

# STATE OF NEW YORK

857

2019-2020 Regular Sessions

## IN SENATE

January 9, 2019

Introduced by Sen. GALLIVAN -- 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 leaving the scene of an incident without reporting

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

1 Section 1. This act shall be known and may be cited as "Alix's Law".

2 § 2. Paragraph a of subdivision 1 and paragraph a of subdivision 2 of  
3 section 600 of the vehicle and traffic law, as amended by section 4 of  
4 part AAA of chapter 59 of the laws of 2017, are amended to read as  
5 follows:

6 a. Any person operating a motor vehicle who, knowing or having cause  
7 to know that the motor vehicle operated by such person has come in  
8 contact with a person, real property or personal property, has a duty to  
9 perform a reasonable and good faith investigation of the incident and if  
10 as a result of such investigation such person knows or has reason to  
11 know that damage has been caused to the real property or to the personal  
12 property, not including animals, of another, due to [~~an incident involv-~~  
13 ~~ing~~] the contact of the motor vehicle operated by such person, such  
14 person shall, before leaving the place where the damage occurred, stop,  
15 exhibit his or her license and insurance identification card for such  
16 vehicle, when such card is required pursuant to articles six and eight  
17 of this chapter, and give his or her name, residence, including street  
18 and number, insurance carrier and insurance identification information  
19 including but not limited to the number and effective dates of said  
20 individual's insurance policy, and license number to the party sustain-  
21 ing the damage, or in case the person sustaining the damage is not pres-  
22 ent at the place where the damage occurred then he or she shall report  
23 the same as soon as physically able to the nearest police station, or  
24 judicial officer. A person operating a motor vehicle in violation of  
25 section eleven hundred ninety-two of this chapter, that came into

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

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1 contact with a person, real property, or personal property, that  
2 resulted in damage to real property or to the personal property, not  
3 including animals of another, shall be presumed to have known or have  
4 cause to know of such contact and of such damage, unless such person  
5 shows that they would not have known or have cause to know of such  
6 contact and of such injury regardless of intoxication or impairment by  
7 the use of alcohol or a drug, or by the combined influence of drugs or  
8 of alcohol and any drug or drugs. In addition to the foregoing, any such  
9 person shall also: (i) produce the proof of insurance coverage required  
10 pursuant to article forty-four-B of this chapter if such person is a TNC  
11 driver operating a TNC vehicle while the incident occurred who was (A)  
12 logged on to the TNC's digital network but not engaged in a TNC prear-  
13 ranged trip or (B) was engaged in a TNC prearranged trip; and (ii)  
14 disclose whether he or she, at the time such incident occurred, was (A)  
15 logged on to the TNC's digital network but not engaged in a TNC prear-  
16 ranged trip or (B) was engaged in a TNC prearranged trip.

17 a. Any person operating a motor vehicle who, knowing or having cause  
18 to know that the motor vehicle operated by such person has come in  
19 contact with a person, real property or personal property, has a duty to  
20 perform a reasonable and good faith investigation of the incident and if  
21 as a result of such investigation such person knows or has reason to  
22 know that personal injury has been caused to another person, due to [~~an~~  
23 ~~incident involving~~] the contact of the motor vehicle operated by such  
24 person, such person shall, before leaving the place where the said  
25 personal injury occurred, stop, exhibit his or her license and insurance  
26 identification card for such vehicle, when such card is required pursu-  
27 ant to articles six and eight of this chapter, and give his or her name,  
28 residence, including street and street number, insurance carrier and  
29 insurance identification information including but not limited to the  
30 number and effective dates of said individual's insurance policy and  
31 license number, to the injured party, if practical, and also to a police  
32 officer, or in the event that no police officer is in the vicinity of  
33 the place of said injury, then, he or she shall report said incident as  
34 soon as physically able to the nearest police station or judicial offi-  
35 cer. A person operating a motor vehicle in violation of section eleven  
36 hundred ninety-two of this chapter, that came into contact with a  
37 person, real property, or personal property, that resulted in injury to  
38 another person, shall be presumed to have known or have cause to know of  
39 such injury, unless such person shows that they would not have known or  
40 have cause to know of such contact and of such injury regardless of  
41 intoxication or impairment by the use of alcohol or a drug, or by the  
42 combined influence of drugs or of alcohol and any drug or drugs. In  
43 addition to the foregoing, any such person shall also: (i) produce the  
44 proof of insurance coverage required pursuant to article forty-four-B of  
45 this chapter if such person is a TNC driver operating a TNC vehicle at  
46 the time of the incident who was (A) logged on to the TNC's digital  
47 network but not engaged in a TNC prearranged trip or (B) was engaged in  
48 a TNC prearranged trip; and (ii) disclose whether he or she, at the time  
49 such incident occurred, was (A) logged on to the TNC's digital network  
50 but not engaged in a TNC prearranged trip or (B) was engaged in a TNC  
51 prearranged trip.

52 § 3. This act shall take effect immediately.