

# 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:

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

3 § 1210-a. Unattended child in a motor vehicle. 1. No parent, guardian  
4 or other person legally charged with the care or custody of a child less  
5 than ten years old shall knowingly or recklessly, under conditions that  
6 present a substantial health or safety risk, leave such child unattended  
7 inside a motor vehicle. Nothing in this section shall be deemed to  
8 supersede the provisions of any other applicable section of law.

9 2. A violation of subdivision one of this section shall be a traffic  
10 infraction and shall be punishable by a fine of not more than fifty  
11 dollars upon conviction of a first violation; upon conviction of a  
12 second violation, both of which were committed within a period of eigh-  
13 teen months, such violation shall be punished by a fine of not more than  
14 one hundred dollars; upon conviction of a third or subsequent violation,  
15 all of which were committed within a period of eighteen months, such  
16 violation shall be punished by a fine of not more than two hundred and  
17 fifty dollars.

18 § 2. This act shall take effect on the first of November next succeed-  
19 ing 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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