

STATE OF NEW YORK

2299--B

2025-2026 Regular Sessions

IN ASSEMBLY

January 16, 2025

Introduced by M. of A. GALLAGHER, SEAWRIGHT, HEVESI, SIMONE, SIMON, GONZALEZ-ROJAS, SHIMSKY, TAPIA, RAGA, KELLES, R. CARROLL, SHRESTHA, McDONALD, VALDEZ, MAMDANI, VANEL, ALVAREZ, WIEDER -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to requiring the installation of intelligent speed assistance devices for repeated violation of maximum speed limits

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

Section 1. The vehicle and traffic law is amended by adding a new section 119-c to read as follows:

§ 119-c. Intelligent speed assistance device. A device, also referred to as a "speed limiter", which is installed in a motor vehicle and utilizes technology to cap the speed of a motor vehicle at five miles per hour more than the speed limit in a specific zone. The technology shall allow for slight acceleration past the speed limit, if necessary, based on traffic conditions.

§ 2. Subdivision (h) of section 1180 of the vehicle and traffic law is amended by adding a new paragraph 6 to read as follows:

6. (i) Upon a conviction for any violation or set of violations of subdivision (b), (c), (d), (f) or (g) of this section which results in an accumulation of eleven or more points on the driving record of any person for violations that occurred during the preceding twenty-four month period, the court shall, in addition to any other fines, imprisonment, conditional discharge or license suspension or revocation, mandate that the person have installed an intelligent speed assistance device, otherwise known as a speed limiter, in any motor vehicle owned or oper-

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

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1 ated by such person for a minimum period of twelve months or for any
2 period of license suspension or revocation, whichever is later.

3 (ii) Where a person who has accumulated eleven points on their driving
4 record as a result of any violation or set of violations of subdivision
5 (b), (c), (d), (f), or (g) of this section in the preceding twenty-four
6 month period does not appear in court, the commissioner shall send a
7 written notice, by first class mail to the address of such person on
8 file with the department or at the current address provided by the
9 United States postal service, that such person is required to have
10 installed an intelligent speed assistance device, otherwise known as a
11 speed limiter, in any motor vehicle owned or operated by such person for
12 a minimum period of twelve months or for any period of license suspen-
13 sion or revocation, whichever is later. The person shall provide proof
14 of installation as outlined in subparagraph (viii) of this paragraph.
15 If the person fails to provide such proof of installation, the commis-
16 sioner may suspend their license, modify an existing order of suspen-
17 sion, or may order the revocation of their license or driving privi-
18 leges.

19 (iii) Upon the finding of owner liability for failure of an operator
20 to comply with certain posted maximum speed limits through a photo speed
21 violation monitoring system, where such person has received six or more
22 notices of liability; or the finding of owner liability for failure of
23 an operator to comply with traffic-control indications through use of a
24 traffic-control signal photo violation-monitoring device, where such
25 person has received six or more notices of liability, during the preced-
26 ing twelve-month period, the commissioner shall send a written
27 notice, by first class mail to the address of such person on file with
28 the department or at the current address provided by the United States
29 postal service, that such person is required to have installed an intel-
30 ligent speed assistance device, otherwise known as a speed limiter, in
31 any motor vehicle owned or operated by such person for a minimum period
32 of twelve months. The New York city department of finance and any other
33 local authorities collecting information related to notices of liability
34 for failure of an operator to comply with certain posted maximum speed
35 limits through a photo speed violation-monitoring system or failure of
36 an operator to comply with traffic-control indications through use of a
37 traffic-control signal photo violation-monitoring device shall regularly
38 provide the commissioner with any and all information, data, or documen-
39 tation which the commissioner deems necessary to identify and notify
40 persons who have received sufficient notices of liability to require the
41 installation of an intelligent speed assistance device.

42 (iv) A person who is required to install a speed limiter under this
43 paragraph shall request removal of the device from the department upon
44 the end of their mandated period of use of the speed limiter. Upon
45 receiving this request, the commissioner may require such person to
46 complete a written driving test and a road test administered pursuant to
47 subdivision four of section five hundred two of this chapter prior to
48 having the intelligent speed assistance device removed. The commissioner
49 may deny the request to remove the device based upon the individual's
50 performance on the written driving test, the road test, or as a result
51 of their driving record during the period of speed limiter use.

52 (v) The cost of installing and maintaining a speed limiter shall be
53 borne by the person subject to such condition unless the court or the
54 commissioner determines such person is financially unable to afford such
55 cost whereupon such cost may be imposed pursuant to a payment plan or
56 waived. At the end of the required installation period a speed limiter

1 device shall be returned to a qualified service provider, as established
2 by subparagraph (vii) of this paragraph. If deemed to be in working
3 order after being returned to a qualified service center, the device may
4 be installed on any other motor vehicle required to have a speed limiter
5 installed.

6 (vi) The commissioner shall create a list of approved intelligent
7 speed assistance devices. Approved intelligent speed assistance devices
8 must be capable of accurately detecting speed limits across road and
9 weather conditions, and the commissioner may promulgate any rules and
10 regulations necessary to further ensure that devices operate reliably.

11 (vii) The commissioner shall create a list of service providers which
12 are qualified to install, service, inspect, and remove approved intelli-
13 gent speed assistance devices. This list may include any
14 installation/service providers, as defined in 9 NYCRR 358.3, which are
15 approved for the installation, servicing, and removal of ignition inter-
16 lock devices installed pursuant to section eleven hundred ninety-eight
17 of this title.

18 (viii) Proof of installation of a speed limiter required under subpar-
19 agraph (i) of this paragraph shall occur within ten days of the court
20 order. If a person ordered to have a speed limiter device installed
21 under subparagraph (ii) or (iii) of this paragraph is unable to finan-
22 cially afford the cost of the speed limiter, they may request in writ-
23 ing, within ten days of receiving the notification from the commission-
24 er, a payment plan or to have payment for the device waived. Proof of
25 installation of a speed limiter required under this paragraph shall
26 occur within ten days of receiving a written notice of a determination
27 from the commissioner as to whether such person will be granted a
28 payment plan or have payment for the device waived. Within thirty days
29 after the initial installation of an intelligent speed assistance
30 device, the device shall be inspected by a qualified service center to
31 ensure the device is properly calibrated and installed.

32 The commissioner shall promulgate regulations governing the monitor-
33 ing of compliance by the department of persons ordered to install and
34 maintain speed limiters.

35 (ix) (A) No person shall tamper with or circumvent an otherwise
36 operable speed limiter.

37 (B) No person subject to a court ordered speed limiter shall oper-
38 ate a motor vehicle without such device.

39 (C) In addition to any other provisions of law, any person convicted
40 of a violation of clause (A) or (B) of this subparagraph shall be guil-
41 ty of a class A misdemeanor.

42 (x) A violation of any provision of this paragraph, or a finding that
43 any person has assisted a driver to violate this paragraph, shall be a
44 class A misdemeanor punishable by up to one year in jail.

45 (xi) (A) The commissioner shall submit a report every twenty-four
46 months to the governor and the legislature with the following informa-
47 tion about the speed limiter program under this paragraph:

48 (1) Number of individuals actively required to have speed limiters
49 installed in motor vehicles they own or operate.

50 (2) Number of motor vehicles required to have speed limiters
51 installed.

52 (3) Number of fee waivers approved to waive the entire fee for
53 installing a speed limiter.

54 (4) Number of individuals put on a payment plan for their speed limi-
55 ter.

1 (B) As available to the commissioner, they shall also include the
2 following information about the speed limiter program under this para-
3 graph:

4 (1) Number of speeding tickets issued to individuals with speed limi-
5 ters installed.

6 (2) Number of other traffic law infractions committed by individuals
7 with speed limiters installed, organized by category or type of traffic
8 violation.

9 (3) Number of reported accidents involving individuals with speed
10 limiters installed.

11 (4) Number of known individuals who have not complied with the
12 provisions of this paragraph, separated by three categories: not
13 initially installing a device as required, removing the device before a
14 follow-up inspection, and being cited for not having a device properly
15 installed during a traffic stop.

16 (C) Such report shall also be made publicly available on the depart-
17 ment of transportation and department of motor vehicles websites.

18 (xii) The commissioner may promulgate any rules and regulations neces-
19 sary to implement the provisions of this paragraph.

20 § 3. This act shall take effect on the sixtieth day after it shall
21 have become a law; provided, however, that subparagraph (iii) of para-
22 graph 6 of subdivision (h) of section 1180 of the vehicle and traffic
23 law, as added by section two of this act, shall take effect one year
24 after such effective date.