STATE OF NEW YORK

1188

2019-2020 Regular Sessions

IN SENATE

January 11, 2019

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 or mobile telephone

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

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

(c) Every person convicted of a violation of subdivision (a) of this section shall: for a first conviction thereof, be punished by a fine of not less than two hundred fifty dollars nor more than four hundred dollars or by imprisonment for not more than thirty days or by both such fine and imprisonment; for a conviction of a second violation, both of which were committed within a period of three years, such person shall be punished by a fine of not less than six hundred dollars nor more than seven hundred fifty dollars or by imprisonment for not more than one hundred eighty days or by both such fine and imprisonment; upon a 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 fine of not less than seven hundred fifty dollars nor more than one thousand dollars or by imprisonment for not more than one hundred eighty days or by both such fine and imprisonment. **The prescribed minimum and maximum values for fines under this subdivision shall be doubled if the offense was committed while using a portable electronic device, as defined in paragraph (b) of subdivision two of section twelve hundred twenty-five-d or a mobile telephone, as defined in paragraph (a) of subdivision one of section twelve hundred twenty-five-c of this chapter.**

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

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

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