

# STATE OF NEW YORK

8902

2019-2020 Regular Sessions

## IN ASSEMBLY

December 30, 2019

Introduced by M. of A. COLTON -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the general construction law, the transportation law, the vehicle and traffic law and the personal property law, in relation to designating September 11th Remembrance Day as a public holiday

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

1 Section 1. Section 24 of the general construction law, as amended by  
2 chapter 347 of the laws of 1984, is amended to read as follows:

3 § 24. Public holidays; half-holidays. The term public holiday includes  
4 the following days in each year: the first day of January, known as New  
5 Year's day; the third Monday of January, known as Dr. Martin Luther  
6 King, Jr. day; the twelfth day of February, known as Lincoln's birthday;  
7 the third Monday in February, known as Washington's birthday; the last  
8 Monday in May, known as Memorial day; the second Sunday in June, known  
9 as Flag day; the fourth day of July, known as Independence day; the  
10 first Monday in September, known as Labor day; the eleventh day in  
11 September, known as September 11th Remembrance Day; the second Monday in  
12 October, known as Columbus day; the eleventh day of November, known as  
13 Veterans' day; the fourth Thursday in November, known as Thanksgiving  
14 day; and the twenty-fifth day of December, known as Christmas day, and  
15 if any of such days except Flag day is Sunday, the next day thereafter;  
16 each general election day, and each day appointed by the president of  
17 the United States or by the governor of this state as a day of general  
18 thanksgiving, general fasting and prayer, or other general religious  
19 observances. The term half-holiday includes the period from noon to  
20 midnight of each Saturday which is not a public holiday.

21 § 2. Subparagraph (i) of paragraph (e) of subdivision 4 of section  
22 14-f of the transportation law, as amended by chapter 173 of the laws of  
23 1990, is amended to read as follows:

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

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1 (i) Any complaint issued for an equipment violation, except for a  
2 violation involving an out-of-service defect or except for a violation  
3 involving the operation of any motor vehicle after it has been placed  
4 out of service, shall be dismissed by the court before such summons is  
5 returnable if the violation as set forth in the summons is corrected not  
6 later than one-half hour after sunset on the first full business day  
7 after the issuance of the summons and proof of such correction as set  
8 forth in subparagraph (ii) of this paragraph is submitted to the court.  
9 For the purposes of this subparagraph, "business day" shall mean any  
10 calendar day except Sunday, or the following business holidays: New  
11 Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor  
12 Day, September 11th Remembrance Day, Columbus Day, Veterans' Day,  
13 Thanksgiving Day and Christmas Day.

14 § 3. Item (a) of subparagraph (iv) of paragraph c of subdivision 2 of  
15 section 140 of the transportation law, as separately amended by chapters  
16 369 and 654 of the laws of 1994, such paragraph as relettered by section  
17 6 of part G of chapter 58 of the laws of 2012, is amended to read as  
18 follows:

19 (a) Any complaint issued for an equipment violation, except for a  
20 violation involving an out-of-service defect relating to load secure-  
21 ment, brake systems, steering components and/or coupling devices or  
22 except for a violation involving the operation of any motor vehicle  
23 after it has been placed out-of-service, shall be dismissed by the court  
24 before such summons is returnable if the violation as set forth in the  
25 summons is corrected not later than one-half hour after sunset on the  
26 first full business day, or if such complaint involves a farm vehicle  
27 registered pursuant to subdivision thirteen of section four hundred one  
28 of the vehicle and traffic law and operated in conformance with the  
29 terms of such registration, not later than one-half hour after sunset on  
30 the third full business day after the issuance of the summons and proof  
31 of such correction as set forth in item (b) of this subparagraph is  
32 submitted to the court. For the purposes of this subparagraph, "business  
33 day" shall mean any calendar day except Sunday, or the following busi-  
34 ness holidays: New Year's Day, Washington's Birthday, Memorial Day,  
35 Independence Day, Labor Day, September 11th Remembrance Day, Columbus  
36 Day, Veterans' Day, Thanksgiving Day and Christmas Day.

37 § 4. Subdivision 4 of section 376-a of the vehicle and traffic law, as  
38 amended by chapter 302 of the laws of 2013, is amended to read as  
39 follows:

40 4. Any complaint issued for any violation of section three hundred  
41 seventy-five, three hundred seventy-six or three hundred eighty-one of  
42 this article relative to required equipment, except a violation  
43 described in subdivision two of this section, subdivision forty-seven of  
44 section three hundred seventy-five of this article, and except for a  
45 violation relating to service brakes, shall be dismissed by the court  
46 before which the summons is returnable if the violation as set forth in  
47 the summons is corrected not later than one-half hour after sunset on  
48 the first full business day after the issuance of the summons and proof  
49 of such correction as set forth in subdivision five of this section is  
50 submitted to the court. For the purposes of this subdivision, "business  
51 day" shall mean any calendar day except Saturday and Sunday, or the  
52 following business holidays: New Year's Day, Washington's Birthday,  
53 Memorial Day, Independence Day, Labor Day, September 11th Remembrance  
54 Day, Columbus Day, Veterans' Day, Thanksgiving Day, and Christmas Day.

55 § 5. Subdivision 6 of section 426 of the personal property law, as  
56 added by chapter 659 of the laws of 1976, is amended to read as follows:

1 6. "Business day" shall mean any calendar day except Sunday, or the  
2 following business holidays: New Year's Day, Washington's Birthday,  
3 Memorial Day, Independence Day, Labor Day, September 11th Remembrance  
4 Day, Columbus Day, Veterans' Day, Thanksgiving Day, and Christmas Day.

5 § 6. Subdivision 7 of section 441 of the personal property law, as  
6 added by chapter 326 of the laws of 1995, is amended to read as follows:

7 7. "Business day" shall mean any calendar day except Sunday, or the  
8 following business holidays: New Year's Day, Martin Luther King Day,  
9 Washington's Birthday, Memorial Day, Independence Day, Labor Day,  
10 September 11th Remembrance Day, Columbus Day, Veterans Day, Thanksgiving  
11 Day, and Christmas Day.

12 § 7. This act shall take effect immediately.