

STATE OF NEW YORK

3393--A

2017-2018 Regular Sessions

IN SENATE

January 23, 2017

Introduced by Sens. GALLIVAN, ADDABBO, CROCI, FUNKE, KENNEDY, LANZA, LARKIN, MARCHIONE, RANZENHOFER, SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- 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 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 "Alix's Law".
2 § 2. Paragraph a of subdivision 1 and paragraph a of subdivision 2 of
3 section 600 of the vehicle and traffic law, as amended by section 4 of
4 part AAA of chapter 59 of the laws of 2017, is amended to read as
5 follows:
6 a. Any person operating a motor vehicle who, knowing or having cause
7 to know that the motor vehicle operated by such person has come in
8 contact with a person, real property or personal property, has a duty to
9 perform a reasonable and good faith investigation of the incident and if
10 as a result of such investigation such person knows or has reason to
11 know that damage has been caused to the real property or to the personal
12 property, not including animals, of another, due to [~~an incident involv-~~
13 ~~ing~~] the contact of the motor vehicle operated by such person, such
14 person shall, before leaving the place where the damage occurred, stop,
15 exhibit his or her license and insurance identification card for such
16 vehicle, when such card is required pursuant to articles six and eight
17 of this chapter, and give his or her name, residence, including street
18 and number, insurance carrier and insurance identification information
19 including but not limited to the number and effective dates of said
20 individual's insurance policy, and license number to the party sustain-
21 ing the damage, or in case the person sustaining the damage is not pres-

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

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1 ent at the place where the damage occurred then he or she shall report
2 the same as soon as physically able to the nearest police station, or
3 judicial officer. A person operating a motor vehicle in violation of
4 section eleven hundred ninety-two of this chapter, that came into
5 contact with a person, real property, or personal property, that
6 resulted in damage to real property or to the personal property, not
7 including animals of another, shall be presumed to have known or have
8 cause to know of such contact and of such damage, unless such person
9 shows that they would not have known or have cause to know of such
10 contact and of such injury regardless of intoxication or impairment by
11 the use of alcohol or a drug, or by the combined influence of drugs or
12 of alcohol and any drug or drugs. In addition to the foregoing, any such
13 person shall also: (i) produce the proof of insurance coverage required
14 pursuant to article forty-four-B of this chapter if such person is a TNC
15 driver operating a TNC vehicle while the incident occurred who was (A)
16 logged on to the TNC's digital network but not engaged in a TNC prear-
17 ranged trip or (B) was engaged in a TNC prearranged trip; and (ii)
18 disclose whether he or she, at the time such incident occurred, was (A)
19 logged on to the TNC's digital network but not engaged in a TNC prear-
20 ranged trip or (B) was engaged in a TNC prearranged trip.

21 a. Any person operating a motor vehicle who, knowing or having cause
22 to know that the motor vehicle operated by such person has come in
23 contact with a person, real property or personal property, has a duty to
24 perform a reasonable and good faith investigation of the incident and if
25 as a result of such investigation such person knows or has reason to
26 know that personal injury has been caused to another person, due to [~~an~~
27 ~~incident involving~~] the contact of the motor vehicle operated by such
28 person, such person shall, before leaving the place where the said
29 personal injury occurred, stop, exhibit his or her license and insurance
30 identification card for such vehicle, when such card is required pursu-
31 ant to articles six and eight of this chapter, and give his or her name,
32 residence, including street and street number, insurance carrier and
33 insurance identification information including but not limited to the
34 number and effective dates of said individual's insurance policy and
35 license number, to the injured party, if practical, and also to a police
36 officer, or in the event that no police officer is in the vicinity of
37 the place of said injury, then, he or she shall report said incident as
38 soon as physically able to the nearest police station or judicial offi-
39 cer. A person operating a motor vehicle in violation of section eleven
40 hundred ninety-two of this chapter, that came into contact with a
41 person, real property, or personal property, that resulted in injury to
42 another person, shall be presumed to have known or have cause to know of
43 such injury, unless such person shows that they would not have known or
44 have cause to know of such contact and of such injury regardless of
45 intoxication or impairment by the use of alcohol or a drug, or by the
46 combined influence of drugs or of alcohol and any drug or drugs. In
47 addition to the foregoing, any such person shall also: (i) produce the
48 proof of insurance coverage required pursuant to article forty-four-B of
49 this chapter if such person is a TNC driver operating a TNC vehicle at
50 the time of the incident who was (A) logged on to the TNC's digital
51 network but not engaged in a TNC prearranged trip or (B) was engaged in
52 a TNC prearranged trip; and (ii) disclose whether he or she, at the time
53 such incident occurred, was (A) logged on to the TNC's digital network
54 but not engaged in a TNC prearranged trip or (B) was engaged in a TNC
55 prearranged trip.

56 § 3. This act shall take effect immediately.