STATE OF NEW YORK

1851

2019-2020 Regular Sessions

IN ASSEMBLY

January 17, 2019

Introduced by M. of A. MAGNARELLI, BENEDETTO, GALEF, GUNTHER, ORTIZ, RIVERA, TITUS, ABBATE, STIRPE, JAFFEE, OTIS, ARROYO, MOSLEY, DAVILA, PICHARDO -- Multi-Sponsored by -- M. of A. BARCLAY, BLAKE, BRAUNSTEIN, COOK, HEVESI -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to prohibiting a child less than ten years of age from being left unattended in a motor vehicle under conditions presenting substantial risk

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

Section 1. The vehicle and traffic law is amended by adding a new section 1210-a to read as follows:

§ 1210-a. Unattended child in a motor vehicle. 1. No parent, guardian or other person legally charged with the care or custody of a child less than ten years old shall knowingly or recklessly, under conditions that present a substantial health or safety risk, leave such child unattended inside a motor vehicle. Nothing in this section shall be deemed to supersede the provisions of any other applicable section of law.

2. A violation of subdivision one of this section shall be a traffic infraction and shall be punishable by a fine of not more than fifty dollars upon conviction of a first violation; upon conviction of a second violation, both of which were committed within a period of eighteen months, such violation shall be punished by a fine of not more than one hundred dollars; upon conviction of a third or subsequent violation, all of which were committed within a period of eighteen months, such violation shall be punished by a fine of not more than two hundred and fifty dollars.

§ 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

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

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