STATE OF NEW YORK

10644

IN ASSEMBLY

June 17, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Frontus) -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to establishing an affirmative duty for individuals to assist injured persons in a motor vehicle collision

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

Section 1. This act shall be known and may be cited as "Jeanne's law".

§ 2. Subdivision 2 of section 600 of the vehicle and traffic law, as amended by section 4 of part AAA of chapter 59 of the laws of 2017, is amended to read as follows:

2. Personal injury. a. Any person operating a motor vehicle who, knowing or having cause to know that personal injury has been caused to another person, due to an incident involving the motor vehicle operated by such person shall, before leaving the place where the said personal injury occurred, stop, exhibit his or her license and insurance identification card for such vehicle, when such card is required pursuant to articles six and eight of this chapter, and give his or her name, residence, including street and street number, insurance carrier and insurance identification information including but not limited to the number and effective dates of said individual's insurance policy and license number, to the injured party, if practical, and also to a police officer, or in the event that no police officer is in the vicinity of the place of said injury, then, he or she shall report said incident as soon as physically able to the nearest police station or judicial officer. In addition to the foregoing, any such person shall also: (i) produce the proof of insurance coverage required pursuant to article forty-four-B of this chapter if such person is a TNC driver operating a TNC vehicle at the time of the incident who was (A) logged on to the TNC's digital network but not engaged in a TNC prearranged trip or (B) was engaged in a TNC prearranged trip; and (ii) disclose whether he or she, at the time such incident occurred, was (A) logged on to the TNC's digital network but not engaged in a TNC prearranged trip or (B) was engaged in a TNC prearranged trip. **Any such person operating a motor vehicle shall also**

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

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have an affirmative duty to render to any person injured in a collision reasonable assistance, including the carrying, or the making of arrangements for the carrying of such person to a physician, surgeon or hospital for medical treatment if it is apparent that such treatment is necessary or if such assistance is requested by the injured person.

b. It shall be the duty of any member of a law enforcement agency who is at the scene of the [~~accident~~] collision to request the said operator or operators of the motor vehicles, when physically capable of doing so, to exchange the information required hereinabove and such member of a law enforcement agency shall assist such operator or operators in making such exchange of information in a reasonable and harmonious manner.

c. A violation of the provisions of paragraph a of this subdivision resulting solely from the failure of an operator to exhibit his or her license and insurance identification card for the vehicle or exchange the information required in such paragraph shall constitute a class B misdemeanor punishable by a fine of not less than two hundred fifty nor more than five hundred dollars in addition to any other penalties provided by law. Any subsequent such violation shall constitute a class A misdemeanor punishable by a fine of not less than five hundred nor more than one thousand dollars in addition to any other penalties provided by law. A violation of the provisions of paragraph a of this subdivision resulting solely from the failure of an operator to render to any person injured in a collision reasonable assistance shall constitute a civil violation and shall be punishable by fine. Any violation of the provisions of paragraph a of this subdivision, other than for the mere failure of an operator to exhibit his or her license and insurance identification card for such vehicle or exchange the information required in such paragraph or to render assistance to an injured person, shall constitute a class A misdemeanor, punishable by a fine of not less than five hundred dollars nor more than one thousand dollars in addition to any other penalties provided by law. Any such violation committed by a person after such person has previously been convicted of such a violation shall constitute a class E felony, punishable by a fine of not less than one thousand nor more than two thousand five hundred dollars in addition to any other penalties provided by law. Any violation of the provisions of paragraph a of this subdivision, other than for the mere failure of an operator to exhibit his or her license and insurance identification card for such vehicle or exchange the information required in such paragraph or to render assistance to an injured person, where the personal injury involved (i) results in serious physical injury, as defined in section 10.00 of the penal law, shall constitute a class E felony, punishable by a fine of not less than one thousand nor more than five thousand dollars in addition to any other penalties provided by law, or (ii) results in death shall constitute a class D felony punishable by a fine of not less than two thousand nor more than five thousand dollars in addition to any other penalties provided by law.

§ 3. This act shall take effect immediately.