

STATE OF NEW YORK

3230--A

2017-2018 Regular Sessions

IN ASSEMBLY

January 27, 2017

Introduced by M. of A. CYMBROWITZ, ABBATE, BRAUNSTEIN, COOK, DenDEKKER, GALEF, GUNTHER, HOOPER, JAFFEE, McDONOUGH, PEOPLES-STOKES, RAIA, RAMOS, THIELE -- Multi-Sponsored by -- M. of A. COLTON, FITZPATRICK, GARBARINO, GLICK, JOHNS, LUPARDO, RA -- read once and referred 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 increasing penalties for 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. This act shall be known and may be cited as "Seth's law".
2 § 2. Paragraph c of subdivision 2 of section 600 of the vehicle and
3 traffic law, as amended by section 4 of part AAA of chapter 59 of the
4 laws of 2017, is amended to read as follows:
5 c. A violation of the provisions of paragraph a of this subdivision
6 resulting solely from the failure of an operator to exhibit his or her
7 license and insurance identification card for the vehicle or exchange
8 the information required in such paragraph shall constitute a class B
9 misdemeanor punishable by a fine of not less than two hundred fifty nor
10 more than five hundred dollars in addition to any other penalties
11 provided by law. Any subsequent such violation shall constitute a class
12 A misdemeanor punishable by a fine of not less than five hundred nor
13 more than one thousand dollars in addition to any other penalties
14 provided by law. Any violation of the provisions of paragraph a of this
15 subdivision, other than for the mere failure of an operator to exhibit
16 his or her license and insurance identification card for such vehicle or
17 exchange the information required in such paragraph, shall constitute a
18 class [~~A misdemeanor~~] E felony, punishable by a fine of not less than
19 [~~five hundred~~] one thousand dollars nor more than one thousand five
20 hundred dollars in addition to any other penalties provided by law. Any
21 such violation committed by a person after such person has previously

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

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1 been convicted of such a violation shall constitute a class [~~E~~] D felo-
2 ny, punishable by a fine of not less than one thousand five hundred nor
3 more than [~~two~~] three thousand [~~five hundred~~] dollars in addition to any
4 other penalties provided by law. Any violation of the provisions of
5 paragraph a of this subdivision, other than for the mere failure of an
6 operator to exhibit his or her license and insurance identification card
7 for such vehicle or exchange the information required in such paragraph,
8 where the personal injury involved (i) results in serious physical inju-
9 ry, as defined in section 10.00 of the penal law, shall constitute a
10 class [~~E~~] D felony, punishable by a fine of not less than one thousand
11 five hundred nor more than five thousand five hundred dollars in addi-
12 tion to any other penalties provided by law, or (ii) results in death
13 shall constitute a class [~~D~~] C felony punishable by a fine of not less
14 than two thousand five hundred nor more than five thousand five hundred
15 dollars in addition to any other penalties provided by law.

16 § 3. This act shall take effect on the first of November next succeed-
17 ing the date on which it shall have become a law; provided, however,
18 that if section 4 of part AAA of chapter 59 of the laws of 2017 shall
19 not have taken effect on or before such date then section two of this
20 act shall take effect on such date and in the same manner as such chap-
21 ter of the laws of 2017 takes effect.