STATE OF NEW YORK

8191

2021-2022 Regular Sessions

IN ASSEMBLY

August 25, 2021

Introduced by M. of A. LAWLER -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the general construction law, the transportation law, the vehicle and traffic law and the personal property law, in relation to designating September eleventh as a public holiday

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

Section 1. Section 24 of the general construction law, as amended by chapter 249 of the laws of 2020, is amended to read as follows:

§ 24. Public holidays; half-holidays. The term public holiday includes the following days in each year: the first day of January, known as New Year's day; the third Monday of January, known as Dr. Martin Luther King, Jr. day; the twelfth day of February, known as Lincoln's birthday; the third Monday in February, known as Washington's birthday; the last Monday in May, known as Memorial day; the second Sunday in June, known as Flag day; the nineteenth day of June, known as Juneteenth; the fourth day of July, known as Independence day; the first Monday in September, known as Labor day; **the eleventh day of September, known as September 11th Memorial and Remembrance day;** the second Monday in October, known as Columbus day; the eleventh day of November, known as Veterans' day; the fourth Thursday in November, known as Thanksgiving day; and the twenty-fifth day of December, known as Christmas day, and if any of such days except Flag day is Sunday, the next day thereafter; each general election day, and each day appointed by the president of the United States or by the governor of this state as a day of general thanksgiving, general fasting and prayer, or other general religious observances. The term half-holiday includes the period from noon to midnight of each Saturday which is not a public holiday.

§ 2. Subparagraph (i) of paragraph (e) of subdivision 4 of section 14-f of the transportation law, as amended by chapter 173 of the laws of 1990, is amended to read as follows:

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

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(i) Any complaint issued for an equipment violation, except for a violation involving an out-of-service defect or except for a violation involving the operation of any motor vehicle after it has been placed out of service, shall be dismissed by the court before such summons is returnable if the violation as set forth in the summons is corrected not later than one-half hour after sunset on the first full business day after the issuance of the summons and proof of such correction as set forth in subparagraph (ii) of this paragraph is submitted to the court. For the purposes of this subparagraph, "business day" shall mean any calendar day except Sunday, or the following business holidays: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, **September 11th Memorial and Remembrance Day,** Columbus Day, Veterans' Day, Thanksgiving Day and Christmas Day.

§ 3. Item (a) of subparagraph (iv) of paragraph c of subdivision 2 of section 140 of the transportation law, as separately amended by chapters 369 and 654 of the laws of 1994, such paragraph as relettered by section 6 of part G of chapter 58 of the laws of 2012, is amended to read as follows:

(a) Any complaint issued for an equipment violation, except for a violation involving an out-of-service defect relating to load securement, brake systems, steering components and/or coupling devices or except for a violation involving the operation of any motor vehicle after it has been placed out-of-service, shall be dismissed by the court before such summons is returnable if the violation as set forth in the summons is corrected not later than one-half hour after sunset on the first full business day, or if such complaint involves a farm vehicle registered pursuant to subdivision thirteen of section four hundred one of the vehicle and traffic law and operated in conformance with the terms of such registration, not later than one-half hour after sunset on the third full business day after the issuance of the summons and proof of such correction as set forth in item (b) of this subparagraph is submitted to the court. For the purposes of this subparagraph, "business day" shall mean any calendar day except Sunday, or the following business holidays: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, **September 11th Memorial and Remembrance Day,** Columbus Day, Veterans' Day, Thanksgiving Day and Christmas Day.

§ 4. Subdivision 4 of section 376-a of the vehicle and traffic law, as amended by chapter 302 of the laws of 2013, is amended to read as follows:

4. Any complaint issued for any violation of section three hundred seventy-five, three hundred seventy-six or three hundred eighty-one of this article relative to required equipment, except a violation described in subdivision two of this section, subdivision forty-seven of section three hundred seventy-five of this article, and except for a violation relating to service brakes, shall be dismissed by the court before which the summons is returnable if the violation as set forth in the summons is corrected not later than one-half hour after sunset on the first full business day after the issuance of the summons and proof of such correction as set forth in subdivision five of this section is submitted to the court. For the purposes of this subdivision, "business day" shall mean any calendar day except Saturday and Sunday, or the following business holidays: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, **September 11th Memorial and Remembrance Day,** Columbus Day, Veterans' Day, Thanksgiving Day, and Christmas Day.

§ 5. Subdivision 6 of section 426 of the personal property law, as added by chapter 659 of the laws of 1976, is amended to read as follows:

6. "Business day" shall mean any calendar day except Sunday, or the following business holidays: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, **September 11th Memorial and Remembrance Day,** Columbus Day, Veterans' Day, Thanksgiving Day, and Christmas Day.

§ 6. Subdivision 7 of section 441 of the personal property law, as added by chapter 326 of the laws of 1995, is amended to read as follows:

7. "Business day" shall mean any calendar day except Sunday, or the following business holidays: New Year's Day, Martin Luther King Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, **September 11th Memorial and Remembrance Day,** Columbus Day, Veterans Day, Thanksgiving Day, and Christmas Day.

§ 7. This act shall take effect immediately.