

STATE OF NEW YORK

4045--B

2025-2026 Regular Sessions

IN SENATE

January 31, 2025

Introduced by Sens. GOUNARDES, BROUK, CLEARE, COMRIE, COONEY, FAHY, GIANARIS, GONZALEZ, HARCKHAM, HINCHEY, HOYLMAN-SIGAL, KRUEGER, MARTINEZ, MAY, MAYER, MYRIE, RAMOS, SALAZAR, SEPULVEDA, SKOUFIS, WEBB -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- 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 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:

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

3 § 119-c. Intelligent speed assistance device. A device, also referred
4 to as a "speed limiter", which is installed in a motor vehicle and
5 utilizes technology to cap the speed of a motor vehicle at five miles
6 per hour more than the speed limit in a specific zone. The technology
7 shall allow for slight acceleration past the speed limit, if necessary,
8 based on traffic conditions.

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

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

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

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1 motor vehicle owned or operated by such person for a minimum period of
2 twelve months or for any period of license suspension or revocation,
3 whichever is later.

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

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

45 (iv) Proof of installation of a speed limiter required under this
46 paragraph shall occur within ten days of the court order. If a
47 person ordered to have a speed limiter device installed under this para-
48 graph is unable to financially afford the cost of the speed limiter,
49 they may request in writing, within ten days of receiving the notifica-
50 tion from the commissioner, a payment plan or to have payment for
51 the device waived. Proof of installation of a speed limiter required
52 under this paragraph shall then occur within ten days of receiving
53 a written notice of a determination from the commissioner as to whether
54 such person will be granted a payment plan or have payment for the
55 device waived. Within thirty days after the initial installation of
56 an intelligent speed assistance device, the device shall be

1 inspected by a qualified service center to ensure the device is properly
2 calibrated and installed. The commissioner shall promulgate regulations
3 governing the monitoring of compliance by the department of persons
4 ordered to install and maintain speed limiters.

5 (v) A person who is required to install a speed limiter under this
6 paragraph shall request removal of the device from the department upon
7 the end of their mandated period of use of the speed limiter. Upon
8 receiving this request, the commissioner may require such person to
9 complete a written driving test and a road test administered pursuant to
10 subdivision four of section five hundred two of this chapter prior to
11 having the intelligent speed assistance device removed. The commissioner
12 may deny the request to remove the device based upon the individual's
13 performance on the written driving test, the road test, or as a result
14 of their driving record during the period of speed limiter use.

15 (vi) The cost of installing and maintaining a speed limiter shall be
16 borne by the person subject to such condition unless the court or the
17 commissioner determines such person is financially unable to afford such
18 cost whereupon such cost may be imposed pursuant to a payment plan or
19 waived. At the end of the required installation period a speed limiter
20 device shall be returned to a qualified service provider, as established
21 by subparagraph (viii) of this paragraph. If deemed to be in working
22 order after being returned to a qualified service center, the device may
23 be installed on any other motor vehicle required to have a speed limiter
24 installed.

25 (vii) The commissioner shall create a list of approved intelligent
26 speed assistance devices. Approved intelligent speed assistance devices
27 must be capable of accurately detecting speed limits across road and
28 weather conditions, and the commissioner may promulgate any rules and
29 regulations necessary to further ensure that devices operate reliably.

30 (viii) The commissioner shall create a list of service providers which
31 are qualified to install, service, inspect, and remove approved intelli-
32 gent speed assistance devices. This list may include any
33 installation/service providers, as defined in 9 NYCRR 358.3, which are
34 approved for the installation, servicing, and removal of ignition inter-
35 lock devices installed pursuant to section eleven hundred ninety-eight
36 of this title.

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

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

41 (C) In addition to any other provisions of law, any person convicted
42 of a violation of clause (A) or (B) of this subparagraph shall be guilty
43 of a class A misdemeanor.

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

47 (xi) This paragraph shall not apply to motor vehicles operated by a
48 person subject to a court ordered speed limiter under this paragraph
49 where such person is required to operate such vehicle in the course and
50 scope of such person's employment and such vehicle is owned by such
51 person's employer. A motor vehicle owned by a business entity where such
52 business entity is owned or partly owned or controlled by a person
53 otherwise subject to a court ordered speed limiter under this paragraph
54 is not a motor vehicle owned by the employer for purposes of the
55 exemption provided in this subparagraph.

1 (xii) (A) The commissioner shall submit a report every twenty-four
2 months to the governor and the legislature with the following informa-
3 tion about the speed limiter program under this paragraph:

4 (1) Number of individuals actively required to have speed limiters
5 installed in motor vehicles they own or operate, disaggregated by the
6 number of individuals required to install speed limiters under subpara-
7 graph (i) of this paragraph, the number of individuals required to
8 install speed limiters for failure to comply with certain posted maximum
9 speed limits through a photo speed violation monitoring system under
10 subparagraph (iii) of this paragraph, and the number of individuals
11 required to install speed limiters for failure to comply with traffic-
12 control indications through use of a traffic-control signal photo viola-
13 tion-monitoring device under subparagraph (iii) of this paragraph.

14 (2) Number of motor vehicles required to have speed limiters
15 installed.

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

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

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

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

25 (2) Number of other traffic law infractions committed by individuals
26 with speed limiters installed, organized by category or type of traffic
27 violation.

28 (3) Number of reported accidents involving individuals with speed
29 limiters installed.

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

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

37 (xiii) The commissioner may promulgate any rules and regulations
38 necessary to implement the provisions of this paragraph.

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