

STATE OF NEW YORK

2589

2019-2020 Regular Sessions

IN ASSEMBLY

January 24, 2019

Introduced by M. of A. GANTT -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to abandoned vehicles

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

1 Section 1. Subdivision 1 of section 207 of the vehicle and traffic
2 law, as amended by chapter 173 of the laws of 1990, is amended to read
3 as follows:

4 1. Except as otherwise provided, the commissioner shall be authorized
5 to prescribe the form of summons and complaint in all cases involving a
6 violation of any provision of this chapter, including ~~[section]~~ sections
7 twelve hundred three-c and twelve hundred twenty-four, or of any
8 provision of the tax law or of the transportation law regulating traf-
9 fic, or of any ordinance, rule or regulation relating to traffic, and to
10 establish procedures for proper administrative controls over the dispo-
11 sition thereof. The commissioner is not authorized to prescribe the form
12 of summons and complaint for parking, stopping or standing violations or
13 a violation of article forty-seven or forty-eight of this chapter.

14 § 2. Paragraphs (b), (c), (d), and (e) of subdivision 7 of section
15 1224 of the vehicle and traffic law are relettered paragraphs (c), (d),
16 (e), and (f) and a new paragraph (b) is added to read as follows:

17 (b) Notwithstanding any other provision of law, in addition to those
18 persons otherwise authorized to enforce this subdivision and adjudicate
19 violations thereof, this subdivision shall also be enforceable, except
20 in a city with a population of one million or more, in a city court,
21 district court, or justice court within the municipality in which a
22 violation of this subdivision is alleged to have occurred. Notwithstand-
23 ing any other provision of law, service of a notice of violation for a
24 violation of this subdivision committed in such municipality shall be
25 made upon an owner by first-class mail, postage prepaid, accompanied by

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

LBD00736-01-9

1 a certificate of mailing from the United States postal service and any
2 such notice served by mail shall be returnable to such municipality.
3 Service shall be deemed complete upon mailing of the notice of
4 violation, to the owner's last known place of residence or last known
5 post-office address, unless the notice of violation is returned to the
6 sender by the United States postal service for any reason other than
7 refusal of delivery.

8 § 3. Subdivision 9 of section 1224 of the vehicle and traffic law, as
9 amended by chapter 795 of the laws of 1974, is amended to read as
10 follows:

11 9. The last owner of an abandoned vehicle shall be liable to such
12 local authority for the costs of removal [~~and~~], storage and disposal of
13 such vehicle.

14 § 4. This act shall take effect on the one hundred eightieth day after
15 it shall have become a law.