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## Equal Protection

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lation of the defendant's equal protection rights. If the defendant commits felonies of increasing violence, then he or she will be subject to an enhanced sentence as a form of deterrent punishment.

**Intrastate Trucking Corporation v. White**<sup>425</sup>  
(decided July 14, 1992)

See case discussion under DUE PROCESS (*supra* page 785). The court found that Vehicle and Traffic Law section 385(15)<sup>426</sup> which contains a grandfather clause permitting the issuance of "divisible load overweight permits" to vehicles registered before January 1, 1986, did not violate defendant's equal protection rights because "the legislation and regulatory scheme are rationally related to the achievement of the governmental purpose of reducing the overall weight of vehicles traveling on State highways."<sup>427</sup>

**Treichler v. Niagara-Wheatfield Central School District**<sup>428</sup>  
(Decided Nov. 18, 1992)

See case discussion under DUE PROCESS (*supra* page 788). The court found that article 19 of the Real Property Tax Law,<sup>429</sup> which permits a school district to adopt a dual tax rate for all parcels within its boundaries, differentiating between homestead and non-homestead property, did not violate the plaintiffs' equal protection rights because the homestead/non-homestead classification was reasonable in that it maintained the "de facto tax structure" that assured "stability in the relative tax burdens of

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425. 185 A.D.2d 697, 586 N.Y.S.2d 65 (4th Dep't 1992).

426. N.Y. VEH. & TRAF. LAW § 385(15) (McKinney Supp. 1992).

427. *Intrastate Trucking Corp.*, 185 A.D.2d at 698, 586 N.Y.S.2d at 66.

428. 184 A.D.2d 1, 590 N.Y.S.2d 954 (4th Dep't 1992).

429. N.Y. REAL PROP. TAX LAW §§ 1901-1905 (McKinney 1989).

the taxpayers,” and the taxes levied were uniformly applied within the class.<sup>430</sup>

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430. *Treichler*, 184 A.D.2d at 7, 590 N.Y.S.2d at 957.