

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.