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

5046--A

2015-2016 Regular Sessions

I N S E N A T E

April 29, 2015

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- 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 prohibiting any municipality from collecting a fine, penalty or forfeiture when the charge of a violation of the vehicle and traffic law is dismissed

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 1804 to read as follows:

S 1804. PROHIBITION OF IMPOSITION AND COLLECTION OF A FINE, PENALTY, FORFEITURE, FEE OR SURCHARGE. NOTWITHSTANDING ANY INCONSISTENT PROVISION OF ANY GENERAL, SPECIAL OR LOCAL LAW, ORDINANCE, ORDER, RULE, REGULATION OR ADMINISTRATIVE CODE TO THE CONTRARY, A MUNICIPALITY MAY ONLY IMPOSE A FINE, PENALTY, FORFEITURE, OR ANY OTHER FEE OR SURCHARGE AGAINST A PERSON CHARGED WITH A VIOLATION OF THIS CHAPTER OR ANY LOCAL LAW, ORDINANCE, ORDER, RULE, REGULATION OR ADMINISTRATIVE CODE ADOPTED PURSUANT TO THIS CHAPTER OF SUCH PERSON IS CONVICTED OF OR FOUND LIABLE FOR SUCH CHARGE.

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

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

LBD10384-03-5