STATE OF NEW YORK

8933

IN ASSEMBLY

January 19, 2022

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

AN ACT to amend the vehicle and traffic law, in relation to limiting the liability of operators and owners of first-response emergency vehicles for monetary penalties for certain traffic infractions committed while responding to a medical emergency in a city with a population of one million or more persons

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

Section 1. Section 227 of the vehicle and traffic law is amended by adding a new subdivision 7 to read as follows:

7. (a) In a city having a population of one million or more, at every hearing for the adjudication of a traffic infraction, as provided by this article, there shall be a rebuttable presumption that the operator or owner of a first-response emergency vehicle involved in the commission of a traffic infraction for exceeding the speed limit, running a red light or driving in a bus lane is not liable for a monetary penalty for the commission of such infraction if such operator or owner of the first-response emergency vehicle provides the hearing officer with:

(i) a signed and affirmed affidavit attesting that the operator of the vehicle at the time of the infraction is a medically-trained first responder and that the traffic infraction occurred during the use of the first-response emergency vehicle to respond to a medical emergency call; and

(ii) documentation supporting the dispatch of the medical emergency call and the dispatch of the operator and vehicle to the scene of the medical emergency. If an owner or operator of a first-response emergency vehicle is stopped by an officer while responding to a medical emergency call, such owner or operator should not be liable for a monetary penalty and points on their license for an infraction that occurred during the use of the first-response emergency vehicle to respond to a medical emergency call.

(b) As used in this subdivision, "first-response emergency vehicle" includes ambulances as defined in section one hundred-b of this chapter

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

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and personally-owned vehicles utilized as emergency ambulance service vehicles as defined in section one hundred fifteen-c of this chapter in accordance with the regulations of the department of health.

§ 2. This act shall take effect immediately.