

STATE OF NEW YORK

6944

2023-2024 Regular Sessions

IN ASSEMBLY

May 9, 2023

Introduced by M. of A. COOK -- read once and referred 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.