

870--B

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sens. GRISANTI, KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee and committed to the Committee on Rules -- 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 directing the city of Buffalo to adjudicate traffic infractions

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

1 Section 1. Subdivision 1 of section 225 of the vehicle and traffic
2 law, as amended by chapter 388 of the laws of 2012, is amended to read
3 as follows:

4 1. (A) Notwithstanding any inconsistent provision of law, all
5 violations of this chapter or of a law, ordinance, order, rule or regu-
6 lation relating to traffic, except parking, standing, stopping or pedes-
7 trian offenses, which occur within a city having a population of two
8 hundred thousand or more in which administrative tribunals have hereto-
9 fore been established, and which are classified as traffic infractions,
10 may be heard and determined pursuant to the regulations of the commis-
11 sioner as provided in this article.

12 (B) FOR PURPOSES OF THIS ARTICLE WITH REGARD TO THE ADJUDICATION OF
13 ANY VIOLATION OF THIS CHAPTER OR OF A LAW, ORDINANCE, ORDER, RULE OR
14 REGULATION RELATING TO TRAFFIC, WHICH IS CLASSIFIED AS A TRAFFIC INFRAC-
15 TION, IN THE CITY OF BUFFALO, PARAGRAPH (A) OF THIS SUBDIVISION SHALL
16 NOT APPLY. NOTWITHSTANDING ANY INCONSISTENT PROVISION OF A GENERAL,
17 SPECIAL OR LOCAL LAW TO THE CONTRARY, THE CITY OF BUFFALO SHALL PROVIDE
18 BY LOCAL LAW FOR THE ADMINISTRATIVE ADJUDICATION OF TRAFFIC INFRACTIONS.

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

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1 (C) Whenever a crime and a traffic infraction arise out of the same
2 transaction or occurrence, a charge alleging both offenses may be made
3 returnable before the court having jurisdiction over the crime. Nothing
4 herein provided shall be construed to prevent a court, having jurisdic-
5 tion over a criminal charge relating to traffic or a traffic infraction,
6 from lawfully entering a judgment of conviction, whether or not based on
7 a plea of guilty, for any offense classified as a traffic infraction.
8 S 2. This act shall take effect January 1, 2015, provided that the
9 addition, amendment and/or repeal of any rule or regulation necessary
10 for the implementation of this act on its effective date is authorized
11 and directed to be made and completed on or before such effective date.