A SCHOOL BUILDING, ENTRANCE OR EXIT OF A SCHOOL ABUTTING ON THE HIGHWAY FOR WHICH A MAXIMUM SCHOOL SPEED LIMIT HAS BEEN ESTABLISHED AS AUTHORIZED IN SECTION SIXTEEN HUNDRED TWENTY, SIXTEEN HUNDRED TWENTY-TWO, SIXTEEN HUNDRED THIRTY, SIXTEEN HUNDRED FORTY-THREE OR SIXTEEN HUNDRED SIXTY-TWO-A OF THIS CHAPTER.

S 4. Subdivision 1 of section 1809 of the vehicle and traffic law, as amended by section 11-b of chapter 189 of the laws of 2013, is amended to read as follows:

1. (A) Whenever proceedings in an administrative tribunal or a court of this state result in a conviction for a crime under this chapter or a traffic infraction under this chapter other than a traffic infraction involving standing, stopping, parking or motor vehicle equipment or violations by pedestrians or bicyclists, OR OTHER THAN A CONVICTION FOR WHICH A MANDATORY SURCHARGE AND CRIME VICTIM ASSISTANCE FEE ARE LEVIED PURSUANT TO PARAGRAPH (B) OF THIS SUBDIVISION, or other than an adjudication in accordance with section eleven hundred eleven-c of this chapter for a violation of a bus lane restriction as defined in such section, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-b of this chapter, there shall be levied a mandatory surcharge, in addition to any sentence required or permitted by law, in the amount of seventeen dollars.

(B)(I) WHENEVER:

(A) PROCEEDINGS IN AN ADMINISTRATIVE TRIBUNAL OR A COURT OF THIS STATE RESULT IN A CONVICTION FOR AN OFFENSE UNDER THIS CHAPTER (OTHER THAN A CRIME PURSUANT TO SECTION ELEVEN HUNDRED NINETY-TWO OF THIS CHAPTER) OR FOR A TRAFFIC INFRACTION UNDER THIS CHAPTER OR UNDER A LOCAL LAW, ORDINANCE, RULE OR REGULATION ADOPTED PURSUANT TO THIS CHAPTER; AND

(B) SUCH OFFENSE OR INFRACTION OCCURS WITHIN A SCHOOL TRAFFIC SAFETY AND SPEED ZONE WHEN A SCHOOL SPEED LIMIT IS IN EFFECT AS PROVIDED IN PARAGRAPHS ONE AND TWO OF SUBDIVISION (C) OF SECTION ELEVEN HUNDRED EIGHTY OF THIS CHAPTER, THERE SHALL BE LEVIED A CRIME VICTIM ASSISTANCE FEE IN THE AMOUNT OF FIVE DOLLARS AND A MANDATORY SURCHARGE IN THE AMOUNT OF SEVENTY-FIVE DOLLARS, IN ADDITION TO ANY SENTENCE REQUIRED OR PERMITTED BY LAW.

1 (II) THE PROVISIONS OF THIS PARAGRAPH SHALL NOT APPLY TO: (A) TRAFFIC
2 INFRACTIONS INVOLVING STANDING, STOPPING, OR PARKING; (B) VIOLATIONS BY
3 PEDESTRIANS OR BICYCLISTS; (C) AN ADJUDICATION OF LIABILITY OF AN OWNER
4 FOR A VIOLATION OF SUBDIVISION (D) OF SECTION ELEVEN HUNDRED ELEVEN OF
5 THIS CHAPTER IN ACCORDANCE WITH SECTION ELEVEN HUNDRED ELEVEN-A OF THIS
6 CHAPTER; (D) AN INFRACTION PURSUANT TO ARTICLE NINE OF THIS CHAPTER; OR
7 (E) AN ADJUDICATION OF LIABILITY OF AN OWNER FOR A VIOLATION OF TOLL
8 COLLECTION REGULATIONS PURSUANT TO SECTION TWO THOUSAND NINE HUNDRED
9 EIGHTY-FIVE OF THE PUBLIC AUTHORITIES LAW OR SECTIONS SIXTEEN-A,
10 SIXTEEN-B AND SIXTEEN-C OF CHAPTER SEVEN HUNDRED SEVENTY-FOUR OF THE
11 LAWS OF NINETEEN HUNDRED FIFTY.

12 (III) FOR THE PURPOSES OF THIS PARAGRAPH, THE TERM "SCHOOL TRAFFIC
13 SAFETY AND SPEED ZONE" SHALL MEAN A DISTANCE NOT TO EXCEED ONE THOUSAND
14 THREE HUNDRED TWENTY FEET ON A HIGHWAY PASSING A SCHOOL BUILDING,
15 ENTRANCE OR EXIT OF A SCHOOL ABUTTING ON THE HIGHWAY FOR WHICH A MAXIMUM
16 SCHOOL SPEED LIMIT HAS BEEN ESTABLISHED AS AUTHORIZED IN SECTION SIXTEEN
17 HUNDRED TWENTY, SIXTEEN HUNDRED TWENTY-TWO, SIXTEEN HUNDRED THIRTY,
18 SIXTEEN HUNDRED FORTY-THREE OR SIXTEEN HUNDRED SIXTY-TWO-A OF THIS CHAP-
19 TER.

20 S 5. Subdivision 1 of section 1809 of the vehicle and traffic law, as
21 amended by section 11-c of chapter 189 of the laws of 2013, is amended
22 to read as follows:

23 1. (A) Whenever proceedings in an administrative tribunal or a court
24 of this state result in a conviction for a crime under this chapter or a
25 traffic infraction under this chapter other than a traffic infraction
26 involving standing, stopping, parking or motor vehicle equipment or
27 violations by pedestrians or bicyclists, OR OTHER THAN A CONVICTION FOR
28 WHICH A MANDATORY SURCHARGE AND CRIME VICTIM ASSISTANCE FEE ARE LEVIED
29 PURSUANT TO PARAGRAPH (B) OF THIS SUBDIVISION, or other than an adjudi-
30 cation of liability of an owner for a violation of subdivision (b), (c),
31 (d), (f) or (g) of section eleven hundred eighty of this chapter in
32 accordance with section eleven hundred eighty-b of this chapter, there
33 shall be levied a mandatory surcharge, in addition to any sentence
34 required or permitted by law, in the amount of seventeen dollars.

35 (B)(I) WHENEVER:

36 (A) PROCEEDINGS IN AN ADMINISTRATIVE TRIBUNAL OR A COURT OF THIS STATE
37 RESULT IN A CONVICTION FOR AN OFFENSE UNDER THIS CHAPTER (OTHER THAN A
38 CRIME PURSUANT TO SECTION ELEVEN HUNDRED NINETY-TWO OF THIS CHAPTER) OR
39 FOR A TRAFFIC INFRACTION UNDER THIS CHAPTER OR UNDER A LOCAL LAW, ORDI-
40 NANCE, RULE OR REGULATION ADOPTED PURSUANT TO THIS CHAPTER; AND

41 (B) SUCH OFFENSE OR INFRACTION OCCURS WITHIN A SCHOOL TRAFFIC SAFETY
42 AND SPEED ZONE WHEN A SCHOOL SPEED LIMIT IS IN EFFECT AS PROVIDED IN
43 PARAGRAPHS ONE AND TWO OF SUBDIVISION (C) OF SECTION ELEVEN HUNDRED
44 EIGHTY OF THIS CHAPTER, THERE SHALL BE LEVIED A CRIME VICTIM ASSISTANCE
45 FEE IN THE AMOUNT OF FIVE DOLLARS AND A MANDATORY SURCHARGE IN THE
46 AMOUNT OF SEVENTY-FIVE DOLLARS, IN ADDITION TO ANY SENTENCE REQUIRED OR
47 PERMITTED BY LAW.

48 (II) THE PROVISIONS OF THIS PARAGRAPH SHALL NOT APPLY TO: (A) TRAFFIC
49 INFRACTIONS INVOLVING STANDING, STOPPING, OR PARKING; (B) VIOLATIONS BY
50 PEDESTRIANS OR BICYCLISTS; (C) AN ADJUDICATION OF LIABILITY OF AN OWNER
51 FOR A VIOLATION OF SUBDIVISION (D) OF SECTION ELEVEN HUNDRED ELEVEN OF
52 THIS CHAPTER IN ACCORDANCE WITH SECTION ELEVEN HUNDRED ELEVEN-A OF THIS
53 CHAPTER; (D) AN INFRACTION PURSUANT TO ARTICLE NINE OF THIS CHAPTER; OR
54 (E) AN ADJUDICATION OF LIABILITY OF AN OWNER FOR A VIOLATION OF TOLL
55 COLLECTION REGULATIONS PURSUANT TO SECTION TWO THOUSAND NINE HUNDRED
56 EIGHTY-FIVE OF THE PUBLIC AUTHORITIES LAW OR SECTIONS SIXTEEN-A,

1 SIXTEEN-B AND SIXTEEN-C OF CHAPTER SEVEN HUNDRED SEVENTY-FOUR OF THE
2 LAWS OF NINETEEN HUNDRED FIFTY.

3 (III) FOR THE PURPOSES OF THIS PARAGRAPH, THE TERM "SCHOOL TRAFFIC
4 SAFETY AND SPEED ZONE" SHALL MEAN A DISTANCE NOT TO EXCEED ONE THOUSAND
5 THREE HUNDRED TWENTY FEET ON A HIGHWAY PASSING A SCHOOL BUILDING,
6 ENTRANCE OR EXIT OF A SCHOOL ABUTTING ON THE HIGHWAY FOR WHICH A MAXIMUM
7 SCHOOL SPEED LIMIT HAS BEEN ESTABLISHED AS AUTHORIZED IN SECTION SIXTEEN
8 HUNDRED TWENTY, SIXTEEN HUNDRED TWENTY-TWO, SIXTEEN HUNDRED THIRTY,
9 SIXTEEN HUNDRED FORTY-THREE OR SIXTEEN HUNDRED SIXTY-TWO-A OF THIS CHAP-
10 TER.

11 S 6. Subdivision 1 of section 1809 of the vehicle and traffic law, as
12 separately amended by chapter 16 of the laws of 1983 and chapter 62 of
13 the laws of 1989, is amended to read as follows:

14 1. (A) Whenever proceedings in an administrative tribunal or a court
15 of this state result in a conviction for a crime under this chapter or a
16 traffic infraction under this chapter other than a traffic infraction
17 involving standing, stopping, parking or motor vehicle equipment or
18 violations by pedestrians or bicyclists, OR OTHER THAN A CONVICTION FOR
19 WHICH A MANDATORY SURCHARGE AND CRIME VICTIM ASSISTANCE FEE ARE LEVIED
20 PURSUANT TO PARAGRAPH (B) OF THIS SUBDIVISION, there shall be levied a
21 mandatory surcharge, in addition to any sentence required or permitted
22 by law, in the amount of seventeen dollars.

23 (B)(I) WHENEVER:

24 (A) PROCEEDINGS IN AN ADMINISTRATIVE TRIBUNAL OR A COURT OF THIS STATE
25 RESULT IN A CONVICTION FOR AN OFFENSE UNDER THIS CHAPTER (OTHER THAN A
26 CRIME PURSUANT TO SECTION ELEVEN HUNDRED NINETY-TWO OF THIS CHAPTER) OR
27 FOR A TRAFFIC INFRACTION UNDER THIS CHAPTER OR UNDER A LOCAL LAW, ORDI-
28 NANCE, RULE OR REGULATION ADOPTED PURSUANT TO THIS CHAPTER; AND

29 (B) SUCH OFFENSE OR INFRACTION OCCURS WITHIN A SCHOOL TRAFFIC SAFETY
30 AND SPEED ZONE WHEN A SCHOOL SPEED LIMIT IS IN EFFECT AS PROVIDED IN
31 PARAGRAPHS ONE AND TWO OF SUBDIVISION (C) OF SECTION ELEVEN HUNDRED
32 EIGHTY OF THIS CHAPTER, THERE SHALL BE LEVIED A CRIME VICTIM ASSISTANCE
33 FEE IN THE AMOUNT OF FIVE DOLLARS AND A MANDATORY SURCHARGE IN THE
34 AMOUNT OF SEVENTY-FIVE DOLLARS, IN ADDITION TO ANY SENTENCE REQUIRED OR
35 PERMITTED BY LAW.

36 (II) THE PROVISIONS OF THIS PARAGRAPH SHALL NOT APPLY TO: (A) TRAFFIC
37 INFRACTIONS INVOLVING STANDING, STOPPING, OR PARKING; (B) VIOLATIONS BY
38 PEDESTRIANS OR BICYCLISTS; (C) AN ADJUDICATION OF LIABILITY OF AN OWNER
39 FOR A VIOLATION OF SUBDIVISION (D) OF SECTION ELEVEN HUNDRED ELEVEN OF
40 THIS CHAPTER IN ACCORDANCE WITH SECTION ELEVEN HUNDRED ELEVEN-A OF THIS
41 CHAPTER; (D) AN INFRACTION PURSUANT TO ARTICLE NINE OF THIS CHAPTER; OR
42 (E) AN ADJUDICATION OF LIABILITY OF AN OWNER FOR A VIOLATION OF TOLL
43 COLLECTION REGULATIONS PURSUANT TO SECTION TWO THOUSAND NINE HUNDRED
44 EIGHTY-FIVE OF THE PUBLIC AUTHORITIES LAW OR SECTIONS SIXTEEN-A,
45 SIXTEEN-B AND SIXTEEN-C OF CHAPTER SEVEN HUNDRED SEVENTY-FOUR OF THE
46 LAWS OF NINETEEN HUNDRED FIFTY.

47 (III) FOR THE PURPOSES OF THIS PARAGRAPH, THE TERM "SCHOOL TRAFFIC
48 SAFETY AND SPEED ZONE" SHALL MEAN A DISTANCE NOT TO EXCEED ONE THOUSAND
49 THREE HUNDRED TWENTY FEET ON A HIGHWAY PASSING A SCHOOL BUILDING,
50 ENTRANCE OR EXIT OF A SCHOOL ABUTTING ON THE HIGHWAY FOR WHICH A MAXIMUM
51 SCHOOL SPEED LIMIT HAS BEEN ESTABLISHED AS AUTHORIZED IN SECTION SIXTEEN
52 HUNDRED TWENTY, SIXTEEN HUNDRED TWENTY-TWO, SIXTEEN HUNDRED THIRTY,
53 SIXTEEN HUNDRED FORTY-THREE OR SIXTEEN HUNDRED SIXTY-TWO-A OF THIS CHAP-
54 TER.

1 S 7. This act shall take effect on the first of November next succeed-
2 ing the date on which it shall have become a law and shall apply to
3 violations occurring on and after such effective date; provided that:
4 a. the amendments to subdivision 1 of section 1809 of the vehicle and
5 traffic law made by section two of this act shall be subject to the
6 expiration of such subdivision when upon such date the provisions of
7 section three of this act shall take effect;
8 b. the amendments to subdivision 1 of section 1809 of the vehicle and
9 traffic law made by section three of this act shall be subject to the
10 expiration of such subdivision when upon such date the provisions of
11 section four of this act shall take effect;
12 c. the amendments to subdivision 1 of section 1809 of the vehicle and
13 traffic law made by section four of this act shall be subject to the
14 expiration of such subdivision when upon such date the provisions of
15 section five of this act shall take effect;
16 d. the amendments to subdivision 1 of section 1809 of the vehicle and
17 traffic law made by section five of this act shall be subject to the
18 expiration of such subdivision when upon such date the provisions of
19 section six of this act shall take effect.