



Legislation Details (With Text)

**File #:** Res 0170-2006      **Version:** \*      **Name:** Allow for forfeiture of a truck, tractor and/or tractor-trailer combination whose driver has been convicted of three truck route violations within eighteen months.

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**Title:** Resolution calling upon the New York State Legislature to amend the vehicle and traffic law to allow for forfeiture of a truck, tractor and/or tractor-trailer combination whose driver has been convicted of three truck route violations within eighteen months.

**Sponsors:** Tony Avella, Maria Del Carmen Arroyo, Leroy G. Comrie, Jr., Melissa Mark-Viverito, Michael C. Nelson, James Sanders, Jr.

**Indexes:**

**Attachments:**

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12/31/2009	*	City Council	Filed (End of Session)	

Res. No. 170

Resolution calling upon the New York State Legislature to amend the vehicle and traffic law to allow for forfeiture of a truck, tractor and/or tractor-trailer combination whose driver has been convicted of three truck route violations within eighteen months.

By Council Members Avella, Arroyo, Comrie, Mark-Viverito, Nelson and Sanders Jr.

Whereas, New York City has a population of over eight million people squeezed into an area of 301 square miles; and

Whereas, To meet the everyday demands of this population, thousands of trucks drive through City streets everyday delivering goods and providing services; and

Whereas, The large number of trucks bring adverse effects to communities including pollution, noise, traffic and accelerated infrastructure decay; and

Whereas, In an attempt to mitigate the harmful effects of trucks traveling through residential

communities, the City has created routes that trucks are legally bound to follow, with some limited exceptions; and

Whereas, Despite being required to follow these designated truck routes, many truck drivers do not comply with the law and drive illegally through residential communities to an effort to save time; and

Whereas, The New York State Vehicle and Traffic Law, Title IX, Article 45, § 1800 (“VTL §1800”) provides for penalties for traffic violations; and

Whereas, Recognizing the danger caused by truck drivers who do not use designated truck routes, the State enacted legislation that took effect in 2003 and amended VTL §1800 to increase the fines for violations of truck routes; and

Whereas, With the intent of stopping these fines from just being the cost of doing business, the legislation increased maximum fines for first violations from \$100 to \$500 and for repeated violations within an eighteen month period from \$300 to \$2,000; and

Whereas, Despite these substantial increases in fines, many trucking companies and drivers still consider these fines as merely the costs of doing business and continue to violate truck route regulations; and

Whereas, The Council believes that in order to prevent truck drivers from illegally straying from designated truck routes, increased penalties for repeat offenders are necessary; and

Whereas, A penalty that may prevent a truck driver from straying off designated truck routes is the forfeiture of the truck, tractor and/or tractor-trailer combination for repeated violations of New York City’s truck route rules; now, therefore, be it

Resolved that the Council of the City of New York calls upon the State Legislature to amend the vehicle and traffic law to allow for forfeiture of a truck, tractor and/or tractor-trailer combination, if the driver of such vehicle has been convicted of three violations of New York City’s truck route rules within an eighteen month period.

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3/17/06