Top of Form



**S4747**  FUNKE  Same as A 5266  Thiele

**S4747**  FUNKE  Same as A 5266  Thiele
Vehicle and Traffic Law
TITLE....Relates to aggravated leaving the scene of an incident without reporting

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|  |  |  |
| 04/15/15 | REFERRED TO TRANSPORTATION |  |
| 05/19/15 | 1ST REPORT CAL.737 |  |
| 05/20/15 | 2ND REPORT CAL. |  |
| 05/27/15 | ADVANCED TO THIRD READING |  |
| 06/16/15 | SUBSTITUTED BY A5266 |  |
|  | **A05266  Thiele**  |  |
|  | 02/17/15    referred to transportation |  |
|  | 05/05/15    reported referred to codes |  |
|  | 06/10/15    reported referred to rules |  |
|  | 06/15/15    reported |  |
|  | 06/15/15    rules report cal.345 |  |
|  | 06/15/15    ordered to third reading rules cal.345 |  |
|  | 06/16/15    passed assembly |  |
|  | 06/16/15    delivered to senate |  |
|  | 06/16/15    REFERRED TO RULES |  |
|  | 06/16/15    SUBSTITUTED FOR S4747 |  |
|  | 06/16/15    PASSED SENATE |  |
|  | 06/16/15    RETURNED TO ASSEMBLY |  |

FUNKE, GALLIVAN
Add S600-a, V & T L
Relates to aggravated leaving the scene of an incident without reporting.
CRIMINAL SANCTION IMPACT.

 **STATE OF NEW YORK**

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 4747

 2015-2016 Regular Sessions

 **IN SENATE**

 April 15, 2015

 \_\_\_\_\_\_\_\_\_\_\_

 Introduced by Sen. FUNKE -- 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

 leaving the scene of an incident without reporting

 **The People of the State of New York, represented in Senate and Assem-**

 **bly, do enact as follows:**

 1 Section 1. The vehicle and traffic law is amended by adding a new

 2 section 600-a to read as follows:

 3 **§ 600-a. Aggravated leaving the scene of an incident without report-**

 4 **ing. 1. A person is guilty of aggravated leaving the scene of an inci-**

 5 **dent without reporting when he or she commits the crime of leaving the**

 6 **scene of an incident without reporting, in violation of paragraph a of**

 7 **subdivision two of section six hundred of this article (other than a**

 8 **violation resulting solely from the failure of the person to exhibit his**

 9 **or her license and insurance card for such vehicle or exchange the**

 10 **information required in such paragraph), such incident resulted from**

 11 **such person's commission of reckless driving in violation of section**

 12 **twelve hundred twelve of this chapter and such driving in violation of**

 13 **such section twelve hundred twelve recklessly caused the death of more**

 14 **than one other person and/or serious physical injury to more than one**

 15 **other person, and he or she either:**

 16 **a. commits such crime while knowing or having reason to know that: (i)**

 17 **his or her license or his or her privilege of operating a motor vehicle**

 18 **in another state or his or her privilege of obtaining a license to oper-**

 19 **ate a motor vehicle in another state is suspended or revoked and such**

 20 **suspension or revocation is based upon a conviction in such other state**

 21 **for an offense which would, if committed in this state, constitute a**

 22 **violation of subdivision two of section six hundred of this article or**

 23 **of any of the provisions of section eleven hundred ninety-two of this**

 24 **chapter; or (ii) his or her license or his or her privilege of operating**

 25 **a motor vehicle in this state or his or her privilege of obtaining a**

 EXPLANATION--Matter in **italics** (underscored) is new; matter in brackets

 [] is old law to be omitted.

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 S. 4747 2

 1 **license issued by the commissioner is suspended or revoked and such**

 2 **suspension or revocation is following a conviction for a violation of**

 3 **subdivision two of section six hundred of this article or following a**

 4 **conviction for a violation of any of the provisions of section eleven**

 5 **hundred ninety-two of this chapter; or**

 6 **b. has previously been convicted of violating subdivision two of**

 7 **section six hundred of this article or any of the provisions of section**

 8 **eleven hundred ninety-two of this chapter within the preceding ten**

 9 **years, provided that, for the purposes of this subdivision, a conviction**

 10 **in any other state or jurisdiction for an offense which, if committed in**

 11 **this state, would constitute a violation of subdivision two of section**

 12 **six hundred of this article or section eleven hundred ninety-two of this**

 13 **chapter shall be treated as a violation of such section.**

 14 **2. A violation of this section shall constitute a class C felony,**

 15 **punishable by a fine of not less than two thousand five hundred dollars**

 16 **nor more than five thousand five hundred dollars in addition to any**

 17 **other penalties provided by law.**

 18 **3. For purposes of this section the term "serious physical injury"**

 19 **shall have the same meaning as such term is defined in section 10.00 of**

 20 **the penal law.**

 21 § 2. This act shall take effect on the first of November next succeed-

 22 ing the date on which it shall have become a law and shall apply to

 23 violations occurring on and after such date.

**NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1**

**BILL NUMBER:** S4747

**SPONSOR:** FUNKE

**TITLE OF BILL**: An act to amend the vehicle and traffic law, in

relation to aggravated leaving the scene of an incident without report-

ing

**PURPOSE OR GENERAL IDEA OF BILL**: To deter drivers from leaving the

scene of personal injury and fatal accidents.

**SUMMARY OF SPECIFIC PROVISIONS**: The bill creates the new crime

"aggravated leaving the scene of an incident without reporting." A

person would be guilty of this new crime if he or she engaged in reck-

less driving and left the scene of an accident resulting in death or

serious physical injury either while knowing or having reason to know

that his or her license is suspended or revoked for leaving the scene or

for driving while intoxicated (DWI) or while ability impaired (DWAI), or

had a prior conviction for leaving the scene or for DWI/DWAI. This new

crime would be a class C felony.

**JUSTIFICATION**: New York State is experiencing an epidemic of leaving

the scene accidents where the outcome has been serious physical injury

and death: In Suffolk County alone in 2012, 13 fatalities can be attri-

buted to an individual leaving the scene of an incident without report-

ing. The crime is particularly egregious since a severely injured

person's chance of survival is greatly diminished when medical care is

delayed.

**PRIOR LEGISLATIVE HISTORY**: 2014: A.7315-D

**FISCAL IMPLICATIONS**: None.

**EFFECTIVE DATE**: This act shall take effect on the first of November

next succeeding the date on which it shall have become a law and shall

apply to violations occurring on and after such date.



Bottom of Form