

STATE OF NEW YORK

7747--B

2021-2022 Regular Sessions

IN ASSEMBLY

May 21, 2021

Introduced by M. of A. MAGNARELLI, WOERNER, JONES, STIRPE, BUTTENSCHON
-- read once and referred to the Committee on Tourism, Parks, Arts and
Sports Development -- recommitted to the Committee on Tourism, Parks,
Arts and Sports Development in accordance with Assembly Rule 3, sec. 2
-- committee discharged, bill amended, ordered reprinted as amended
and recommitted to said committee -- reported and referred to the
Committee on Ways and Means -- committee discharged, bill amended,
ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law and the parks, recreation
and historic preservation law, in relation to fees for snowmobile
trail development and maintenance

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

1 Section 1. Subdivision 4-a of section 2222 of the vehicle and traffic
2 law, as amended by chapter 609 of the laws of 2005, is amended to read
3 as follows:
4 4-a. Additional fee. In addition to the other fees provided for in
5 paragraphs (a), (b) and (c) of subdivision four of this section the
6 commissioner shall, upon application in such cases for the registration
7 of a snowmobile or the renewal thereof, collect the annual [~~ninety~~] one
8 hundred twenty-five dollar fee for residents and [~~ninety~~] one hundred
9 twenty-five dollar fee for nonresidents and a [~~thirty-five~~] fifty-five
10 dollar fee for residents and [~~thirty-five~~] fifty-five dollar fee for
11 nonresidents who provide proof, at the time of registration, that such
12 individual is a member of an organized New York state snowmobile club
13 that is a member of the New York state snowmobile association or is a
14 member of an organized New York state snowmobile club that is a trail
15 maintenance entity and a member of the New York state snowmobile associ-
16 ation which are imposed by section 21.07 of the parks, recreation and
17 historic preservation law. In the event that an individual seeking snow-
18 mobile club membership is unable, for any reason, to secure such club

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

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1 membership, he or she may contact the New York state snowmobile associ-
2 ation, who shall secure such membership for such person. This fee shall
3 also be collected from dealers at the time of original registration and
4 at the time of each renewal. The commissioner shall effectuate regu-
5 lations regarding what is required as proof of membership in an organ-
6 ized New York state snowmobile club that is a trail maintenance entity
7 and a member of the New York state snowmobile association for the
8 purposes of this subdivision.

9 § 2. Section 21.07 of the parks, recreation and historic preservation
10 law, as amended by chapter 609 of the laws of 2005, is amended to read
11 as follows:

12 § 21.07 Fee for snowmobile trail development and maintenance. 1. A
13 fee of [~~ninety~~] one hundred twenty-five dollars is hereby imposed upon
14 the resident, and [~~ninety~~] one hundred twenty-five dollars upon the
15 nonresident, owner of a snowmobile for the snowmobile trail develop-
16 ment and maintenance fund to be paid to the commissioner of motor vehicles
17 upon the registration thereof in addition to the registration fee
18 required by the vehicle and traffic law, the payment of which fee hereby
19 imposed shall be a condition precedent to such individual resident,
20 individual nonresident or dealer registration.

21 2. Notwithstanding the fee as established in subdivision one of this
22 section, an individual resident or nonresident registering a snowmobile
23 who provides proof at the time of registration, that such individual is
24 a member of an organized New York state snowmobile club that is a member
25 of the New York state snowmobile association or is a member of an organ-
26 ized New York state snowmobile club that is a trail maintenance entity
27 and a member of the New York state snowmobile association, shall pay
28 [~~thirty-five~~] fifty-five dollars for each snowmobile for the snowmobile
29 trail development and maintenance fund in addition to the registration
30 required by the vehicle and traffic law. In the event that an individual
31 seeking snowmobile club membership is unable, for any reason, to secure
32 such club membership, he or she may contact the New York state snowmo-
33 bile association, who shall secure such membership for such person.

34 § 3. Subdivisions 3 and 5 of section 27.17 of the parks, recreation
35 and historic preservation law, subdivision 3 as amended by section 2 of
36 part G of chapter 82 of the laws of 2002 and subdivision 5 as amended by
37 chapter 88 of the laws of 1988, are amended to read as follows:

38 3. Every county or, where applicable, any city, town or village within
39 such county, shall be eligible for a grant for the development and main-
40 tenance of a system of snowmobile trails and a program with relation
41 thereto within its boundaries. Such grants shall be made by the commis-
42 sioner and may constitute up to one hundred percent of the cost of such
43 program including expenditures incurred for signs and markers of snowmo-
44 bile trails. Any county or, where applicable, any city, town or village
45 within such county, applying for such grant shall submit to the commis-
46 sioner by September first of each year an [~~estimate of such expenditures~~
47 ~~for the current fiscal year,~~] application in such form and containing
48 such information as the commissioner may require. No city, town or
49 village may apply for such grant where the county within which it is
50 contained has submitted an application for the same fiscal year. For the
51 purpose of this section, "fiscal year" shall mean the period from April
52 first through March thirty-first. The commissioner shall review all such
53 applications and shall determine the amount of state aid to be allocated
54 to each county or, where applicable, any city, town or village within
55 such county in accordance with the provisions of subdivision five of
56 this section. Of the amount the commissioner determines each county or,

1 where applicable, any city, town or village within such county is eligi-
2 ble to receive, seventy percent shall be made available for distribution
3 by November first and thirty percent for distribution upon demonstration
4 of completion, submitted by June first~~[, of the program]~~ following the
5 project year, or such date as contained in the application.

6 5. The amount of state aid to be allocated to each county or, where
7 applicable, any city, town or village within such county, shall be drawn
8 upon the monies remaining in the snowmobile trail development and main-
9 tenance fund after withdrawal pursuant to subdivisions two and four of
10 this section and shall be determined by the commissioner as hereinafter
11 provided. ~~[The commissioner shall determine the percentage proportion~~
12 ~~which the authorized expenditures of each individual county or, where~~
13 ~~applicable, any city, town or village within such county shall bear to~~
14 ~~the total authorized expenditures of all the counties, cities, towns or~~
15 ~~villages for snowmobile trail development and maintenance pursuant to~~
16 ~~this section during the fiscal year. Such percentage proportion shall~~
17 ~~then be applied against the amount received in additional fees imposed~~
18 ~~by section 21.07 of this chapter for registration of snowmobiles during~~
19 ~~such fiscal year, to the extent only and not exceeding the balance of~~
20 ~~such fund remaining after the payment of expenses as set forth in this~~
21 ~~section. The amount thus determined shall constitute the maximum amount~~
22 ~~of state aid to which each county or, where applicable, any city, town~~
23 ~~or village within such county, shall be entitled. The commissioner shall~~
24 ~~certify to the comptroller the amount thus determined for each county~~
25 ~~or, where applicable, any city, town or village within such county, as~~
26 ~~the amount of state aid to be apportioned to such county or, where~~
27 ~~applicable, any city, town or village within such county.]~~ The commis-
28 sioner shall estimate an amount that is available for state aid, and
29 shall define and establish a base rate per mile of trail, which shall
30 constitute the base grant to each local sponsor. For the purposes of
31 this section, local sponsor shall mean a county engaging and assisting
32 in the development and maintenance of a system of snowmobile trails and
33 a program with relation thereto within its boundaries to encourage safe-
34 ty, tourism and utilization, or in the event a county does not undertake
35 such a program or system of trails, any city, town or village within
36 such county which undertakes the same. Such state aid shall be provided
37 as described in subdivision one of this section. The commissioner shall
38 pay over to the municipal sponsor the thirty percent of the outstanding
39 base grant upon completion of the project. The commissioner, in consul-
40 tation with the division of budget, may pay expenses in excess of the
41 base grant when the municipal sponsor can demonstrate that approved
42 expenses exceeded amounts provided for in the combined payments, and
43 additional funds are available from the snowmobile trail development and
44 maintenance fund. The commissioner shall calculate all expenses submit-
45 ted in excess of the base grant and may distribute additional aid on a
46 prorated basis to support such expenses.

47 § 4. This act shall take effect on the ninetieth day after it shall
48 have become a law. Effective immediately, the addition, amendment and/or
49 repeal of any rule or regulation necessary for the implementation of
50 this act on its effective date are authorized to be made and completed
51 on or before such effective date.