

# STATE OF NEW YORK

5102

2019-2020 Regular Sessions

## IN SENATE

April 9, 2019

Introduced by Sen. RANZENHOFER -- read twice and ordered printed, and  
when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to speeding  
violations within a designated school zone

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

1 Section 1. The vehicle and traffic law is amended by adding two new  
2 sections 1180-d and 1180-e to read as follows:

3 § 1180-d. Speeding violation report to be provided to the commission-  
4 er. Any municipality that has established a demonstration project impos-  
5 ing monetary liability on the owner of a vehicle for failure of the  
6 operator thereof to comply with posted maximum speed limits in a school  
7 zone pursuant to sections eleven hundred eighty-b or eleven hundred  
8 eighty-c of this article, shall file a written report with the commis-  
9 sioner when any owner has been found liable more than three separate  
10 times within the previous twelve months within such municipality.

11 § 1180-e. Suspension of registrations. 1. The commissioner, upon  
12 receipt of evidence that an owner of a vehicle has been found liable for  
13 the failure of the operator thereof to comply with posted maximum speed  
14 limits in a school zone pursuant to sections eleven hundred eighty-b or  
15 eleven hundred eighty-c of this article, more than three times within a  
16 twelve-month period shall suspend the registration of such vehicle for a  
17 period of six months.

18 2. The commissioner, upon receipt of evidence that an owner of a vehi-  
19 cle has been found liable for the failure of the operator thereof to  
20 comply with posted maximum speed limits in a school zone pursuant to  
21 sections eleven hundred eighty-b or eleven hundred eighty-c of this  
22 article, more than three times within a twelve month period on two or  
23 more occasions within a three-year period shall suspend the registration  
24 of such vehicle for a period of one year.

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

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1     3. Such motor vehicle shall not be registered or reregistered in the  
2     name of such person, or in any other name where the commissioner has  
3     reasonable grounds to believe that such registration or reregistration  
4     will have the effect of superseding the purposes of this article, and no  
5     other motor vehicle shall be registered in the name of such person  
6     during the period of such suspension.

7     § 2. The section heading and subdivision 1 of section 1809-d of the  
8     vehicle and traffic law, as added by chapter 223 of the laws of 2005,  
9     are amended to read as follows:

10    Mandatory surcharge for violation of maximum speed limits in school  
11    zones and highway construction or maintenance work areas. 1. Notwith-  
12    standing any other provision of law, whenever proceedings in an adminis-  
13    trative tribunal or court result in a finding of liability or conviction  
14    for a violation of subdivision (c), paragraph two of subdivision (d) or  
15    subdivision (f) of section eleven hundred eighty of this chapter or any  
16    other statute, local law, ordinance or rule involving the maximum speed  
17    limits in school zones or highway construction or maintenance work  
18    areas, there shall be levied a mandatory surcharge in addition to any  
19    other sentence, fine or penalty otherwise permitted or required, in the  
20    amount of fifty dollars. Such surcharge shall not be deemed a monetary  
21    penalty for the purposes of section two hundred thirty-seven of this  
22    chapter or section 19-203 of the administrative code of the city of New  
23    York.

24    § 3. This act shall take effect on the one hundred twentieth day after  
25    it shall have become a law. Effective immediately, the addition, amend-  
26    ment and/or repeal of any rule or regulation necessary for the implemen-  
27    tation of this act on its effective date are authorized to be made and  
28    completed on or before such effective date.