

STATE OF NEW YORK

7351

2021-2022 Regular Sessions

IN ASSEMBLY

May 6, 2021

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

AN ACT to amend the vehicle and traffic law, in relation to leaving the scene of an incident without reporting

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

1 Section 1. This act shall be known and may be cited as "Alix's Law".

2 § 2. Paragraph a of subdivision 1 and paragraph a of subdivision 2 of
3 section 600 of the vehicle and traffic law, as amended by section 4 of
4 part AAA of chapter 59 of the laws of 2017, are amended to read as
5 follows:

6 a. Any person operating a motor vehicle who, knowing or having cause
7 to know that the motor vehicle operated by such person has come in
8 contact with a person, real property or personal property, has a duty to
9 perform a reasonable and good faith investigation of the incident and if
10 as a result of such investigation such person knows or has reason to
11 know that damage has been caused to the real property or to the personal
12 property, not including animals, of another, due to [~~an incident involv-~~
13 ~~ing~~] the contact of the motor vehicle operated by such person, such
14 person shall, before leaving the place where the damage occurred, stop,
15 exhibit his or her license and insurance identification card for such
16 vehicle, when such card is required pursuant to articles six and eight
17 of this chapter, and give his or her name, residence, including street
18 and number, insurance carrier and insurance identification information
19 including but not limited to the number and effective dates of said
20 individual's insurance policy, and license number to the party sustain-
21 ing the damage, or in case the person sustaining the damage is not pres-
22 ent at the place where the damage occurred then he or she shall report
23 the same as soon as physically able to the nearest police station, or
24 judicial officer. A person operating a motor vehicle in violation of
25 section eleven hundred ninety-two of this chapter, that came into

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

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1 contact with a person, real property, or personal property, that
2 resulted in damage to real property or to the personal property, not
3 including animals of another, shall be presumed to have known or have
4 cause to know of such contact and of such damage, unless such person
5 shows that they would not have known or have cause to know of such
6 contact and of such injury regardless of intoxication or impairment by
7 the use of alcohol or a drug, or by the combined influence of drugs or
8 of alcohol and any drug or drugs.

9 In addition to the foregoing, any such
10 person shall also: (i) produce the proof of insurance coverage required
11 pursuant to article forty-four-B of this chapter if such person is a TNC
12 driver operating a TNC vehicle while the incident occurred who was (A)
13 logged on to the TNC's digital network but not engaged in a TNC prear-
14 ranged trip or (B) was engaged in a TNC prearranged trip; and (ii)
15 disclose whether he or she, at the time such incident occurred, was (A)
16 logged on to the TNC's digital network but not engaged in a TNC prear-
17 ranged trip or (B) was engaged in a TNC prearranged trip.

18 a. Any person operating a motor vehicle who, knowing or having cause
19 to know that the motor vehicle operated by such person has come in
20 contact with a person, real property or personal property, has a duty to
21 perform a reasonable and good faith investigation of the incident and if
22 as a result of such investigation such person knows or has reason to

23 know that personal injury has been caused to another person, due to [~~an~~
24 ~~incident involving~~] the contact of the motor vehicle operated by such
25 person, such person shall, before leaving the place where the said
26 personal injury occurred, stop, exhibit his or her license and insurance
27 identification card for such vehicle, when such card is required pursu-
28 ant to articles six and eight of this chapter, and give his or her name,
29 residence, including street and street number, insurance carrier and
30 insurance identification information including but not limited to the
31 number and effective dates of said individual's insurance policy and
32 license number, to the injured party, if practical, and also to a police
33 officer, or in the event that no police officer is in the vicinity of
34 the place of said injury, then, he or she shall report said incident as
35 soon as physically able to the nearest police station or judicial offi-
36 cer. A person operating a motor vehicle in violation of section eleven
37 hundred ninety-two of this chapter, that came into contact with a
38 person, real property, or personal property, that resulted in injury to
39 another person, shall be presumed to have known or have cause to know of
40 such injury, unless such person shows that they would not have known or
41 have cause to know of such contact and of such injury regardless of
42 intoxication or impairment by the use of alcohol or a drug, or by the
43 combined influence of drugs or of alcohol and any drug or drugs.

44 In addition to the foregoing, any such person shall also: (i) produce the
45 proof of insurance coverage required pursuant to article forty-four-B of
46 this chapter if such person is a TNC driver operating a TNC vehicle at
47 the time of the incident who was (A) logged on to the TNC's digital
48 network but not engaged in a TNC prearranged trip or (B) was engaged in
49 a TNC prearranged trip; and (ii) disclose whether he or she, at the time
50 such incident occurred, was (A) logged on to the TNC's digital network
51 but not engaged in a TNC prearranged trip or (B) was engaged in a TNC
52 prearranged trip.

§ 3. This act shall take effect immediately.