# STATE OF NEW YORK

3859

2017-2018 Regular Sessions

# IN SENATE

January 27, 2017

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 the creation of a yellow alert system to be activated when a hit and run has resulted in death or serious injury

**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 article 22-A to read as follows:

**ARTICLE 22-A**

**YELLOW ALERT SYSTEM**

**Section 620. Short title.**
**621. Definitions.**
**622. Procedure.**

**§ 620. Short title. This article shall be known and may be cited as the "yellow alert system".**

**§ 621. Definitions. As used in this article: 1. "Yellow alert" shall mean a notification system, activated pursuant to section six hundred twenty-two of this article, designed to coordinate alerts with respect to a hit and run incident resulting in the death or injury of a person as described in subdivision four of section six hundred twenty-two of this article.**

**2. "Hit and run" shall mean when a driver of a vehicle who is involved in a collision with another vehicle, property or human being, knowingly fails to stop to give his or her name, license number, and other information as required by section six hundred of this title.**

**§ 622. Procedure. 1. If a hit and run incident is reported to a law enforcement agency, and that agency determines that the requirements of subdivision four of this section are met, the agency may request the New York state police to activate a yellow alert. If the New York state**

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

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police concurs that the requirements of subdivision four of this section are met, it shall activate a yellow alert within the geographic area requested by the investigating law enforcement agency.

2. Radio, television, and cable and satellite systems are encouraged, but are not required, to cooperate with disseminating the information contained in a yellow alert.

3. Upon activation of a yellow alert, the New York state police shall assist the investigating law enforcement agency by issuing the yellow alert via a local digital sign.

4. A law enforcement agency may request that a yellow alert be activated if that agency determines that the following conditions are met in regard to the investigation of the hit and run incident:

a. A person has been killed or has suffered serious bodily injury due to a hit and run incident;

b. The investigating law enforcement agency has additional information concerning the suspect or the suspect's vehicle, including, but not limited to, any of the following:

(i) The complete license plate number of the suspect's vehicle;

(ii) A partial license plate number and the make, model, and color of the suspect's vehicle;

(iii) The identity of the suspect; and

c. Public dissemination of available information could either help avert further harm or accelerate apprehension of the suspect.

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