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

4747

2015-2016 Regular Sessions

I N S E N A T E

April 15, 2015

Introduced by Sen. FUNKE -- 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 aggravated leaving the scene of an incident without reporting

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), SUCH INCIDENT RESULTED FROM SUCH PERSON'S COMMISSION OF RECKLESS DRIVING IN VIOLATION OF SECTION TWELVE HUNDRED TWELVE OF THIS CHAPTER AND SUCH DRIVING IN VIOLATION OF SUCH SECTION TWELVE HUNDRED TWELVE RECKLESSLY CAUSED THE DEATH OF MORE THAN ONE OTHER PERSON AND/OR SERIOUS PHYSICAL INJURY TO MORE THAN ONE OTHER PERSON, AND HE OR SHE EITHER:

A. COMMITS SUCH CRIME WHILE KNOWING OR HAVING REASON TO KNOW THAT: (I) HIS OR HER LICENSE OR HIS OR HER PRIVILEGE OF OPERATING A MOTOR VEHICLE IN ANOTHER STATE OR HIS OR HER PRIVILEGE OF OBTAINING A LICENSE TO OPERATE A MOTOR VEHICLE IN ANOTHER STATE IS SUSPENDED OR REVOKED AND SUCH SUSPENSION OR REVOCATION IS BASED UPON A CONVICTION IN SUCH OTHER STATE FOR AN OFFENSE WHICH WOULD, IF COMMITTED IN THIS STATE, CONSTITUTE A VIOLATION OF SUBDIVISION TWO OF SECTION SIX HUNDRED OF THIS ARTICLE OR OF ANY OF THE PROVISIONS OF SECTION ELEVEN HUNDRED NINETY-TWO OF THIS CHAPTER; OR (II) HIS OR HER LICENSE OR HIS OR HER PRIVILEGE OF OPERATING A MOTOR VEHICLE IN THIS STATE OR HIS OR HER PRIVILEGE OF OBTAINING A

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

LBD02367-02-5

LICENSE ISSUED BY THE COMMISSIONER IS SUSPENDED OR REVOKED AND SUCH SUSPENSION OR REVOCATION IS FOLLOWING A CONVICTION FOR A VIOLATION OF SUBDIVISION TWO OF SECTION SIX HUNDRED OF THIS ARTICLE OR FOLLOWING A CONVICTION FOR A VIOLATION OF ANY OF THE PROVISIONS OF SECTION ELEVEN HUNDRED NINETY-TWO OF THIS CHAPTER; OR

B. 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 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 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.

3. FOR PURPOSES OF THIS SECTION THE TERM "SERIOUS PHYSICAL INJURY" SHALL HAVE THE SAME MEANING AS SUCH TERM IS DEFINED IN SECTION 10.00 OF THE PENAL LAW.

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