



Legislation Text

---

File #: Int 0167-2014, Version: A

---

Int. No. 167-A

By Council Members Rodriguez, Chin, Koo, Levine, Treyger, Levin, Arroyo, Van Bramer, Dromm and Greenfield

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting certain stunt behavior with vehicles.

Be it enacted by the Council as follows:

Section 1. Section 10-163 of the administrative code of the city of New York, as added by local law number 46 for the year 2004, is amended to read as follows:

§ 10-163[.] Speed contests [and], races and stunt behavior.

a. Definitions. For the purposes of this section, the following terms shall have the following meanings:

1. "Vehicle" shall have the same meaning as such term is defined in article one of the vehicle and traffic law.

2. "Engage" or "aid or abet" shall mean actions or circumstances that reasonably indicate that a race, exhibition or contest of speed or stunt behavior has occurred or is imminent, including, but not limited to: the presence of a canister appearing to hold nitrous oxide attached to a vehicle; an explicit invitation to race; the presence of a starting or ending point marked in some way; wagering on the race's outcome; the exhibiting of stunt behavior; acting as a starter or flagperson; pushing vehicles to a starting line; or directing traffic at such an event or gathering.

3. "Stunt behavior" shall mean operating a vehicle in a public place, or on private property open to the public, in a manner which unreasonably interferes with other persons' use of public streets and/or endangers the health or safety of the public, the vehicle operator or its passengers, by accelerating a vehicle at a high rate of

speed; raising a vehicle to the degree that one or more wheels lose contact with the ground, commonly referred to as a “wheelie”; spinning a vehicle rapidly in a circle, commonly referred to as a “donut”; using the power of the engine and braking force to cause the rear wheel of a vehicle to spin, heating the rear tire and producing smoke; or increasing the revolutions per minute of a vehicle whether or not the vehicle is in motion, commonly referred to as “revving,” thereby causing unreasonable noise.

b. Except as provided in the vehicle and traffic law, no person shall engage in [or participate in] any race, exhibition or contest of speed involving a vehicle, or aid or abet in such race, exhibition or contest of speed, on any highway, street, alley, sidewalk, or any public or private parking lot or area. [Under this subdivision, "engage in" and "participate" shall mean actions or circumstances that reasonably indicate that a race, exhibition or contest of speed has occurred or is imminent, including, but not limited to, the presence of a canister appearing to hold nitrous oxide attached to a vehicle; an explicit invitation to race; a starting or ending point marked in some way; the wagering on the race's outcome; the operation of a motor vehicle in a manner where the operator, in competition, accelerates at a high rate of speed; the raising of a vehicle vertically; the spinning of the vehicle rapidly in a circle.]

[b. No] c. Except as provided in the vehicle and traffic law, no person shall engage in stunt behavior involving a vehicle, or aid or abet in such stunt behavior.

d. Except as provided in the vehicle and traffic law, no person shall participate [as a spectator] in any event or gathering held for the purpose of a race, exhibition or contest of speed [not authorized pursuant to the vehicle and traffic law] or stunt behavior involving a vehicle. [Under] For purposes of this subdivision, "participate" shall mean [acts at the scene of a race that reasonably appear to support such race] wagering on the outcome of the race, exhibition or contest of speed or stunt behavior or [actively] taking specific overt actions encouraging the [participants to] people engaging in the race, exhibition, contest of speed or stunt behavior.

[c.] e. Except as provided in the vehicle and traffic law, no person shall operate, drive or park a

motorcycle, whether or not in motion, unless the number plate is easily readable and is not obstructed by any part of the motorcycle, its equipment, or anything carried thereon, including the operator or a passenger. For purposes of this subdivision, “motorcycle” shall have the same meaning as in section one hundred twenty three of the vehicle and traffic law.

f. A violation of subdivision [a] b or c shall constitute a misdemeanor and be punishable by imprisonment of not more than six months or a fine of not more than six hundred dollars, or both such fine and imprisonment, except that the imprisonment for a violation of subdivision c shall be not more than sixty days. A second or subsequent violation of subdivision [a] b or c of this section committed within ten years of a violation of subdivision [a] b or c of this section shall be punishable upon conviction by imprisonment of not more than one year or a fine of not more than one thousand dollars, or both such fine and imprisonment, except that the imprisonment for a violation of subdivision c shall be not more than one hundred twenty days. A violation of subdivision [b] d or e shall constitute a violation punishable by imprisonment of up to fifteen days or a fine of not more than two hundred fifty dollars, or both such fine and imprisonment.

§2. This local law shall become effective 90 days after its enactment into law.

PD + Law

4-15-14

LF

Amended 5/21/14 6:42 pm