

4747

2015-2016 Regular Sessions

I N   S E N A T E

April 15, 2015

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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:

1     Section 1. The vehicle and traffic law is amended by adding a new  
2     section 600-a to read as follows:  
3     S 600-A. AGGRAVATED LEAVING THE SCENE OF AN INCIDENT WITHOUT REPORT-  
4     ING. 1. A PERSON IS GUILTY OF AGGRAVATED LEAVING THE SCENE OF AN INCI-  
5     DENT WITHOUT REPORTING WHEN HE OR SHE COMMITS THE CRIME OF LEAVING THE  
6     SCENE OF AN INCIDENT WITHOUT REPORTING, IN VIOLATION OF PARAGRAPH A OF  
7     SUBDIVISION TWO OF SECTION SIX HUNDRED OF THIS ARTICLE (OTHER THAN A  
8     VIOLATION RESULTING SOLELY FROM THE FAILURE OF THE PERSON TO EXHIBIT HIS  
9     OR HER LICENSE AND INSURANCE CARD FOR SUCH VEHICLE OR EXCHANGE THE  
10    INFORMATION REQUIRED IN SUCH PARAGRAPH), SUCH INCIDENT RESULTED FROM  
11    SUCH PERSON'S COMMISSION OF RECKLESS DRIVING IN VIOLATION OF SECTION  
12    TWELVE HUNDRED TWELVE OF THIS CHAPTER AND SUCH DRIVING IN VIOLATION OF  
13    SUCH SECTION TWELVE HUNDRED TWELVE RECKLESSLY CAUSED THE DEATH OF MORE  
14    THAN ONE OTHER PERSON AND/OR SERIOUS PHYSICAL INJURY TO MORE THAN ONE  
15    OTHER PERSON, AND HE OR SHE EITHER:  
16    A. COMMITS SUCH CRIME WHILE KNOWING OR HAVING REASON TO KNOW THAT: (I)  
17    HIS OR HER LICENSE OR HIS OR HER PRIVILEGE OF OPERATING A MOTOR VEHICLE  
18    IN ANOTHER STATE OR HIS OR HER PRIVILEGE OF OBTAINING A LICENSE TO OPER-  
19    ATE A MOTOR VEHICLE IN ANOTHER STATE IS SUSPENDED OR REVOKED AND SUCH  
20    SUSPENSION OR REVOCATION IS BASED UPON A CONVICTION IN SUCH OTHER STATE  
21    FOR AN OFFENSE WHICH WOULD, IF COMMITTED IN THIS STATE, CONSTITUTE A  
22    VIOLATION OF SUBDIVISION TWO OF SECTION SIX HUNDRED OF THIS ARTICLE OR  
23    OF ANY OF THE PROVISIONS OF SECTION ELEVEN HUNDRED NINETY-TWO OF THIS  
24    CHAPTER; OR (II) HIS OR HER LICENSE OR HIS OR HER PRIVILEGE OF OPERATING  
25    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

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

6 B. HAS PREVIOUSLY BEEN CONVICTED OF VIOLATING SUBDIVISION TWO OF  
7 SECTION SIX HUNDRED OF THIS ARTICLE OR ANY OF THE PROVISIONS OF SECTION  
8 ELEVEN HUNDRED NINETY-TWO OF THIS CHAPTER WITHIN THE PRECEDING TEN  
9 YEARS, PROVIDED THAT, FOR THE PURPOSES OF THIS SUBDIVISION, A CONVICTION  
10 IN ANY OTHER STATE OR JURISDICTION FOR AN OFFENSE WHICH, IF COMMITTED IN  
11 THIS STATE, WOULD CONSTITUTE A VIOLATION OF SUBDIVISION TWO OF SECTION  
12 SIX HUNDRED OF THIS ARTICLE OR SECTION ELEVEN HUNDRED NINETY-TWO OF THIS  
13 CHAPTER SHALL BE TREATED AS A VIOLATION OF SUCH SECTION.

14 2. A VIOLATION OF THIS SECTION SHALL CONSTITUTE A CLASS C FELONY,  
15 PUNISHABLE BY A FINE OF NOT LESS THAN TWO THOUSAND FIVE HUNDRED DOLLARS  
16 NOR MORE THAN FIVE THOUSAND FIVE HUNDRED DOLLARS IN ADDITION TO ANY  
17 OTHER PENALTIES PROVIDED BY LAW.

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

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