

# STATE OF NEW YORK

2191

2019-2020 Regular Sessions

## IN ASSEMBLY

January 22, 2019

Introduced by M. of A. GANTT -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to removing vehicles from traffic following an accident

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

1 Section 1. Subdivision 3 of section 600 of the vehicle and traffic law  
2 is renumbered subdivision 4 and a new subdivision 3 is added to read as  
3 follows:

4 3. Removal of a vehicle. A person who moves a vehicle in a manner  
5 consistent with subdivision (e) of section twelve hundred of this chap-  
6 ter and who remains in the immediate vicinity of an accident shall not  
7 be construed to be in violation of this section because of such move-  
8 ment.

9 § 2. Section 1200 of the vehicle and traffic law is amended by adding  
10 a new subdivision (e) to read as follows:

11 (e) Whenever a vehicle is involved in an accident involving no  
12 personal injury or death, the driver of any involved vehicle shall imme-  
13 diately move or cause removal of the vehicle from the travel lane to a  
14 safe location along the highway in the immediate vicinity of the inci-  
15 dent, provided that the vehicle is operable and the movement of the  
16 vehicle can be done safely. Movement consistent with the provisions of  
17 this subdivision shall not be construed to imply that no injury has  
18 occurred nor shall the driver be considered liable or at fault regarding  
19 the cause of the accident solely by moving or causing the removal of the  
20 vehicle. Moving a vehicle consistent with this subdivision shall not  
21 relieve an investigating police officer from the obligation to file a  
22 report otherwise required. Nothing in this subdivision shall be  
23 construed to authorize otherwise unqualified persons to clear or remove  
24 hazardous materials from the highway or to move vehicles which are

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

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1 transporting hazardous materials in a manner inconsistent with applica-  
2 ble law.

3 § 3. This act shall take effect on the first of November next succeed-  
4 ing the date on which it shall have become a law.