

STATE OF NEW YORK

2979

2019-2020 Regular Sessions

IN ASSEMBLY

January 28, 2019

Introduced by M. of A. FAHY, D'URSO -- read once and referred to the
Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to increasing
the fines associated with passing a stopped school bus by certain
vehicles

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

1 Section 1. Subdivision (c) of section 1174 of the vehicle and traffic
2 law, as amended by chapter 254 of the laws of 2002, is amended to read
3 as follows:

4 (c) [~~Every~~] 1. Except as otherwise provided in paragraph two of this
5 subdivision, every person convicted of a violation of subdivision (a) of
6 this section shall: for a first conviction thereof, be punished by a
7 fine of not less than two hundred fifty dollars nor more than four
8 hundred dollars or by imprisonment for not more than thirty days or by
9 both such fine and imprisonment; for a conviction of a second violation,
10 both of which were committed within a period of three years, such person
11 shall be punished by a fine of not less than six hundred dollars nor
12 more than seven hundred fifty dollars or by imprisonment for not more
13 than one hundred eighty days or by both such fine and imprisonment; upon
14 a conviction of a third or subsequent violation, all of which were
15 committed within a period of three years, such person shall be punished
16 by a fine of not less than seven hundred fifty dollars nor more than one
17 thousand dollars or by imprisonment for not more than one hundred eighty
18 days or by both such fine and imprisonment.

19 2. Every person convicted of a violation of subdivision (a) of this
20 section while operating a commercial motor vehicle shall: for a first
21 conviction thereof, be punished by a fine of not less than three hundred
22 dollars nor more than four hundred dollars or by imprisonment for not
23 more than thirty days or by both such fine and imprisonment; for a
24 conviction of a second violation, both of which were committed within a

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

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1 period of three years, such person shall be punished by a fine of not
2 less than six hundred fifty dollars nor more than seven hundred fifty
3 dollars or by imprisonment for not more than one hundred eighty days or
4 by both such fine and imprisonment; upon a conviction of a third or
5 subsequent violation, all of which were committed within a period of
6 three years, such person shall be punished by a fine of not less than
7 eight hundred dollars nor more than one thousand dollars or by imprison-
8 ment for not more than one hundred eighty days or by both such fine and
9 imprisonment. For purposes of this paragraph, the term "commercial motor
10 vehicle" shall have the same meaning as such term is defined by subdivi-
11 sion four of section five hundred one-a of this chapter.

12 § 2. This act shall take effect on the first of November next succeed-
13 ing the date on which it shall have become a law. Effective immediate-
14 ly, the addition, amendment and/or repeal of any rule or regulation
15 necessary for the implementation of this act on its effective date are
16 authorized to be made and completed on or before such effective date.