STATE OF NEW YORK

760

2023-2024 Regular Sessions

IN SENATE

January 6, 2023

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

AN ACT to amend the vehicle and traffic law, in relation to prohibiting reckless driving in or upon off-street parking facilities

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

Section 1. Section 1212 of the vehicle and traffic law, as added by chapter 47 of the laws of 1988, is amended to read as follows:

§ 1212. Reckless driving. Reckless driving shall mean driving or using any motor vehicle, motorcycle or any other vehicle propelled by any power other than muscular power or any appliance or accessory thereof**: (a)** in a manner which unreasonably interferes with the free and proper use of the public highway, or unreasonably endangers users of the public highway**; or (b) in or upon any off-street parking facility, as defined in section twelve hundred fifteen-a of this article, in willful or wanton disregard for the safety of persons or property**. Reckless driving is prohibited. Every person violating this provision shall be guilty of a misdemeanor.

§ 2. The vehicle and traffic law is amended by adding a new section 1215-a to read as follows:

§ 1215-a. Driving in or upon off-street parking facilities. The driver of a motor vehicle in or upon an off-street parking facility shall hold such motor vehicle under control at all times and shall not operate such vehicle in willful or wanton disregard for the safety of persons or property. As used in this section, "off-street parking facility" means any off-street facility held open for use by the public for parking vehicles and includes any publicly owned facilities for off-street parking, and privately owned facilities for off-street parking where no fee is charged for the privilege to park and which are held open for the common public use of retail customers.

§ 3. This act shall take effect immediately.

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

LBD02750-01-3