

STATE OF NEW YORK

4045--A

2025-2026 Regular Sessions

IN SENATE

January 31, 2025

Introduced by Sens. GOUNARDES, COONEY, FAHY, GIANARIS, GONZALEZ, HOYLMAN-SIGAL, KRUEGER, MARTINEZ, RAMOS, SEPULVEDA -- 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

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 that occurred during the preceding twenty-four
15 month period, the court shall, in addition to any other fines, imprison-
16 ment, conditional discharge or license suspension or revocation, mandate
17 that the person have installed an intelligent speed assistance device,
18 otherwise known as a speed limiter, in any motor vehicle owned or oper-
19 ated by such person for a minimum period of twelve months or for any
20 period of license suspension or revocation, whichever is later.

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

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

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

40 (iv) A person who is required to install a speed limiter under this
41 paragraph shall request removal of the device from the department upon
42 the end of their mandated period of use of the speed limiter. Upon
43 receiving this request, the commissioner may require such person to
44 complete a written driving test and a road test administered pursuant to
45 subdivision four of section five hundred two of this chapter prior to
46 having the intelligent speed assistance device removed. The commissioner
47 may deny the request to remove the device based upon the individual's
48 performance on the written driving test, the road test, or as a result
49 of their driving record during the period of speed limiter use.

50 (v) The cost of installing and maintaining a speed limiter shall be
51 borne by the person subject to such condition unless the court or the
52 commissioner determines such person is financially unable to afford such
53 cost whereupon such cost may be imposed pursuant to a payment plan or
54 waived. At the end of the required installation period a speed limiter
55 device shall be returned to a qualified service provider, as established
56 by subparagraph (vii) of this paragraph. If deemed to be in working

1 order after being returned to a qualified service center, the device may
2 be installed on any other motor vehicle required to have a speed limiter
3 installed.

4 (vi) The commissioner shall create a list of approved intelligent
5 speed assistance devices. Approved intelligent speed assistance devices
6 must be capable of accurately detecting speed limits across road and
7 weather conditions, and the commissioner may promulgate any rules and
8 regulations necessary to further ensure that devices operate reliably.

9 (vii) The commissioner shall create a list of service providers which
10 are qualified to install, service, inspect, and remove approved intelli-
11 gent speed assistance devices. This list may include any
12 installation/service providers, as defined in 9 NYCRR 358.3, which are
13 approved for the installation, servicing, and removal of ignition inter-
14 lock devices installed pursuant to section eleven hundred ninety-eight
15 of this title.

16 (viii) Proof of installation of a speed limiter required under subpar-
17 agraph (i) of this paragraph shall occur within ten days of the court
18 order. If a person ordered to have a speed limiter device installed
19 under subparagraph (ii) or (iii) of this paragraph is unable to finan-
20 cially afford the cost of the speed limiter, they may request in writ-
21 ing, within ten days of receiving the notification from the commissioner,
22 a payment plan or to have payment for the device waived. Proof of
23 installation of a speed limiter required under this paragraph shall
24 occur within ten days of receiving a written notice of a determination
25 from the commissioner as to whether such person will be granted a
26 payment plan or have payment for the device waived. Within thirty days
27 after the initial installation of an intelligent speed assistance
28 device, the device shall be inspected by a qualified service center to
29 ensure the device is properly calibrated and installed.

30 The commissioner shall promulgate regulations governing the monitor-
31 ing of compliance by the department of persons ordered to install and
32 maintain speed limiters.

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

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

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

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

43 (xi) (A) The commissioner shall submit a report every twenty-four
44 months to the governor and the legislature with the following informa-
45 tion about the speed limiter program under this paragraph:

46 (1) Number of individuals actively required to have speed limiters
47 installed in motor vehicles they own or operate.

48 (2) Number of motor vehicles required to have speed limiters
49 installed.

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

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

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

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

3 (2) Number of other traffic law infractions committed by individuals
4 with speed limiters installed, organized by category or type of traffic
5 violation.

6 (3) Number of reported accidents involving individuals with speed
7 limiters installed.

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

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

15 (xii) The commissioner may promulgate any rules and regulations neces-
16 sary to implement the provisions of this paragraph.

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