

# STATE OF NEW YORK

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8187

2021-2022 Regular Sessions

## IN ASSEMBLY

August 25, 2021

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

AN ACT to amend the vehicle and traffic law, in relation to allowing an operator of a motor vehicle to display or provide such operator's certificate of registration in electronic form

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

1 Section 1. Subdivision 4 of section 401 of the vehicle and traffic  
2 law, as amended by chapter 132 of the laws of 1986, is amended to read  
3 as follows:

4 4. Carrying certificate of registration. (a) Any magistrate, motor  
5 vehicle inspector, peace officer, acting pursuant to his or her special  
6 duties, or police officer may request that the operator of any motor  
7 vehicle produce for inspection the certificate of registration for such  
8 vehicle and such operator shall furnish to such magistrate, inspector,  
9 peace officer or police officer any information necessary for the identification of such vehicle and its owner, and all information required  
10 concerning his or her license to operate, if he or she is required by  
11 law to have such a license, and shall, if required, sign his or her name  
12 in the presence of such magistrate, inspector, peace officer or police  
13 officer as a further means of identification. The production of a  
14 license to a magistrate, inspector, peace officer or police officer  
15 shall be prima facie evidence in a prosecution for a violation of any  
16 provision of this chapter, other than section three hundred ninety-two  
17 of this chapter, that the person who so produced the license is the  
18 person identified on such license. Provided, however, that a photostatic  
19 copy of the certificate of registration may be produced in lieu of the  
20 original certificate. Provided, further, that such certificate of  
21 registration may be displayed or provided in either paper or electronic  
22 form. For the purposes of this section, "electronic form" means the  
23 display of images on an electronic device, such as a cellular telephone,  
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EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 tablet, or computer. The use of a cellular telephone, tablet, computer,  
2 or any other electronic device to display such certificate of registra-  
3 tion shall not constitute consent for a magistrate, motor vehicle  
4 inspector, peace officer, acting pursuant to his or her special duties,  
5 or police officer to access any other contents on such cellular tele-  
6 phone, tablet, computer or other electronic device. Any magistrate,  
7 motor vehicle inspector, peace officer, acting pursuant to his or her  
8 special duties, or police officer presented with an electronic device  
9 pursuant to this subdivision shall be immune from any liability result-  
10 ing from damage to the device. If a vehicle does not have affixed a  
11 validating sticker which indicates the plate number, the vehicle iden-  
12 tification number and the expiration date of the registration, the fail-  
13 ure to produce the certificate of registration, or a photostatic copy of  
14 such certificate, or an electronic form of such certificate, shall be  
15 presumptive evidence of operating a motor vehicle or trailer which is  
16 not registered as required by this article.

17 (b) The commissioner shall promulgate such regulations as are neces-  
18 sary to effectuate the provisions of this subdivision, which shall  
19 include but not be limited to providing for an electronic form for the  
20 display of registration certificates pursuant to paragraph (a) of this  
21 subdivision.

22 § 2. This act shall take effect on the ninetieth day after it shall  
23 have become a law. Effective immediately, the addition, amendment and/or  
24 repeal of any rule or regulation necessary for the implementation of  
25 this act on its effective date are authorized to be made and completed  
26 on or before such effective date.