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

10288

I N A S S E M B L Y

May 20, 2016

Introduced by M. of A. THIELE -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to accidents and accident reports

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 600-a to read as follows:

S 600-A. AGGRAVATED LEAVING THE SCENE OF AN INCIDENT WITHOUT REPORTING. 1. A PERSON IS GUILTY OF AGGRAVATED LEAVING THE SCENE OF AN INCIDENT WITHOUT REPORTING WHEN HE OR SHE COMMITS THE CRIME OF LEAVING THE SCENE OF AN INCIDENT WITHOUT REPORTING, IN VIOLATION OF PARAGRAPH A OF SUBDIVISION TWO OF SECTION SIX HUNDRED OF THIS ARTICLE (OTHER THAN A VIOLATION RESULTING SOLELY FROM THE FAILURE OF THE PERSON TO EXHIBIT HIS OR HER LICENSE AND INSURANCE CARD FOR SUCH VEHICLE OR EXCHANGE THE INFORMATION REQUIRED IN SUCH PARAGRAPH), AND EITHER:

A. SUCH INCIDENT RESULTED FROM SUCH PERSON'S OPERATION OF A MOTOR VEHICLE IN VIOLATION OF SECTION TWELVE HUNDRED TWELVE OF THIS CHAPTER, OR

B. SUCH PERSON COMMITS THE OFFENSE OF UNLICENSED OPERATION OF A MOTOR VEHICLE PURSUANT TO SUBDIVISION ONE OF SECTION FIVE HUNDRED NINE OF THIS CHAPTER OR COMMITS THE OFFENSE OF AGGRAVATED UNLICENSED OPERATION OF A MOTOR VEHICLE PURSUANT TO ANY OF THE SUBDIVISIONS OF SECTION FIVE HUNDRED ELEVEN OF THIS CHAPTER, OR

C. THE OPERATOR FAILS TO EITHER RETURN TO THE SCENE OF THE INCIDENT OR REPORT TO A POLICE STATION ON THE OPERATOR'S OWN VOLITION WITHIN SIXTY MINUTES OF THE INCIDENT FOR SUBMISSION TO A CHEMICAL TEST AT THE REQUEST OF A POLICE OFFICER, OR

D. HAS PREVIOUSLY BEEN CONVICTED OF VIOLATING SUBDIVISION TWO OF SECTION SIX HUNDRED OF THIS ARTICLE OR ANY OF THE PROVISIONS OF SECTION ELEVEN HUNDRED NINETY-TWO OF THIS CHAPTER WITHIN THE PRECEDING TEN YEARS, PROVIDED THAT, FOR THE PURPOSES OF THIS SUBDIVISION, A CONVICTION IN ANY OTHER STATE OR JURISDICTION FOR AN OFFENSE WHICH, IF COMMITTED IN THIS STATE, WOULD CONSTITUTE A VIOLATION OF SUBDIVISION TWO OF SECTION

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

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SIX HUNDRED OF THIS ARTICLE OR SECTION ELEVEN HUNDRED NINETY-TWO OF THIS CHAPTER SHALL BE TREATED AS A VIOLATION OF SUCH SECTION.

2. A VIOLATION OF THIS SECTION WHERE THE PERSONAL INJURY INVOLVED RESULTS IN SERIOUS PHYSICAL INJURY, AS DEFINED IN SECTION 10.00 OF THE PENAL LAW, SHALL CONSTITUTE A CLASS D FELONY, PUNISHABLE BY A FINE OF NOT LESS THAN TWO THOUSAND NOR MORE THAN FIVE THOUSAND DOLLARS IN ADDITION TO ANY OTHER PENALTIES PROVIDED BY LAW.

3. A VIOLATION OF THIS SECTION WHERE THE PERSONAL INJURY INVOLVED RESULTS IN DEATH SHALL CONSTITUTE A CLASS C FELONY, PUNISHABLE BY A FINE OF NOT LESS THAN TWO THOUSAND FIVE HUNDRED DOLLARS NOR MORE THAN FIVE THOUSAND FIVE HUNDRED DOLLARS IN ADDITION TO ANY OTHER PENALTIES PROVIDED BY LAW.

S 2. This act shall take effect on the first of March next succeeding the date on which it shall have become a law and shall apply to violations occurring on and after such date.