

STATE OF NEW YORK

8618

2019-2020 Regular Sessions

IN ASSEMBLY

October 2, 2019

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

AN ACT to amend the vehicle and traffic law, in relation to reducing the speed for owner liability for failure of operator to comply with certain posted maximum speed limits

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

1 Section 1. Subdivision (b) of section 1180-b of the vehicle and traf-
2 fic law, as added by chapter 189 of the laws of 2013, is amended to read
3 as follows:

4 (b) If the city of New York establishes a demonstration program pursu-
5 ant to subdivision (a) of this section, the owner of a vehicle shall be
6 liable for a penalty imposed pursuant to this section if such vehicle
7 was used or operated with the permission of the owner, express or
8 implied, within a school speed zone in violation of subdivision (c) or
9 during the times authorized pursuant to subdivision (a) of this section
10 in violation of subdivision (b), (d), (f) or (g) of section eleven
11 hundred eighty of this article, such vehicle was traveling at a speed of
12 more than [~~ten~~] seven miles per hour above the posted speed limit in
13 effect within such school speed zone, and such violation is evidenced by
14 information obtained from a photo speed violation monitoring system;
15 provided however that no owner of a vehicle shall be liable for a penal-
16 ty imposed pursuant to this section where the operator of such vehicle
17 has been convicted of the underlying violation of subdivision (b), (c),
18 (d), (f) or (g) of section eleven hundred eighty of this article.

19 § 2. Paragraphs 6 and 7 of subdivision (n) of section 1180-b of the
20 vehicle and traffic law, as amended by chapter 30 of the laws of 2019,
21 are amended to read as follows:

22 6. the number of violations recorded within all school speed zones
23 within the city that were:

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

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1 (i) more than [~~ten~~] seven but not more than twenty miles per hour over
2 the posted speed limit;
3 (ii) more than twenty but not more than thirty miles per hour over the
4 posted speed limit;
5 (iii) more than thirty but not more than forty miles per hour over the
6 posted speed limit; and
7 (iv) more than forty miles per hour over the posted speed limit;
8 7. the number of violations recorded within each school speed zone
9 where a photo speed violation monitoring system is used that were:
10 (i) more than [~~ten~~] seven but not more than twenty miles per hour over
11 the posted speed limit;
12 (ii) more than twenty but not more than thirty miles per hour over the
13 posted speed limit;
14 (iii) more than thirty but not more than forty miles per hour over the
15 posted speed limit; and
16 (iv) more than forty miles per hour over the posted speed limit;
17 § 3. This act shall take effect on the sixtieth day after it shall
18 have become a law; provided that the amendments to section 1180-b of the
19 vehicle and traffic law made by sections one and two of this act shall
20 not affect the repeal of such section and shall be deemed repealed ther-
21 ewith.