STATE OF NEW YORK

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4447

2017-2018 Regular Sessions

IN ASSEMBLY

February 2, 2017
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Introduced by M. of A. PALMESANO, FRIEND, GARBARINO, GIGLIO, GRAF, MURRAY, WALTER -- Multi-Sponsored by -- M. of A. BARCLAY, BLANKENBUSH, CASTORINA, CROUCH, FINCH, GOODELL, HAWLEY, LALOR, LAWRENCE, LOPEZ, McDONOUGH, McKEVITT, McLAUGHLIN, B. MILLER, RAIA, STEC -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the crime of vehicular assault in the third degree

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

1   Section 1. The penal law is amended by adding a new section 120.02-a
2 to read as follows:
3 § 120.02-a Vehicular assault in the third degree.
4   A person is guilty of vehicular assault in the third degree when, with
5 criminal negligence and as a result of such negligence, he or she causes
6 physical injury to another person while unlawfully overtaking and pass-
7 ing a school bus in violation of section eleven hundred seventy-four of
8 the vehicle and traffic law.
9   Vehicular assault in the third degree is a class A misdemeanor.
10   § 2. Section 120.03 of the penal law is amended by adding a new subdi-
11 vision 1-a to read as follows:
12   (1-a) causes such serious physical injury to another person when, with
13 criminal negligence and as a result of such negligence, he or she unlaw-
14 fully overtakes and passes a school bus in violation of section eleven
15 hundred seventy-four of the vehicle and traffic law, or
16   § 3. Section 125.12 of the penal law is amended by adding a new subdi-
17 vision 1-a to read as follows:
18   (1-a) causes the death of such person when, with criminal negligence
19 and as a result of such negligence, he or she unlawfully overtakes and
20 passes a school bus in violation of section eleven hundred seventy-four
21 of the vehicle and traffic law, or
22   § 4. This act shall take effect on the first of November next succeed-
23 ing the date on which it shall have become a law.