

Table of New and Retitled Sections

CHAPTER 2. DEFINITIONS

§ 2:3 Definitions from Case Law *[Retitled]*

CHAPTER 4. ACCIDENT REPORT

§ 4:5 Police investigations scope and content under Vehicle and Traffic Law § 603-a *[New]*

CHAPTER 5. TRIAL PREPARATION

§ 5:4.50 Vehicle data recording devices *[New]*

§ 5:5.50 Discovery after January 1, 2020 *[New]*

CHAPTER 6. DISPOSITION OF CASE

§ 6:8 Mandatory surcharges, crime victim assistance fees, town and village fees *[New]*

§ 6:9 Order upon termination of criminal action in favor of the accused *[New]*

CHAPTER 7. COLLATERAL CONSEQUENCES OF CONVICTION

§ 7:3.50 Deportation *[New]*

CHAPTER 8. SEIZURE AND FORFEITURE OF MOTOR VEHICLES

§ 8:4.50 Release of impounded vehicles *[New]*

§ 8:8 Seizure and forfeiture of vehicles used in the unlicensed operation of motor vehicles under certain circumstances *[New]*

§ 8:8.50 Seizure and forfeiture of vehicles involved in aggravated operation of a motor vehicle *[New]*

§ 8:9 Seizure and forfeiture of vehicles for DWI in New York City *[New]*

CHAPTER 9. DRAM SHOP ACT

§ 9:4 Liability for damage caused by the intoxication of a person under the age of 21 years *[New]*

§ 9:5 Right of subrogation *[New]*

CHAPTER 10. ADMINISTRATIVE HEARINGS

- § 10:2.30 Hearings for failure to pay tolls *[New]*
- § 10:2.50 Administrative hearing for drivers under the age of 21 charged with having consumed alcohol *[New]*
- § 10:3.50 Chemical test refusal hearing, drivers under the age of twenty-one *[New]*
- § 10:4.50 Hearings for toll evaders *[New]*

CHAPTER 11. SUSPENSION AND REVOCATION OF LICENSES AND CERTIFICATES OF REGISTRATION

- § 11:5.50 Suspension for failure to make child support payments *[New]*
- § 11:5.60 Revocation for lack of statutory qualifications *[New]*
- § 11:5.70 Suspension for past due tax liabilities *[New]*
- § 11:7.50 Suspension of class DJ or MJ learner's permit or driver's license *[New]*
- § 11:9 Denial of re-registration *[New]*

CHAPTER 12. POINT SYSTEM

- § 12:1.50 2025 New point assessments and increased old ones *[New]*
- § 12:5 Driver responsibility program *[New]*
- § 12:6 Traffic Diversion Program *[New]*

CHAPTER 12A. LIFETIME REVIEW OF DRIVER'S RECORD *[New]*

- § 12A:1 In general *[New]*
- § 12A:2 Definition of dangerous repeat alcohol or drug offenders *[New]*
- § 12A:3 Initial procedure *[New]*
- § 12A:4 Purpose of the hearing *[New]*
- § 12A:5 Cases *[New]*

CHAPTER 13. ALCOHOL AND DRUG REHABILITATION PROGRAMS

- § 13:1 Generally *[New]*
- § 13:2 Eligibility for Impaired Driver Rehabilitation Plan (IDP) *[New]*
- § 13:3 The conditional license *[New]*
- § 13:4 Form of a conditional license *[New]*
- § 13:5 Benefits of participation *[New]*

TABLE OF NEW AND RETITLED SECTIONS

§ 13:6 Violation of conditions of conditional license *[New]*

§ 13:7 Conditional license pending prosecution *[New]*

CHAPTER 15. REISSUANCE OF REVOKED LICENSE

§ 15:3.40 Denial of application following record review *[New]*

§ 15:3.50 Reissuance of Permanently Revoked Licenses *[New]*

§ 15:3.55 Summary of 2013 changes in alcohol related re-licensing *[New]*

§ 15:3.60 Constitutionality of the 2013 changes in regulations for re-licensing; and CoramNobis Applications as a Response *[Retitled]*

§ 15:3.70 Reissuance and or issuance of license to drive a school bus *[New]*

CHAPTER 16. PROCEDURAL AND CONSTITUTIONAL RIGHTS

§ 16:1.50 Constitutionality of traffic stops *[New]*

§ 16:1.60 Probable cause to arrest—Intoxication infractions *[New]*

§ 16:2 Right to *Miranda* warnings upon traffic arrest *[Retitled]*

§ 16:2.30 The inventory search *[New]*

§ 16:2.50 Search and seizure pursuant to statutory duty to investigate *[New]*

§ 16:6 Right to take physical coordination tests *[New]*

§ 16:7 Law enforcement searches of data bases *[New]*

§ 16:8 Driver's Privacy Protection Act *[New]*

§ 16:9 Standing to contest a search *[New]*

CHAPTER 17. TRAFFIC TICKET

§ 17:4 Service of accusatory instrument *[New]*

CHAPTER 18. ARRAIGNMENTS, PLEAS, AND SENTENCING PROCEDURE

§ 18:5.50 Failure to appear *[New]*

§ 18:6 The supporting deposition *[Retitled]*

§ 18:6.50 Dismissal for unavailability of witness *[New]*

§ 18:7.50 Bill of particulars *[New]*

§ 18:8.50 Scofflaws *[New]*

§ 18:8.60 Order upon termination of criminal action in favor of the accused *[New]*

§ 18:9 Sentencing *[New]*

§ 18:9.50 Prior Convictions And Issues Created by Erlinger v United States (602 US 821 [2024]) *[New]*

CHAPTER 18A. ADMISSIBILITY OF DOCUMENTS IN GENERAL, AND THE RIGHT OF CONFRONTATION *[New]*

- § 18A:1 In general *[New]*
- § 18A:2 The constitutional right to confront witnesses *[New]*
- § 18A:3 Business records and CPLR Rule 4518 *[New]*
- § 18A:4 Certificates of officials; CPLR Rule 4518(c); business records, and CPLR Rule 4520 *[New]*
- § 18A:5 Proof of mailing; notices from the Department of Motor Vehicles *[New]*
- § 18A:6 Vehicle and Traffic Law § 214 *[New]*
- § 18A:7 Maps *[New]*
- § 18A:8 CPLR § 2106 Affirmations by “Any Person.” *[New]*

CHAPTER 19. DRIVING WHILE UNINSURED

- § 19:7 Fines *[New]*
- § 19:8 Negligence in use or operation of vehicle attributable to owner *[New]*
- § 19:9 Peer-to-peer programs *[New]*

CHAPTER 20. EQUIPMENT VIOLATIONS

- § 20:5.40 Windshield Wipers *[New]*
- § 20:5.50 Signs in vehicles *[New]*
- § 20:5.60 Excessively tinted window glass *[New]*
- § 20:13 Required lights and lighting *[Retitled]*
- § 20:14 Prohibited and specially designated lights *[Retitled]*
- § 20:25 Airbags and Inflatable Restraint Systems *[New]*
- § 20:26 Airbags and Inflatable Restraint Systems—Surcharges *[New]*
- § 20:27 Stretch limousine equipment and age of vehicle *[New]*

CHAPTER 21. REGISTRATION

- § 21:2.50 Knowledge test *[New]*
- § 21:5.50 Registration of motor vehicles of severely disabled persons *[New]*

CHAPTER 23. DRIVER’S LICENSES AND LEARNER’S PERMITS

- § 23:1 In general *[Retitled]*
- § 23:2.50 Driver’s license skills test *[New]*
- § 23:10 Re-examination of licenses *[Retitled]*

TABLE OF NEW AND RETITLED SECTIONS

- § 23:13 Offenses involving licenses, generally—Vehicle and Traffic Law § 511, operation while license or privilege is suspended or revoked; aggravated unlicensed operation, elements of offense *[Retitled]*
- § 23:13.50 Admissibility of electronic records *[New]*
- § 23:17 Payment of fee to terminate suspension *[New]*
- § 23:18 Graduated license program *[New]*
- § 23:19 Young adult commercial driver's license (CDL) Class A licensing program *[New]*
- § 23:20 Regulatory Agenda *[New]*

CHAPTER 23A. SPECIAL REQUIREMENTS FOR COMMERCIAL MOTOR CARRIERS *[New]*

- § 23A:5 Commercial drivers licenses *[New]*
- § 23A:6 Drivers of commercial vehicles; drug and alcohol offense sanctions *[New]*

CHAPTER 24. “LEAVING THE SCENE” OFFENSES

- § 24:1 Generally *[New]*
- § 24:1.50 Sufficiency of accusatory instrument, plea allocation *[Retitled]*
- § 24:4 Leaving the scene of an accident with a non-motorized means of conveyance *[New]*
- § 24:5 Leaving the scene of an accident with an electric personal assistive mobility device *[New]*
- § 24:6 Chemical tests at the scene of an accident—Police report requirements *[Retitled]*

CHAPTER 26. RULES OF THE ROAD

- § 26:7 Failure to yield the right of way—Vehicles *[Retitled]*
- § 26:7.50 Failure to yield right of way—Move over law *[New]*
- § 26:7.60 Failure to yield right of way—To bicyclists *[New]*
- § 26:11.50 Defacing or electronically altering a traffic control device *[New]*
- § 26:12 Red light violations—Use of cameras *[Retitled]*
- § 26:12.40 Owner liability for vehicle operated in a bus lane *[New]*
- § 26:12.50 Administrative adjudication of offenses involving failure to obey a traffic control device *[New]*

CHAPTER 28. SPECIAL STOPS

- § 28:6.50 Owner liability for failure of operator to stop for a school bus displaying a red visual signal and stop-arm *[New]*
- § 28:7 Stops pursuant to auto theft prevention program *[New]*
- § 28:8 Stops at malfunctioning or out of service traffic control devices *[New]*

CHAPTER 30. RECKLESS DRIVING

- § 30:9 Multiple offenses *[New]*
- § 30:10 Location *[New]*

CHAPTER 31. MISCELLANEOUS OFFENSES

- § 31:4 Possession of stolen vehicle *[New]*
- § 31:5 Offenses related to escort vehicles *[New]*
- § 31:6 Blocking traffic as criminal nuisance *[New]*
- § 31:7 Unlawful solicitation of ground transportation services *[New]*
- § 31:8 Handheld mobile phone/device operation *[New]*
- § 31:8.50 Handheld mobile phone operation—By drivers of commercial vehicles *[New]*
- § 31:9 Offenses related to portable electronic devices *[New]*
- § 31:10 Unlawfully fleeing a police officer in a motor vehicle *[New]*
- § 31:10.50 Opening doors unsafely *[New]*
- § 31:11 Offences relating to motor vehicles not found in the Vehicle and Traffic Law *[New]*
- § 31:12 Domestic violence victims can request GPS services be disconnected *[New]*

CHAPTER 32. PARKING, STANDING, AND STOPPING

- § 32:4.40 Parking Violations in New York City *[New]*
- § 32:4.50 Stopping in an Intersection *[New]*
- § 32:6.50 Mis-descriptions on accusatory instrument *[New]*
- § 32:13.50 Mandatory surcharges *[New]*
- § 32:14 Vacating default judgments *[New]*
- § 32:15 Handicapped parking *[New]*
- § 32:15.50 Parking at meters in NYC—Methods of paying *[New]*
- § 32:16 Fraud and misconduct in securing the dismissal of a parking ticket *[New]*
- § 32:17 Parking penalty reductions in New York City *[New]*
- § 32:18 Parking at muni-meters *[New]*

TABLE OF NEW AND RETITLED SECTIONS

**CHAPTER 33. ADMINISTRATIVE
ADJUDICATION OF TRAFFIC
OFFENSES**

- § 33:2.50 Jurisdiction over toll evaders *[New]*
- § 33:4.50 Commissioner's regulations governing conduct of the hearing *[New]*
- § 33:5.50 Administrative adjudication—Default procedures in parking stand and stopping offenses *[New]*
- § 33:5.60 Surcharges in administrative hearings *[New]*

CHAPTER 34. SPEEDING OFFENSES

- § 34:1 Generally *[New]*
- § 34:14.50 Proof of speed: Visual observation—Sensing Diagnostic Module (SDM) *[New]*
- § 34:15.50 Proof of speed: Visual observation—Lasers *[New]*
- § 34:15.60 Proof of speed by photo device *[New]*
- § 34:15.70 Speeding in school zones proof by photos MUTCD (Manual on Uniform Traffic Control Devices) program *[New]*
- § 34:16.50 Right of confrontation—Mechanical methods of measuring speed *[New]*
- § 34:17.50 No plea bargain policy *[New]*
- § 34:18.50 Speed in school zone *[New]*

CHAPTER 35. INTOXICATION OFFENSES

- § 35:1 Overview of offenses involving intoxication *[Retitled]*
- § 35:4 Presumption of intoxication based on scientific evidence *[Retitled]*
- § 35:5 Sanctions for operating a motor vehicle under the influence of alcohol, drugs, or a combination of both *[Retitled]*
- § 35:6 New York Code of Rules and Regulations *[Retitled]*
- § 35:6.50 Statutory definition of offenses, generally—By school bus drivers *[New]*
- § 35:6.60 Driving with abilities impaired or while intoxicated with a minor passenger *[New]*
- § 35:6.70 Driving while intoxicated with prior convictions *[New]*
- § 35:8 Constitutionality of admitted testimony as to refusal to take chemical test; adequacy of warnings *[Retitled]*
- § 35:10 Ordering chemical test without driver's consent, generally—Requirements for administering screening breath tests, chemical tests, overview including admissibility *[Retitled]*

NEW YORK VEHICLE AND TRAFFIC LAW

- § 35:11 Refusals to take chemical test; adequacy of police warnings; what constitutes refusal; consequences of refusal *[Retitled]*
- § 35:21.50 Vision tests: Horizontal Gaze Nystagmus (HGN); VGN (Vertical Gaze Nystagmus); and Drug Recognition Expert program (DRE) *[Retitled]*
- § 35:27.50 Arraignments—Mandatory Screening and Assessments *[New]*
- § 35:29.50 Arraignments—Of driver who causes serious physical injury or death *[New]*
- § 35:29.60 Prompt suspension law; arraignment of drivers with BAC of .08 and above *[New]*
- § 35:29.65 The hardship hearing *[New]*
- § 35:29.70 Arraignments—Of learner's permit pending prosecution *[New]*
- § 35:30.50 Drivers under the age of 21 and alcohol related offenses—Generally *[New]*
- § 35:30.60 Operating a motor vehicle after having consumed alcohol; Under the age of twenty-one per se *[New]*
- § 35:30.70 Breath tests for operator of vehicle under the age of twenty-one *[New]*
- § 35:33.50 Sufficiency of accusatory instruments *[New]*
- § 35:35.60 Motions at close of prosecution's case *[New]*
- § 35:36 Pleas of guilty and sentencing *[Retitled]*
- § 35:36.40 Stop DWI Program *[New]*
- § 35:36.50 Surcharges, assessments, fees and driver responsibility assessments *[New]*
- § 35:36.70 Appeals *[New]*
- § 35:38 Sealing of records of drug-related driving offenses *[New]*
- § 35:39 Sealing of records of driving while intoxicated offenses *[New]*

CHAPTER 37. DEATH AND SERIOUS INJURY FROM AUTOMOBILE OPERATIONS

- § 37:1 Generally *[Retitled]*
- § 37:2 Vehicular assaults—Penal Law Article 120 *[Retitled]*
- § 37:3 Penal Law § 125.10 Criminally Negligent Homicide, and § 125.11 Aggravated Criminally Negligent Homicide *[Retitled]*
- § 37:4 Penal Law § 125.12, Vehicular Manslaughter in the Second Degree; Penal Law § 125.13, Vehicular Manslaughter in the First Degree; Penal Law § 125.14, Aggravated Vehicular Homicide; Penal Law § 125.15, Manslaughter in the Second Degree *[Retitled]*
- § 37:5 Depraved indifference murder *[Retitled]*

TABLE OF NEW AND RETITLED SECTIONS

§ 37:6 Presentation of case *[Retitled]*