

STATE OF NEW YORK

1840

2023-2024 Regular Sessions

IN ASSEMBLY

January 23, 2023

Introduced by M. of A. KIM, BRAUNSTEIN, BENEDETTO, COLTON, BRONSON, WEPRIN, BICHOTTE HERMELYN, VANEL, OTIS, HYNDMAN -- Multi-Sponsored by -- M. of A. COOK, RAMOS -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the assault of a driver of a for-hire vehicle or transportation network company driver

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

1 Section 1. Subdivision 11 of section 120.05 of the penal law, as
2 amended by chapter 233 of the laws of 2022, is amended to read as
3 follows:
4 11. With intent to cause physical injury to a train operator, ticket
5 inspector, conductor, signalperson, bus operator, station agent, station
6 cleaner, terminal cleaner, station customer assistant; person whose
7 official duties include the sale or collection of tickets, passes,
8 vouchers, or other revenue payment media for use on a train or bus or
9 the collection or handling of revenues therefrom; a person whose offi-
10 cial duties include the maintenance, repair, inspection, troubleshoot-
11 ing, testing or cleaning of buses, a transit signal system, elevated or
12 underground subway tracks, transit station structure, including fare
13 equipment, escalators, elevators and other equipment necessary to
14 passenger service, commuter rail tracks or stations, train yard, revenue
15 train in passenger service, or a train or bus station or terminal; or a
16 supervisor of such personnel, employed by any transit or commuter rail
17 agency, authority or company, public or private, whose operation is
18 authorized by New York state or any of its political subdivisions, a
19 city marshal, a school crossing guard appointed pursuant to section two
20 hundred eight-a of the general municipal law, a traffic enforcement
21 officer, traffic enforcement agent, prosecutor as defined in subdivision
22 thirty-one of section 1.20 of the criminal procedure law, sanitation
23 enforcement agent, New York city sanitation worker, public health sani-

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

LBD04434-01-3

1 tarian, New York city public health sanitarian, registered nurse,
2 licensed practical nurse, emergency medical service paramedic, [~~or~~]
3 emergency medical service technician, driver of a for-hire vehicle as
4 defined in paragraph (b) of subdivision two of section 60.07 of this
5 chapter or transportation network company driver as defined in subdivi-
6 vision four of section sixteen hundred ninety-one of the vehicle and
7 traffic law, he or she causes physical injury to such train operator,
8 ticket inspector, conductor, signalperson, bus operator, station agent,
9 station cleaner, terminal cleaner, station customer assistant; person
10 whose official duties include the sale or collection of tickets, passes,
11 vouchers or other revenue payment media for use on a train or bus or the
12 collection or handling of revenues therefrom; a person whose official
13 duties include the maintenance, repair, inspection, troubleshooting,
14 testing or cleaning of buses, a transit signal system, elevated or
15 underground subway tracks, transit station structure, including fare
16 equipment, escalators, elevators and other equipment necessary to
17 passenger service, commuter rail tracks or stations, train yard, revenue
18 train in passenger service, or a train or bus station or terminal; or a
19 supervisor of such personnel, city marshal, school crossing guard
20 appointed pursuant to section two hundred eight-a of the general municipi-
21 pal law, traffic enforcement officer, traffic enforcement agent, prose-
22 cutor as defined in subdivision thirty-one of section 1.20 of the crimi-
23 nal procedure law, registered nurse, licensed practical nurse, public
24 health sanitarian, New York city public health sanitarian, sanitation
25 enforcement agent, New York city sanitation worker, emergency medical
26 service paramedic, [~~or~~] emergency medical service technician, driver of
27 a for-hire vehicle as defined in paragraph (b) of subdivision two of
28 section 60.07 of this chapter or transportation network company driver
29 as defined in subdivision four of section sixteen hundred ninety-one of
30 the vehicle and traffic law, while such employee is performing an
31 assigned duty on, or directly related to, the operation of a train or
32 bus, cleaning of a train or bus station or terminal, assisting custom-
33 ers, the sale or collection of tickets, passes, vouchers, or other
34 revenue media for use on a train or bus, or maintenance or cleaning of a
35 train, a bus, or bus station or terminal, signal system, elevated or
36 underground subway tracks, transit station structure, including fare
37 equipment, escalators, elevators and other equipment necessary to
38 passenger service, commuter rail tracks or stations, train yard or
39 revenue train in passenger service, or such city marshal, school cross-
40 ing guard, traffic enforcement officer, traffic enforcement agent,
41 prosecutor as defined in subdivision thirty-one of section 1.20 of the
42 criminal procedure law, registered nurse, licensed practical nurse,
43 public health sanitarian, New York city public health sanitarian, sani-
44 tation enforcement agent, New York city sanitation worker, emergency
45 medical service paramedic, [~~or~~] emergency medical service technician,
46 driver of a for-hire vehicle as defined in paragraph (b) of subdivision
47 two of section 60.07 of this chapter or transportation network company
48 driver as defined in subdivision four of section sixteen hundred nine-
49 ty-one of the vehicle and traffic law is performing an assigned duty; or
50 § 2. This act shall take effect immediately.