STATE OF NEW YORK

857

2019-2020 Regular Sessions

IN SENATE

January 9, 2019

Introduced by Sen. GALLIVAN -- 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 leaving the scene of an incident without reporting

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

Section 1. This act shall be known and may be cited as "Alix's Law".

§ 2. Paragraph a of subdivision 1 and paragraph a of subdivision 2 of section 600 of the vehicle and traffic law, as amended by section 4 of part AAA of chapter 59 of the laws of 2017, are amended to read as follows:

a. Any person operating a motor vehicle who, knowing or having cause to know that **the motor vehicle operated by such person has come in contact with a person, real property or personal property, has a duty to perform a reasonable and good faith investigation of the incident and if as a result of such investigation such person knows or has reason to know that** damage has been caused to the real property or to the personal property, not including animals, of another, due to [~~an incident involving~~] **the contact of** the motor vehicle operated by such person**, such person** shall, before leaving the place where the damage occurred, stop, exhibit his or her license and insurance identification card for such vehicle, when such card is required pursuant to articles six and eight of this chapter, and give his or her name, residence, including street and number, insurance carrier and insurance identification information including but not limited to the number and effective dates of said individual's insurance policy, and license number to the party sustaining the damage, or in case the person sustaining the damage is not present at the place where the damage occurred then he or she shall report the same as soon as physically able to the nearest police station, or judicial officer. **A person operating a motor vehicle in violation of section eleven hundred ninety-two of this chapter, that came into**

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

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contact with a person, real property, or personal property, that resulted in damage to real property or to the personal property, not including animals of another, shall be presumed to have known or have cause to know of such contact and of such damage, unless such person shows that they would not have known or have cause to know of such contact and of such injury regardless of intoxication or impairment by the use of alcohol or a drug, or by the combined influence of drugs or of alcohol and any drug or drugs. In addition to the foregoing, any such person shall also: (i) produce the proof of insurance coverage required pursuant to article forty-four-B of this chapter if such person is a TNC driver operating a TNC vehicle while the incident occurred who was (A) logged on to the TNC's digital network but not engaged in a TNC prearranged trip or (B) was engaged in a TNC prearranged trip; and (ii) disclose whether he or she, at the time such incident occurred, was (A) logged on to the TNC's digital network but not engaged in a TNC prearranged trip or (B) was engaged in a TNC prearranged trip.

a. Any person operating a motor vehicle who, knowing or having cause to know that the motor vehicle operated by such person has come in contact with a person, real property or personal property, has a duty to perform a reasonable and good faith investigation of the incident and if as a result of such investigation such person knows or has reason to know that personal injury has been caused to another person, due to [~~an incident involving~~] the contact of the motor vehicle operated by such person, such person shall, before leaving the place where the said personal injury occurred, stop, exhibit his or her license and insurance identification card for such vehicle, when such card is required pursuant to articles six and eight of this chapter, and give his or her name, residence, including street and street number, insurance carrier and insurance identification information including but not limited to the number and effective dates of said individual's insurance policy and license number, to the injured party, if practical, and also to a police officer, or in the event that no police officer is in the vicinity of the place of said injury, then, he or she shall report said incident as soon as physically able to the nearest police station or judicial officer. A person operating a motor vehicle in violation of section eleven hundred ninety-two of this chapter, that came into contact with a person, real property, or personal property, that resulted in injury to another person, shall be presumed to have known or have cause to know of such injury, unless such person shows that they would not have known or have cause to know of such contact and of such injury regardless of intoxication or impairment by the use of alcohol or a drug, or by the combined influence of drugs or of alcohol and any drug or drugs. In addition to the foregoing, any such person shall also: (i) produce the proof of insurance coverage required pursuant to article forty-four-B of this chapter if such person is a TNC driver operating a TNC vehicle at the time of the incident who was (A) logged on to the TNC's digital network but not engaged in a TNC prearranged trip or (B) was engaged in a TNC prearranged trip; and (ii) disclose whether he or she, at the time such incident occurred, was (A) logged on to the TNC's digital network but not engaged in a TNC prearranged trip or (B) was engaged in a TNC prearranged trip.

§ 3. This act shall take effect immediately.