STATE OF NEW YORK

6986--A

2025-2026 Regular Sessions

IN ASSEMBLY

March 18, 2025

Introduced by M. of A. GIGLIO, ANGELINO, BLUMENCRANZ -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to motor vehicle speed contests, sideshows and street takeovers; and to amend the penal law, in relation to the crime of criminal mischief in the third degree

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

Section 1. This act shall be known and may be cited as "Brendon's law".

§ 2. Section 1182 of the vehicle and traffic law, as amended by chapter 594 of the laws of 1987, subdivisions 1 and 2 as amended by section 9 of part C of chapter 62 of the laws of 2003, is amended to read as follows:

§ 1182. Speed contests and races. 1. **(a)** Except as provided in section eleven hundred eighty-two-a of this article or section sixteen hundred thirty, sixteen hundred forty, sixteen hundred forty-two or sixteen hundred sixty of this chapter, no races, exhibitions or contests of speed shall be held and no person shall engage [~~in or aid or abet~~] **or participate** in any motor vehicle or other speed contest or exhibition of speed on a highway. **"Participate in" shall mean to organize, facilitate, promote, take or have a part or share in, partake in, share in, take part in, indulge in, contribute to, engage in, concur in, be a party to, compete in, undertake, or participate in profits to a speed contest or race. For the purposes of this section "participate in" shall also include wagering on the outcome of a speed contest or race; making an invitation to race; acting as a starter or flag person; pushing or positioning a motor vehicle to a starting line; operating, riding in, or**

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

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positioning a motor vehicle for the purpose of engaging in, facilitating, continuing, or establishing a boundary area for a race; and directing persons or motor vehicles for the purposes of engaging in, facilitating, or continuing a race.

(b) No person shall knowingly be present as a spectator within two hundred feet of any speed contest or race. A "spectator" shall mean any person who is knowingly present at a speed contest or race for the purpose of viewing, observing, watching, or witnessing the event as it progresses.

(c) Such event, if held, shall be fully and efficiently patrolled for the entire distance over which such race, exhibition or contest for speed is to be held. Participants in a race, exhibition or contest of speed are exempted from compliance with any traffic laws otherwise applicable thereto, but shall exercise reasonable care.

2. (a) A violation of any of the provisions of this section shall constitute a misdemeanor and be punishable by imprisonment of not more than thirty days or a fine of not [~~less~~] more than [~~three~~] six hundred dollars [~~nor more than five hundred twenty-five dollars~~], or both such fine and imprisonment.

[~~2. A second conviction within twelve months of a violation of this section shall be punishable by imprisonment of not more than six months or a fine of not less than five hundred twenty-five dollars nor more than seven hundred fifty dollars, or both such fine and imprisonment~~]

(b) A second or subsequent violation committed within ten years shall be punishable upon conviction by imprisonment of not more than one year or a fine of not more than one thousand dollars, or both such fine and imprisonment. In addition, the vehicle or vehicles involved in a violation of this section shall be subject to seizure and forfeiture which actions shall be governed by the procedures enumerated in article thirteen-A of the civil practice law and rules. A noncriminal defendant must take all prudent steps to prevent the illegal use of their vehicle, and willful disregard by the owner or lienholder of the acts giving rise to forfeiture shall not constitute a defense to such forfeiture.

§ 3. The vehicle and traffic law is amended by adding a new section 1212-a to read as follows:

§ 1212-a. Sideshows and street takeovers. 1. (a) No person shall organize, facilitate, promote, take or have a part or share in, partake in, share in, take part in, indulge in, contribute to, engage in, concur in, be a party to, compete in, undertake, or participate in profits to a sideshow or street takeover on any public highway, public sidewalk, parking lot, public property, or private property open to the public. For the purposes of this section "participate in" shall also include wagering on the outcome of a sideshow or street takeover; making an invitation to a street takeover or sideshow; acting as a starter or flag person; pushing or positioning a motor vehicle to a starting line; operating, riding in, or positioning a motor vehicle for the purpose of engaging in, facilitating, continuing, or establishing a boundary area for a sideshow or street takeover; and directing persons or motor vehicles for the purposes of engaging in, facilitating, or continuing a sideshow or street takeover.

(b) No person shall knowingly be present as a spectator within two hundred feet of any sideshow or street takeover. "Spectator" shall mean any person who is knowingly present at a sideshow or street takeover for the purpose of viewing, observing, watching, or witnessing the sideshow or street takeover event as it progresses.

2. For the purpose of this section:

(a) "sideshow" shall mean and include events in which one or more motor vehicle operator perform maneuvers or stunts for entertainment or competition purposes, including burnouts, power slides, donuts, wheelies, drifting, the making of excessive loud engine noises, revving, and/or the use of illegal loud noise mufflers.

(b) "street takeover" shall mean blocking or impeding the regular flow of traffic or pedestrians through all or a portion of a highway, parking lot, or public place, including private property open to the public, for the purposes of a sideshow or engaging in stunt behavior.

(c) "stunt behavior" shall mean to perform burnouts, donuts, drifting, revving, wheelies and similar maneuvers.

3. A violation of this section shall constitute a misdemeanor and be punishable by imprisonment of not more than six months or a fine of not more than six hundred dollars, or both such fine and imprisonment. A second or subsequent violation committed within ten years shall be punishable upon conviction by imprisonment of not more than one year or a fine of not more than one thousand dollars, or both such fine and imprisonment. In addition, the vehicle or vehicles involved in a violation of this section shall be subject to seizure and forfeiture which actions shall be governed by the procedures enumerated in article thirteen-A of the civil practice law and rules. A noncriminal defendant must take all prudent steps to prevent the illegal use of their vehicle, and willful disregard by the owner or lienholder of the acts giving rise to forfeiture shall not constitute a defense to such forfeiture.

§ 4. Section 145.05 of the penal law, as amended by chapter 276 of the laws of 2003, is amended to read as follows:

§ 145.05 Criminal mischief in the third degree.

A person is guilty of criminal mischief in the third degree when, with intent to damage property of another person, and having no right to do so nor any reasonable ground to believe that [~~he or she~~] such person has such right, [~~he or she~~] such person:

1. damages the motor vehicle of another person, by breaking into such vehicle when it is locked with the intent of stealing property, and within the previous ten year period, has been convicted three or more times, in separate criminal transactions for which sentence was imposed on separate occasions, of criminal mischief in the fourth degree as defined in section 145.00, criminal mischief in the third degree as defined in this section, criminal mischief in the second degree as defined in section 145.10, or criminal mischief in the first degree as defined in section 145.12 of this article; [~~or~~]

2. damages property of another person in an amount exceeding two hundred fifty dollars[~~.~~]; or

3. damages an authorized emergency vehicle, as defined in section one hundred one of the vehicle and traffic law.

Criminal mischief in the third degree is a class E felony.

§ 5. This act shall take effect immediately.