STATE OF NEW YORK

8896

IN ASSEMBLY

January 26, 2024

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

AN ACT to amend the vehicle and traffic law, in relation to limiting the liability of midwives for monetary penalties for certain traffic violations committed while responding to a patient in a city with a population of one million or more

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

Section 1. Section 240 of the vehicle and traffic law is amended by adding a new subdivision 1-c to read as follows:

1-c. In a city having a population of one million or more, at every hearing for the adjudication of a notice of liability, as provided by this article, there shall be a rebuttable presumption that an owner of a motor vehicle who is a licensed midwife, alleged to be liable in accordance with any provisions of law specifically authorizing the imposition of monetary liability on the owner of a vehicle for failure of an operator thereof: to comply with traffic-control indications in violation of subdivision (d) of section eleven hundred eleven of this chapter through the installation and operation of traffic-control signal photo violation-monitoring systems, in accordance with article twenty-four of this chapter; or to comply with certain posted maximum speed limits in violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter; or to comply with bus lane restrictions as defined by article twenty-four of this chapter through the installation and operation of bus lane photo devices, in accordance with article twenty-four of this chapter, is not liable for such alleged violation if such owner provides the hearing officer with a signed and affirmed affidavit attesting that such owner is a midwife, and was responding to an emergency medical situation at the time that the alleged violation occurred, or such other proof as such hearing officer deems appropriate.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

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

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