STATE OF NEW YORK

1587

2021-2022 Regular Sessions

IN SENATE

January 13, 2021

Introduced by Sen. SANDERS -- 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 and the penal law, in relation to the use of a vehicle as a weapon

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

 1229-e to read as follows: § 1229-e. Driving near protests. 1. When a protest with over fif people in attendance is occurring on a roadway, with the exception police vehicles, emergency vehicles, and the vehicles of people par ipating in the protest, no driver of a vehicle shall drive upon roadway within one thousand feet of the protest. 2. Whenever any vehicle, with the exception of police vehicles, er gency vehicles, and the vehicles of people participating in the prot is stopped at a protest, the driver of any other vehicle approad from the rear shall not overtake and pass such stopped vehicle. 3. A violation of subdivision one or two of this section shall traffic infraction and shall be punishable by a fine of not less three hundred dollars nor more than five hundred dollars. A person operates a vehicle in violation of subdivisions within the preceding years shall be punished by a fine of not less than five hundred dol nor more than seven hundred fifty dollars. A person who operates a v cle in violation of such subdivisions within the preceding 	1	Section 1. This act shall be known and may be cited as the "Heather D.
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	23	years shall be guilty of a misdemeanor, and shall be punished by a fine
25 <u>hundred dollars.</u>		
	25	hundred dollars.

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

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S. 1587

1	§ 3. Section 485.10 of the penal law is amended by adding a new subdi-
2	vision 3-a to read as follows:
3	3-a. Notwithstanding any other provision of law, when a person is
4	convicted of a hate crime pursuant to this article where the underlying
5	offense is vehicular manslaughter or a dangerous instrument is used as a
6	weapon against a person during the commission of such hate crime, the
7	specified offense is a class A-1 felony with which the minimum period of
8	the indeterminate sentence shall not be less than twenty-five years.
9	§ 4. This act shall take effect on the first of November next succeed-