

# STATE OF NEW YORK

---

5898

2017-2018 Regular Sessions

## IN SENATE

May 5, 2017

---

Introduced by Sen. RITCHIE -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to increasing and modifying the penalties associated with passing a stopped school bus when using a portable electronic device

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

1 Section 1. Subdivision (c) of section 1174 of the vehicle and traffic  
2 law, as amended by chapter 254 of the laws of 2002, is amended to read  
3 as follows:

4 (c) Every person convicted of a violation of subdivision (a) of this  
5 section shall: for a first conviction thereof, be punished by a fine of  
6 not less than two hundred fifty dollars nor more than four hundred  
7 dollars or by imprisonment for not more than thirty days or by both such  
8 fine and imprisonment; for a conviction of a second violation, both of  
9 which were committed within a period of three years, such person shall  
10 be punished by a fine of not less than six hundred dollars nor more than  
11 seven hundred fifty dollars or by imprisonment for not more than one  
12 hundred eighty days or by both such fine and imprisonment; upon a  
13 conviction of a third or subsequent violation, all of which were committed within a period of three years, such person shall be punished by a  
14 fine of not less than seven hundred fifty dollars nor more than one  
15 thousand dollars or by imprisonment for not more than one hundred eighty  
16 days or by both such fine and imprisonment. The prescribed minimum and  
17 maximum values for fines under this subdivision shall be doubled if the  
18 offense was committed while using a portable electronic device, as  
19 defined in paragraph (b) of subdivision two of section twelve hundred  
20 twenty-five-d of this chapter.

21  
22 § 2. This act shall take effect on the ninetieth day after it shall  
23 have become a law; provided, however, that effective immediately, the  
24 addition, amendment and/or repeal of any rule or regulation necessary

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

LBD11427-01-7

1 for the implementation of this act on its effective date are authorized  
2 to be made and completed on or before such effective date.