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

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I N A S S E M B L Y

April 27, 2016

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

AN ACT to amend the vehicle and traffic law, in relation to increasing the penalties for moving violations which result in the serious bodily injury or death of another person

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

Section 1. Section 1800 of the vehicle and traffic law is amended by adding a new subdivision (i) to read as follows:

(I) EVERY PERSON CONVICTED OF A TRAFFIC INFRACTION FOR A VIOLATION OF ANY ORDINANCE, ORDER, RULE OR REGULATION ADOPTED PURSUANT TO TITLE SEVEN OF THIS CHAPTER WHICH INVOLVES A MOVING VIOLATION WITH A MOTOR VEHICLE, WHERE SUCH VIOLATION RESULTS IN THE SERIOUS BODILY INJURY OR DEATH OF ANOTHER PERSON, SHALL BE PUNISHABLE AS FOLLOWS:

1. FOR A FIRST OFFENSE, BY: (I) A FINE OF UP TO THREE HUNDRED DOLLARS; (II) A LICENSE SUSPENSION OF UP TO SIX MONTHS; AND (III) A MANDATED DRIVER SAFETY COURSE;

2. FOR A SECOND OFFENSE, BY: (I) A FINE OF UP TO ONE THOUSAND DOLLARS; (II) A LICENSE SUSPENSION OF UP TO TWELVE MONTHS; AND (III) A MANDATED DRIVER SAFETY COURSE. SUCH PERSON SHALL ALSO BE GUILTY OF A MISDEMEANOR AND SHALL BE SUBJECT TO A SENTENCE OF UP TO ONE HUNDRED TWENTY DAYS IN JAIL; AND

3. FOR A THIRD OR SUBSEQUENT OFFENSE, BY PERMANENT LICENSE REVOCATION. SUCH PERSON SHALL ALSO BE GUILTY OF A MISDEMEANOR AND SHALL BE SUBJECT TO A SENTENCE OF UP TO TWELVE MONTHS IN JAIL.

S 2. This act shall take effect on the sixtieth day after it shall have become a law.

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

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