

## LOCAL LAW NO. "B" FOR 2024

### A LOCAL LAW OF THE COUNTY OF ALBANY, NEW YORK AMENDING CHAPTER 288 OF THE ALBANY COUNTY CODE TO BAN SPEED CONTESTS AND STUNT BEHAVIOR

Introduced: 2/12/24

By Miller:

A Local Law amending Chapter 288 of the Albany County Code to expand penalties for speed contests, stunt behavior, and other reckless driving behaviors that endanger Albany County residents.

BE IT ENACTED by the Albany County Legislature as follows:

#### **Section 1. New Article Added.**

This Local Law hereby amends Chapter 288 by adding a new Article IV, titled **Unlawful Speed Contests and Stunt Behavior**.

#### **Section 2. § 288-26, Title.**

This Local Law shall be known as the "STUNT Law: Safeguarding Traffic, Unlawful Racing, and Noise Transgressions."

#### **Section 3. § 288-27, Legislative Purpose and Intent.**

This Legislature recognizes that speeding has been a significant factor in numerous motor vehicle fatalities over the past decades, with motor vehicle accidents being one of the leading causes of death for individuals aged 1 to 54.

The Legislature acknowledges the rise in popularity of illegal vehicle sideshows, demonstrations, and contests; often shared on social media, which pose a great risk to participants and spectators, leading to severe physical injuries and even death.

Moreover, illegal vehicle sideshows, contests, street racing, and related stunt behavior not only endanger lives and property but also create excessive noise during night hours, causing disturbances for residents in neighboring areas.

The current penalties for these illegal activities are insufficient in deterring individuals from participating in them.

Therefore, the purpose of this Local Law is to protect Albany County residents by expanding and strengthening laws and penalties related to unlawful speed contests, sideshows, and related stunt behavior.

#### **Section 4. § 288-28, Definitions.**

As used in this Local Law, the following terms shall have the meanings indicated:

“Burnout” – To spin a vehicle’s wheel(s) while keeping the vehicle stationary, causing the tires to heat up and emit smoke.

“Drifting” – The intentional oversteering of a vehicle with loss of traction while maintaining control, resulting in a controlled skid or power slide through a turn.

“Doughnut” – A maneuver performed by rotating the rear or front of a vehicle around the opposite set of wheels, creating a circular skid mark pattern on the road surface, also known as a “wheelie.”

“Revving” – To rapidly increase the engine speed while a vehicle is stationary or in neutral, producing loud noise and/or causing the vehicle to jerk or lurch.

“Sideshow” – An event in which vehicles gather and engage in reckless behavior, such as performing stunts, burnouts, doughnuts/wheelies, drifting, and/or other dangerous maneuvers.

“Street Racing” – The act of racing or competing with one or more vehicles on a public highway, street, or road, whether prearranged or spontaneous.

“Stunt Behavior” – Performing any maneuver with a vehicle that is not part of normal driving or exceeds the safe limits of the vehicle; including but not limited to stunts, revving, burnout, drifting, doughnuts, acrobatic maneuvers, jumps, and other similar actions.

#### **Section 5. § 288-29, Prohibitions.**

- (A) No person shall knowingly participate in, engage in, organize, facilitate, coordinate, plan, aid, or abet any street race, sideshow, contest, exhibition, or stunt behavior involving vehicles upon any public highway, street, sidewalk, public parking lot or area, or any other public property within Albany County.
- (B) No person shall knowingly obstruct or attempt to obstruct any public highway, street, or road with a motor vehicle or any other object used as a blockade for the purpose of permitting any such race, sideshow, contest, exhibition, or stunt behavior.

**Section 6. § 288-30, Enforcement and Penalties for Offenses.**

- (A) Any person who violates any provision of this article shall be guilty of a violation, punishable by a fine not exceeding \$500 for a first offense, and a fine not exceeding \$1,000 or by imprisonment for a period not exceeding 15 days, or both, for each subsequent offense.
- (B) Any person who causes physical injury to another person or damage to real or personal property while violating any provision of this article shall be liable for the payment of restitution, as determined by a court of competent jurisdiction.

**Section 7. Severability.**

If any clause, sentence, paragraph, section, subdivision, or other part of this local law or its application shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder of the local law which shall remain in full force and effect except as limited by such order or judgment.

**Section 8. SEQRA Compliance.**

This County Legislature determines that this local law constitutes a “Type II action” pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), and that no further action under SEQRA is required.

**Section 9. Effective Date.**

This local law shall take effect immediately following its filing with the Office of the Secretary of State.

*Referred to Law and Public Safety Committees – 2/12/24*