

of Penal Law § 165.15. Under these circumstances he properly detained defendant temporarily for the limited purpose of ascertaining from the driver whether defendant had in fact paid his fare. We need not now resolve the broader issue whether a police officer may, as a matter of course, compel a passenger to remain inside a lawfully stopped vehicle (see People v McLaurin, 70 NY2d 779, 781 [1987]).

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On review of submissions pursuant to section 500.4 of the Rules, order affirmed, in a memorandum. Judges Smith, Ciparick, Rosenblatt, Graffeo, Read and Smith concur. Chief Judge Kaye took no part.

Decided June 24, 2004