S T A T E  O F  N E W  Y O R K

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I N  S E N A T E

June 5, 2014

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to requiring vehicles to be cleared of accumulated snow and ice

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

Section 1. The vehicle and traffic law is amended by adding a new section 1229-e to read as follows:

S 1229-E. CLEARANCE OF ACCUMULATED SNOW AND ICE. 1. A MOTOR VEHICLE OPERATOR SHALL REMOVE ACCUMULATED SNOW OR ICE ON SUCH MOTOR VEHICLE, INCLUDING BUT NOT LIMITED TO THE HOOD, TRUNK AND ROOF OF SUCH MOTOR VEHICLE, BEFORE OPERATING THE MOTOR VEHICLE ON ANY STREET OR HIGHWAY OF THIS STATE IN ORDER TO NOT POSE A THREAT TO OTHER PERSONS OR PROPERTY. ANY OPERATOR WHO VIOLATES THE PROVISIONS OF THIS SECTION SHALL BE FINED SEVENTY-FIVE DOLLARS.

2. AN OPERATOR OF A NON-COMMERCIAL MOTOR VEHICLE WHO VIOLATES THE PROVISIONS OF THIS SECTION WHERE SUCH VIOLATION RESULTS IN THE PERSONAL INJURY OR DAMAGE TO THE PROPERTY OF ANOTHER PERSON, SHALL BE FINED NOT LESS THAN TWO HUNDRED DOLLARS NOR MORE THAN ONE THOUSAND DOLLARS FOR EACH OFFENSE. AN OPERATOR OF A COMMERCIAL MOTOR VEHICLE WHO VIOLATES THE PROVISIONS OF THIS SECTION WHERE SUCH VIOLATION RESULTS IN THE PERSONAL INJURY OR DAMAGE TO THE PROPERTY OF ANOTHER PERSON, SHALL BE FINED NOT LESS THAN FIVE HUNDRED DOLLARS NOR MORE THAN TWELVE HUNDRED FIFTY DOLLARS FOR EACH OFFENSE.

3. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY:

(A) DURING A PERIOD OF SNOW OR ICE, IF SUCH PERIOD BEGAN AND CONTINUED DURING THE TIME OF THE MOTOR VEHICLE'S OPERATION, OR

(B) DURING THE TIME SUCH VEHICLE IS PARKED, OR

(C) TO EMERGENCY VEHICLES AS DEFINED BY SECTION ONE HUNDRED ONE OF THIS CHAPTER.

S 2. This act shall take effect immediately.

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

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