



BARBARA J. FIALA
Commissioner

STATE OF NEW YORK DEPARTMENT OF MOTOR VEHICLES

6 EMPIRE STATE PLAZA, ALBANY, NY 12228

"P" 20 (2014)

Albany, New York

November 18, 2014

TO: All Enforcement Agencies

SUBJECT: Indicating Death or Serious Physical Injury on Traffic Tickets

This memorandum is a reminder that a law enforcement officer is required, pursuant to Vehicle and Traffic Law §603-b, to note on the traffic ticket if someone other than the person charged with a violation of the Vehicle and Traffic Law (VTL) is killed or suffers serious physical injury as the result of an accident. The officer shall note "D" in the event of death and "SPI" in the event of serious physical injury. Such notation shall be made in the DESCRIPTION/NARRATIVE box on the ticket. Serious physical injury is defined in section 10.00 of the Penal Law as follows:

"Serious physical injury" means physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ.

The notation serves to provide notice to District Attorneys and courts that other possible charges may be pending arising out of the same incident and/or that more serious consequences may result if the person is convicted of the VTL charge. For example, license suspension or revocation is mandatory when a person is convicted of a right of way violation resulting in death or serious physical injury.

A copy of VTL section 603-b is printed on the back of this memo for your review.

Please share this information with appropriate staff, including all road patrol enforcement officers. Thank you.

Barbara J. Fiala
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LAWS OF NEW YORK

Vehicle and Traffic Law

§ 603-b. Accidents; police to indicate serious physical injury and death on simplified traffic information or summons and complaint. In addition to the requirements of section six hundred three of this article and subdivision twelve of section eleven hundred ninety-two of this chapter, in every case where a law enforcement officer is required to report pursuant to section six hundred three of this article and a person is charged with a violation of this chapter arising out of such accident, the law enforcement officer alleging such charge shall make a clear notation in the "Description of Violation" section of a simplified traffic information, or in an area provided on a summons and complaint pursuant to subdivision one of section two hundred twenty-six of this chapter, if, arising out of the same accident, someone other than the person charged was killed or suffered serious physical injury as defined in section 10.00 of the penal law; such notation shall be in the form of a "D" if someone other than the person charged was killed and such notation shall be in the form of a "S.P.I." if someone other than the person charged suffered serious physical injury; provided however, that the failure to make such notation shall in no way affect a charge for a violation of this chapter.