STATE OF NEW YORK

6166

2019-2020 Regular Sessions

IN SENATE

May 21, 2019

Introduced by Sen. BROOKS -- (at request of the Division of Homeland Security and Emergency Services) -- 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 equipping vehicles with radio devices

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

Section 1. Section 397 of the vehicle and traffic law, as amended by chapter 843 of the laws of 1980, is amended to read as follows:

§ 397. Equipping motor vehicles with radio receiving sets capable of receiving signals on the frequencies allocated for police use. A person[~~, not a police officer or peace officer, acting pursuant to his special duties,~~] who equips a motor vehicle with a radio receiving set capable of receiving signals on the frequencies allocated for police use or knowingly uses a motor vehicle so equipped or who in any way knowingly interferes with the transmission of radio messages by the police without having first secured a permit so to do from the person authorized to issue such a permit by the local governing body or board of the city, town or village in which such person resides, or where such person resides outside of a city or village in a county having a county police department by the board of supervisors of such county, is guilty of a misdemeanor, punishable by a fine not exceeding one thousand dollars, or imprisonment not exceeding six months, or both. Nothing in this section contained shall be construed to apply to any person who holds a valid amateur radio operator's license issued by the federal communications commission and who operates a duly licensed portable mobile transmitter and in connection therewith a receiver or receiving set on frequencies exclusively allocated by the federal communications commission to duly licensed radio amateurs. **This section shall not apply to any person, acting pursuant to their special duties, who is a police officer, peace officer, or employee of the division of homeland security and emergency services.**

§ 2. 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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