

STATE OF NEW YORK

10577

IN ASSEMBLY

July 6, 2022

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Griffin) --
read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to assaulting or harassing
certain employees of a transit agency or authority

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

Section 1. Subdivision 11 of section 120.05 of the penal law, as separately amended by chapters 268 and 281 of the laws of 2016, is amended to read as follows:

11. With intent to cause physical injury to a train operator, ticket inspector, conductor, signalperson, bus operator, station agent, station cleaner ~~[or]~~, terminal cleaner, station customer assistant; person whose official duties include the sale or collection of tickets, passes, vouchers, or other fare payment media for use on a train or bus; a person whose official duties include the maintenance, repair, inspection, troubleshooting, testing or cleaning of a transit signal system, elevated or underground subway tracks, transit station structure, commuter rail tracks or stations, train yard, revenue train in passenger service, or a train or bus station or terminal; or a supervisor of such personnel, employed by any transit or commuter rail agency, authority or company, public or private, whose operation is authorized by New York state or any of its political subdivisions, a city marshal, a school crossing guard appointed pursuant to section two hundred eight-a of the general municipal law, a traffic enforcement officer, traffic enforcement agent, prosecutor as defined in subdivision thirty-one of section 1.20 of the criminal procedure law, sanitation enforcement agent, New York city sanitation worker, public health sanitarian, New York city public health sanitarian, registered nurse, licensed practical nurse, emergency medical service paramedic, or emergency medical service technician, he or she causes physical injury to such train operator, ticket inspector, conductor, signalperson, bus operator, station agent, station cleaner ~~[or]~~, terminal cleaner, station customer assistant; person whose official duties include the sale or collection of tickets, passes, vouchers or other fare payment media for use on a

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

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1 train or bus; a person whose official duties include the maintenance,
2 repair, inspection, troubleshooting, testing or cleaning of a transit
3 signal system, elevated or underground subway tracks, transit station
4 structure, commuter rail tracks or stations, train yard, revenue train
5 in passenger service, or a train or bus station or terminal; or a super-
6 visor of such personnel, city marshal, school crossing guard appointed
7 pursuant to section two hundred eight-a of the general municipal law,
8 traffic enforcement officer, traffic enforcement agent, prosecutor as
9 defined in subdivision thirty-one of section 1.20 of the criminal proce-
10 dure law, registered nurse, licensed practical nurse, public health
11 sanitarian, New York city public health sanitarian, sanitation enforce-
12 ment agent, New York city sanitation worker, emergency medical service
13 paramedic, or emergency medical service technician, while such employee
14 is performing an assigned duty on, or directly related to, the operation
15 of a train or bus, [~~including the~~] cleaning of a train or bus station or
16 terminal, assisting customers, the sale or collection of tickets, pass-
17 es, vouchers, or other fare media for use on a train, or maintenance of
18 a train or bus station or terminal, signal system, elevated or under-
19 ground subway tracks, transit station structure, commuter rail tracks or
20 stations, train yard or revenue train in passenger service, or such city
21 marshal, school crossing guard, traffic enforcement officer, traffic
22 enforcement agent, prosecutor as defined in subdivision thirty-one of
23 section 1.20 of the criminal procedure law, registered nurse, licensed
24 practical nurse, public health sanitarian, New York city public health
25 sanitarian, sanitation enforcement agent, New York city sanitation work-
26 er, emergency medical service paramedic, or emergency medical service
27 technician is performing an assigned duty; or

28 § 2. Section 240.30 of the penal law is amended by adding a new subdi-
29 vision 3-a to read as follows:

30 3-a. Strikes, shoves, kicks, or otherwise subjects another person to
31 physical contact, which includes spitting on such other person, and such
32 other person is an on-duty train operator; ticket inspector; conductor;
33 signalperson; bus operator; station agent; station cleaner; terminal
34 cleaner; station customer assistant; person whose official duties
35 include the sale or collection of tickets, passes, vouchers or other
36 fare payment media for use on a train or bus; person whose official
37 duties include the maintenance, repair, inspection, troubleshooting,
38 testing or cleaning of a transit signal system, elevated or underground
39 subway tracks, transit station structure, commuter rail tracks or
40 stations, train yard, revenue train in passenger service, or train or
41 bus station or terminal, or a supervisor of such personnel, employed by
42 any transit agency or commuter railroad agency, authority or company,
43 public or private, whose operation is authorized by New York state or
44 any of its political subdivisions; or

45 § 3. This act shall take effect on the ninetieth day after it shall
46 have become a law.