STATE OF NEW YORK

8618

2019-2020 Regular Sessions

IN ASSEMBLY

October 2, 2019

Introduced by M. of A. CARROLL -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to reducing the speed for owner liability for failure of operator to comply with certain posted maximum speed limits

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

Section 1. Subdivision (b) of section 1180-b of the vehicle and traffic law, as added by chapter 189 of the laws of 2013, is amended to read as follows:

(b) If the city of New York establishes a demonstration program pursuant to subdivision (a) of this section, the owner of a vehicle shall be liable for a penalty imposed pursuant to this section if such vehicle was used or operated with the permission of the owner, express or implied, within a school speed zone in violation of subdivision (c) or during the times authorized pursuant to subdivision (a) of this section in violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this article, such vehicle was traveling at a speed of more than [~~ten~~] **seven** miles per hour above the posted speed limit in effect within such school speed zone, and such violation is evidenced by information obtained from a photo speed violation monitoring system; provided however that no owner of a vehicle shall be liable for a penalty imposed pursuant to this section where the operator of such vehicle has been convicted of the underlying violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this article.

§ 2. Paragraphs 6 and 7 of subdivision (n) of section 1180-b of the vehicle and traffic law, as amended by chapter 30 of the laws of 2019, are amended to read as follows:

6. the number of violations recorded within all school speed zones within the city that were:

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

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(i) more than [~~ten~~] **seven** but not more than twenty miles per hour over the posted speed limit;

(ii) more than twenty but not more than thirty miles per hour over the posted speed limit;

(iii) more than thirty but not more than forty miles per hour over the posted speed limit; and

(iv) more than forty miles per hour over the posted speed limit;

7. the number of violations recorded within each school speed zone where a photo speed violation monitoring system is used that were:

(i) more than [~~ten~~] **seven** but not more than twenty miles per hour over the posted speed limit;

(ii) more than twenty but not more than thirty miles per hour over the posted speed limit;

(iii) more than thirty but not more than forty miles per hour over the posted speed limit; and

(iv) more than forty miles per hour over the posted speed limit;

§ 3. This act shall take effect on the sixtieth day after it shall have become a law; provided that the amendments to section 1180-b of the vehicle and traffic law made by sections one and two of this act shall not affect the repeal of such section and shall be deemed repealed therewith.