

STATE OF NEW YORK

4573

2025-2026 Regular Sessions

IN SENATE

February 7, 2025

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

AN ACT to amend the penal law, in relation to including assault of maintenance employees of the triborough bridge and tunnel authority in the definition of assault in the second degree

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

1 Section 1. Subdivision 11 of section 120.05 of the penal law, as
2 amended by section 2 of part Z of chapter 55 of the laws of 2024, is
3 amended to read as follows:
4 11. With intent to cause physical injury to a train operator, ticket
5 inspector, conductor, signalperson, bus operator, station agent, station
6 cleaner, terminal cleaner, station customer assistant, traffic checker;
7 person whose official duties include the sale or collection of tickets,
8 passes, vouchers, or other revenue payment media for use on a train,
9 bus, or ferry the collection or handling of revenues therefrom; a person
10 whose official duties include the maintenance, repair, inspection, trou-
11 bleshooting, testing or cleaning of buses or ferries, a transit signal
12 system, elevated or underground subway tracks, transit station struc-
13 ture, including fare equipment, escalators, elevators and other equip-
14 ment necessary to passenger service, commuter rail tracks or stations,
15 train yard, revenue train in passenger service, a ferry station, or a
16 train or bus station or terminal; or a supervisor of such personnel,
17 employed by any transit or commuter rail agency, authority or company,
18 public or private, whose operation is authorized by New York state or
19 any of its political subdivisions, a maintenance employee of the tribor-
20 ough bridge and tunnel authority, a city marshal, a school crossing
21 guard appointed pursuant to section two hundred eight-a of the general
22 municipal law, a traffic enforcement officer, traffic enforcement agent,
23 prosecutor as defined in subdivision thirty-one of section 1.20 of the
24 criminal procedure law, sanitation enforcement agent, New York city

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

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1 sanitation worker, public health sanitarian, New York city public health
2 sanitarian, registered nurse, licensed practical nurse, emergency
3 medical service paramedic, or emergency medical service technician, [~~he~~
4 ~~or she~~] such person causes physical injury to such train operator, tick-
5 et inspector, conductor, signalperson, bus operator, station agent,
6 station cleaner, terminal cleaner, station customer assistant, traffic
7 checker; person whose official duties include the sale or collection of
8 tickets, passes, vouchers or other revenue media for use on a
9 train, bus, or ferry or the collection or handling of revenues there-
10 from; a person whose official duties include the maintenance, repair,
11 inspection, troubleshooting, testing or cleaning of buses or ferries, a
12 transit signal system, elevated or underground subway tracks, transit
13 station structure, including fare equipment, escalators, elevators and
14 other equipment necessary to passenger service, commuter rail tracks or
15 stations, train yard, revenue train in passenger service, a ferry
16 station, or a train or bus station or terminal; or a supervisor of such
17 personnel, city marshal, school crossing guard appointed pursuant to
18 section two hundred eight-a of the general municipal law, traffic
19 enforcement officer, traffic enforcement agent, prosecutor as defined in
20 subdivision thirty-one of section 1.20 of the criminal procedure law,
21 registered nurse, licensed practical nurse, public health sanitarian,
22 New York city public health sanitarian, sanitation enforcement agent,
23 New York city sanitation worker, emergency medical service paramedic, or
24 emergency medical service technician, while such employee is performing
25 an assigned duty on, or directly related to, the operation of a train or
26 bus, cleaning of a train or bus station or terminal, assisting custom-
27 ers, checking traffic, the sale or collection of tickets, passes, vouch-
28 ers, or other revenue media for use on a train, bus, or ferry or mainte-
29 nance or cleaning of a train, a bus, a ferry, or bus station or
30 terminal, signal system, elevated or underground subway tracks, transit
31 station structure, including fare equipment, escalators, elevators and
32 other equipment necessary to passenger service, commuter rail tracks or
33 stations, train yard or revenue train in passenger service, a ferry
34 station, or such city marshal, school crossing guard, traffic enforce-
35 ment officer, traffic enforcement agent, prosecutor as defined in subdi-
36 vision thirty-one of section 1.20 of the criminal procedure law, regis-
37 tered nurse, licensed practical nurse, public health sanitarian, New
38 York city public health sanitarian, sanitation enforcement agent, New
39 York city sanitation worker, emergency medical service paramedic, or
40 emergency medical service technician is performing an assigned duty; or
41 § 2. This act shall take effect on the ninetieth day after it shall
42 have become a law.