STATE OF NEW YORK

5630

2025-2026 Regular Sessions

IN SENATE

February 26, 2025

Introduced by Sen. COONEY -- 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 aggravated unlicensed operation of a motor vehicle in the first degree

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

Section 1. Subparagraph (v) of paragraph (a) of subdivision 3 of section 511 of the vehicle and traffic law, as added by chapter 722 of the laws of 2023, is amended and a new subparagraph (vi) is added to read as follows:

(v) commits the offense of aggravated unlicensed operation of a motor vehicle in the third degree as defined in subdivision one of this section; and is operating a motor vehicle while such person has in effect five or more suspensions or revocations, imposed on at least five separate dates, pursuant to subparagraph (i), (iii), (iv), (v), (vi), (vii), (viii), (x), (xi), (xii), or (xiii) of paragraph a of subdivision two of section five hundred ten of this article, or subparagraph (i), (xiii), (xiv), (xv), (xvi), or (xvii) of paragraph b, or paragraph d of such subdivision, or paragraph a, b, d, e, or g relating to evading lawful arrest or prosecution while operating a motor vehicle or motorcycle, or paragraph i of subdivision three of section five hundred ten of this article, or paragraph (c), (d), or (e) of subdivision one or subdivision three of section five hundred ten-a of this article, or section five hundred ten-b of this article, or section five hundred ten-c of this article, or subdivision two of section eleven hundred ninety-three of this chapter[~~.~~]**; or**

(vi) commits the offense of aggravated unlicensed operation of a motor vehicle in the third degree as provided in subdivision one of this section; and causes the death or serious physical injury of another person.

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

LBD00990-01-5

§ 2. Subdivision 7 of section 511 of the vehicle and traffic law, as amended by section 3 of part P of chapter 59 of the laws of 2013, is amended to read as follows:

7. Exceptions. When a person is convicted of a violation of subdivision one [~~or~~], two **or subparagraph (vi) of paragraph (a) of subdivision three** of this section, and the suspension was issued pursuant to (a) subdivision four-e of section five hundred ten of this article due to a support arrears, or (b) subdivision four-f of section five hundred ten of the article due to past-due tax liabilities, the mandatory penalties set forth in subdivision one [~~or~~], two **or subparagraph (vi) of paragraph (a) of subdivision three** of this section shall not be applicable if, on or before the return date or subsequent adjourned date, such person presents proof that such support arrears or past-due tax liabilities have been satisfied as shown by certified check, notice issued by the court ordering the suspension, or notice from a support collection unit or department of taxation and finance as applicable. The sentencing court shall take the satisfaction of arrears or the payment of the past-due tax liabilities into account when imposing a sentence for any such conviction. For licenses suspended for non-payment of past-due tax liabilities, the court shall also take into consideration proof, in the form of a notice from the department of taxation and finance, that such person has made payment arrangements that are satisfactory to the commissioner of taxation and finance.

§ 3. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.