STATE OF NEW YORK

8654

IN ASSEMBLY

January 10, 2022

Introduced by M. of A. JACKSON -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to prohibiting motor vehicle stops for certain violations

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

Section 1. The vehicle and traffic law is amended by adding a new section 1210-a to read as follows:

§ 1210-a. Motor vehicle stops by a police officer. 1. For the purposes of this section:

(a) "Primary violation" means a violation of a provision of law of this chapter that does not constitute a secondary violation.

(b) "Secondary violation" means the following provisions:

(i) section four hundred one of this chapter, when the vehicle had been previously registered within the state within sixty days of the observed violation;

(ii) section 21.2 of title fifteen of the New York state codes, rules, and regulations, where the violation is related to the location of the permit but the permit is otherwise clearly displayed;

(iii) section four hundred two of this chapter, where the violation pertains to a plate not securely fastened to the vehicle but such plate is otherwise clearly displayed;

(iv) subdivision two of section three hundred seventy-five of this chapter, where the violation for lighting equipment not illuminating is limited to a single brake light, head light, or running light; a single bulb in a larger light of the same; or any other single light or bulb of a vehicle light;

(v) subdivision thirty of section three hundred seventy-five of this chapter;

(vi) subdivision forty-eight of section three hundred seventy-five of this chapter; or

(vii) section three hundred one of this chapter or section 174.3 of title fifteen of the New York state codes, rules, and regulations.

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

LBD13933-01-1

2. A police officer or law enforcement officer may initiate a motor vehicle stop and, at their discretion, cite a driver for a violation of a primary violation without observing any other violation of the laws of this chapter.

3. A police officer or other law enforcement officer may initiate a motor vehicle stop for a secondary violation observed only where there is a simultaneously-observed primary violation for which an officer, at their discretion, could issue a citation.

§ 2. This act shall take effect immediately.