

STATE OF NEW YORK

5898--A

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 -- 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 and modifying the penalties associated with passing a stopped school bus when using a portable electronic device or mobile telephone

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
14 within a period of three years, such person shall be punished by a
15 fine of not less than seven hundred fifty dollars nor more than one
16 thousand dollars or by imprisonment for not more than one hundred eighty
17 days or by both such fine and imprisonment. The prescribed minimum and
18 maximum values for fines under this subdivision shall be doubled if the
19 offense was committed while using a portable electronic device, as
20 defined in paragraph (b) of subdivision two of section twelve hundred
21 twenty-five-d or a mobile telephone, as defined in paragraph (a) of
22 subdivision one of section twelve hundred twenty-five-c of this chapter.

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

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1 § 2. This act shall take effect on the ninetieth day after it shall
2 have become a law; provided, however, that effective immediately, the
3 addition, amendment and/or repeal of any rule or regulation necessary
4 for the implementation of this act on its effective date are authorized
5 to be made and completed on or before such effective date.