

2334--A

2015-2016 Regular Sessions

I N S E N A T E

January 22, 2015

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 222 of the
6 laws of 2015, 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, or other than an
21 adjudication of liability of an owner for a violation of subdivision (d)
22 of section eleven hundred eleven of this chapter in accordance with

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

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1 section eleven hundred eleven-d of this chapter, or other than an adju-
2 dication of liability of an owner for a violation of subdivision (b),
3 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in
4 accordance with section eleven hundred eighty-b of this chapter, or
5 other than an adjudication of liability of an owner for a violation of
6 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
7 of this chapter in accordance with section eleven hundred eighty-c of
8 this chapter, or other than an adjudication of liability of an owner for
9 a violation of subdivision (d) of section eleven hundred eleven of this
10 chapter in accordance with section eleven hundred eleven-e of this chap-
11 ter, there shall be levied a crime victim assistance fee and a mandatory
12 surcharge, in addition to any sentence required or permitted by law, in
13 accordance with the following schedule:

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

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

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

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

30 (c) Whenever proceedings in an administrative tribunal or a court of
31 this state result in a conviction for an offense under this chapter
32 other than a crime pursuant to section eleven hundred ninety-two of this
33 chapter, or a traffic infraction under this chapter, or a local law,
34 ordinance, rule or regulation adopted pursuant to this chapter, other
35 than a traffic infraction involving standing, stopping, or parking or
36 violations by pedestrians or bicyclists, or other than an adjudication
37 of liability of an owner for a violation of subdivision (d) of section
38 eleven hundred eleven of this chapter in accordance with section eleven
39 hundred eleven-a of this chapter, or other than an adjudication of
40 liability of an owner for a violation of subdivision (d) of section
41 eleven hundred eleven of this chapter in accordance with section eleven
42 hundred eleven-b of this chapter, or other than an adjudication of
43 liability of an owner for a violation of subdivision (d) of section
44 eleven hundred eleven of this chapter in accordance with section eleven
45 hundred eleven-d of this chapter, or other than an infraction pursuant
46 to article nine of this chapter or other than an adjudication of liabil-
47 ity of an owner for a violation of toll collection regulations pursuant
48 to section two thousand nine hundred eighty-five of the public authori-
49 ties law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven
50 hundred seventy-four of the laws of nineteen hundred fifty or other than
51 an adjudication in accordance with section eleven hundred eleven-c of
52 this chapter for a violation of a bus lane restriction as defined in
53 such section, or other than an adjudication of liability of an owner for
54 a violation of subdivision (b), (c), (d), (f) or (g) of section eleven
55 hundred eighty of this chapter in accordance with section eleven hundred
56 eighty-b of this chapter, or other than an adjudication of liability of

1 an owner for a violation of subdivision (b), (c), (d), (f) or (g) of
2 section eleven hundred eighty of this chapter in accordance with section
3 eleven hundred eighty-c of this chapter, or other than an adjudication
4 of liability of an owner for a violation of subdivision (d) of section
5 eleven hundred eleven of this chapter in accordance with section eleven
6 hundred eleven-e of this chapter, OR OTHER THAN A CONVICTION FOR WHICH A
7 MANDATORY SURCHARGE AND CRIME VICTIM ASSISTANCE FEE ARE LEVIED PURSUANT
8 TO PARAGRAPH (D) OF THIS SUBDIVISION, there shall be levied a crime
9 victim assistance fee in the amount of five dollars and a mandatory
10 surcharge, in addition to any sentence required or permitted by law, in
11 the amount of fifty-five dollars.

12 (D)(I) WHENEVER:

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

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

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

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

44 S 3. Subdivision 1 of section 1809 of the vehicle and traffic law, as
45 amended by section 10-a of chapter 222 of the laws of 2015, is amended
46 to read as follows:

47 1. (A) Whenever proceedings in an administrative tribunal or a court
48 of this state result in a conviction for a crime under this chapter or a
49 traffic infraction under this chapter, or a local law, ordinance, rule
50 or regulation adopted pursuant to this chapter, other than a traffic
51 infraction involving standing, stopping, parking or motor vehicle equip-
52 ment or violations by pedestrians or bicyclists, or other than an adju-
53 dication of liability of an owner for a violation of subdivision (d) of
54 section eleven hundred eleven of this chapter in accordance with section
55 eleven hundred eleven-a of this chapter, OR OTHER THAN A CONVICTION FOR
56 WHICH A MANDATORY SURCHARGE AND CRIME VICTIM ASSISTANCE FEE ARE LEVIED

1 PURSUANT TO PARAGRAPH (B) OF THIS SUBDIVISION, or other than 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-b of this chapter, 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 (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-d of this chapter, 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, 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-c of this chapter, or other than 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-e of this chapter, there shall be levied a mandatory surcharge, in addition to any sentence required or permitted by law, in the amount of twenty-five dollars.

22 (B)(I) WHENEVER:

23 (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

28 (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.

35 (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.

46 (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.

54 S. 4. Subdivision 1 of section 1809 of the vehicle and traffic law, as amended by section 10-b of chapter 222 of the laws of 2015, is amended to read as follows:

1 1. (A) Whenever proceedings in an administrative tribunal or a court
2 of this state result in a conviction for a crime under this chapter or a
3 traffic infraction under this chapter other than a traffic infraction
4 involving standing, stopping, parking or motor vehicle equipment or
5 violations by pedestrians or bicyclists, OR OTHER THAN A CONVICTION FOR
6 WHICH A MANDATORY SURCHARGE AND CRIME VICTIM ASSISTANCE FEE ARE LEVIED
7 PURSUANT TO PARAGRAPH (B) OF THIS SUBDIVISION, or other than an adjudi-
8 cation in accordance with section eleven hundred eleven-c of this chap-
9 ter for a violation of a bus lane restriction as defined in such
10 section, or other than an adjudication of liability of an owner for a
11 violation of subdivision (d) of section eleven hundred eleven of this
12 chapter in accordance with section eleven hundred eleven-d of this chap-
13 ter, or other than an adjudication of liability of an owner for a
14 violation of subdivision (b), (c), (d), (f) or (g) of section eleven
15 hundred eighty of this chapter in accordance with section eleven hundred
16 eighty-b of this chapter, or other than an adjudication of liability of
17 an owner for a violation of subdivision (b), (c), (d), (f) or (g) of
18 section eleven hundred eighty of this chapter in accordance with section
19 eleven hundred eighty-c of this chapter, or other than an adjudication
20 of liability of an owner for a violation of subdivision (d) of section
21 eleven hundred eleven of this chapter in accordance with section eleven
22 hundred eleven-e of this chapter, there shall be levied a mandatory
23 surcharge, in addition to any sentence required or permitted by law, in
24 the amount of seventeen dollars.

25 (B)(I) WHENEVER:

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

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

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

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

1 S 5. Subdivision 1 of section 1809 of the vehicle and traffic law, as
2 amended by section 10-c of chapter 222 of the laws of 2015, is amended
3 to read as follows:

4 1. (A) Whenever proceedings in an administrative tribunal or a court
5 of this state result in a conviction for a crime under this chapter or a
6 traffic infraction under this chapter other than a traffic infraction
7 involving standing, stopping, parking or motor vehicle equipment or
8 violations by pedestrians or bicyclists, OR OTHER THAN A CONVICTION FOR
9 WHICH A MANDATORY SURCHARGE AND CRIME VICTIM ASSISTANCE FEE ARE LEVIED
10 PURSUANT TO PARAGRAPH (B) OF THIS SUBDIVISION, or other than an adjudi-
11 cation of liability of an owner for a violation of subdivision (b), (c),
12 (d), (f) or (g) of section eleven hundred eighty of this chapter in
13 accordance with section eleven hundred eighty-b of this chapter, or
14 other than an adjudication of liability of an owner for a violation of
15 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
16 of this chapter in accordance with section eleven hundred eighty-c of
17 this chapter, or other than an adjudication of liability of an owner for
18 a violation of subdivision (d) of section eleven hundred eleven of this
19 chapter in accordance with section eleven hundred eleven-d of this chap-
20 ter, or other than an adjudication of liability of an owner for a
21 violation of subdivision (d) of section eleven hundred eleven of this
22 chapter in accordance with section eleven hundred eleven-e of this chap-
23 ter, there shall be levied a mandatory surcharge, in addition to any
24 sentence required or permitted by law, in the amount of seventeen
25 dollars.

26 (B)(I) WHENEVER:

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

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

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

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

1 SIXTEEN HUNDRED FORTY-THREE OR SIXTEEN HUNDRED SIXTY-TWO-A OF THIS CHAP-
2 TER.

3 S 6. Subdivision 1 of section 1809 of the vehicle and traffic law, as
4 amended by section 10-d of chapter 222 of the laws of 2015, is amended
5 to read as follows:

6 1. (A) Whenever proceedings in an administrative tribunal or a court
7 of this state result in a conviction for a crime under this chapter or a
8 traffic infraction under this chapter other than a traffic infraction
9 involving standing, stopping, parking or motor vehicle equipment or
10 violations by pedestrians or bicyclists, OR OTHER THAN A CONVICTION FOR
11 WHICH A MANDATORY SURCHARGE AND CRIME VICTIM ASSISTANCE FEE ARE LEVIED
12 PURSUANT TO PARAGRAPH (B) OF THIS SUBDIVISION, or other than an adjudi-
13 cation of liability of an owner for a violation of subdivision (b), (c),
14 (d), (f) or (g) of section eleven hundred eighty of this chapter in
15 accordance with section eleven hundred eighty-c of this chapter, or
16 other than an adjudication of liability of an owner for a violation of
17 subdivision (d) of section eleven hundred eleven of this chapter in
18 accordance with section eleven hundred eleven-d of this chapter, or
19 other than an adjudication of liability of an owner for a violation of
20 subdivision (d) of section eleven hundred eleven of this chapter in
21 accordance with section eleven hundred eleven-e of this chapter, there
22 shall be levied a mandatory surcharge, in addition to any sentence
23 required or permitted by law, in the amount of seventeen dollars.

24 (B)(I) WHENEVER:

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

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

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

48 (III) FOR THE PURPOSES OF THIS PARAGRAPH, THE TERM "SCHOOL TRAFFIC
49 SAFETY AND SPEED ZONE" SHALL MEAN A DISTANCE NOT TO EXCEED ONE THOUSAND
50 THREE HUNDRED TWENTY FEET ON A HIGHWAY PASSING A SCHOOL BUILDING,
51 ENTRANCE OR EXIT OF A SCHOOL ABUTTING ON THE HIGHWAY FOR WHICH A MAXIMUM
52 SCHOOL SPEED LIMIT HAS BEEN ESTABLISHED AS AUTHORIZED IN SECTION SIXTEEN
53 HUNDRED TWENTY, SIXTEEN HUNDRED TWENTY-TWO, SIXTEEN HUNDRED THIRTY,
54 SIXTEEN HUNDRED FORTY-THREE OR SIXTEEN HUNDRED SIXTY-TWO-A OF THIS CHAP-
55 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;
20 e. the amendments to subdivision 1 of section 1809 of the vehicle and
21 traffic law made by section six of this act shall not affect the expira-
22 tion of such subdivision and shall expire and be deemed repealed there-
23 with.