

# STATE OF NEW YORK

901

2025-2026 Regular Sessions

## IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sen. MARTINEZ -- 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 assault in the second degree of an operator or crew of a passenger commuter ferry

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~~] an operator or crew of  
5 a passenger commuter ferry as defined in subdivision (n) of section  
6 three hundred of the tax law, train operator, ticket inspector, conduc-  
7 tor, signalperson, bus operator, station agent, station cleaner, termi-  
8 nal cleaner, station customer assistant, traffic checker; person whose  
9 official duties include the sale or collection of tickets, passes,  
10 vouchers, or other revenue payment media for use on a train, bus, or  
11 ferry the collection or handling of revenues therefrom; a person whose  
12 official duties include the maintenance, repair, inspection, trouble-  
13 shooting, testing or cleaning of buses or ferries, a transit signal  
14 system, elevated or underground subway tracks, transit station struc-  
15 ture, including fare equipment, escalators, elevators and other equip-  
16 ment necessary to passenger service, commuter rail tracks or stations,  
17 train yard, revenue train in passenger service, a ferry station, or a  
18 train or bus station or terminal; or a supervisor of such personnel,  
19 employed by any transit or commuter rail agency, authority or company,  
20 public or private, whose operation is authorized by New York state or  
21 any of its political subdivisions, a city marshal, a school crossing  
22 guard appointed pursuant to section two hundred eight-a of the general  
23 municipal law, a traffic enforcement officer, traffic enforcement agent,  
24 prosecutor as defined in subdivision thirty-one of section 1.20 of the

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

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