**S06412 Text:**

 **STATE OF NEW YORK**

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 6412

 2023-2024 Regular Sessions

 **IN SENATE**

 April 18, 2023

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 Introduced by Sen. KENNEDY -- 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 requiring

 trucks to utilize commercial GPS

 **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 379 to read as follows:

 3 **§ 379. Commercial GPS. 1. As used in this section, the following**

 4 **terms shall have the following meanings:**

 5 **(a) "Commercial GPS" is a global positioning system that is designed**

 6 **for use by a commercial vehicle which is able to provide audible and**

 7 **visual warnings when such commercial vehicle is on a route where the**

 8 **height, weight, width, or length of such vehicle exceeds the limitations**

 9 **of such route.**

 10 **(b) "Damage to infrastructure" can mean any impacts and/or collisions**

 11 **that cause physical or cosmetic damage to a bridge, overpass, guardrail,**

 12 **or other piece of public or private infrastructure.**

 13 **2. (a) Every truck operating on a public highway in the state shall**

 14 **use a commercial GPS.**

 15 **(b) Such commercial GPS shall be regularly updated to ensure accurate**

 16 **information.**

 17 **3. In addition to any other applicable penalties imposed pursuant to**

 18 **this chapter:**

 19 **(a) Any driver found to be operating a truck on a public highway in**

 20 **the state without a commercial GPS shall:**

 21 **(i) receive a verbal and written warning for a first violation;**

 22 **(ii) be subject to a civil fine of up to two hundred fifty dollars for**

 23 **a second violation; and**

 24 **(iii) be subject to a civil fine of up to five hundred dollars for a**

 25 **third and each subsequent violation.**

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

 [] is old law to be omitted.

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 1 **(b) Any driver found to be operating a truck on a public highway in**

 2 **the state without a commercial GPS and who causes damage to infrastruc-**

 3 **ture shall be subject to:**

 4 **(i) a civil fine of up to two thousand five hundred dollars for a**

 5 **first violation;**

 6 **(ii) a civil fine of up to five thousand dollars for a second**

 7 **violation; and**

 8 **(iii) be subject to a civil fine of up to ten thousand dollars for a**

 9 **third and each subsequent violation.**

 10 § 2. This act shall take effect on the one hundred eightieth day after

 11 it shall have become a law; provided, however, that this act shall be

 12 deemed repealed if any federal agency determines in writing that this

 13 act would render New York state ineligible for the receipt of federal

 14 funds or any court of competent jurisdiction finally determines that

 15 this act would render New York state out of compliance with federal law

 16 or regulation; provided, further, that the commissioner of transporta-

 17 tion shall notify the legislative bill drafting commission upon the

 18 occurrence of the provisions of this section in order that the commis-

 19 sion may maintain an accurate and timely effective data base of the

 20 official text of the laws of the state of New York in furtherance of

 21 effectuating the provisions of section 44 of the legislative law and

 22 section 70-b of the public officers law. Effective immediately, the

 23 addition, amendment and/or repeal of any rule or regulation necessary

 24 for the implementation of this act on its effective date are authorized

 25 to be made and completed on or before such effective date.