

STATE OF NEW YORK

1696

2017-2018 Regular Sessions

IN SENATE

January 10, 2017

Introduced by Sen. BONACIC -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law and the general municipal law, in relation to owner liability for failure of operator to comply with traffic-control indications; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 1111-f to read as follows:

3 § 1111-f. Owner liability for failure of operator to comply with
4 traffic-control indications. (a) 1. Notwithstanding any other provision
5 of law, the town of Wallkill, in the county of Orange is hereby author-
6 ized and empowered to adopt and amend a local law or ordinance estab-
7 lishing a demonstration program imposing monetary liability on the owner
8 of a vehicle for failure of an operator thereof to comply with traffic-
9 control indications in such town in accordance with the provisions of
10 this section. Such demonstration program shall empower such town to
11 install and operate traffic-control signal photo violation-monitoring
12 devices at no more than four intersections within such town at any one
13 time.

14 2. Such demonstration program shall utilize necessary technologies to
15 ensure, to the extent practicable, that photographs produced by such
16 traffic-control signal photo violation-monitoring systems shall not
17 include images that identify the driver, the passengers, or the contents
18 of the vehicle. Provided, however, that no notice of liability issued
19 pursuant to this section shall be dismissed solely because a photograph
20 or photographs allow for the identification of the contents of a vehi-
21 cle, provided that such town has made a reasonable effort to comply with
22 the provisions of this paragraph.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 (b) In any such town which has adopted a local law or ordinance pursu-
2 ant to subdivision (a) of this section, the owner of a vehicle shall be
3 liable for a penalty imposed pursuant to this section of such vehicle
4 was used or operated with the permission of the owner, express or
5 implied, in violation of subdivision (d) of section eleven hundred elev-
6 en of this article, and such violation is evidenced by information
7 obtained from a traffic-control signal photo violation-monitoring
8 system; provided however that no owner of a vehicle shall be liable for
9 a penalty imposed pursuant to this section where the operator of such
10 vehicle has been convicted of the underlying violation of subdivision
11 (d) of section eleven hundred eleven of this article.

12 (c) For purposes of this section, "owner" shall have the meaning
13 provided in article two-B of this chapter. For purposes of this section,
14 "traffic-control signal photo violation-monitoring system" shall mean a
15 vehicle sensor installed to work in conjunction with a traffic-control
16 signal which automatically produces two or more photographs, two or more
17 microphotographs, a videotape or other recorded images of each vehicle
18 at the time it is used or operated in violation of subdivision (d) of
19 section eleven hundred eleven of this article.

20 (d) A certificate, sworn to or affirmed by a technician employed by
21 the town of Wallkill in which the charged violation occurred, or a
22 facsimile thereof, based upon inspection of photographs, microphoto-
23 graphs, videotape or other recorded images produced by traffic-control
24 signal photo violation-monitoring system, shall be prima facie evidence
25 of the facts contained therein. Any photographs, microphotographs, vide-
26 otape or other recorded images evidencing such a violation shall be
27 available for inspection in any proceeding to adjudicate the liability
28 for such violation pursuant to a local law or ordinance adopted pursuant
29 to this section.

30 (e) An owner liable for a violation of subdivision (d) of section
31 eleven hundred eleven of this article pursuant to a local law or ordi-
32 nance adopted pursuant to this section shall be liable for monetary
33 penalties in accordance with a schedule of fines and penalties to be set
34 forth in such local law or ordinance, except that if such town by local
35 law has authorized the adjudication of such owner liability by a parking
36 violations bureau, such schedule shall be promulgated by such bureau.
37 The liability of the owner pursuant to this section shall not exceed
38 fifty dollars for each violation; provided, however, that such local law
39 or ordinance may provide for an additional penalty not in excess of
40 twenty-five dollars for each violation for the failure to respond to a
41 notice of liability within the prescribed time period.

42 (f) An imposition of liability under a local law or ordinance adopted
43 pursuant to this section shall not be deemed a conviction as an operator
44 and shall not be made part of the operating record of the person upon
45 whom such liability is imposed nor shall it be used for insurance
46 purposes in the provision of motor vehicle insurance coverage.

47 (g) 1. A notice of liability shall be sent by first class mail to each
48 person alleged to be liable as an owner for a violation of subdivision
49 (d) of section eleven hundred eleven of this article pursuant to this
50 section. Personal delivery on the owner shall not be required. A manual
51 or automatic record of mailing prepared in the ordinary course of busi-
52 ness shall be prima facie evidence of the facts contained therein.

53 2. A notice of liability shall contain the name and address of the
54 person alleged to be liable as an owner for a violation of subdivision
55 (d) of section eleven hundred eleven of this article pursuant to this
56 section, the registration number of the vehicle involved in such

1 violation, the location where such violation took place, the date and
2 time of such violation and the identification number of the camera which
3 recorded the violation or other document locator number.

4 3. The notice of liability shall contain information advising the
5 person charged of the manner and the time in which he or she may contest
6 the liability alleged in the notice. Such notice of liability shall also
7 contain a warning to advise the persons charged that failure to contest
8 in the manner and time provided shall be deemed an admission of liabil-
9 ity and that a default judgment may be entered thereon.

10 4. The notice of liability shall be prepared and mailed by the town of
11 Wallkill, or by any other entity authorized by such town to prepare and
12 mail such notification of violation.

13 (h) Adjudication of the liability imposed upon owners by this section
14 shall be by a traffic violations bureau established pursuant to section
15 three hundred seventy of the general municipal law or, if there be none,
16 by the court having jurisdiction over traffic infractions.

17 (i) If an owner receives a notice of liability pursuant to this
18 section for any time period during which the vehicle was reported to the
19 police department as having been stolen, it shall be a valid defense to
20 an allegation of liability for a violation of subdivision (d) of section
21 eleven hundred eleven of this article pursuant to this section that the
22 vehicle had been reported to the police as stolen prior to the time the
23 violation occurred and had not been recovered by such time. For purposes
24 of asserting the defense provided by this subdivision it shall be suffi-
25 cient that a certified copy of the police report on the stolen vehicle
26 be sent by first class mail to the traffic violations bureau, court
27 having jurisdiction or parking violations bureau.

28 (j) 1. In such town where the adjudication of liability imposed upon
29 owners pursuant to this section is by a traffic violations bureau or a
30 court having jurisdiction, an owner who is a lessor of a vehicle to
31 which a notice of liability was issued pursuant to subdivision (g) of
32 this section shall not be liable for the violation of subdivision (d) of
33 section eleven hundred eleven of this article, provided that he or she
34 sends to the traffic violations bureau or court having jurisdiction a
35 copy of the rental, lease or other such contract document covering such
36 vehicle on the date of the violation, with the name and address of the
37 lessee clearly legible, within thirty-seven days after receiving notice
38 from the bureau or court of the date and time of such violation, togeth-
39 er with the other information contained in the original notice of
40 liability. Failure to send such information within such thirty-seven day
41 time period shall render the owner liable for the penalty prescribed by
42 this section. Where the lessor complies with the provisions of this
43 paragraph, the lessee of such vehicle on the date of such violation
44 shall be deemed to be the owner of such vehicle for purposes of this
45 section, shall be subject to liability for the violation of subdivision
46 (d) of section eleven hundred eleven of this article pursuant to this
47 section and shall be sent a notice of liability pursuant to subdivision
48 (g) of this section.

49 2. (I) In such town which, by local law, has authorized the adjudi-
50 cation of liability imposed upon owners by this section by a parking
51 violations bureau, an owner who is a lessor of a vehicle to which a
52 notice of liability was issued pursuant to subdivision (g) of this
53 section shall not be liable for the violation of subdivision (d) of
54 section eleven hundred eleven of this article, provided that:

1 (A) prior to the violation, the lessor has filed with the bureau in
2 accordance with the provisions of section two hundred thirty-nine of
3 this chapter; and

4 (B) within thirty-seven days after receiving notice from the bureau of
5 the date and time of a liability, together with the other information
6 contained in the original notice of liability, the lessor submits to the
7 bureau the correct name and address of the lessee of the vehicle identi-
8 fied in the notice of liability at the time of such violation, together
9 with such other additional information contained in the rental, lease or
10 other contract document, as may be reasonably required by the bureau
11 pursuant to regulations that may be promulgated for such purpose.

12 (II) Failure to comply with clause (B) of subparagraph (I) of this
13 paragraph shall render the owner liable for the penalty described in
14 this section.

15 (III) Where the lessor complies with the provisions of this paragraph,
16 the lessee of such vehicle on the date of such violation shall be deemed
17 to be the owner of such vehicle for purposes of this section, shall be
18 subject to liability for such violation pursuant to this section and
19 shall be sent a notice of liability pursuant to subdivision (g) of this
20 section.

21 (k) 1. If the owner liable for a violation of subdivision (d) of
22 section eleven hundred eleven of this article pursuant to this section
23 was not the operator of the vehicle at the time of the violation, the
24 owner may maintain an action for indemnification against the operator.

25 2. Notwithstanding any other provisions of this section, no owner of a
26 vehicle shall be subject to a monetary fine imposed pursuant to this
27 section if the operator of such vehicle was operating such vehicle with-
28 out the consent of the owner at the time such operator failed to obey a
29 traffic-control indication. For purposes of this subdivision there shall
30 be a presumption that the operator of such vehicle was operating such
31 vehicle with the consent of the owner at the time such operator failed
32 to obey a traffic-control indication.

33 (1) Nothing in this section shall be construed to limit the liability
34 of an operator of a vehicle for any violation of subdivision (d) of
35 section eleven hundred eleven of this article.

36 (m) In any such town which adopts a demonstration program pursuant to
37 subdivision (a) of this section, such town shall submit an annual report
38 on the results of the use of a traffic-control signal photo violation
39 monitoring system to the governor, the temporary president of the senate
40 and the speaker of the assembly on or before June first, two thousand
41 nineteen, and on the same date in each succeeding year in which the
42 demonstration program is operable. Such report shall include, but not be
43 limited to:

44 1. a description of the locations where traffic-control signal photo
45 violation-monitoring systems were used;

46 2. the aggregate number, type and severity of accidents reported at
47 intersections where a traffic-control signal photo violation-monitoring
48 system is used for the year preceding the installation of such system,
49 to the extent the information is maintained by the department of motor
50 vehicles of this state;

51 3. The aggregate number, type and severity of accidents reported at
52 intersections where a traffic-control signal photo violation-monitoring
53 system is used, to the extent the information is maintained by the
54 department of motor vehicles of this state;

1 4. the number of violations recorded at each intersection where a
2 traffic-control signal photo violation-monitoring system is used and in
3 the aggregate on a daily, weekly and monthly basis;

4 5. the total number of notices of liability issued for violations
5 recorded by such systems;

6 6. the number of fines and total amount of fines paid after first
7 notice of liability issued for violations recorded by such systems;

8 7. the number of violations adjudicated and results of such adjudi-
9 cations including breakdowns of dispositions made for violations
10 recorded by such systems;

11 8. the total amount of revenue realized by such town from such adjudi-
12 cations;

13 9. expenses incurred by such town in connection with the program; and

14 10. quality of the adjudication process and its results.

15 (n) It shall be a defense to any prosecution for a violation of subdi-
16 vision (d) of section eleven hundred eleven of this article pursuant to
17 a local law or ordinance adopted pursuant to this section that such
18 traffic-control indications were malfunctioning at the time of the
19 alleged violation.

20 § 2. Paragraph a of subdivision 5-a of section 401 of the vehicle and
21 traffic law, as separately amended by chapters 19, 20, 21, 22, 23 and
22 383 of the laws of 2009; subparagraph (i) as amended by chapter 222 of
23 the laws of 2015, is amended to read as follows:

24 a. (i) If at the time of application for a registration or renewal
25 thereof there is a certification from a court, parking violations
26 bureau, traffic and parking violations agency or administrative tribunal
27 of appropriate jurisdiction that the registrant or his or her represen-
28 tative failed to appear on the return date or any subsequent adjourned
29 date or failed to comply with the rules and regulations of an adminis-
30 trative tribunal following entry of a final decision in response to a
31 total of three or more summonses or other process in the aggregate,
32 issued within an eighteen month period, charging either that: (i) such
33 motor vehicle was parked, stopped or standing, or that such motor vehi-
34 cle was operated for hire by the registrant or his or her agent without
35 being licensed as a motor vehicle for hire by the appropriate local
36 authority, in violation of any of the provisions of this chapter or of
37 any law, ordinance, rule or regulation made by a local authority; or
38 (ii) the registrant was liable in accordance with section eleven hundred
39 eleven-a, section eleven hundred eleven-b or section eleven hundred
40 eleven-d of this chapter for a violation of subdivision (d) of section
41 eleven hundred eleven of this chapter; or (iii) the registrant was
42 liable in accordance with section eleven hundred eleven-c of this chap-
43 ter for a violation of a bus lane restriction as defined in such
44 section, or (iv) the registrant was liable in accordance with section
45 eleven hundred eighty-b of this chapter for a violation of subdivision
46 (c) or (d) of section eleven hundred eighty of this chapter, or (v) the
47 registrant was liable in accordance with section eleven hundred eighty-c
48 of this chapter for a violation of subdivision (c) or (d) of section
49 eleven hundred eighty of this chapter; or (vi) the registrant was liable
50 in accordance with section eleven hundred eleven-e or section eleven
51 hundred eleven-f of this chapter for a violation of subdivision (d) of
52 section eleven hundred eleven of this chapter, the commissioner or his
53 or her agent shall deny the registration or renewal application until
54 the applicant provides proof from the court, traffic and parking
55 violations agency or administrative tribunal wherein the charges are
56 pending that an appearance or answer has been made or in the case of an

1 administrative tribunal that he or she has complied with the rules and
2 regulations of said tribunal following entry of a final decision. Where
3 an application is denied pursuant to this section, the commissioner may,
4 in his or her discretion, deny a registration or renewal application to
5 any other person for the same vehicle and may deny a registration or
6 renewal application for any other motor vehicle registered in the name
7 of the applicant where the commissioner has determined that such regis-
8 trant's intent has been to evade the purposes of this subdivision and
9 where the commissioner has reasonable grounds to believe that such
10 registration or renewal will have the effect of defeating the purposes
11 of this subdivision. Such denial shall only remain in effect as long as
12 the summonses remain unanswered, or in the case of an administrative
13 tribunal, the registrant fails to comply with the rules and regulations
14 following entry of a final decision.

15 (ii) For purposes of this paragraph, the term "motor vehicle operated
16 for hire" shall mean and include a taxicab, livery, coach, limousine or
17 tow truck.

18 § 2-a. Paragraph a of subdivision 5-a of section 401 of the vehicle
19 and traffic law, as amended by section 8-a of chapter 222 of the laws of
20 2015, is amended to read as follows:

21 a. If at the time of application for a registration or renewal thereof
22 there is a certification from a court or administrative tribunal of
23 appropriate jurisdiction that the registrant or his or her represen-
24 tative failed to appear on the return date or any subsequent adjourned
25 date or failed to comply with the rules and regulations of an adminis-
26 trative tribunal following entry of a final decision in response to a
27 total of three or more summonses or other process in the aggregate,
28 issued within an eighteen month period, charging either that: (i) such
29 motor vehicle was parked, stopped or standing, or that such motor vehi-
30 cle was operated for hire by the registrant or his or her agent without
31 being licensed as a motor vehicle for hire by the appropriate local
32 authority, in violation of any of the provisions of this chapter or of
33 any law, ordinance, rule or regulation made by a local authority; or
34 (ii) the registrant was liable in accordance with section eleven hundred
35 eleven-b of this chapter for a violation of subdivision (d) of section
36 eleven hundred eleven of this chapter; or (iii) the registrant was
37 liable in accordance with section eleven hundred eleven-c of this chap-
38 ter for a violation of a bus lane restriction as defined in such
39 section; or (iv) the registrant was liable in accordance with section
40 eleven hundred eleven-d of this chapter for a violation of subdivision
41 (d) of section eleven hundred eleven of this chapter or (v) the regis-
42 trant was liable in accordance with section eleven hundred eighty-b of
43 this chapter for a violation of subdivision (b), (c), (d), (f) or (g) of
44 section eleven hundred eighty of this chapter; or (v) the registrant was
45 liable in accordance with section eleven hundred eighty-c of this chap-
46 ter for a violation of subdivision (b), (c), (d), (f) or (g) of section
47 eleven hundred eighty of this chapter; or (vi) the registrant was liable
48 in accordance with section eleven hundred eleven-e or section eleven
49 hundred eleven-f of this chapter for a violation of subdivision (d) of
50 section eleven hundred eleven of this chapter, the commissioner or his
51 or her agent shall deny the registration or renewal application until
52 the applicant provides proof from the court or administrative tribunal
53 wherein the charges are pending that an appearance or answer has been
54 made or in the case of an administrative tribunal that he or she has
55 complied with the rules and regulations of said tribunal following entry
56 of a final decision. Where an application is denied pursuant to this

1 section, the commissioner may, in his or her discretion, deny a regis-
2 tration or renewal application to any other person for the same vehicle
3 and may deny a registration or renewal application for any other motor
4 vehicle registered in the name of the applicant where the commissioner
5 has determined that such registrant's intent has been to evade the
6 purposes of this subdivision and where the commissioner has reasonable
7 grounds to believe that such registration or renewal will have the
8 effect of defeating the purposes of this subdivision. Such denial shall
9 only remain in effect as long as the summonses remain unanswered, or in
10 the case of an administrative tribunal, the registrant fails to comply
11 with the rules and regulations following entry of a final decision.

12 § 2-b. Paragraph a of subdivision 5-a of section 401 of the vehicle
13 and traffic law, as amended by section 8-b of chapter 222 of the laws of
14 2015, is amended to read as follows:

15 a. If at the time of application for a registration or renewal thereof
16 there is a certification from a court or administrative tribunal of
17 appropriate jurisdiction that the registrant or his or her represen-
18 tative failed to appear on the return date or any subsequent adjourned
19 date or failed to comply with the rules and regulations of an adminis-
20 trative tribunal following entry of a final decision in response to
21 three or more summonses or other process, issued within an eighteen
22 month period, charging that: (i) such motor vehicle was parked, stopped
23 or standing, or that such motor vehicle was operated for hire by the
24 registrant or his or her agent without being licensed as a motor vehicle
25 for hire by the appropriate local authority, in violation of any of the
26 provisions of this chapter or of any law, ordinance, rule or regulation
27 made by a local authority; or (ii) the registrant was liable in accord-
28 ance with section eleven hundred eleven-c of this chapter for a
29 violation of a bus lane restriction as defined in such section; or (iii)
30 the registrant was liable in accordance with section eleven hundred
31 eleven-d of this chapter for a violation of subdivision (d) of section
32 eleven hundred eleven of this chapter; or (iv) the registrant was liable
33 in accordance with section eleven hundred eighty-b of this chapter for a
34 violation of subdivision (b), (c), (d), (f) or (g) of section eleven
35 hundred eighty of this chapter, or the registrant was liable in accord-
36 ance with section eleven hundred eighty-c of this chapter for a
37 violation of subdivision (b), (c), (d), (f) or (g) of section eleven
38 hundred eighty of this chapter; or (v) the registrant was liable in
39 accordance with section eleven hundred eleven-e or section eleven
40 hundred eleven-f of this chapter for a violation of subdivision (d) of
41 section eleven hundred eleven of this chapter, the commissioner or his
42 or her agent shall deny the registration or renewal application until
43 the applicant provides proof from the court or administrative tribunal
44 wherein the charges are pending that an appearance or answer has been
45 made or in the case of an administrative tribunal that he or she has
46 complied with the rules and regulations of said tribunal following entry
47 of a final decision. Where an application is denied pursuant to this
48 section, the commissioner may, in his or her discretion, deny a regis-
49 tration or renewal application to any other person for the same vehicle
50 and may deny a registration or renewal application for any other motor
51 vehicle registered in the name of the applicant where the commissioner
52 has determined that such registrant's intent has been to evade the
53 purposes of this subdivision and where the commissioner has reasonable
54 grounds to believe that such registration or renewal will have the
55 effect of defeating the purposes of this subdivision. Such denial shall
56 only remain in effect as long as the summonses remain unanswered, or in

1 the case of an administrative tribunal, the registrant fails to comply
2 with the rules and regulations following entry of a final decision.

3 § 2-c. Paragraph a of subdivision 5-a of section 401 of the vehicle
4 and traffic law, as amended by section 8-c of chapter 222 of the laws of
5 2015, is amended to read as follows:

6 a. If at the time of application for a registration or renewal thereof
7 there is a certification from a court or administrative tribunal of
8 appropriate jurisdiction that the registrant or his or her represen-
9 tative failed to appear on the return date or any subsequent adjourned
10 date or failed to comply with the rules and regulations of an adminis-
11 trative tribunal following entry of a final decision in response to
12 three or more summonses or other process, issued within an eighteen
13 month period, charging that: (i) such motor vehicle was parked, stopped
14 or standing, or that such motor vehicle was operated for hire by the
15 registrant or his or her agent without being licensed as a motor vehicle
16 for hire by the appropriate local authority, in violation of any of the
17 provisions of this chapter or of any law, ordinance, rule or regulation
18 made by a local authority; or (ii) the registrant was liable in accord-
19 ance with section eleven hundred eleven-d of this chapter for a
20 violation of subdivision (d) of section eleven hundred eleven of this
21 chapter; or (iii) the registrant was liable in accordance with section
22 eleven hundred eighty-b of this chapter for violations of subdivision
23 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
24 ter, or the registrant was liable in accordance with section eleven
25 hundred eighty-c of this chapter for violations of subdivision (b), (c),
26 (d), (f) or (g) of section eleven hundred eighty of this chapter; or
27 (iv) the registrant was liable in accordance with section eleven hundred
28 eleven-e or section eleven hundred eleven-f of this chapter for a
29 violation of subdivision (d) of section eleven hundred eleven of this
30 chapter, the commissioner or his or her agent shall deny the registra-
31 tion or renewal application until the applicant provides proof from the
32 court or administrative tribunal wherein the charges are pending that an
33 appearance or answer has been made or in the case of an administrative
34 tribunal that he has complied with the rules and regulations of said
35 tribunal following entry of a final decision. Where an application is
36 denied pursuant to this section, the commissioner may, in his or her
37 discretion, deny a registration or renewal application to any other
38 person for the same vehicle and may deny a registration or renewal
39 application for any other motor vehicle registered in the name of the
40 applicant where the commissioner has determined that such registrant's
41 intent has been to evade the purposes of this subdivision and where the
42 commissioner has reasonable grounds to believe that such registration or
43 renewal will have the effect of defeating the purposes of this subdivi-
44 sion. Such denial shall only remain in effect as long as the summonses
45 remain unanswered, or in the case of an administrative tribunal, the
46 registrant fails to comply with the rules and regulations following
47 entry of a final decision.

48 § 2-d. Paragraph a of subdivision 5-a of section 401 of the vehicle
49 and traffic law, as amended by section 8-d of chapter 222 of the laws of
50 2015, is amended to read as follows:

51 a. If at the time of application for a registration or renewal thereof
52 there is a certification from a court or administrative tribunal of
53 appropriate jurisdiction that the registrant or his or her represen-
54 tative failed to appear on the return date or any subsequent adjourned
55 date or failed to comply with the rules and regulations of an adminis-
56 trative tribunal following entry of a final decision in response to

1 three or more summonses or other process, issued within an eighteen
2 month period, charging that such motor vehicle was parked, stopped or
3 standing, or that such motor vehicle was operated for hire by the regis-
4 trant or his or her agent without being licensed as a motor vehicle for
5 hire by the appropriate local authority, in violation of any of the
6 provisions of this chapter or of any law, ordinance, rule or regulation
7 made by a local authority, or the registrant was liable in accordance
8 with section eleven hundred eleven-d of this chapter for a violation of
9 subdivision (d) of section eleven hundred eleven of this chapter, or the
10 registrant was liable in accordance with section eleven hundred eleven-e
11 or section eleven hundred eleven-f of this chapter for a violation of
12 subdivision (d) of section eleven hundred eleven of this chapter, the
13 commissioner or his or her agent shall deny the registration or renewal
14 application until the applicant provides proof from the court or admin-
15 istrative tribunal wherein the charges are pending that an appearance or
16 answer has been made or in the case of an administrative tribunal that
17 he has complied with the rules and regulations of said tribunal follow-
18 ing entry of a final decision. Where an application is denied pursuant
19 to this section, the commissioner may, in his or her discretion, deny a
20 registration or renewal application to any other person for the same
21 vehicle and may deny a registration or renewal application for any other
22 motor vehicle registered in the name of the applicant where the commis-
23 sioner has determined that such registrant's intent has been to evade
24 the purposes of this subdivision and where the commissioner has reason-
25 able grounds to believe that such registration or renewal will have the
26 effect of defeating the purposes of this subdivision. Such denial shall
27 only remain in effect as long as the summonses remain unanswered, or in
28 the case of an administrative tribunal, the registrant fails to comply
29 with the rules and regulations following entry of a final decision.

30 § 2-e. Paragraph a of subdivision 5-a of section 401 of the vehicle
31 and traffic law, as amended by section 8-e of chapter 222 of the laws of
32 2015, is amended to read as follows:

33 a. If at the time of application for a registration or renewal thereof
34 there is a certification from a court or administrative tribunal of
35 appropriate jurisdiction that the registrant or his or her represen-
36 tative failed to appear on the return date or any subsequent adjourned
37 date or failed to comply with the rules and regulations of an adminis-
38 trative tribunal following entry of a final decision in response to
39 three or more summonses or other process, issued within an eighteen
40 month period, charging that such motor vehicle was parked, stopped or
41 standing, or that such motor vehicle was operated for hire by the regis-
42 trant or his or her agent without being licensed as a motor vehicle for
43 hire by the appropriate local authority, in violation of any of the
44 provisions of this chapter or of any law, ordinance, rule or regulation
45 made by a local authority, or the registrant was liable in accordance
46 with section eleven hundred eleven-d of this chapter for a violation of
47 subdivision (d) of section eleven hundred eleven of this chapter, or the
48 registrant was liable in accordance with section eleven hundred eleven-e
49 or section eleven hundred eleven-f of this chapter for a violation of
50 subdivision (d) of section eleven hundred eleven of this chapter, the
51 commissioner or his or her agent shall deny the registration or renewal
52 application until the applicant provides proof from the court or admin-
53 istrative tribunal wherein the charges are pending that an appearance or
54 answer has been made or in the case of an administrative tribunal that
55 he has complied with the rules and regulations of said tribunal follow-
56 ing entry of a final decision. Where an application is denied pursuant

1 to this section, the commissioner may, in his or her discretion, deny a
2 registration or renewal application to any other person for the same
3 vehicle and may deny a registration or renewal application for any other
4 motor vehicle registered in the name of the applicant where the commis-
5 sioner has determined that such registrant's intent has been to evade
6 the purposes of this subdivision and where the commissioner has reason-
7 able grounds to believe that such registration or renewal will have the
8 effect of defeating the purposes of this subdivision. Such denial shall
9 only remain in effect as long as the summonses remain unanswered, or in
10 the case of an administrative tribunal, the registrant fails to comply
11 with the rules and regulations following entry of a final decision.

12 § 2-f. Paragraph a of subdivision 5-a of section 401 of the vehicle
13 and traffic law, as amended by section 8-f of chapter 222 of the laws of
14 2015, is amended to read as follows:

15 a. If at the time of application for a registration or renewal thereof
16 there is a certification from a court or administrative tribunal of
17 appropriate jurisdiction that the registrant or his or her represen-
18 tative failed to appear on the return date or any subsequent adjourned
19 date or failed to comply with the rules and regulations of an adminis-
20 trative tribunal following entry of a final decision in response to
21 three or more summonses or other process, issued within an eighteen
22 month period, charging that such motor vehicle was parked, stopped or
23 standing, or that such motor vehicle was operated for hire by the regis-
24 trant or his or her agent without being licensed as a motor vehicle for
25 hire by the appropriate local authority, in violation of any of the
26 provisions of this chapter or of any law, ordinance, rule or regulation
27 made by a local authority, or the registrant was liable in accordance
28 with section eleven hundred eleven-e or section eleven hundred eleven-f
29 of this chapter for a violation of subdivision (d) of section eleven
30 hundred eleven of this chapter, the commissioner or his or her agent
31 shall deny the registration or renewal application until the applicant
32 provides proof from the court or administrative tribunal wherein the
33 charges are pending that an appearance or answer has been made or in the
34 case of an administrative tribunal that he has complied with the rules
35 and regulations of said tribunal following entry of a final decision.
36 Where an application is denied pursuant to this section, the commis-
37 sioner may, in his or her discretion, deny a registration or renewal appli-
38 cation to any other person for the same vehicle and may deny a registra-
39 tion or renewal application for any other motor vehicle registered in
40 the name of the applicant where the commissioner has determined that
41 such registrant's intent has been to evade the purposes of this subdivi-
42 sion and where the commissioner has reasonable grounds to believe that
43 such registration or renewal will have the effect of defeating the
44 purposes of this subdivision. Such denial shall only remain in effect as
45 long as the summonses remain unanswered, or in the case of an adminis-
46 trative tribunal, the registrant fails to comply with the rules and
47 regulations following entry of a final decision.

48 § 2-g. Paragraph a of subdivision 5-a of section 401 of the vehicle
49 and traffic law, as separately amended by chapters 339 and 592 of the
50 laws of 1987, is amended to read as follows:

51 a. If at the time of application for a registration or renewal thereof
52 there is a certification from a court or administrative tribunal of
53 appropriate jurisdiction that the registrant or his representative
54 failed to appear on the return date or any subsequent adjourned date or
55 failed to comply with the rules and regulations of an administrative
56 tribunal following entry of a final decision in response to three or

1 more summonses or other process, issued within an eighteen month period,
2 charging that such motor vehicle was parked, stopped or standing, or
3 that such motor vehicle was operated for hire by the registrant or his
4 agent without being licensed as a motor vehicle for hire by the appro-
5 priate local authority, in violation of any of the provisions of this
6 chapter or of any law, ordinance, rule or regulation made by a local
7 authority, or the registrant was liable in accordance with section elev-
8 en hundred eleven-e of this chapter for a violation of subdivision (d)
9 of section eleven hundred eleven of this chapter, the commissioner or
10 his agent shall deny the registration or renewal application until the
11 applicant provides proof from the court or administrative tribunal wher-
12 ein the charges are pending that an appearance or answer has been made
13 or in the case of an administrative tribunal that he has complied with
14 the rules and regulations of said tribunal following entry of a final
15 decision. Where an application is denied pursuant to this section, the
16 commissioner may, in his discretion, deny a registration or renewal
17 application to any other person for the same vehicle and may deny a
18 registration or renewal application for any other motor vehicle regis-
19 tered in the name of the applicant where the commissioner has determined
20 that such registrant's intent has been to evade the purposes of this
21 subdivision and where the commissioner has reasonable grounds to believe
22 that such registration or renewal will have the effect of defeating the
23 purposes of this subdivision. Such denial shall only remain in effect as
24 long as the summonses remain unanswered, or in the case of an adminis-
25 trative tribunal, the registrant fails to comply with the rules and
26 regulations following entry of a final decision.

27 § 3. Subdivision 1 of section 1809 of the vehicle and traffic law, as
28 amended by section 2 of part DD of chapter 56 of the laws of 2008, the
29 opening paragraph and paragraph (c) as amended by chapter 222 of the
30 laws of 2015, is amended to read as follows:

31 1. Whenever proceedings in an administrative tribunal or a court of
32 this state result in a conviction for an offense under this chapter or a
33 traffic infraction under this chapter, or a local law, ordinance, rule
34 or regulation adopted pursuant to this chapter, other than a traffic
35 infraction involving standing, stopping, or parking or violations by
36 pedestrians or bicyclists, or other than an adjudication of liability of
37 an owner for a violation of subdivision (d) of section eleven hundred
38 eleven of this chapter in accordance with section eleven hundred
39 eleven-a of this chapter, or other than an adjudication of liability of
40 an owner for a violation of subdivision (d) of section eleven hundred
41 eleven of this chapter in accordance with section eleven hundred
42 eleven-b of this chapter, or other than an adjudication in accordance
43 with section eleven hundred eleven-c of this chapter for a violation of
44 a bus lane restriction as defined in such section, or other than an
45 adjudication of liability of an owner for a violation of subdivision (d)
46 of section eleven hundred eleven of this chapter in accordance with
47 section eleven hundred eleven-d of this chapter, or other than an adju-
48 dication of liability of an owner for a violation of subdivision (b),
49 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in
50 accordance with section eleven hundred eighty-b of this chapter, or
51 other than an adjudication of liability of an owner for a violation of
52 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
53 of this chapter in accordance with section eleven hundred eighty-c of
54 this chapter, or other than an adjudication of liability of an owner for
55 a violation of subdivision (d) of section eleven hundred eleven of this
56 chapter in accordance with section eleven hundred eleven-e or section

1 eleven hundred eleven-f of this chapter, there shall be levied a crime
2 victim assistance fee and a mandatory surcharge, in addition to any
3 sentence required or permitted by law, in accordance with the following
4 schedule:

5 (a) Whenever proceedings in an administrative tribunal or a court of
6 this state result in a conviction for a traffic infraction pursuant to
7 article nine of this chapter, there shall be levied a crime victim
8 assistance fee in the amount of five dollars and a mandatory surcharge,
9 in addition to any sentence required or permitted by law, in the amount
10 of twenty-five dollars.

11 (b) Whenever proceedings in an administrative tribunal or a court of
12 this state result in a conviction for a misdemeanor or felony pursuant
13 to section eleven hundred ninety-two of this chapter, there shall be
14 levied, in addition to any sentence required or permitted by law, a
15 crime victim assistance fee in the amount of twenty-five dollars and a
16 mandatory surcharge in accordance with the following schedule:

17 (i) a person convicted of a felony shall pay a mandatory surcharge of
18 three hundred dollars;

19 (ii) a person convicted of a misdemeanor shall pay a mandatory
20 surcharge of one hundred seventy-five dollars.

21 (c) Whenever proceedings in an administrative tribunal or a court of
22 this state result in a conviction for an offense under this chapter
23 other than a crime pursuant to section eleven hundred ninety-two of this
24 chapter, or a traffic infraction under this chapter, or a local law,
25 ordinance, rule or regulation adopted pursuant to this chapter, other
26 than a traffic infraction involving standing, stopping, or parking or
27 violations by pedestrians or bicyclists, or other than an adjudication
28 of liability of an owner for a violation of subdivision (d) of section
29 eleven hundred eleven of this chapter in accordance with section eleven
30 hundred eleven-a of this chapter, or other than an adjudication of
31 liability of an owner for a violation of subdivision (d) of section
32 eleven hundred eleven of this chapter in accordance with section eleven
33 hundred eleven-b of this chapter, or other than an adjudication of
34 liability of an owner for a violation of subdivision (d) of section
35 eleven hundred eleven of this chapter in accordance with section eleven
36 hundred eleven-d of this chapter, or other than an infraction pursuant
37 to article nine of this chapter or other than an adjudication of liability
38 of an owner for a violation of toll collection regulations pursuant
39 to section two thousand nine hundred eighty-five of the public authori-
40 ties law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven
41 hundred seventy-four of the laws of nineteen hundred fifty or other than
42 an adjudication in accordance with section eleven hundred eleven-c of
43 this chapter for a violation of a bus lane restriction as defined in
44 such section, or other than an adjudication of liability of an owner for
45 a violation of subdivision (b), (c), (d), (f) or (g) of section eleven
46 hundred eighty of this chapter in accordance with section eleven hundred
47 eighty-b of this chapter, or other than an adjudication of liability of
48 an owner for a violation of subdivision (b), (c), (d), (f) or (g) of
49 section eleven hundred eighty of this chapter in accordance with section
50 eleven hundred eighty-c of this chapter, or other than an adjudication
51 of liability of an owner for a violation of subdivision (d) of section
52 eleven hundred eleven of this chapter in accordance with section eleven
53 hundred eleven-e or section eleven hundred eleven-f of this chapter,
54 there shall be levied a crime victim assistance fee in the amount of
55 five dollars and a mandatory surcharge, in addition to any sentence
56 required or permitted by law, in the amount of fifty-five dollars.

§ 3-a. Subdivision 1 of section 1809 of the vehicle and traffic law, as amended by section 10-a of chapter 222 of the laws of 2015, is amended to read as follows:

1. Whenever proceedings in an administrative tribunal or a court of this state result in a conviction for a crime under this chapter or a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, other than a traffic infraction involving standing, stopping, parking or motor vehicle equipment or violations by pedestrians or bicyclists, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-b of this chapter, or other than an adjudication in accordance with section eleven hundred eleven-c of this chapter for a violation of a bus lane restriction as defined in such section, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-d of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-b of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-c of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-e or section eleven hundred eleven-f of this chapter, there shall be levied a mandatory surcharge, in addition to any sentence required or permitted by law, in the amount of twenty-five dollars.

§ 3-b. Subdivision 1 of section 1809 of the vehicle and traffic law, as amended by section 10-b of chapter 222 of the laws of 2015, is amended to read as follows:

1. Whenever proceedings in an administrative tribunal or a court of this state result in a conviction for a crime under this chapter or a traffic infraction under this chapter other than a traffic infraction involving standing, stopping, parking or motor vehicle equipment or violations by pedestrians or bicyclists, or other than an adjudication in accordance with section eleven hundred eleven-c of this chapter for a violation of a bus lane restriction as defined in such section, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-d of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-b of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-c of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-e or section eleven hundred eleven-f of this chapter, there shall be levied a

1 mandatory surcharge, in addition to any sentence required or permitted
2 by law, in the amount of seventeen dollars.

3 § 3-c. Subdivision 1 of section 1809 of the vehicle and traffic law,
4 as amended by section 10-c of chapter 222 of the laws of 2015, is
5 amended to read as follows:

6 1. Whenever proceedings in an administrative tribunal or a court of
7 this state result in a conviction for a crime under this chapter or a
8 traffic infraction under this chapter other than a traffic infraction
9 involving standing, stopping, parking or motor vehicle equipment or
10 violations by pedestrians or bicyclists, or other than an adjudication
11 of liability of an owner for a violation of subdivision (b), (c), (d),
12 (f) or (g) of section eleven hundred eighty of this chapter in accord-
13 ance with section eleven hundred eighty-b of this chapter, or other than
14 an adjudication of liability of an owner for a violation of subdivision
15 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
16 ter in accordance with section eleven hundred eighty-c of this chapter,
17 or other than an adjudication of liability of an owner for a violation
18 of subdivision (d) of section eleven hundred eleven of this chapter in
19 accordance with section eleven hundred eleven-d of this chapter, or
20 other than an adjudication of liability of an owner for a violation of
21 subdivision (d) of section eleven hundred eleven of this chapter in
22 accordance with section eleven hundred eleven-e or section eleven
23 hundred eleven-f of this chapter, there shall be levied a mandatory
24 surcharge, in addition to any sentence required or permitted by law, in
25 the amount of seventeen dollars.

26 § 3-d. Subdivision 1 of section 1809 of the vehicle and traffic law,
27 as amended by section 10-d of chapter 222 of the laws of 2015, is
28 amended to read as follows:

29 1. Whenever proceedings in an administrative tribunal or a court of
30 this state result in a conviction for a crime under this chapter or a
31 traffic infraction under this chapter other than a traffic infraction
32 involving standing, stopping, parking or motor vehicle equipment or
33 violations by pedestrians or bicyclists, or other than an adjudication
34 of liability of an owner for a violation of subdivision (b), (c), (d),
35 (f) or (g) of section eleven hundred eighty of this chapter in accord-
36 ance with section eleven hundred eighty-c of this chapter, or other than
37 an adjudication of liability of an owner for a violation of subdivision
38 (d) of section eleven hundred eleven of this chapter in accordance with
39 section eleven hundred eleven-d of this chapter, or other than an adju-
40 dication of liability of an owner for a violation of subdivision (d) of
41 section eleven hundred eleven of this chapter in accordance with section
42 eleven hundred eleven-e or section eleven hundred eleven-f of this chap-
43 ter, there shall be levied a mandatory surcharge, in addition to any
44 sentence required or permitted by law, in the amount of seventeen
45 dollars.

46 § 3-e. Subdivision 1 of section 1809 of the vehicle and traffic law,
47 as amended by section 10-e of chapter 222 of the laws of 2015, is
48 amended to read as follows:

49 1. Whenever proceedings in an administrative tribunal or a court of
50 this state result in a conviction for a crime under this chapter or a
51 traffic infraction under this chapter other than a traffic infraction
52 involving standing, stopping, parking or motor vehicle equipment or
53 violations by pedestrians or bicyclists, or other than an adjudication
54 of liability of an owner for a violation of subdivision (d) of section
55 eleven hundred eleven of this chapter in accordance with section eleven
56 hundred eleven-d of this chapter, or other than an adjudication of

1 liability of an owner for a violation of subdivision (d) of section
2 eleven hundred eleven of this chapter in accordance with section eleven
3 hundred eleven-e or section eleven hundred eleven-f of this chapter,
4 there shall be levied a mandatory surcharge, in addition to any sentence
5 required or permitted by law, in the amount of seventeen dollars.

6 § 3-f. Subdivision 1 of section 1809 of the vehicle and traffic law,
7 as amended by section 10-f of chapter 222 of the laws of 2015, is
8 amended to read as follows:

9 1. Whenever proceedings in an administrative tribunal or a court of
10 this state result in a conviction for a crime under this chapter or a
11 traffic infraction under this chapter other than a traffic infraction
12 involving standing, stopping, parking or motor vehicle equipment or
13 violations by pedestrians or bicyclists, or other than an adjudication
14 of liability of an owner for a violation of subdivision (d) of section
15 eleven hundred eleven of this chapter in accordance with section eleven
16 hundred eleven-e or section eleven hundred eleven-f of this chapter,
17 there shall be levied a mandatory surcharge, in addition to any sentence
18 required or permitted by law, in the amount of seventeen dollars.

19 § 3-g. Subdivision 1 of section 1809 of the vehicle and traffic law,
20 as separately amended by chapter 16 of the laws of 1983 and chapter 62
21 of the laws of 1989, is amended to read as follows:

22 1. Whenever proceedings in an administrative tribunal or a court of
23 this state result in a conviction for a crime under this chapter or a
24 traffic infraction under this chapter other than a traffic infraction
25 involving standing, stopping, parking or motor vehicle equipment or
26 violations by pedestrians or bicyclists, or other than an adjudication
27 of liability of an owner for a violation of subdivision (d) of section
28 eleven hundred eleven of this chapter in accordance with section eleven
29 hundred eleven-e of this chapter, there shall be levied a mandatory
30 surcharge, in addition to any sentence required or permitted by law, in
31 the amount of seventeen dollars.

32 § 4. Paragraph a of subdivision 1 of section 1809-e of the vehicle and
33 traffic law, as amended by section 11 of chapter 222 of the laws of
34 2015, is amended to read as follows:

35 a. Notwithstanding any other provision of law, whenever proceedings in
36 a court or an administrative tribunal of this state result in a
37 conviction for an offense under this chapter, except a conviction pursu-
38 ant to section eleven hundred ninety-two of this chapter, or for a traf-
39 fic infraction under this chapter, or a local law, ordinance, rule or
40 regulation adopted pursuant to this chapter, except a traffic infraction
41 involving standing, stopping, or parking or violations by pedestrians or
42 bicyclists, and except an adjudication of liability of an owner for a
43 violation of subdivision (d) of section eleven hundred eleven of this
44 chapter in accordance with section eleven hundred eleven-a [~~of this~~
45 ~~chapter or in accordance with~~], section eleven hundred eleven-d [~~of this~~
46 ~~chapter, or in accordance with~~], section eleven hundred eleven-e or
47 section eleven hundred eleven-f of this chapter, and except an adjudi-
48 cation of liability of an owner for a violation of subdivision (d) of
49 section eleven hundred eleven of this chapter in accordance with section
50 eleven hundred eleven-b of this chapter, and except an adjudication in
51 accordance with section eleven hundred eleven-c of this chapter of a
52 violation of a bus lane restriction as defined in such section, and
53 except an adjudication of liability of an owner for a violation of
54 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
55 of this chapter in accordance with section eleven hundred eighty-b of
56 this chapter, and except an adjudication of liability of an owner for a

1 violation of subdivision (b), (c), (d), (f) or (g) of section eleven
2 hundred eighty of this chapter in accordance with section eleven hundred
3 eighty-c of this chapter, and except an adjudication of liability of an
4 owner for a violation of toll collection regulations pursuant to section
5 two thousand nine hundred eighty-five of the public authorities law or
6 sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred
7 seventy-four of the laws of nineteen hundred fifty, there shall be
8 levied in addition to any sentence, penalty or other surcharge required
9 or permitted by law, an additional surcharge of twenty-eight dollars.

10 § 4-a. Paragraph a of subdivision 1 of section 1809-e of the vehicle
11 and traffic law, as amended by section 11-a of chapter 222 of the laws
12 of 2015, is amended to read as follows:

13 a. Notwithstanding any other provision of law, whenever proceedings in
14 a court or an administrative tribunal of this state result in a
15 conviction for an offense under this chapter, except a conviction pursu-
16 ant to section eleven hundred ninety-two of this chapter, or for a traf-
17 fic infraction under this chapter, or a local law, ordinance, rule or
18 regulation adopted pursuant to this chapter, except a traffic infraction
19 involving standing, stopping, or parking or violations by pedestrians or
20 bicyclists, and except an adjudication of liability of an owner for a
21 violation of subdivision (d) of section eleven hundred eleven of this
22 chapter in accordance with section eleven hundred eleven-a ~~[of this~~
23 ~~chapter or in accordance with]~~, section eleven hundred eleven-d ~~[of this~~
24 ~~chapter or in accordance with]~~, section eleven hundred eleven-e or
25 section eleven hundred eleven-f of this chapter, and except an adjudi-
26 cation in accordance with section eleven hundred eleven-c of this chap-
27 ter of a violation of a bus lane restriction as defined in such section,
28 and except an adjudication of liability of an owner for a violation of
29 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
30 of this chapter in accordance with section eleven hundred eighty-b of
31 this chapter, and except an adjudication of liability of an owner for a
32 violation of subdivision (b), (c), (d), (f) or (g) of section eleven
33 hundred eighty of this chapter in accordance with section eleven hundred
34 eighty-c of this chapter, and except an adjudication of liability of an
35 owner for a violation of toll collection regulations pursuant to section
36 two thousand nine hundred eighty-five of the public authorities law or
37 sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred
38 seventy-four of the laws of nineteen hundred fifty, there shall be
39 levied in addition to any sentence, penalty or other surcharge required
40 or permitted by law, an additional surcharge of twenty-eight dollars.

41 § 4-b. Paragraph a of subdivision 1 of section 1809-e of the vehicle
42 and traffic law, as amended by section 11-b of chapter 222 of the laws
43 of 2015, is amended to read as follows:

44 a. Notwithstanding any other provision of law, whenever proceedings in
45 a court or an administrative tribunal of this state result in a
46 conviction for an offense under this chapter, except a conviction pursu-
47 ant to section eleven hundred ninety-two of this chapter, or for a traf-
48 fic infraction under this chapter, or a local law, ordinance, rule or
49 regulation adopted pursuant to this chapter, except a traffic infraction
50 involving standing, stopping, or parking or violations by pedestrians or
51 bicyclists, and except an adjudication of liability of an owner for a
52 violation of subdivision (d) of section eleven hundred eleven of this
53 chapter in accordance with section eleven hundred eleven-a ~~[of this~~
54 ~~chapter or in accordance with]~~, section eleven hundred eleven-d ~~[of this~~
55 ~~chapter or in accordance with]~~, section eleven hundred eleven-e or
56 section eleven hundred eleven-f of this chapter, and except an adjudi-

1 cation of liability of an owner for a violation of subdivision (b), (c),
2 (d), (f) or (g) of section eleven hundred eighty of this chapter in
3 accordance with section eleven hundred eighty-b of this chapter, and
4 except an adjudication of liability of an owner for a violation of
5 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
6 of this chapter in accordance with section eleven hundred eighty-c of
7 this chapter, and except an adjudication of liability of an owner for a
8 violation of toll collection regulations pursuant to section two thou-
9 sand nine hundred eighty-five of the public authorities law or sections
10 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four
11 of the laws of nineteen hundred fifty, there shall be levied in addition
12 to any sentence, penalty or other surcharge required or permitted by
13 law, an additional surcharge of twenty-eight dollars.

14 § 4-c. Paragraph a of subdivision 1 of section 1809-e of the vehicle
15 and traffic law, as amended by section 11-c of chapter 222 of the laws
16 of 2015, is amended to read as follows:

17 a. Notwithstanding any other provision of law, whenever proceedings in
18 a court or an administrative tribunal of this state result in a
19 conviction for an offense under this chapter, except a conviction pursu-
20 ant to section eleven hundred ninety-two of this chapter, or for a traf-
21 fic infraction under this chapter, or a local law, ordinance, rule or
22 regulation adopted pursuant to this chapter, except a traffic infraction
23 involving standing, stopping, or parking or violations by pedestrians or
24 bicyclists, and except an adjudication of liability of an owner for a
25 violation of subdivision (d) of section eleven hundred eleven of this
26 chapter in accordance with section eleven hundred eleven-a ~~[of this~~
27 ~~chapter or in accordance with]~~, section eleven hundred eleven-d ~~[of this~~
28 ~~chapter or in accordance with]~~, section eleven hundred eleven-e or
29 section eleven hundred eleven-f of this chapter, and except an adjudi-
30 cation of liability of an owner for a violation of subdivision (b), (c),
31 (d), (f) or (g) of section eleven hundred eighty of this chapter in
32 accordance with section eleven hundred eighty-c of this chapter, and
33 except an adjudication of liability of an owner for a violation of toll
34 collection regulations pursuant to section two thousand nine hundred
35 eighty-five of the public authorities law or sections sixteen-a,
36 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the
37 laws of nineteen hundred fifty, there shall be levied in addition to any
38 sentence, penalty or other surcharge required or permitted by law, an
39 additional surcharge of twenty-eight dollars.

40 § 4-d. Paragraph a of subdivision 1 of section 1809-e of the vehicle
41 and traffic law, as amended by section 11-d of chapter 222 of the laws
42 of 2015, is amended to read as follows:

43 a. Notwithstanding any other provision of law, whenever proceedings in
44 a court or an administrative tribunal of this state result in a
45 conviction for an offense under this chapter, except a conviction pursu-
46 ant to section eleven hundred ninety-two of this chapter, or for a traf-
47 fic infraction under this chapter, or a local law, ordinance, rule or
48 regulation adopted pursuant to this chapter, except a traffic infraction
49 involving standing, stopping, or parking or violations by pedestrians or
50 bicyclists, and except an adjudication of liability of an owner for a
51 violation of subdivision (d) of section eleven hundred eleven of this
52 chapter in accordance with section eleven hundred eleven-a ~~[of this~~
53 ~~chapter or in accordance with]~~, section eleven hundred eleven-d ~~[of this~~
54 ~~chapter or in accordance with]~~, section eleven hundred eleven-e or
55 section eleven hundred eleven-f of this chapter, and except an adjudi-
56 cation of liability of an owner for a violation of toll collection regu-

lations pursuant to section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, there shall be levied in addition to any sentence, penalty or other surcharge required or permitted by law, an additional surcharge of twenty-eight dollars.

§ 4-e. Paragraph a of subdivision 1 of section 1809-e of the vehicle and traffic law, as amended by section 11-e of chapter 222 of the laws of 2015, is amended to read as follows:

a. Notwithstanding any other provision of law, whenever proceedings in a court or an administrative tribunal of this state result in a conviction for an offense under this chapter, except a conviction pursuant to section eleven hundred ninety-two of this chapter, or for a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, except a traffic infraction involving standing, stopping, or parking or violations by pedestrians or bicyclists, and except an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a ~~[of this chapter or in accordance with]~~, section eleven hundred eleven-e or section eleven hundred eleven-f of this chapter, and except an adjudication of liability of an owner for a violation of toll collection regulations pursuant to section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, there shall be levied in addition to any sentence, penalty or other surcharge required or permitted by law, an additional surcharge of twenty-eight dollars.

§ 4-f. Paragraph a of subdivision 1 of section 1809-e of the vehicle and traffic law, as amended by section 5 of part C of chapter 55 of the laws of 2013, is amended to read as follows:

a. Notwithstanding any other provision of law, whenever proceedings in a court or an administrative tribunal of this state result in a conviction for an offense under this chapter, except a conviction pursuant to section eleven hundred ninety-two of this chapter, or for a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, except a traffic infraction involving standing, stopping, or parking or violations by pedestrians or bicyclists, and except an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a or section eleven hundred eleven-e of this chapter, and except an adjudication of liability of an owner for a violation of toll collection regulations pursuant to section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, there shall be levied in addition to any sentence, penalty or other surcharge required or permitted by law, an additional surcharge of twenty-eight dollars.

§ 5. Subdivision 1 of section 371 of the general municipal law, as amended by section 12 of chapter 222 of the laws of 2015, is amended to read as follows:

1. A traffic violations bureau so established may be authorized to dispose of violations of traffic laws, ordinances, rules and regulations when such offenses shall not constitute the traffic infraction known as speeding or a misdemeanor or felony, and, if authorized by local law or

1 ordinance, to adjudicate the liability of owners for violations of
2 subdivision (d) of section eleven hundred eleven of the vehicle and
3 traffic law in accordance with section eleven hundred eleven-a of such
4 law or section eleven hundred eleven-b of such law as added by sections
5 sixteen of chapters twenty, twenty-one, and twenty-two of the laws of
6 two thousand nine which amended this subdivision, or section eleven
7 hundred eleven-d of such law, or section eleven hundred eleven-e, or
8 section eleven hundred eleven-f of such law.

9 § 5-a. Section 371 of the general municipal law, as amended by section
10 12-a of chapter 222 of the laws of 2015, is amended to read as follows:

11 § 371. Jurisdiction and procedure. A traffic violations bureau so
12 established may be authorized to dispose of violations of traffic laws,
13 ordinances, rules and regulations when such offenses shall not consti-
14 tute the traffic infraction known as speeding or a misdemeanor or felo-
15 ny, and, if authorized by local law or ordinance, to adjudicate the
16 liability of owners for violations of subdivision (d) of section eleven
17 hundred eleven of the vehicle and traffic law in accordance with section
18 eleven hundred eleven-b of such law as added by sections sixteen of
19 chapters twenty, twenty-one, and twenty-two of the laws of two thousand
20 nine which amended this section or section eleven hundred eleven-d of
21 such law ~~[or]~~, section eleven hundred eleven-e of such law or section
22 eleven hundred eleven-f of such law, by permitting a person charged with
23 an offense within the limitations herein stated, to answer, within a
24 specified time, at the traffic violations bureau, either in person or by
25 written power of attorney in such form as may be prescribed in the ordi-
26 nance creating the bureau, by paying a prescribed fine and, in writing,
27 waiving a hearing in court, pleading guilty to the charge or admitting
28 liability as an owner for the violation of subdivision (d) of section
29 eleven hundred eleven of the vehicle and traffic law, as the case may
30 be, and authorizing the person in charge of the bureau to make such a
31 plea or admission and pay such a fine in court. Acceptance of the
32 prescribed fine and power of attorney by the bureau shall be deemed
33 complete satisfaction for the violation or of the liability, and the
34 violator or owner liable for a violation of subdivision (d) of section
35 eleven hundred eleven of the vehicle and traffic law shall be given a
36 receipt which so states. If a person charged with a traffic violation
37 does not answer as hereinbefore prescribed, within a designated time,
38 the bureau shall cause a complaint to be entered against him or her
39 forthwith and a warrant to be issued for his or her arrest and appear-
40 ance before the court. Any person who shall have been, within the
41 preceding twelve months, guilty of a number of parking violations in
42 excess of such maximum number as may be designated by the court, or of
43 three or more violations other than parking violations, shall not be
44 permitted to appear and answer to a subsequent violation at the traffic
45 violations bureau, but must appear in court at a time specified by the
46 bureau. Such traffic violations bureau shall not be authorized to
47 deprive a person of his or her right to counsel or to prevent him or her
48 from exercising his or her right to appear in court to answer to,
49 explain, or defend any charge of a violation of any traffic law, ordi-
50 nance, rule or regulation.

51 § 5-b. Section 371 of the general municipal law, as amended by section
52 12-b of chapter 222 of the laws of 2015, is amended to read as follows:

53 § 371. Jurisdiction and procedure. A traffic violations bureau so
54 established may be authorized to dispose of violations of traffic laws,
55 ordinances, rules and regulations when such offenses shall not consti-
56 tute the traffic infraction known as speeding or a misdemeanor or felo-

ny, and, if authorized by local law or ordinance, to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven of the vehicle and traffic law in accordance with section eleven hundred eleven-d ~~[or]~~, section eleven hundred eleven-e or section eleven hundred eleven-f of the vehicle and traffic law, by permitting a person charged with an offense within the limitations herein stated, to answer, within a specified time, at the traffic violations bureau, either in person or by written power of attorney in such form as may be prescribed in the ordinance creating the bureau, by paying a prescribed fine and, in writing, waiving a hearing in court, pleading guilty to the charge or admitting liability as an owner for the violation of subdivision (d) of section eleven hundred eleven of the vehicle and traffic law, as the case may be, and authorizing the person in charge of the bureau to make such a plea or admission and pay such a fine in court. Acceptance of the prescribed fine and power of attorney by the bureau shall be deemed complete satisfaction for the violation or of the liability, and the violator or owner liable for a violation of subdivision (d) of section eleven hundred eleven of the vehicle and traffic law shall be given a receipt which so states. If a person charged with a traffic violation does not answer as hereinbefore prescribed, within a designated time, the bureau shall cause a complaint to be entered against him or her forthwith and a warrant to be issued for his or her arrest and appearance before the court. Any person who shall have been, within the preceding twelve months, guilty of a number of parking violations in excess of such maximum number as may be designated by the court, or of three or more violations other than parking violations, shall not be permitted to appear and answer to a subsequent violation at the traffic violations bureau, but must appear in court at a time specified by the bureau. Such traffic violations bureau shall not be authorized to deprive a person of his or her right to counsel or to prevent him or her from exercising his or her right to appear in court to answer to, explain, or defend any charge of a violation of any traffic law, ordinance, rule or regulation.

§ 5-c. Section 371 of the general municipal law, as amended by section 12-c of chapter 222 of the laws of 2015, is amended to read as follows:

§ 371. Jurisdiction and procedure. A traffic violations bureau so established may be authorized to dispose of violations of traffic laws, ordinances, rules and regulations when such offenses shall not constitute the traffic infraction known as speeding or a misdemeanor or felony, and, if authorized by local law or ordinance, to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven of the vehicle and traffic law in accordance with section eleven hundred eleven-e or section eleven hundred eleven-f of the vehicle and traffic law, by permitting a person charged with an offense within the limitations herein stated, to answer, within a specified time, at the traffic violations bureau, either in person or by written power of attorney in such form as may be prescribed in the ordinance creating the bureau, by paying a prescribed fine and, in writing, waiving a hearing in court, pleading guilty to the charge or admitting liability as an owner for violation of subdivision (d) of section eleven hundred eleven of the vehicle and traffic law, as the case may be, and authorizing the person in charge of the bureau to make such a plea or admission and pay such a fine in court. Acceptance of the prescribed fine and power of attorney by the bureau shall be deemed complete satisfaction for the violation or of the liability, and the violator or owner

1 liable for a violation of subdivision (d) of section eleven hundred
2 eleven of the vehicle and traffic law shall be given a receipt which so
3 states. If a person charged with a traffic violation does not answer as
4 hereinbefore prescribed, within a designated time, the bureau shall
5 cause a complaint to be entered against him or her forthwith and a
6 warrant to be issued for his or her arrest and appearance before the
7 court. Any person who shall have been, within the preceding twelve
8 months, guilty of a number of parking violations in excess of such maxi-
9 mum number as may be designated by the court, or of three or more
10 violations other than parking violations, shall not be permitted to
11 appear and answer to a subsequent violation at the traffic violations
12 bureau, but must appear in court at a time specified by the bureau. Such
13 traffic violations bureau shall not be authorized to deprive a person of
14 his or her right to counsel or to prevent him or her from exercising his
15 or her right to appear in court to answer to, explain, or defend any
16 charge of a violation of any traffic law, ordinance, rule or regulation.

17 § 5-d. Section 371 of the general municipal law, as amended by chapter
18 802 of the laws of 1949, is amended to read as follows:

19 § 371. Jurisdiction and procedure. A traffic violations bureau so
20 established may be authorized to dispose of violations of traffic laws,
21 ordinances, rules and regulations when such offenses shall not consti-
22 tute the traffic infraction known as speeding or a misdemeanor or felo-
23 ny, and if authorized by local law or ordinance, to adjudicate the
24 liability of owners for violations of subdivision (d) of section eleven
25 hundred eleven of the vehicle and traffic law in accordance with section
26 eleven hundred eleven-e of the vehicle and traffic law, by permitting a
27 person charged with an offense within the limitations herein stated, to
28 answer, within a specified time, at the traffic violations bureau,
29 either in person or by written power of attorney in such form as may be
30 prescribed in the ordinance creating the bureau, by paying a prescribed
31 fine and, in writing, waiving a hearing in court, pleading guilty to the
32 charge and authorizing the person in charge of the bureau to make such a
33 plea and pay such a fine in court. Acceptance of the prescribed fine
34 and power of attorney by the bureau shall be deemed complete satisfac-
35 tion for the violation, and the violator shall be given a receipt which
36 so states. If a person charged with a traffic violation does not answer
37 as hereinbefore prescribed, within a designated time, the bureau shall
38 cause a complaint to be entered against him forthwith and a warrant to
39 be issued for his arrest and appearance before the court. Any person who
40 shall have been, within the preceding twelve months, guilty of a number
41 of parking violations in excess of such maximum number as may be desig-
42 nated by the court, or of three or more violations other than parking
43 violations, shall not be permitted to appear and answer to a subsequent
44 violation at the traffic violations bureau, but must appear in court at
45 a time specified by the bureau. Such traffic violations bureau shall not
46 be authorized to deprive a person of his right to counsel or to prevent
47 him from exercising his right to appear in court to answer to, explain,
48 or defend any charge of a violation of any traffic law, ordinance, rule
49 or regulation.

50 § 6. This act shall take effect on the thirtieth day after it shall
51 have become a law and shall expire 5 years after such effective date
52 when upon such date the provisions of this act shall be deemed repealed;
53 and provided further that any rules necessary for the implementation of
54 this act on its effective date shall be promulgated on or before such
55 effective date, provided that:

1 (a) the amendments to paragraph a of subdivision 5-a of section 401 of
2 the vehicle and traffic law made by section two of this act shall not
3 affect the expiration of such paragraph and shall be deemed to expire
4 therewith, when upon such date the provisions of section two-a of this
5 act shall take effect;

6 (b) the amendments to paragraph a of subdivision 5-a of section 401 of
7 the vehicle and traffic law made by section two-a of this act shall not
8 affect the expiration of such paragraph and shall be deemed to expire
9 therewith, when upon such date the provisions of section two-b of this
10 act shall take effect;

11 (c) the amendments to paragraph a of subdivision 5-a of section 401 of
12 the vehicle and traffic law made by section two-b of this act shall not
13 affect the expiration of such paragraph and shall be deemed to expire
14 therewith, when upon such date the provisions of section two-c of this
15 act shall take effect;

16 (d) the amendments to paragraph a of subdivision 5-a of section 401 of
17 the vehicle and traffic law made by section two-c of this act shall not
18 affect the expiration of such paragraph and shall be deemed to expire
19 therewith, when upon such date the provisions of section two-d of this
20 act shall take effect;

21 (e) the amendments to paragraph a of subdivision 5-a of section 401 of
22 the vehicle and traffic law made by section two-d of this act shall not
23 affect the expiration of such paragraph and shall be deemed to expire
24 therewith, when upon such date the provisions of section two-e of this
25 act shall take effect;

26 (e-1) the amendments to paragraph a of subdivision 5-a of section 401
27 of the vehicle and traffic law made by section two-e of this act shall
28 not affect the expiration of such paragraph and shall be deemed to
29 expire therewith, when upon such date the provisions of section two-f of
30 this act shall take effect;

31 (e-2) the amendments to paragraph a of subdivision 5-a of section 401
32 of the vehicle and traffic law made by section two-f of this act shall
33 not affect the expiration of such paragraph and shall be deemed to
34 expire therewith, when upon such date the provisions of section two-g of
35 this act shall take effect;

36 (f) the amendments to subdivision 1 of section 1809 of the vehicle and
37 traffic law made by section three of this act shall not affect the expi-
38 ration of such subdivision and shall be deemed to expire therewith, when
39 upon such date the provisions of section three-a of this act shall take
40 effect;

41 (g) the amendments to subdivision 1 of section 1809 of the vehicle and
42 traffic law made by section three-a of this act shall not affect the
43 expiration of such subdivision and shall be deemed to expire therewith,
44 when upon such date the provisions of section three-b of this act shall
45 take effect;

46 (h) the amendments to subdivision 1 of section 1809 of the vehicle and
47 traffic law made by section three-b of this act shall not affect the
48 expiration of such subdivision and shall be deemed to expire therewith,
49 when upon such date the provisions of section three-c of this act shall
50 take effect;

51 (i) the amendments to subdivision 1 of section 1809 of the vehicle and
52 traffic law made by section three-c of this act shall not affect the
53 expiration of such subdivision and shall be deemed to expire therewith,
54 when upon such date the provisions of section three-d of this act shall
55 take effect;

1 (j) the amendments to subdivision 1 of section 1809 of the vehicle and
2 traffic law made by section three-d of this act shall not affect the
3 expiration of such subdivision and shall be deemed to expire therewith,
4 when upon such date the provisions of section three-e of this act shall
5 take effect;

6 (j-1) the amendments to subdivision 1 of section 1809 of the vehicle
7 and traffic law made by section three-e of this act shall not affect the
8 expiration of such subdivision and shall be deemed to expire therewith,
9 when upon such date the provisions of section three-f of this act shall
10 take effect;

11 (j-2) the amendments to subdivision 1 of section 1809 of the vehicle
12 and traffic law made by section three-f of this act shall not affect the
13 expiration of such subdivision and shall be deemed to expire therewith,
14 when upon such date the provisions of section three-g of this act shall
15 take effect;

16 (k) the amendments to paragraph a of subdivision 1 of section 1809-e
17 of the vehicle and traffic law made by section four of this act shall
18 not affect the expiration of such paragraph and shall be deemed to
19 expire therewith, when upon such date the provisions of section four-a
20 of this act shall take effect;

21 (l) the amendments to paragraph a of subdivision 1 of section 1809-e
22 of the vehicle and traffic law made by section four-a of this act shall
23 not affect the expiration of such paragraph and shall be deemed to
24 expire therewith, when upon such date the provisions of section four-b
25 of this act shall take effect;

26 (m) the amendments to paragraph a of subdivision 1 of section 1809-e
27 of the vehicle and traffic law made by section four-b of this act shall
28 not affect the expiration of such paragraph and shall be deemed to
29 expire therewith, when upon such date the provisions of section four-c
30 of this act shall take effect;

31 (n) the amendments to paragraph a of subdivision 1 of section 1809-e
32 of the vehicle and traffic law made by section four-c of this act shall
33 not affect the expiration of such paragraph and shall be deemed to
34 expire therewith, when upon such date the provisions of section four-d
35 of this act shall take effect;

36 (o) the amendments to paragraph a of subdivision 1 of section 1809-e
37 of the vehicle and traffic law made by section four-d of this act shall
38 not affect the expiration of such paragraph and shall be deemed to
39 expire therewith, when upon such date the provisions of section four-e
40 of this act shall take effect;

41 (o-1) the amendments to paragraph a of subdivision 1 of section 1809-e
42 of the vehicle and traffic law made by section four-e of this act shall
43 not affect the expiration of such paragraph and shall be deemed to
44 expire therewith, when upon such date the provisions of section four-f
45 of this act shall take effect;

46 (p) the amendments to subdivision 1 of section 371 of the general
47 municipal law made by section five of this act shall not affect the
48 expiration of such subdivision and shall be deemed to expire therewith,
49 when upon such date the provisions of section five-a of this act shall
50 take effect;

51 (q) the amendments to section 371 of the general municipal law made by
52 section five-a of this act shall not affect the expiration of such
53 section and shall be deemed to expire therewith, when upon such date the
54 provisions of section five-b of this act shall take effect; and

55 (r) the amendments to section 371 of the general municipal law made by
56 section five-b of this act shall not affect the expiration of such

1 section and shall be deemed to expire therewith, when upon such date the
2 provisions of section five-c of this act shall take effect;
3 (s) the amendments to section 371 of the general municipal law made by
4 section five-c of this act shall not affect the expiration of such
5 section and shall be deemed to expire therewith, when upon such date the
6 provisions of section five-d of this act shall take effect.