

2393

2015-2016 Regular Sessions

I N S E N A T E

January 22, 2015

Introduced by Sen. MARTINS -- 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 prohibiting dangerous wheels

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

1 Section 1. Section 375 of the vehicle and traffic law is amended by
2 adding a new subdivision 35-b to read as follows:
3 35-B. USE OF DANGEROUS WHEELS PROHIBITED. (A) NO PERSON SHALL DRIVE
4 UPON A PUBLIC HIGHWAY A MOTOR VEHICLE, TRAILER, OR SEMI-TRAILER THAT IS
5 EQUIPPED WITH DANGEROUS WHEELS.
6 (B) ANY PERSON CONVICTED OF A VIOLATION OF THIS SUBDIVISION SHALL FOR
7 A FIRST CONVICTION THEREOF BE PUNISHED BY A FINE OF UP TO TWO HUNDRED
8 FIFTY DOLLARS; FOR A CONVICTION OF A SECOND VIOLATION, BOTH OF WHICH
9 WERE COMMITTED WITHIN A PERIOD OF EIGHTEEN MONTHS, SUCH PERSON SHALL BE
10 GUILTY OF A TRAFFIC INFRACTION AND SHALL BE PUNISHED BY A FINE OF NOT
11 LESS THAN TWO HUNDRED FIFTY DOLLARS AND NOT MORE THAN THREE HUNDRED
12 FIFTY DOLLARS; UPON CONVICTION OF A THIRD OR SUBSEQUENT VIOLATION, ALL
13 OF WHICH WERE COMMITTED WITHIN A PERIOD OF EIGHTEEN MONTHS, SUCH PERSON
14 SHALL BE GUILTY OF A TRAFFIC INFRACTION AND SHALL BE PUNISHED BY A FINE
15 OF NOT LESS THAN THREE HUNDRED FIFTY DOLLARS AND NOT MORE THAN SEVEN
16 HUNDRED FIFTY DOLLARS.
17 (C) AS USED IN THIS SUBDIVISION, "DANGEROUS WHEELS" MEANS ANY WHEEL,
18 WHEEL COVER, HUBCAP, LUG NUT OR LUG CAP, LUG NUT COVERS, WHEEL STUD
19 COVERS, PRONGS, BLADES, SPIKES, OR ANY OTHER PROJECTION OR ANY PART
20 AFFIXED TO ANY OF THE AFOREMENTIONED ITEMS THAT:
21 (I) IS MODIFIED FROM THE ORIGINAL VEHICLE MANUFACTURER'S STANDARD PART
22 FOR THE VEHICLE ON WHICH IT IS INSTALLED, IS SUBSTITUTED WITH A NON-ORI-
23 GINAL AFTERMARKET PART, OR TO WHICH AFTERMARKET PARTS ARE ADDED TO THE
24 MANUFACTURER'S OTHERWISE STANDARD WHEELS OR COVERS; AND

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

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1 (II) EXTENDS TWO INCHES OR MORE BEYOND THE SURFACE OF THE WHEEL RIM OR
2 EXTENDS BEYOND THE BODY OF THE VEHICLE WHEN VIEWED FROM DIRECTLY ABOVE.
3 S 2. This act shall take effect on the ninetieth day after it shall
4 have become a law.