

Submitted by the County Executive and Introduced by

LOCAL LAW NO. 7 - 2012

~~A LOCAL LAW TO AMEND TITLE 72 OF THE MISCELLANEOUS LAWS~~
~~OF NASSAU COUNTY ENTITLED "VEHICLE OWNER LIABILITY FOR FAILURE~~
~~OF AN OPERATOR TO COMPLY WITH TRAFFIC CONTROL INDICATIONS"~~

Passed by the Nassau County Legislature on May 21, 2012
Voting: ayes: 10 nays: 9 abstained: 0

Became a law on June 18, 2012 with the approval of the County Executive.

APPROVED AS TO FORM

Deputy County Attorney

BE IT ENACTED by the County Legislature as follows:

Section 1. Section 1 of Title 72 of the Miscellaneous Laws of Nassau County, as enacted by Local Law 12-2009, is hereby amended to read as follows:

§ 1. Program Established.

a. Notwithstanding any other provision of law, Nassau County is hereby authorized and empowered to establish a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic-control indications in accordance with the provisions of this title. The Department of Public Works, for purposes of implementation of such program, shall be authorized to install traffic-control signal photo violation-monitoring devices and to operate such devices at no more than one hundred intersections within and under the jurisdiction of the County at any one time.

b. Such demonstration program shall utilize necessary technologies to ensure, to the extent practicable, that photographs produced by such traffic-control signal photo violation-monitoring systems shall not include images that identify the driver, the passengers, or the contents of the vehicle. Notwithstanding this requirement, however, no notice of liability issued pursuant to this title shall be dismissed solely because a photograph or photographs allow for the identification of the contents of a vehicle, provided that the County has made a reasonable effort to comply with the provisions of this paragraph.

c. All funds collected pursuant to this local law shall be deposited into the County's General Fund.

Section 2. A new section 8 is hereby added to Title 72 of the Miscellaneous Laws of Nassau County, as enacted by Local Law 12-2009, as follows:

§ 8. Effectiveness of Title. In the event of any renumbering of the titles contained within the Miscellaneous Laws of Nassau County by the County Attorney's Office or any other agency of government, no further legislative action shall be necessary to maintain the effectiveness of this title

Section 3. Severability. If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 4. It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 N.Y.E.C.L. section 0101 et seq. and its implementing regulations, Part 617 of 6 N.Y.C.R.R., and Section 1611 of the County Government Law of Nassau County, that the adoption of this ordinance is a "Type II" Action within the meaning of Section 617.5(c)(20) and (27) of 6 N.Y.C.R.R., and,

accordingly, is of a class of actions which do not have a significant effect on the environment; and no further review is required.

Section 5. This local law shall take effect immediately.

APPROVED



County Executive

DATE 6/18/2012