

STATE OF NEW YORK

2763

2023-2024 Regular Sessions

IN ASSEMBLY

January 27, 2023

Introduced by M. of A. TAGUE, DeSTEFANO, DURSO -- 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 Assembly, do enact as follows:

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

4. (a) A violation of subdivision two of this section shall be a traffic infraction and shall be punishable by a fine of not less than fifty dollars nor more than two hundred dollars upon conviction of a first violation; upon conviction of a second violation, both of which were committed within a period of eighteen months, such violation shall be punished by a fine of not less than fifty dollars nor more than two hundred fifty dollars; upon conviction of a third or subsequent violation, all of which were committed within a period of eighteen months, such violation shall be punished by a fine of not less than fifty dollars nor more than four hundred fifty dollars.

(b) Notwithstanding the provisions of paragraph (a) of this subdivision a violation of subdivision two of this section arising out of the same incident as a conviction for a violation of section eleven hundred forty-four-a of this title shall be a traffic infraction and shall be punishable by a fine of not less than one hundred dollars nor more than four hundred dollars upon conviction of a first violation; upon conviction of a second violation, both of which were committed within a period of eighteen months, such violation shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars; upon conviction of a third or subsequent violation, all of which were

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

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1 committed within a period of eighteen months, such violation shall be
2 punished by a fine of not less than one hundred dollars nor more than
3 nine hundred dollars.

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

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

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

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

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

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