

# STATE OF NEW YORK

6618

2023-2024 Regular Sessions

## IN SENATE

May 1, 2023

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to assaults upon certain employees of a transit agency or authority

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, traffic checker, station customer assistant;  
7 person whose official duties include the sale or collection of tickets,  
8 passes, vouchers, or other revenue payment media for use on a train or  
9 bus or the collection or handling of revenues therefrom; a person whose  
10 official duties include the maintenance, repair, inspection, trouble-  
11 shooting, testing or cleaning of buses, a transit signal system,  
12 elevated or underground subway tracks, transit station structure,  
13 including fare equipment, escalators, elevators and other equipment  
14 necessary to passenger service, commuter rail tracks or stations, train  
15 yard, revenue train in passenger service, or a train or bus station or  
16 terminal; or a supervisor of such personnel, employed by any transit or  
17 commuter rail agency, authority or company, public or private, whose  
18 operation is authorized by New York state or any of its political subdi-  
19 visions, a city marshal, a school crossing guard appointed pursuant to  
20 section two hundred eight-a of the general municipal law, a traffic  
21 enforcement officer, traffic enforcement agent, prosecutor as defined in  
22 subdivision thirty-one of section 1.20 of the criminal procedure law,  
23 sanitation enforcement agent, New York city sanitation worker, public  
24 health sanitarian, New York city public health sanitarian, registered  
25 nurse, licensed practical nurse, emergency medical service paramedic, or

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

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1 emergency medical service technician, he or she causes physical injury  
2 to such train operator, ticket inspector, conductor, signalperson, bus  
3 operator, station agent, station cleaner, terminal cleaner, traffic  
4 checker, station customer assistant; person whose official duties  
5 include the sale or collection of tickets, passes, vouchers or other  
6 revenue payment media for use on a train or bus or the collection or  
7 handling of revenues therefrom; a person whose official duties include  
8 the maintenance, repair, inspection, troubleshooting, testing or clean-  
9 ing of buses, a transit signal system, elevated or underground subway  
10 tracks, transit station structure, including fare equipment, escalators,  
11 elevators and other equipment necessary to passenger service, commuter  
12 rail tracks or stations, train yard, revenue train in passenger service,  
13 or a train or bus station or terminal; or a supervisor of such person-  
14 nel, city marshal, school crossing guard appointed pursuant to section  
15 two hundred eight-a of the general municipal law, traffic enforcement  
16 officer, traffic enforcement agent, prosecutor as defined in subdivision  
17 thirty-one of section 1.20 of the criminal procedure law, registered  
18 nurse, licensed practical nurse, public health sanitarian, New York city  
19 public health sanitarian, sanitation enforcement agent, New York city  
20 sanitation worker, emergency medical service paramedic, or emergency  
21 medical service technician, while such employee is performing an  
22 assigned duty on, or directly related to, the operation of a train or  
23 bus, cleaning of a train or bus station or terminal, assisting custom-  
24 ers, the sale or collection of tickets, passes, vouchers, or other  
25 revenue media for use on a train or bus, or maintenance or cleaning of a  
26 train, a bus, or bus station or terminal, signal system, elevated or  
27 underground subway tracks, transit station structure, including fare  
28 equipment, escalators, elevators and other equipment necessary to  
29 passenger service, commuter rail tracks or stations, train yard or  
30 revenue train in passenger service, or such city marshal, school cross-  
31 ing guard, traffic enforcement officer, traffic enforcement agent,  
32 prosecutor as defined in subdivision thirty-one of section 1.20 of the  
33 criminal procedure law, registered nurse, licensed practical nurse,  
34 public health sanitarian, New York city public health sanitarian, sani-  
35 tation enforcement agent, New York city sanitation worker, emergency  
36 medical service paramedic, or emergency medical service technician is  
37 performing an assigned duty; or

38 § 2. This act shall take effect on the ninetieth day after it shall  
39 have become a law.