

STATE OF NEW YORK

4841--A

2017-2018 Regular Sessions

IN SENATE

March 3, 2017

Introduced by Sen. HAMILTON -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the penal law, in relation to theft of transit services

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

1 Section 1. Subdivision 3 of section 165.15 of the penal law is amended
2 to read as follows:

3 3. With intent to obtain [~~railroad, subway,~~] bus, air, taxi or any
4 other public transportation service without payment of the lawful charge
5 therefor, or to avoid payment of the lawful charge for such transporta-
6 tion service which has been rendered to him, he obtains or attempts to
7 obtain such service or avoids or attempts to avoid payment therefor by
8 force, intimidation, stealth, deception or mechanical tampering, or by
9 unjustifiable failure or refusal to pay; or

10 § 2. The penal law is amended by adding a new section 165.18 to read
11 as follows:

12 § 165.18 Theft of transit services.

13 A person is guilty of theft of transit services when with intent to
14 obtain railroad or subway service without payment of the lawful charge
15 therefor, or to avoid payment of the lawful charge for such transporta-
16 tion service which has been rendered to him or her, he or she obtains or
17 attempts to obtain such service or avoids or attempts to avoid payment
18 therefor by force, intimidation, stealth, deception or mechanical
19 tampering, or by unjustifiable failure or refusal to pay.

20 Theft of transit services is a violation, provided however, where the
21 defendant has previously been convicted of this offense within the three
22 years immediately preceding such violation, it shall be punishable by a
23 fine of not more than five hundred dollars.

24 § 3. This act shall take effect immediately.

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

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