

# STATE OF NEW YORK

9231

## IN SENATE

May 7, 2024

Introduced by Sen. SCARCELLA-SPANTON -- (at request of the Division of Homeland Security and Emergency Services) -- 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 equipping vehicles with radio devices

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

1 Section 1. Section 397 of the vehicle and traffic law, as amended by  
2 chapter 843 of the laws of 1980, is amended to read as follows:

3 § 397. Equipping motor vehicles with radio receiving sets capable of  
4 receiving signals on the frequencies allocated for police use. A  
5 person, not a police officer or peace officer, acting pursuant to [~~his~~]  
6 their special duties, who equips a motor vehicle with a radio receiving  
7 set capable of receiving signals on the frequencies allocated for police  
8 use or knowingly uses a motor vehicle so equipped or who in any way  
9 knowingly interferes with the transmission of radio messages by the  
10 police without having first secured a permit so to do from the person  
11 authorized to issue such a permit by the local governing body or board  
12 of the city, town or village in which such person resides, or where such  
13 person resides outside of a city or village in a county having a county  
14 police department by the board of supervisors of such county, is guilty  
15 of a misdemeanor, punishable by a fine not exceeding one thousand  
16 dollars, or imprisonment not exceeding six months, or both. Nothing in  
17 this section contained shall be construed to apply to any person who  
18 holds a valid amateur radio operator's license issued by the federal  
19 communications commission and who operates a duly licensed portable  
20 mobile transmitter and in connection therewith a receiver or receiving  
21 set on frequencies exclusively allocated by the federal communications  
22 commission to duly licensed radio amateurs. This section shall not apply  
23 to any employee of the division of homeland security and emergency  
24 services, as established by article twenty-six of the executive law,  
25 acting pursuant to their official duties.

26 § 2. This act shall take effect immediately.

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

LBD14167-01-4