

State of New York
Executive Chamber

No. 142

EXECUTIVE ORDER

TEMPORARILY MODIFYING LAWS AND REGULATIONS TO AUTHORIZE THE GOVERNOR TO REGULATE TRAFFIC AND SUSPENDING LAWS ESTABLISHING TIME LIMITATIONS ON ACTIONS AND TIME IN WHICH TO TAKE AN APPEAL

WHEREAS, on January 26, 2015, I issued Executive Order Number 141 declaring a disaster emergency in the counties of Bronx, Dutchess, Kings, Nassau, New York, Orange, Putnam, Queens, Richmond, Rockland, Suffolk, Ulster, Westchester and contiguous counties;

NOW, THEREFORE, I, ANDREW M. CUOMO, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify specific provisions of any statute, local law, ordinance, orders, rules or regulations, or parts thereof, of any agency or governmental entity during a State disaster emergency, if compliance with such provisions would prevent, hinder or delay action necessary to cope with the disaster, I hereby temporarily modify, through February, 2, 2015, the following laws and regulations:

Section 24 of the Executive Law; sections 104 and 346 of the Highway Law; 1602, 1630, 1640, 1650, and 1660 of the Vehicle and Traffic Law; section 14(16) of the Transportation Law; sections 6-602 and 17-1706 of the Village Law; section 20(32) of the General City Law; section 91 of Second Class Cities Law; section 19-107(ii) of the New York City Administrative Code; and section 107.1 of Title 21 of the New York Codes, Rules and Regulations, to the extent necessary to provide the Governor with the authority to regulate traffic and the movement of vehicles.

FURTHER, I hereby temporarily suspend, for the period from the date of this Executive Order through January 28, 2015, to the extent that any person or an attorney for any person has been directly affected by the disaster emergency, the following laws:

Section 180.80 of the Criminal Procedure Law, to the extent that it limits the time during which a defendant against whom a felony complaint has been filed with a local criminal court may be held in custody pending the disposition of such felony complaint when such limitation period concludes during the period commencing from the date that the disaster emergency was declared pursuant to Executive Order Number 141;

Section 201 of the Civil Practice Law and Rules, so far as it bars actions whose limitation period concludes during the period commencing from the date that the disaster emergency was declared pursuant to Executive Order Number 141, and so far as it limits a court's authority to extend such time, whether or not the time to commence such an action is specified in Article 2 of the Civil Practice Law and Rules;

Section 5513 of the Civil Practice Law and Rules, so far as it relates to a limitation period that concludes during the period commencing from the date that the disaster emergency was declared pursuant to Executive Order Number 141;

Section 25 of the Court of Claims Act, so far as it relates to a limitation of time to appeal in which a limitation period concludes during the period commencing from the date that the disaster emergency was declared pursuant to Executive Order Number 141;

Sections 30.10 and 30.30 of the Criminal Procedure Law, so far as they may bar criminal prosecutions, in cases whose limitation periods conclude during the period commencing from the date that the disaster emergency was declared pursuant to Executive Order Number 141;

Sections 460.10, 460.30, 460.50 and Article 460 of the Criminal Procedure Law, so far as they relate to a limitation of time to appeal and such limitation period concludes during the period commencing from the date that the disaster emergency was declared pursuant to Executive Order Number 141; and

Section 1113 of the Family Court Act, so far as it relates to a limitation of time to appeal and such limitation period concludes during the period commencing from the date that the disaster emergency was declared pursuant to Executive Order Number 141.

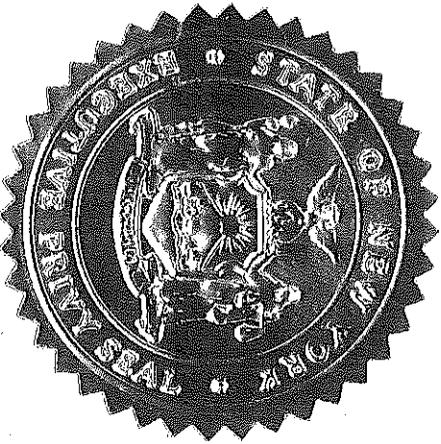
IN ADDITION, I hereby temporarily suspend and modify, for the period from the date of this Executive Order until further notice, any other statute, local law, ordinance, order, rule or regulation or part thereof, establishing limitations of time for the filing or service of any legal action, notice or other process or proceeding that the courts lack authority to extend through the exercise of discretion, where any limitation of time concludes during the period commencing from the date that the disaster emergency was declared pursuant to Executive Order Number 141.

GIVEN under my hand and the Privy Seal of the

State in the City of Albany this twenty-

six day of January in the year two

thousand fifteen.



BY THE GOVERNOR

A handwritten signature in black ink, appearing to read "Andrew Cuomo".

Secretary to the Governor

A handwritten signature in black ink, appearing to read "Dawn Akers".