

# STATE OF NEW YORK

7517

2025-2026 Regular Sessions

## IN SENATE

April 21, 2025

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

AN ACT to amend the penal law and the public authorities law, in relation to theft of certain transit services

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

1 Section 1. Subdivision 3 of section 165.15 of the penal law is amended  
2 to read as follows:

3 3. With intent to obtain [~~railroad, subway, bus,~~ air~~,-~~] or taxi [~~or~~  
4 ~~any other public transportation~~] service without payment of the lawful  
5 charge therefor, or to avoid payment of the lawful charge for such  
6 transportation service which has been rendered to [~~him~~] them, [~~he~~] such  
7 person obtains or attempts to obtain such service or avoids or attempts  
8 to avoid payment therefor by force, intimidation, stealth, deception or  
9 mechanical tampering, or by unjustifiable failure or refusal to pay; or

10 § 2. Paragraph b of subdivision 4 of section 1209-a of the public  
11 authorities law, as amended by section 2 of part UU of chapter 56 of the  
12 laws of 2024, is amended to read as follows:

13 b. To impose civil penalties and to issue warnings for any transit or  
14 railroad infraction within its jurisdiction, in accordance with a penal-  
15 ty schedule established by the authority or the metropolitan transporta-  
16 tion authority or a subsidiary thereof, as applicable, and the condi-  
17 tions set forth in subdivisions eleven and twelve of this section and  
18 subdivision four of section twelve hundred sixty-six of this article,  
19 except that for penalties for theft of services, the defendant may elect  
20 to perform community service in accordance with a schedule established  
21 by the authority as an alternative to payment of the civil penalty if  
22 such defendant is a minor or has a household income at or below two  
23 hundred fifty percent of the federal poverty line, and penalties for  
24 violations of the health code of the city of New York shall be in  
25 accordance with the penalties established for such violations by the

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

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1 board of health of the city of New York, and penalties for violations of  
2 the noise code of the city of New York shall be in accordance with the  
3 penalties established for such violations by law, and civil penalties  
4 for violations of the rules and regulations of the triborough bridge and  
5 tunnel authority shall be in accordance with the penalties established  
6 for such violations by section twenty-nine hundred eighty-five of this  
7 chapter;

8 § 3. This act shall take effect immediately.