

STATE OF NEW YORK

4223

2021-2022 Regular Sessions

IN ASSEMBLY

February 1, 2021

Introduced by M. of A. TAGUE, MORINELLO, DeSTEFANO -- Multi-Sponsored by
-- M. of A. TAYLOR -- read once and referred to the Committee on
Transportation

AN ACT to amend the vehicle and traffic law, in relation to increasing
the penalty for certain traffic violations when such violations arise
out of the same incident as a conviction for failure to move over and
when such violations occurred in a work zone

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

1 Section 1. Subdivision 4 of section 1225-c of the vehicle and traffic
2 law, as amended by section 6 of part B of chapter 55 of the laws of
3 2014, is amended to read as follows:

4 4. (a) A violation of subdivision two of this section shall be a traf-
5 fic infraction and shall be punishable by a fine of not less than fifty
6 dollars nor more than two hundred dollars upon conviction of a first
7 violation; upon conviction of a second violation, both of which were
8 committed within a period of eighteen months, such violation shall be
9 punished by a fine of not less than fifty dollars nor more than two
10 hundred fifty dollars; upon conviction of a third or subsequent
11 violation, all of which were committed within a period of eighteen
12 months, such violation shall be punished by a fine of not less than
13 fifty dollars nor more than four hundred fifty dollars.

14 (b) Notwithstanding the provisions of paragraph (a) of this subdivi-
15 sion a violation of subdivision two of this section arising out of the
16 same incident as a conviction for a violation of section eleven hundred
17 forty-four-a of this title shall be a traffic infraction and shall be
18 punishable by a fine of not less than one hundred dollars nor more than
19 four hundred dollars upon conviction of a first violation; upon
20 conviction of a second violation, both of which were committed within a
21 period of eighteen months, such violation shall be punished by a fine of
22 not less than one hundred dollars nor more than five hundred dollars;

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

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1 upon conviction of a third or subsequent violation, all of which were
2 committed within a period of eighteen months, such violation shall be
3 punished by a fine of not less than one hundred dollars nor more than
4 nine hundred dollars.

5 (c) Notwithstanding the provisions of paragraph (a) of this subdivi-
6 sion a violation of subdivision two of this section which occurred in a
7 highway construction or maintenance work area shall be a traffic infrac-
8 tion and shall be punishable by a fine of not less than one hundred
9 dollars nor more than four hundred dollars upon conviction of a first
10 violation; upon conviction of a second violation, both of which were
11 committed within a period of eighteen months, such violation shall be
12 punished by a fine of not less than one hundred dollars nor more than
13 five hundred dollars; upon conviction of a third or subsequent
14 violation, all of which were committed within a period of eighteen
15 months, such violation shall be punished by a fine of not less than one
16 hundred dollars nor more than nine hundred dollars.

17 § 2. Subdivision 6 of section 1225-d of the vehicle and traffic law,
18 as amended by section 7 of part B of chapter 55 of the laws of 2014, is
19 amended to read as follows:

20 6. (a) A violation of this section shall be a traffic infraction and
21 shall be punishable by a fine of not less than fifty dollars nor more
22 than two hundred dollars upon conviction of a first violation; upon
23 conviction of a second violation, both of which were committed within a
24 period of eighteen months, such violation shall be punished by a fine of
25 not less than fifty dollars nor more than two hundred fifty dollars;
26 upon conviction of a third or subsequent violation, all of which were
27 committed within a period of eighteen months, such violation shall be
28 punished by a fine of not less than fifty dollars nor more than four
29 hundred fifty dollars.

30 (b) Notwithstanding the provisions of paragraph (a) of this subdivi-
31 sion a violation of this section arising out of the same incident as a
32 conviction for a violation of section eleven hundred forty-four-a of
33 this title shall be a traffic infraction and shall be punishable by a
34 fine of not less than one hundred dollars nor more than four hundred
35 dollars upon conviction of a first violation; upon conviction of a
36 second violation, both of which were committed within a period of eigh-
37 teen months, such violation shall be punished by a fine of not less than
38 one hundred dollars nor more than five hundred dollars; upon conviction
39 of a third or subsequent violation, all of which were committed within a
40 period of eighteen months, such violation shall be punished by a fine of
41 not less than one hundred dollars nor more than nine hundred dollars.

42 (c) Notwithstanding the provisions of paragraph (a) of this subdivi-
43 sion a violation of subdivision two of this section which occurred in a
44 highway construction or maintenance work area shall be a traffic infrac-
45 tion and shall be punishable by a fine of not less than one hundred
46 dollars nor more than four hundred dollars upon conviction of a first
47 violation; upon conviction of a second violation, both of which were
48 committed within a period of eighteen months, such violation shall be
49 punished by a fine of not less than one hundred dollars nor more than
50 five hundred dollars; upon conviction of a third or subsequent
51 violation, all of which were committed within a period of eighteen
52 months, such violation shall be punished by a fine of not less than one
53 hundred dollars nor more than nine hundred dollars.

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