STATE OF NEW YORK

2880--B

2017-2018 Regular Sessions

IN ASSEMBLY

January 23, 2017

Introduced by M. of A. KIM, BRAUNSTEIN, MOSLEY, M. G. MILLER, JAFFEE, BENEDETTO, COLTON, BRONSON, TITUS, WEPRIN, DenDEKKER, SEPULVEDA, BICHOTTE, PICHARDO, VANEL, ORTIZ, BARNWELL, OTIS, RAIA -- Multi-Sponsored by -- M. of A. ABBATE, COOK, GOTTFRIED, TITONE -- read once and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to the assault of a driver of a for-hire vehicle or transportation network company driver

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 11 of section 120.05 of the penal law, as separately amended by chapters 268 and 281 of the laws of 2016, is amended to read as follows:

11. With intent to cause physical injury to a train operator, ticket inspector, conductor, signalperson, bus operator, station agent, station cleaner or terminal cleaner employed by any transit agency, authority or company, public or private, whose operation is authorized by New York state or any of its political subdivisions, a city marshal, a school crossing guard appointed pursuant to section two hundred eight-a of the general municipal law, a traffic enforcement officer, traffic enforcement agent, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, sanitation enforcement agent, New York city sanitation worker, public health sanitarian, New York city public health sanitarian, registered nurse, licensed practical nurse, emergency medical service paramedic, [~~or~~] emergency medical service technician**, driver of a for-hire vehicle as defined in paragraph (b) of subdivision two of section 60.07 of this chapter or transportation network company driver as defined in subdivision four of section sixteen hundred ninety-one of the vehicle and traffic law**, he or she causes

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

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physical injury to such train operator, ticket inspector, conductor, signalperson, bus operator, station agent, station cleaner or terminal cleaner, city marshal, school crossing guard appointed pursuant to section two hundred eight-a of the general municipal law, traffic enforcement officer, traffic enforcement agent, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, registered nurse, licensed practical nurse, public health sanitarian, New York city public health sanitarian, sanitation enforcement agent, New York city sanitation worker, emergency medical service paramedic, [~~or~~] emergency medical service technician**, driver of a for-hire vehicle as defined in paragraph (b) of subdivision two of section 60.07 of this chapter or transportation network company driver as defined in subdivision four of section sixteen hundred ninety-one of the vehicle and traffic law**, while such employee is performing an assigned duty on, or directly related to, the operation of a train or bus, including the cleaning of a train or bus station or terminal, or such city marshal, school crossing guard, traffic enforcement officer, traffic enforcement agent, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, registered nurse, licensed practical nurse, public health sanitarian, New York city public health sanitarian, sanitation enforcement agent, New York city sanitation worker, emergency medical service paramedic, [~~or~~] emergency medical service technician**, driver of a for-hire vehicle as defined in paragraph (b) of subdivision two of section 60.07 of this chapter or transportation network company driver as defined in subdivision four of section sixteen hundred ninety-one of the vehicle and traffic law** is performing an assigned duty; or

§ 2. This act shall take effect immediately.