

OPINIONS OF THE ATTORNEY GENERAL

The full text of an informal or formal opinion of the Attorney General may be obtained by writing to the Office of Legal Records, Department of Law, State Capitol, Albany, NY 12224. Please include the identification number, the date, the section(s) of law considered and the subject of the opinion.

INFORMAL OPINIONS

No. 2003-6

Highway Law, §§ 140, 141, General Municipal Law, Art. 6, §§ 126-a, 127(3), 128; Town Law, §§ 20(4), 32, 104, 106.

One person may simultaneously hold the elected office of superintendent of highways of a town and the appointed position of member of the board of managers of a public hospital, jointly owned by such town and another town. *July 15, 2003.*

No. 2003-7

Military Law, §§ 242, 243.

Voluntary attendance at the funerals of retired military personnel or veterans by an employee of a school district who is a non-active military reservist does not constitute "ordered military duty" within the meaning of Military Law § 242 or the performance of "military duty" within the meaning of § 243. *July 21, 2003.*

No. 2003-8

General Municipal Law, §§ 805-a(1)(c) and (d).

A part-time assistant town attorney whose work is limited to matters relating to the town plumber's examining board may represent private clients before other town agencies so long as compensation is fixed according to the reasonable value of the services rendered, rather than contingent upon any agency action on the matter before it, and so long as the individual facts of any such representation do not create an appearance of impropriety or violate common law conflict of interest standards. *July 21, 2003.*

No. 2003-9

Vehicle and Traffic Law, §§ 1204(b), 1224, 1640(a), 1640(b)(6), 1640(b)(14), 1640(b)(16).

A Village law providing for the removal and impoundment of motor vehicles that remain parked for more than 24-hours in violation of a local parking limitation does not conflict with the Vehicle and Traffic Law and may be enforced, as long as the Village does not treat such vehicles as "abandoned" within the meaning of Vehicle and Traffic Law § 1224 and assuming local conditions warrant the prompt removal of such vehicles and the local law otherwise complies with due process requisites. *September 4, 2003.*

FORMAL OPINIONS

No. 2003-F2

Vehicle and Traffic Law, §§ 101, 115-a, 117-a, 375; 15 NYCRR § 44.4(a).

Rear-facing blue lights may not, under the current legislative scheme, be added to State Police vehicles. *August 25, 2003.*

