

STATE OF NEW YORK

3365

2021-2022 Regular Sessions

IN ASSEMBLY

January 26, 2021

Introduced by M. of A. KIM, BRAUNSTEIN, M. MILLER, BENEDETTO, COLTON, BRONSON, WEPRIN, BICHOTTE HERMELYN, PICHARDO, VANEL, BARNWELL, OTIS, HYNDMAN -- Multi-Sponsored by -- M. of A. ABBATE, COOK, GOTTFRIED, RAMOS -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the assault of a driver of a for-hire vehicle or transportation network company driver

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

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

4 11. With intent to cause physical injury to a train operator, ticket
5 inspector, conductor, signalperson, bus operator, station agent, station
6 cleaner or terminal cleaner employed by any transit agency, authority or
7 company, public or private, whose operation is authorized by New York
8 state or any of its political subdivisions, a city marshal, a school
9 crossing guard appointed pursuant to section two hundred eight-a of the
10 general municipal law, a traffic enforcement officer, traffic enforce-
11 ment agent, prosecutor as defined in subdivision thirty-one of section
12 1.20 of the criminal procedure law, sanitation enforcement agent, New
13 York city sanitation worker, public health sanitarian, New York city
14 public health sanitarian, registered nurse, licensed practical nurse,
15 emergency medical service paramedic, [~~or~~] emergency medical service
16 technician, driver of a for-hire vehicle as defined in paragraph (b) of
17 subdivision two of section 60.07 of this chapter or transportation
18 network company driver as defined in subdivision four of section sixteen
19 hundred ninety-one of the vehicle and traffic law, he or she causes
20 physical injury to such train operator, ticket inspector, conductor,
21 signalperson, bus operator, station agent, station cleaner or terminal
22 cleaner, city marshal, school crossing guard appointed pursuant to
23 section two hundred eight-a of the general municipal law, traffic

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

LBD05986-01-1

1 enforcement officer, traffic enforcement agent, prosecutor as defined in
2 subdivision thirty-one of section 1.20 of the criminal procedure law,
3 registered nurse, licensed practical nurse, public health sanitarian,
4 New York city public health sanitarian, sanitation enforcement agent,
5 New York city sanitation worker, emergency medical service paramedic,
6 ~~[or]~~ emergency medical service technician, driver of a for-hire vehicle
7 as defined in paragraph (b) of subdivision two of section 60.07 of this
8 chapter or transportation network company driver as defined in subdivi-
9 sion four of section sixteen hundred ninety-one of the vehicle and traf-
10 fic law, while such employee is performing an assigned duty on, or
11 directly related to, the operation of a train or bus, including the
12 cleaning of a train or bus station or terminal, or such city marshal,
13 school crossing guard, traffic enforcement officer, traffic enforcement
14 agent, prosecutor as defined in subdivision thirty-one of section 1.20
15 of the criminal procedure law, registered nurse, licensed practical
16 nurse, public health sanitarian, New York city public health sanitarian,
17 sanitation enforcement agent, New York city sanitation worker, emergency
18 medical service paramedic, ~~[or]~~ emergency medical service technician,
19 driver of a for-hire vehicle as defined in paragraph (b) of subdivision
20 two of section 60.07 of this chapter or transportation network company
21 driver as defined in subdivision four of section sixteen hundred nine-
22 ty-one of the vehicle and traffic law is performing an assigned duty; or
23 § 2. This act shall take effect immediately.