

STATE OF NEW YORK

3535

2025-2026 Regular Sessions

IN ASSEMBLY

January 28, 2025

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

AN ACT to amend the highway law, in relation to establishing a highway safety corridor on the Southern State Parkway located in Long Island and to making conforming changes; to amend the vehicle and traffic law and the general municipal law, in relation to certain notices of liability; and to amend the vehicle and traffic law, in relation to establishing a demonstration program implementing speed violation monitoring systems in the Southern State Parkway safety zone by means of photo devices

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

1 Section 1. Article 13 of the highway law is redesignated article 15
2 and sections 350, 351, 351-a, 352, 353 and 354 are renumbered sections
3 400, 401, 402, 403, 404 and 405.

4 § 2. The highway law is amended by adding a new article 13 to read as
5 follows:

ARTICLE 13

HIGHWAY SAFETY CORRIDORS

Section 375. Purpose and application.

375-a. Definitions.

375-b. Southern State Parkway highway safety corridor.

375-c. Traffic signs.

12 § 375. Purpose and application. 1. This article is enacted to improve
13 safety in a targeted high crash location designated as a highway safety
14 corridor where motorists are exposed to increased levels of enforcement
15 and increased penalties for moving violations relating to unsafe driving
16 behavior.

17 2. The signs specified in this article are in addition to the traff-
18 ic-control devices required by department regulations and apply to
19 public highways within this state.

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

LBD07012-01-5

1 § 375-a. Definitions. As used in this article, "Southern State Park-
2 way highway safety corridor" or "corridor" means the Southern State
3 Parkway.

4 § 375-b. Southern State Parkway highway safety corridor. The corridor
5 shall be designated as a highway safety corridor in which increased
6 penalties will apply for violations relating to the duty of a driver
7 under the vehicle and traffic law provided there is a written commitment
8 from the local and state law enforcement agencies responsible for high-
9 way patrol along the corridor to provide visible, sustained enforcement
10 activity within the limits of the marked corridor.

11 § 375-c. Traffic signs. Traffic signs shall be installed as follows:

12 1. A sign reading "SAFETY CORRIDOR-ELECTRONIC SPEED ENFORCEMENT AND
13 FINES DOUBLED" shall be installed as close as practical to the beginning
14 of the Southern State Parkway highway safety corridor and after each
15 interchange along the corridor; and

16 2. A sign reading "END SAFETY CORRIDOR ZONE" shall be installed imme-
17 diately at the end of each highway safety corridor.

18 § 3. Subdivision 1 of section 235 of the vehicle and traffic law, as
19 amended by section 2 of part MM of chapter 56 of the laws of 2023, is
20 amended to read as follows:

21 1. Notwithstanding any inconsistent provision of any general, special
22 or local law or administrative code to the contrary, in any city which
23 heretofore or hereafter is authorized to establish an administrative
24 tribunal: (a) to hear and determine complaints of traffic infractions
25 constituting parking, standing or stopping violations, or (b) to adjudi-
26 cate the liability of owners for violations of subdivision (d) of
27 section eleven hundred eleven of this chapter imposed pursuant to a
28 local law or ordinance imposing monetary liability on the owner of a
29 vehicle for failure of an operator thereof to comply with traffic-con-
30 trol indications through the installation and operation of traffic-con-
31 trol signal photo violation-monitoring systems, in accordance with arti-
32 cle twenty-four of this chapter, or (c) to adjudicate the liability of
33 owners for violations of subdivision (b), (c), (d), (f) or (g) of
34 section eleven hundred eighty of this chapter imposed pursuant to a
35 demonstration program imposing monetary liability on the owner of a
36 vehicle for failure of an operator thereof to comply with such posted
37 maximum speed limits through the installation and operation of photo
38 speed violation monitoring systems, in accordance with article thirty of
39 this chapter, or (d) to adjudicate the liability of owners for
40 violations of bus lane restrictions as defined by article twenty-four of
41 this chapter imposed pursuant to a bus rapid transit program imposing
42 monetary liability on the owner of a vehicle for failure of an operator
43 thereof to comply with such bus lane restrictions through the installa-
44 tion and operation of bus lane photo devices, in accordance with article
45 twenty-four of this chapter, or (e) to adjudicate the liability of
46 owners for violations of toll collection regulations imposed by certain
47 public authorities pursuant to the law authorizing such public authori-
48 ties to impose monetary liability on the owner of a vehicle for failure
49 of an operator thereof to comply with toll collection regulations of
50 such public authorities through the installation and operation of
51 photo-monitoring systems, in accordance with the provisions of section
52 two thousand nine hundred eighty-five of the public authorities law and
53 sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred
54 seventy-four of the laws of nineteen hundred fifty, or (f) to adjudicate
55 the liability of owners for violations of section eleven hundred seven-
56 ty-four of this chapter when meeting a school bus marked and equipped as

provided in subdivisions twenty and twenty-one-c of section three hundred seventy-five of this chapter imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with school bus red visual signals through the installation and operation of school bus photo violation monitoring systems, in accordance with article twenty-nine of this chapter, or (g) to adjudicate the liability of owners for violations of section three hundred eighty-five of this chapter and the rules of the department of transportation of the city of New York in relation to gross vehicle weight and/or axle weight violations imposed pursuant to a weigh in motion demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such gross vehicle weight and/or axle weight restrictions through the installation and operation of weigh in motion violation monitoring systems, in accordance with article ten of this chapter, or (h) to adjudicate the liability of owners for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such posted maximum speed limits within a highway construction or maintenance work area through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter, or (i) to adjudicate the liability of owners for violations of bus operation-related traffic regulations as defined by article twenty-four of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such bus operation-related traffic regulations through the installation and operation of bus operation-related photo devices, in accordance with article twenty-four of this chapter, such tribunal and the rules and regulations pertaining thereto shall be constituted in substantial conformance with the following sections, or (j) to adjudicate the liability of owners for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty-h of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such posted maximum speed limits within a highway safety corridor through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter, such tribunal and the rules and regulations pertaining thereto shall be constituted in substantial conformance with such sections.

§ 4. Subdivision 1 of section 236 of the vehicle and traffic law, as amended by section 3 of part MM of chapter 56 of the laws of 2023, is amended to read as follows:

1. Creation. In any city as hereinbefore or hereafter authorized such tribunal when created shall be known as the parking violations bureau and shall have jurisdiction of traffic infractions which constitute a parking violation and, where authorized: (a) to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven of this chapter imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic-control indications through the installation and operation of traffic-control signal photo violation-monitoring systems, in accordance with article twenty-four of this chapter, or (b) to adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty

1 of this chapter imposed pursuant to a demonstration program imposing
2 monetary liability on the owner of a vehicle for failure of an operator
3 thereof to comply with such posted maximum speed limits through the
4 installation and operation of photo speed violation monitoring systems,
5 in accordance with article thirty of this chapter, or (c) to adjudicate
6 the liability of owners for violations of bus lane restrictions as
7 defined by article twenty-four of this chapter imposed pursuant to a bus
8 rapid transit program imposing monetary liability on the owner of a
9 vehicle for failure of an operator thereof to comply with such bus lane
10 restrictions through the installation and operation of bus lane photo
11 devices, in accordance with article twenty-four of this chapter, or (d)
12 to adjudicate the liability of owners for violations of toll collection
13 regulations imposed by certain public authorities pursuant to the law
14 authorizing such public authorities to impose monetary liability on the
15 owner of a vehicle for failure of an operator thereof to comply with
16 toll collection regulations of such public authorities through the
17 installation and operation of photo-monitoring systems, in accordance
18 with the provisions of section two thousand nine hundred eighty-five of
19 the public authorities law and sections sixteen-a, sixteen-b and
20 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
21 hundred fifty, or (e) to adjudicate the liability of owners for
22 violations of section eleven hundred seventy-four of this chapter when
23 meeting a school bus marked and equipped as provided in subdivisions
24 twenty and twenty-one-c of section three hundred seventy-five of this
25 chapter imposed pursuant to a local law or ordinance imposing monetary
26 liability on the owner of a vehicle for failure of an operator thereof
27 to comply with school bus red visual signals through the installation
28 and operation of school bus photo violation monitoring systems, in
29 accordance with article twenty-nine of this chapter, or (f) to adjudi-
30 cate the liability of owners for violations of section three hundred
31 eighty-five of this chapter and the rules of the department of transpor-
32 tation of the city of New York in relation to gross vehicle weight
33 and/or axle weight violations imposed pursuant to a weigh in motion
34 demonstration program imposing monetary liability on the owner of a
35 vehicle for failure of an operator thereof to comply with such gross
36 vehicle weight and/or axle weight restrictions through the installation
37 and operation of weigh in motion violation monitoring systems, in
38 accordance with article ten of this chapter, or (g) to adjudicate the
39 liability of owners for violations of subdivision (b), (d), (f) or (g)
40 of section eleven hundred eighty of this chapter imposed pursuant to a
41 demonstration program imposing monetary liability on the owner of a
42 vehicle for failure of an operator thereof to comply with such posted
43 maximum speed limits within a highway construction or maintenance work
44 area through the installation and operation of photo speed violation
45 monitoring systems, in accordance with article thirty of this chapter,
46 or (h) to adjudicate the liability of owners for violations of bus oper-
47 ation-related traffic regulations as defined by article twenty-four of
48 this chapter imposed pursuant to a demonstration program imposing mone-
49 tary liability on the owner of a vehicle for failure of an operator
50 thereof to comply with such bus operation-related traffic regulations
51 through the installation and operation of bus operation-related photo
52 devices, in accordance with article twenty-four of this chapter, or (i)
53 to adjudicate the liability of owners for violations of subdivision (b),
54 (d), (f) or (g) of section eleven hundred eighty-h of this chapter
55 imposed pursuant to a demonstration program imposing monetary liability
56 on the owner of a vehicle for failure of an operator thereof to comply

1 with such posted maximum speed limits within a highway construction or
2 maintenance work area through the installation and operation of photo
3 speed violation monitoring systems, in accordance with article thirty
4 of this chapter, such tribunal and the rules and regulations pertaining
5 thereto shall be constituted in substantial conformance with such
6 sections. Such tribunal, except in a city with a population of one
7 million or more, shall also have jurisdiction of abandoned vehicle
8 violations. For the purposes of this article, a parking violation is the
9 violation of any law, rule or regulation providing for or regulating the
10 parking, stopping or standing of a vehicle. In addition for purposes of
11 this article, "commissioner" shall mean and include the commissioner of
12 traffic of the city or an official possessing authority as such a
13 commissioner.

14 § 5. Paragraph f of subdivision 1 of section 239 of the vehicle and
15 traffic law, as amended by section 4 of part MM of chapter 56 of the
16 laws of 2023, is amended to read as follows:

17 f. "Notice of violation" means a notice of violation as defined in
18 subdivision nine of section two hundred thirty-seven of this article,
19 but shall not be deemed to include a notice of liability issued pursuant
20 to authorization set forth in articles ten, twenty-four, twenty-nine and
21 thirty of this chapter, section two thousand nine hundred eighty-five of
22 the public authorities law and sections sixteen-a, sixteen-b and
23 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
24 hundred fifty to impose monetary liability on the owner of a vehicle for
25 failure of an operator thereof: to comply with traffic-control indi-
26 cations in violation of subdivision (d) of section eleven hundred eleven
27 of this chapter through the installation and operation of traffic-con-
28 trol signal photo violation-monitoring systems, in accordance with arti-
29 cle twenty-four of this chapter; or to comply with certain posted maxi-
30 mum speed limits in violation of subdivision (b), (c), (d), (f) or (g)
31 of section eleven hundred eighty of this chapter through the installa-
32 tion and operation of photo speed violation monitoring systems, in
33 accordance with article thirty of this chapter; or to comply with bus
34 lane restrictions as defined by article twenty-four of this chapter
35 through the installation and operation of bus lane photo devices, in
36 accordance with article twenty-four of this chapter; or to comply with
37 toll collection regulations of certain public authorities through the
38 installation and operation of photo-monitoring systems, in accordance
39 with the provisions of section two thousand nine hundred eighty-five of
40 the public authorities law and sections sixteen-a, sixteen-b and
41 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
42 hundred fifty; or to stop for a school bus displaying a red visual
43 signal in violation of section eleven hundred seventy-four of this chap-
44 ter through the installation and operation of school bus photo violation
45 monitoring systems, in accordance with article twenty-nine of this chap-
46 ter; or to comply with certain posted maximum speed limits in violation
47 of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of
48 this chapter within a highway construction or maintenance work area
49 through the installation and operation of photo speed violation monitor-
50 ing systems, in accordance with article thirty of this chapter; or to
51 comply with certain posted maximum speed limits in violation of subdivi-
52 sion (b), (d), (f) or (g) of section eleven hundred eighty-h of this
53 chapter within a highway safety corridor through the installation and
54 operation of photo speed violation monitoring systems, in accordance
55 with article thirty of this chapter; or to comply with gross vehicle
56 weight and/or axle weight restrictions in violation of section three

1 hundred eighty-five of this chapter and the rules of the department of
2 transportation of the city of New York through the installation and
3 operation of weigh in motion violation monitoring systems, in accordance
4 with article ten of this chapter; or to comply with bus operation-relat-
5 ed traffic regulations as defined by article twenty-four of this chapter
6 in violation of the rules of the department of transportation of the
7 city of New York through the installation and operation of bus opera-
8 tion-related photo devices, in accordance with article twenty-four of
9 this chapter.

10 § 6. Subdivisions 1 and 1-a of section 240 of the vehicle and traffic
11 law, as amended by section 5 of part MM of chapter 56 of the laws of
12 2023, are amended to read as follows:

13 1. Notice of hearing. Whenever a person charged with a parking
14 violation enters a plea of not guilty; or a person alleged to be liable
15 in accordance with any provisions of law specifically authorizing the
16 imposition of monetary liability on the owner of a vehicle for failure
17 of an operator thereof: to comply with traffic-control indications in
18 violation of subdivision (d) of section eleven hundred eleven of this
19 chapter through the installation and operation of traffic-control signal
20 photo violation-monitoring systems, in accordance with article twenty-
21 four of this chapter; or to comply with certain posted maximum speed
22 limits in violation of subdivision (b), (c), (d), (f) or (g) of section
23 eleven hundred eighty of this chapter through the installation and oper-
24 ation of photo speed violation monitoring systems, in accordance with
25 article thirty of this chapter; or to comply with bus lane restrictions
26 as defined by article twenty-four of this chapter through the installa-
27 tion and operation of bus lane photo devices, in accordance with article
28 twenty-four of this chapter; or to comply with toll collection regu-
29 lations of certain public authorities through the installation and oper-
30 ation of photo-monitoring systems, in accordance with the provisions of
31 section two thousand nine hundred eighty-five of the public authorities
32 law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven
33 hundred seventy-four of the laws of nineteen hundred fifty; or to stop
34 for a school bus displaying a red visual signal in violation of section
35 eleven hundred seventy-four of this chapter through the installation and
36 operation of school bus photo violation monitoring systems, in accord-
37 ance with article twenty-nine of this chapter; or to comply with certain
38 posted maximum speed limits in violation of subdivision (b), (d), (f) or
39 (g) of section eleven hundred eighty of this chapter within a highway
40 construction or maintenance work area through the installation and oper-
41 ation of photo speed violation monitoring systems, in accordance with
42 article thirty of this chapter; or to comply with certain posted maximum
43 speed limits in violation of subdivision (b), (d), (f) or (g) of section
44 eleven hundred eighty-h of this chapter within a highway safety corridor
45 through the installation and operation of photo speed violation monitor-
46 ing systems, in accordance with article thirty of this chapter; or to
47 comply with gross vehicle weight and/or axle weight restrictions in
48 violation of section three hundred eighty-five of this chapter and the
49 rules of the department of transportation of the city of New York
50 through the installation and operation of weigh in motion violation
51 monitoring systems, in accordance with article ten of this chapter; or
52 to comply with bus operation-related traffic regulations as defined by
53 article twenty-four of this chapter in violation of the rules of the
54 department of transportation of the city of New York through the instal-
55 lation and operation of bus operation-related photo devices, in accord-
56 ance with article twenty-four of this chapter, contests such allegation,

1 the bureau shall advise such person personally by such form of first
2 class mail as the director may direct of the date on which [~~he or she~~]
3 the person must appear to answer the charge at a hearing. The form and
4 content of such notice of hearing shall be prescribed by the director,
5 and shall contain a warning to advise the person so pleading or contest-
6 ing that failure to appear on the date designated, or on any subsequent
7 adjourned date, shall be deemed an admission of liability, and that a
8 default judgment may be entered thereon.

9 1-a. Fines and penalties. Whenever a plea of not guilty has been
10 entered, or the bureau has been notified that an allegation of liability
11 in accordance with provisions of law specifically authorizing the im-
12 position of monetary liability on the owner of a vehicle for failure of an
13 operator thereof: to comply with traffic-control indications in
14 violation of subdivision (d) of section eleven hundred eleven of this
15 chapter through the installation and operation of traffic-control signal
16 photo violation-monitoring systems, in accordance with article twenty-
17 four of this chapter; or to comply with certain posted maximum speed
18 limits in violation of subdivision (b), (c), (d), (f) or (g) of section
19 eleven hundred eighty of this chapter through the installation and oper-
20 ation of photo speed violation monitoring systems, in accordance with
21 article thirty of this chapter; or to comply with bus lane restrictions
22 as defined by article twenty-four of this chapter through the installa-
23 tion and operation of bus lane photo devices, in accordance with article
24 twenty-four of this chapter; or to comply with toll collection regu-
25 lations of certain public authorities through the installation and oper-
26 ation of photo-monitoring systems, in accordance with the provisions of
27 section two thousand nine hundred eighty-five of the public authorities
28 law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven
29 hundred seventy-four of the laws of nineteen hundred fifty; or to stop
30 for a school bus displaying a red visual signal in violation of section
31 eleven hundred seventy-four of this chapter through the installation and
32 operation of school bus photo violation monitoring systems, in accord-
33 ance with article twenty-nine of this chapter; or to comply with certain
34 posted maximum speed limits in violation of subdivision (b), (d), (f) or
35 (g) of section eleven hundred eighty of this chapter within a highway
36 construction or maintenance work area through the installation and oper-
37 ation of photo speed violation monitoring systems, in accordance with
38 article thirty of this chapter; or to comply with certain posted maximum
39 speed limits in violation of subdivision (b), (d), (f) or (g) of section
40 eleven hundred eighty-h of this chapter within a highway safety corridor
41 through the installation and operation of photo speed violation monitor-
42 ing systems, in accordance with article thirty of this chapter; or to
43 comply with gross vehicle weight and/or axle weight restrictions in
44 violation of section three hundred eighty-five of this chapter and the
45 rules of the department of transportation of the city of New York
46 through the installation and operation of weigh in motion violation
47 monitoring systems, in accordance with article ten of this chapter; or
48 to comply with bus operation-related traffic regulations as defined by
49 article twenty-four of this chapter in violation of the rules of the
50 department of transportation of the city of New York through the instal-
51 lation and operation of bus operation-related photo devices, in accord-
52 ance with article twenty-four of this chapter, is being contested, by a
53 person in a timely fashion and a hearing upon the merits has been
54 demanded, but has not yet been held, the bureau shall not issue any
55 notice of fine or penalty to that person prior to the date of the hear-
56 ing.

§ 7. Paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law, as amended by section 6 of part MM of chapter 56 laws of 2023, are amended to read as follows:

a. Every hearing for the adjudication of a charge of parking violation or an allegation of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic-control indications through the installation and operation of traffic-control signal photo violation-monitoring systems, in accordance with article twenty-four of this chapter, or an allegation of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with certain posted maximum speed limits through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter, or an allegation of liability of an owner for a violation of bus lane restrictions as defined by article twenty-four of this chapter imposed pursuant to a bus rapid transit program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such bus lane restrictions through the installation and operation of bus lane photo devices, in accordance with article twenty-four of this chapter, or an allegation of liability of an owner for a violation of toll collection regulations imposed by certain public authorities pursuant to the law authorizing such public authorities to impose monetary liability on the owner of a vehicle for failure of an operator thereof to comply with toll collection regulations of such public authorities through the installation and operation of photo-monitoring systems, in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, or an allegation of liability of an owner for a violation of section eleven hundred seventy-four of this chapter when meeting a school bus marked and equipped as provided in subdivisions twenty and twenty-one-c of section three hundred seventy-five of this chapter imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with school bus red visual signals through the installation and operation of school bus photo violation monitoring systems, in accordance with article twenty-nine of this chapter, or an allegation of liability of an owner for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with certain posted maximum speed limits within a highway construction or maintenance work area through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter, or an allegation of liability of an owner for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty-h of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with certain posted maximum speed limits in violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty-h of this chapter within a highway safety corridor through the installation and operation of photo speed violation monitoring systems, in

1 accordance with article thirty of this chapter, or an allegation of
2 liability of an owner for a violation of section three hundred eighty-
3 five of this chapter and the rules of the department of transportation
4 of the city of New York in relation to gross vehicle weight and/or axle
5 weight violations imposed pursuant to a weigh in motion demonstration
6 program imposing monetary liability on the owner of a vehicle for fail-
7 ure of an operator thereof to comply with such gross vehicle weight
8 and/or axle weight restrictions through the installation and operation
9 of weigh in motion violation monitoring systems, in accordance with
10 article ten of this chapter, or an allegation of liability of an owner
11 for a violation of bus operation-related traffic regulations as defined
12 by article twenty-four of this chapter imposed pursuant to a demon-
13 stration program imposing monetary liability on the owner of a vehicle
14 for failure of an operator thereof to comply with such bus operation-re-
15 lated traffic regulations through the installation and operation of bus
16 operation-related photo devices, in accordance with article twenty-four
17 of this chapter, shall be held before a hearing examiner in accordance
18 with rules and regulations promulgated by the bureau.

19 g. A record shall be made of a hearing on a plea of not guilty or of a
20 hearing at which liability in accordance with any provisions of law
21 specifically authorizing the imposition of monetary liability on the
22 owner of a vehicle for failure of an operator thereof: to comply with
23 traffic-control indications in violation of subdivision (d) of section
24 eleven hundred eleven of this chapter through the installation and oper-
25 ation of traffic-control signal photo violation-monitoring systems, in
26 accordance with article twenty-four of this chapter; to comply with
27 certain posted maximum speed limits in violation of subdivision (b),
28 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter
29 through the installation and operation of photo speed violation monitor-
30 ing systems, in accordance with article thirty of this chapter; to
31 comply with bus lane restrictions as defined by article twenty-four of
32 this chapter through the installation and operation of bus lane photo
33 devices, in accordance with article twenty-four of this chapter; to
34 comply with toll collection regulations of certain public authorities
35 through the installation and operation of photo-monitoring systems, in
36 accordance with the provisions of section two thousand nine hundred
37 eighty-five of the public authorities law and sections sixteen-a,
38 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the
39 laws of nineteen hundred fifty; to stop for a school bus displaying a
40 red visual signal in violation of section eleven hundred seventy-four of
41 this chapter through the installation and operation of school bus photo
42 violation monitoring systems, in accordance with article twenty-nine of
43 this chapter; to comply with certain posted maximum speed limits in
44 violation of subdivision (b), (d), (f) or (g) of section eleven hundred
45 eighty of this chapter within a highway construction or maintenance work
46 area through the installation and operation of photo speed violation
47 monitoring systems, in accordance with article thirty of this chapter;
48 or an allegation of liability of an owner for a violation of subdivision
49 (b), (d), (f) or (g) of section eleven hundred eighty-h of this chapter
50 imposed pursuant to a demonstration program imposing monetary liability
51 on the owner of a vehicle for failure of an operator thereof to comply
52 with certain posted maximum speed limits within a highway safety corri-
53 dor through the installation and operation of photo speed violation
54 monitoring systems, in accordance with article thirty of this chapter,
55 or to comply with gross vehicle weight and/or axle weight restrictions
56 in violation of section three hundred eighty-five of this chapter and

1 the rules of the department of transportation of the city of New York
2 through the installation and operation of weigh in motion violation
3 monitoring systems, in accordance with article ten of this chapter; or
4 to comply with bus operation-related traffic regulations as defined by
5 article twenty-four of this chapter in violation of the rules of the
6 department of transportation of the city of New York through the instal-
7 lation and operation of bus operation-related photo devices, in accord-
8 ance with article twenty-four of this chapter, is contested. Recording
9 devices may be used for the making of the record.

10 § 8. Subdivisions 1 and 2 of section 241 of the vehicle and traffic
11 law, as amended by section 7 of part MM of chapter 56 of the laws of
12 2023, are amended to read as follows:

13 1. The hearing examiner shall make a determination on the charges,
14 either sustaining or dismissing them. Where the hearing examiner deter-
15 mines that the charges have been sustained [~~he or she~~] the hearing exam-
16 iner may examine either the prior parking violations record or the
17 record of liabilities incurred in accordance with any provisions of law
18 specifically authorizing the imposition of monetary liability on the
19 owner of a vehicle for failure of an operator thereof: to comply with
20 traffic-control indications in violation of subdivision (d) of section
21 eleven hundred eleven of this chapter through the installation and oper-
22 ation of traffic-control signal photo violation-monitoring systems, in
23 accordance with article twenty-four of this chapter; to comply with
24 certain posted maximum speed limits in violation of subdivision (b),
25 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter
26 through the installation and operation of photo speed violation monitor-
27 ing systems, in accordance with article thirty of this chapter; to
28 comply with certain posted maximum speed limits in violation of subdivi-
29 sion (b), (d), (f) or (g) of section eleven hundred eighty-h of this
30 chapter within a highway safety corridor through the installation and
31 operation of photo speed violation monitoring systems, in accordance
32 with article thirty of this chapter; to comply with bus lane
33 restrictions as defined by article twenty-four of this chapter through
34 the installation and operation of bus lane photo devices, in accordance
35 with article twenty-four of this chapter; to comply with toll collection
36 regulations of certain public authorities through the installation and
37 operation of photo-monitoring systems, in accordance with the provisions
38 of section two thousand nine hundred eighty-five of the public authori-
39 ties law and sections sixteen-a, sixteen-b and sixteen-c of chapter
40 seven hundred seventy-four of the laws of nineteen hundred fifty; to
41 stop for a school bus displaying a red visual signal in violation of
42 section eleven hundred seventy-four of this chapter through the instal-
43 lation and operation of school bus photo violation monitoring systems,
44 in accordance with article twenty-nine of this chapter; to comply with
45 certain posted maximum speed limits in violation of subdivision (b),
46 (d), (f) or (g) of section eleven hundred eighty of this chapter within
47 a highway construction or maintenance work area through the installation
48 and operation of photo speed violation monitoring systems, in accordance
49 with article thirty of this chapter; to comply with gross vehicle weight
50 and/or axle weight restrictions in violation of section three hundred
51 eighty-five of this chapter and the rules of the department of transpor-
52 tation of the city of New York through the installation and operation of
53 weigh in motion violation monitoring systems, in accordance with article
54 ten of this chapter; or to comply with bus operation-related traffic
55 regulations as defined by article twenty-four of this chapter in
56 violation of the rules of the department of transportation of the city

1 of New York through the installation and operation of bus operation-re-
2 lated photo devices, in accordance with article twenty-four of this
3 chapter, of the person charged, as applicable prior to rendering a final
4 determination. Final determinations sustaining or dismissing charges
5 shall be entered on a final determination roll maintained by the bureau
6 together with records showing payment and nonpayment of penalties.

7 2. Where an operator or owner fails to enter a plea to a charge of a
8 parking violation or contest an allegation of liability in accordance
9 with any provisions of law specifically authorizing the imposition of
10 monetary liability on the owner of a vehicle for failure of an operator
11 thereof: to comply with traffic-control indications in violation of
12 subdivision (d) of section eleven hundred eleven of this chapter through
13 the installation and operation of traffic-control signal photo viola-
14 tion-monitoring systems, in accordance with article twenty-four of this
15 chapter; to comply with certain posted maximum speed limits in violation
16 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred
17 eighty of this chapter through the installation and operation of photo
18 speed violation monitoring systems, in accordance with article thirty of
19 this chapter; to comply with certain posted maximum speed limits in
20 violation of subdivision (b), (d), (f) or (g) of section eleven hundred
21 eighty-h of this chapter within a highway safety corridor through the
22 installation and operation of photo speed violation monitoring systems,
23 in accordance with article thirty of this chapter; to comply with bus
24 lane restrictions as defined by article twenty-four of this chapter
25 through the installation and operation of bus lane photo devices, in
26 accordance with article twenty-four of this chapter; to comply with toll
27 collection regulations of certain public authorities through the instal-
28 lation and operation of photo-monitoring systems, in accordance with the
29 provisions of section two thousand nine hundred eighty-five of the
30 public authorities law and sections sixteen-a, sixteen-b and sixteen-c
31 of chapter seven hundred seventy-four of the laws of nineteen hundred
32 fifty; to stop for a school bus displaying a red visual signal in
33 violation of section eleven hundred seventy-four of this chapter through
34 the installation and operation of school bus photo violation monitoring
35 systems, in accordance with article twenty-nine of this chapter; to
36 comply with certain posted maximum speed limits in violation of subdivi-
37 sion (b), (d), (f) or (g) of section eleven hundred eighty of this chap-
38 ter within a highway construction or maintenance work area through the
39 installation and operation of photo speed violation monitoring systems,
40 in accordance with article thirty of this chapter; to comply with gross
41 vehicle weight and/or axle weight restrictions in violation of section
42 three hundred eighty-five of this chapter and the rules of the depart-
43 ment of transportation of the city of New York through the installation
44 and operation of weigh in motion violation monitoring systems, in
45 accordance with article ten of this chapter; or to comply with bus oper-
46 ation-related traffic regulations as defined by article twenty-four of
47 this chapter in violation of the rules of the department of transporta-
48 tion of the city of New York through the installation and operation of
49 bus operation-related photo devices, in accordance with article twenty-
50 four of this chapter, or fails to appear on a designated hearing date or
51 subsequent adjourned date or fails after a hearing to comply with the
52 determination of a hearing examiner, as prescribed by this article or by
53 rule or regulation of the bureau, such failure to plead or contest,
54 appear or comply shall be deemed, for all purposes, an admission of
55 liability and shall be grounds for rendering and entering a default
56 judgment in an amount provided by the rules and regulations of the

1 bureau. However, after the expiration of the original date prescribed
2 for entering a plea and before a default judgment may be rendered, in
3 such case the bureau shall pursuant to the applicable provisions of law
4 notify such operator or owner, by such form of first class mail as the
5 commission may direct; (1) of the violation charged, or liability
6 alleged in accordance with any provisions of law specifically authoriz-
7 ing the imposition of monetary liability on the owner of a vehicle for
8 failure of an operator thereof: to comply with traffic-control indi-
9 cations in violation of subdivision (d) of section eleven hundred eleven
10 of this chapter through the installation and operation of traffic-con-
11 trol signal photo violation-monitoring systems, in accordance with arti-
12 cle twenty-four of this chapter; to comply with certain posted maximum
13 speed limits in violation of subdivision (b), (c), (d), (f) or (g) of
14 section eleven hundred eighty of this chapter through the installation
15 and operation of photo speed violation monitoring systems, in accordance
16 with article thirty of this chapter; to comply with bus lane
17 restrictions as defined by article twenty-four of this chapter through
18 the installation and operation of bus lane photo devices, in accordance
19 with article twenty-four of this chapter; to comply with toll collection
20 regulations of certain public authorities through the installation and
21 operation of photo-monitoring systems, in accordance with the provisions
22 of section two thousand nine hundred eighty-five of the public authori-
23 ties law and sections sixteen-a, sixteen-b and sixteen-c of chapter
24 seven hundred seventy-four of the laws of nineteen hundred fifty; to
25 stop for a school bus displaying a red visual signal in violation of
26 section eleven hundred seventy-four of this chapter through the instal-
27 lation and operation of school bus photo violation monitoring systems,
28 in accordance with article twenty-nine of this chapter; to comply with
29 certain posted maximum speed limits in violation of subdivision (b),
30 (d), (f) or (g) of section eleven hundred eighty of this chapter within
31 a highway construction or maintenance work area through the installation
32 and operation of photo speed violation monitoring systems, in accordance
33 with article thirty of this chapter; or to comply with certain posted
34 maximum speed limits in violation of subdivision (b), (d), (f) or (g) of
35 section eleven hundred eighty-h of this chapter within a highway safety
36 corridor through the installation and operation of photo speed violation
37 monitoring systems, in accordance with article thirty of this chapter;
38 to comply with gross vehicle weight and/or axle weight restrictions in
39 violation of section three hundred eighty-five of this chapter and the
40 rules of the department of transportation of the city of New York
41 through the installation and operation of weigh in motion violation
42 monitoring systems, in accordance with article ten of this chapter; or
43 to comply with bus operation-related traffic regulations as defined by
44 article twenty-four of this chapter in violation of the rules of the
45 department of transportation of the city of New York through the instal-
46 lation and operation of bus operation-related photo devices, in accord-
47 ance with article twenty-four of this chapter, (2) of the impending
48 default judgment, (3) that such judgment will be entered in the Civil
49 Court of the city in which the bureau has been established, or other
50 court of civil jurisdiction or any other place provided for the entry of
51 civil judgments within the state of New York, and (4) that a default may
52 be avoided by entering a plea or contesting an allegation of liability
53 in accordance with any provisions of law specifically authorizing the
54 imposition of monetary liability on the owner of a vehicle for failure
55 of an operator thereof: to comply with traffic-control indications in
56 violation of subdivision (d) of section eleven hundred eleven of this

chapter through the installation and operation of traffic-control signal photo violation-monitoring systems, in accordance with article twenty-four of this chapter; to comply with certain posted maximum speed limits in violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter; to comply with bus lane restrictions as defined by article twenty-four of this chapter through the installation and operation of bus lane photo devices, in accordance with article twenty-four of this chapter; to comply with toll collection regulations of certain public authorities through the installation and operation of photo-monitoring systems, in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty; to stop for a school bus displaying a red visual signal in violation of section eleven hundred seventy-four of this chapter through the installation and operation of school bus photo violation monitoring systems, in accordance with article twenty-nine of this chapter; to comply with certain posted maximum speed limits in violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter within a highway construction or maintenance work area through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter; to comply with gross vehicle weight and/or axle weight restrictions in violation of section three hundred eighty-five of this chapter and the rules of the department of transportation of the city of New York through the installation and operation of weigh in motion violation monitoring systems, in accordance with article ten of this chapter; or to comply with bus operation-related traffic regulations as defined by article twenty-four of this chapter in violation of the rules of the department of transportation of the city of New York through the installation and operation of bus operation-related photo devices, in accordance with article twenty-four of this chapter; or making an appearance within thirty days of the sending of such notice. Pleas entered and allegations contested within that period shall be in the manner prescribed in the notice and not subject to additional penalty or fee. Such notice of impending default judgment shall not be required prior to the rendering and entry thereof in the case of operators or owners who are non-residents of the state of New York. In no case shall a default judgment be rendered or, where required, a notice of impending default judgment be sent, more than two years after the expiration of the time prescribed for entering a plea or contesting an allegation. When a person has demanded a hearing, no fine or penalty shall be imposed for any reason, prior to the holding of the hearing. If the hearing examiner shall make a determination on the charges, sustaining them, ~~[he or she]~~ the hearing examiner shall impose no greater penalty or fine than those upon which the person was originally charged.

§ 9. Paragraph a of subdivision 5-a of section 401 of the vehicle and traffic law, as separately added by chapters 421, 460 and 773 of the laws of 2021, subparagraph (i) as amended by section 8 of part MM of chapter 56 of the laws of 2023, is amended to read as follows:

a. ~~(i)~~ If at the time of application for a registration or renewal thereof there is a certification from a court, parking violations bureau, traffic and parking violations agency or administrative tribunal of appropriate jurisdiction that the registrant or ~~[his or her]~~ the registrant's representative failed to appear on the return date or any

1 subsequent adjourned date or failed to comply with the rules and regu-
2 lations of an administrative tribunal following entry of a final deci-
3 sion in response to a total of three or more summonses or other process
4 in the aggregate, issued within an eighteen month period, charging
5 either that: (i) such motor vehicle was parked, stopped or standing, or
6 that such motor vehicle was operated for hire by the registrant or [~~his~~
7 ~~or her~~] the registrant's agent without being licensed as a motor vehicle
8 for hire by the appropriate local authority, in violation of any of the
9 provisions of this chapter or of any law, ordinance, rule or regulation
10 made by a local authority; or (ii) the registrant was liable for a
11 violation of subdivision (d) of section eleven hundred eleven of this
12 chapter imposed pursuant to a local law or ordinance imposing monetary
13 liability on the owner of a vehicle for failure of an operator thereof
14 to comply with traffic-control indications through the installation and
15 operation of traffic-control signal photo violation-monitoring systems,
16 in accordance with article twenty-four of this chapter; or (iii) the
17 registrant was liable for a violation of subdivision (b), (c), (d), (f)
18 or (g) of section eleven hundred eighty of this chapter imposed pursuant
19 to a demonstration program imposing monetary liability on the owner of a
20 vehicle for failure of an operator thereof to comply with such posted
21 maximum speed limits through the installation and operation of photo
22 speed violation monitoring systems, in accordance with article thirty of
23 this chapter; or (iv) the registrant was liable for a violation of bus
24 lane restrictions as defined by article twenty-four of this chapter
25 imposed pursuant to a bus rapid transit program imposing monetary
26 liability on the owner of a vehicle for failure of an operator thereof
27 to comply with such bus lane restrictions through the installation and
28 operation of bus lane photo devices, in accordance with article twenty-
29 four of this chapter; or (v) the registrant was liable for a violation
30 of section eleven hundred seventy-four of this chapter when meeting a
31 school bus marked and equipped as provided in subdivisions twenty and
32 twenty-one-c of section three hundred seventy-five of this chapter
33 imposed pursuant to a local law or ordinance imposing monetary liability
34 on the owner of a vehicle for failure of an operator thereof to comply
35 with school bus red visual signals through the installation and opera-
36 tion of school bus photo violation monitoring systems, in accordance
37 with article twenty-nine of this chapter; or (vi) the registrant was
38 liable for a violation of section three hundred eighty-five of this
39 chapter and the rules of the department of transportation of the city of
40 New York in relation to gross vehicle weight and/or axle weight
41 violations imposed pursuant to a weigh in motion demonstration program
42 imposing monetary liability on the owner of a vehicle for failure of an
43 operator thereof to comply with such gross vehicle weight and/or axle
44 weight restrictions through the installation and operation of weigh in
45 motion violation monitoring systems, in accordance with article ten of
46 this chapter; or (vii) the registrant was liable for a violation of
47 subdivision (b), (d), (f) or (g) of section eleven hundred eighty of
48 this chapter imposed pursuant to a demonstration program imposing mone-
49 tary liability on the owner of a vehicle for failure of an operator
50 thereof to comply with such posted maximum speed limits within a highway
51 construction or maintenance work area through the installation and oper-
52 ation of photo speed violation monitoring systems, in accordance with
53 article thirty of this chapter, or (viii) the registrant was liable for
54 a violation of subdivision (b), (d), (f) or (g) of section eleven
55 hundred eighty-h of this chapter imposed pursuant to a demonstration
56 program imposing monetary liability on the owner of a vehicle for fail-

ure of an operator thereof to comply with such posted maximum speed limits within a highway safety corridor through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter, or (ix) the registrant was liable for a violation of bus operation-related traffic regulations as defined by article twenty-four of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such bus operation-related traffic regulations through the installation and operation of bus operation-related photo devices, in accordance with article twenty-four of this chapter, the commissioner or ~~[his or her]~~ the commissioner's agent shall deny the registration or renewal application until the applicant provides proof from the court, traffic and parking violations agency or administrative tribunal wherein the charges are pending that an appearance or answer has been made or in the case of an administrative tribunal that ~~[he or she]~~ the registrant has complied with the rules and regulations of said tribunal following entry of a final decision. Where an application is denied pursuant to this section, the commissioner may, in ~~[his or her]~~ the commissioner's discretion, deny a registration or renewal application to any other person for the same vehicle and may deny a registration or renewal application for any other motor vehicle registered in the name of the applicant where the commissioner has determined that such registrant's intent has been to evade the purposes of this subdivision and where the commissioner has reasonable grounds to believe that such registration or renewal will have the effect of defeating the purposes of this subdivision. Such denial shall only remain in effect as long as the summonses remain unanswered, or in the case of an administrative tribunal, the registrant fails to comply with the rules and regulations following entry of a final decision.

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

§ 10. Subdivision 1-a of section 1809 of the vehicle and traffic law, as amended by section 9 of part MM of chapter 56 of the laws of 2023, is amended to read as follows:

1-a. Notwithstanding the provisions of subdivision one of this section, the provisions of subdivision one of this section shall not apply to an adjudication of liability of owners: (a) for violations of subdivision (d) of section eleven hundred eleven of this chapter imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic-control indications through the installation and operation of traffic-control signal photo violation-monitoring systems, in accordance with article twenty-four of this chapter; or (b) for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such posted maximum speed limits through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter; or (c) for violations of bus lane restrictions as defined by article twenty-four of this chapter imposed pursuant to a bus rapid transit program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such bus lane restrictions through the installation and operation of bus lane photo devices, in accordance with article twenty-four of this chapter; or (d) for violations of toll collection regu-

lations imposed by certain public authorities pursuant to the law authorizing such public authorities to impose monetary liability on the owner of a vehicle for failure of an operator thereof to comply with toll collection regulations of such public authorities through the installation and operation of photo-monitoring systems, in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty; or (e) for violations of section eleven hundred seventy-four of this chapter when meeting a school bus marked and equipped as provided in subdivisions twenty and twenty-one-c of section three hundred seventy-five of this chapter imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with school bus red visual signals through the installation and operation of school bus photo violation monitoring systems, in accordance with article twenty-nine of this chapter; or (f) for violations of section three hundred eighty-five of this chapter and the rules of the department of transportation of the city of New York in relation to gross vehicle weight and/or axle weight violations imposed pursuant to a weigh in motion demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such gross vehicle weight and/or axle weight restrictions through the installation and operation of weigh in motion violation monitoring systems, in accordance with article ten of this chapter; or (g) for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such posted maximum speed limits within a highway construction or maintenance work area through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter; or (h) for violations of bus operation-related traffic regulations as defined by article twenty-four of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such bus operation-related traffic regulations through the installation and operation of bus operation-related photo devices, in accordance with article twenty-four of this chapter; or (h) for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty-h of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such posted maximum speed limits within a highway construction or maintenance work area through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter.

§ 11. Paragraph a of subdivision 1 of section 1809-e of the vehicle and traffic law, as amended by section 12 of part MM of chapter 56 of the laws of 2023, 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: (i) a traffic infraction involving standing, stopping, or parking or violations by pedestrians or bicyclists; and (ii) an adjudication of liability of an

1 owner for a violation of subdivision (d) of section eleven hundred elev-
2 en of this chapter imposed pursuant to a local law or ordinance imposing
3 monetary liability on the owner of a vehicle for failure of an operator
4 thereof to comply with traffic-control indications through the installa-
5 tion and operation of traffic-control signal photo violation-monitoring
6 systems, in accordance with article twenty-four of this chapter; and
7 (iii) an adjudication of liability of an owner for a violation of subdivi-
8 sion (b), (c), (d), (f) or (g) of section eleven hundred eighty of
9 this chapter imposed pursuant to a demonstration program imposing mone-
10 tary liability on the owner of a vehicle for failure of an operator
11 thereof to comply with such posted maximum speed limits through the
12 installation and operation of photo speed violation monitoring systems,
13 in accordance with article thirty of this chapter; and (iv) an adjudi-
14 cation of liability of an owner for a violation of bus lane restrictions
15 as defined by article twenty-four of this chapter imposed pursuant to a
16 bus rapid transit program imposing monetary liability on the owner of a
17 vehicle for failure of an operator thereof to comply with such bus lane
18 restrictions through the installation and operation of bus lane photo
19 devices, in accordance with article twenty-four of this chapter; and (v)
20 an adjudication of liability of an owner for a violation of toll
21 collection regulations imposed by certain public authorities pursuant to
22 the law authorizing such public authorities to impose monetary liability
23 on the owner of a vehicle for failure of an operator thereof to comply
24 with toll collection regulations of such public authorities through the
25 installation and operation of photo-monitoring systems, in accordance
26 with section two thousand nine hundred eighty-five of the public author-
27 ities law or sections sixteen-a, sixteen-b and sixteen-c of chapter
28 seven hundred seventy-four of the laws of nineteen hundred fifty; and
29 (vi) an adjudication of liability of an owner for a violation of section
30 eleven hundred seventy-four of this chapter when meeting a school bus
31 marked and equipped as provided in subdivisions twenty and twenty-one-c
32 of section three hundred seventy-five of this chapter imposed pursuant
33 to a local law or ordinance imposing monetary liability on the owner of
34 a vehicle for failure of an operator thereof to comply with school bus
35 red visual signals through the installation and operation of school bus
36 photo violation monitoring systems, in accordance with article twenty-
37 nine of this chapter; and (vii) an adjudication of liability of an owner
38 for a violation of section three hundred eighty-five of this chapter and
39 the rules of the department of transportation of the city of New York in
40 relation to gross vehicle weight and/or axle weight violations imposed
41 pursuant to a weigh in motion demonstration program imposing monetary
42 liability on the owner of a vehicle for failure of an operator thereof
43 to comply with such gross vehicle weight and/or axle weight restrictions
44 through the installation and operation of weigh in motion violation
45 monitoring systems, in accordance with article ten of this chapter; and
46 (viii) an adjudication of liability of an owner for a violation of
47 subdivision (b), (d), (f) or (g) of section eleven hundred eighty of
48 this chapter imposed pursuant to a demonstration program imposing mone-
49 tary liability on the owner of a vehicle for failure of an operator
50 thereof to comply with such posted maximum speed limits within a highway
51 construction or maintenance work area through the installation and oper-
52 ation of photo speed violation monitoring systems, in accordance with
53 article thirty of this chapter; and (ix) an adjudication of liability of
54 an owner for a violation of subdivision (b), (d), (f) or (g) of section
55 eleven hundred eighty-h of this chapter imposed pursuant to a demon-
56 stration program imposing monetary liability on the owner of a vehicle

1 for failure of an operator thereof to comply with such posted maximum
2 speed limits within a highway safety corridor through the installation
3 and operation of photo speed violation monitoring systems, in accordance
4 with article thirty of this chapter, and [~~ix~~] (x) an adjudication of
5 liability of an owner for a violation of bus operation-related traffic
6 regulations as defined by article twenty-four of this chapter imposed
7 pursuant to a demonstration program imposing monetary liability on the
8 owner of a vehicle for failure of an operator thereof to comply with
9 such bus operation-related traffic regulations through the installation
10 and operation of bus operation-related photo devices, in accordance with
11 article twenty-four of this chapter, 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 § 12. Section 371-a of the general municipal law, as separately added
15 by chapters 421, 460 and 773 of the laws of 2021, is amended to read as
16 follows:

17 § 371-a. Additional jurisdiction and procedure related to the adjudi-
18 cation of certain notices of liability. A traffic violations bureau
19 established pursuant to subdivision one and a traffic and parking
20 violations agency established pursuant to subdivision two of section
21 three hundred seventy-one of this article may be authorized to adjudi-
22 cate, in accordance with the provisions of this article, the liability
23 of owners: (a) for violations of subdivision (d) of section eleven
24 hundred eleven of the vehicle and traffic law imposed pursuant to a
25 local law or ordinance imposing monetary liability on the owner of a
26 vehicle for failure of an operator thereof to comply with traffic-con-
27 trol indications through the installation and operation of traffic-con-
28 trol signal photo violation-monitoring systems, in accordance with arti-
29 cle twenty-four of the vehicle and traffic law; or (b) for violations of
30 section eleven hundred seventy-four of the vehicle and traffic law when
31 meeting a school bus marked and equipped as provided in subdivisions
32 twenty and twenty-one-c of section three hundred seventy-five of the
33 vehicle and traffic law imposed pursuant to a local law or ordinance
34 imposing monetary liability on the owner of a vehicle for failure of an
35 operator thereof to comply with school bus red visual signals through
36 the installation and operation of school bus photo violation monitoring
37 systems, in accordance with article twenty-nine of the vehicle and traf-
38 fic law; or (c) for violations of subdivision (b), (d), (f) or (g) of
39 section eleven hundred eighty of the vehicle and traffic law imposed
40 pursuant to a demonstration program imposing monetary liability on the
41 owner of a vehicle for failure of an operator thereof to comply with
42 such posted maximum speed limits within a highway construction or main-
43 tenance work area through the installation and operation of photo speed
44 violation monitoring systems, in accordance with article thirty of this
45 chapter; or (d) for violations of subdivision (b), (d), (f) or (g) of
46 section eleven hundred eighty-h of the vehicle and traffic law imposed
47 pursuant to a demonstration program imposing monetary liability on the
48 owner of a vehicle for failure of an operator thereof to comply with
49 such posted maximum speed limits within a highway construction or main-
50 tenance work area through the installation and operation of photo speed
51 violation monitoring systems, in accordance with article thirty of the
52 vehicle and traffic law.

53 § 13. The vehicle and traffic law is amended by adding a new section
54 1180-h to read as follows:

55 § 1180-h. Owner liability for failure of operator to comply with
56 certain posted maximum speed limits. (a) 1. Notwithstanding any other

1 provision of law, the commissioner is hereby authorized to establish a
2 demonstration program imposing monetary liability on the owner of a
3 vehicle for failure of an operator thereof to comply with posted maximum
4 speed limits in a highway safety corridor. The commissioner, in consul-
5 tation with the superintendent of the division of state police, shall
6 determine the location in the highway safety corridor in which to
7 install and operate photo speed violation monitoring systems. In select-
8 ing a location in a highway safety corridor in which to install and
9 operate a photo speed violation monitoring system, the commissioner
10 shall consider criteria including, but not limited to, the speed data,
11 crash history, and roadway geometry applicable to such highway safety
12 corridor. A photo speed violation monitoring system shall not be
13 installed or operated on a controlled-access highway exit ramp.

14 2. Notwithstanding any other provision of law, after holding a public
15 hearing in accordance with the public officers law and subsequent
16 approval of the establishment of a demonstration program in accordance
17 with this section by a majority of the members of the entire board of
18 the thruway authority, the chair is hereby authorized to establish a
19 demonstration program imposing monetary liability on the owner of a
20 vehicle for failure of an operator thereof to comply with posted maximum
21 speed limits in a highway safety corridor. The chair, in consultation
22 with the superintendent of the division of state police, shall determine
23 the location of the highway safety corridor located on the thruway in
24 which to install and operate photo speed violation monitoring systems.
25 In selecting an area in which to install and operate a photo speed
26 violation monitoring system, the chair shall consider criteria includ-
27 ing, but not limited to, the speed data, crash history, and roadway
28 geometry applicable to such highway safety corridor. A photo speed
29 violation monitoring system shall not be installed or operated on a
30 thruway exit ramp.

31 3. No photo speed violation monitoring system shall be used in a high-
32 way safety corridor unless (i) on the day it is to be used it has
33 successfully passed a self-test of its functions; and (ii) it has under-
34 gone an annual calibration check performed pursuant to paragraph five of
35 this subdivision. The commissioner or chair, as applicable, shall
36 install signs giving notice that a photo speed violation monitoring
37 system is in use, in conformance with standards established in the
38 MUTCD.

39 4. Operators of photo speed violation monitoring systems shall have
40 completed training in the procedures for setting up, testing, and oper-
41 ating such systems. Each such operator shall complete and sign a daily
42 set-up log for each such system that the operator operates that (i)
43 states the date and time when, and the location where, the system was
44 set up that day, and (ii) states that such operator successfully
45 performed, and the system passed, the self-tests of such system before
46 producing a recorded image that day. The commissioner or the chair, as
47 applicable, shall retain each such daily log until the later of the date
48 on which the photo speed violation monitoring system to which it applies
49 has been permanently removed from use or the final resolution of all
50 cases involving notices of liability issued based on photographs, micro-
51 photographs, video or other recorded images produced by such system.

52 5. Each photo speed violation monitoring system shall undergo an annu-
53 al calibration check performed by an independent calibration laboratory
54 which shall issue a signed certificate of calibration. The commissioner
55 or the chair, as applicable, shall keep each such annual certificate of
56 calibration on file until the final resolution of all cases involving a

1 notice of liability issued during such year which were based on photo-
2 graphs, microphotographs, videotape or other recorded images produced by
3 such photo speed violation monitoring system.

4 6. (i) Such demonstration program shall utilize necessary technologies
5 to ensure, to the extent practicable, that photographs, microphoto-
6 graphs, videotape or other recorded images produced by such photo speed
7 violation monitoring systems shall not include images that identify the
8 driver, the passengers, or the contents of the vehicle. Provided, howev-
9 er, that no notice of liability issued pursuant to this section shall be
10 dismissed solely because such a photograph, microphotograph, videotape
11 or other recorded image allows for the identification of the driver, the
12 passengers, or the contents of vehicles where the commissioner or the
13 chair, as applicable, shows that they made reasonable efforts to comply
14 with the provisions of this paragraph in such case.

15 (ii) Photographs, microphotographs, videotape or any other recorded
16 image from a photo speed violation monitoring system shall be for the
17 exclusive use of the commissioner or the chair, as applicable, for the
18 purpose of the adjudication of liability imposed pursuant to this
19 section and of the owner receiving a notice of liability pursuant to
20 this section, and shall be destroyed by the commissioner or chair, as
21 applicable, upon the final resolution of the notice of liability to
22 which such photographs, microphotographs, videotape or other recorded
23 images relate, or one year following the date of issuance of such notice
24 of liability, whichever is later. Notwithstanding the provisions of any
25 other law, rule or regulation to the contrary, photographs, microphoto-
26 graphs, videotape or any other recorded image from a photo speed
27 violation monitoring system shall not be open to the public, nor subject
28 to civil or criminal process or discovery, nor used by any court or
29 administrative or adjudicatory body in any action or proceeding therein
30 except that which is necessary for the adjudication of a notice of
31 liability issued pursuant to this section, and no public entity or
32 employee, officer or agent thereof shall disclose such information,
33 except that such photographs, microphotographs, videotape or any other
34 recorded images from such systems:

35 (A) shall be available for inspection and copying and use by the motor
36 vehicle owner and operator for so long as such photographs, microphoto-
37 graphs, videotape or other recorded images are required to be maintained
38 or are maintained by such public entity, employee, officer or agent; and

39 (B) (1) shall be furnished when described in a search warrant issued
40 by a court authorized to issue such a search warrant pursuant to article
41 six hundred ninety of the criminal procedure law or a federal court
42 authorized to issue such a search warrant under federal law, where such
43 search warrant states that there is reasonable cause to believe such
44 information constitutes evidence of, or tends to demonstrate that, a
45 misdemeanor or felony offense was committed in this state or another
46 state, or that a particular person participated in the commission of a
47 misdemeanor or felony offense in this state or another state, provided,
48 however, that if such offense was against the laws of another state, the
49 court shall only issue a warrant if the conduct comprising such offense
50 would, if occurring in this state, constitute a misdemeanor or felony
51 against the laws of this state; and

52 (2) shall be furnished in response to a subpoena duces tecum signed by
53 a judge of competent jurisdiction and issued pursuant to article six
54 hundred ten of the criminal procedure law or a judge or magistrate of a
55 federal court authorized to issue such a subpoena duces tecum under
56 federal law, where the judge finds and the subpoena states that there is

1 reasonable cause to believe such information is relevant and material to
2 the prosecution, or the defense, or the investigation by an authorized
3 law enforcement official, of the alleged commission of a misdemeanor or
4 felony in this state or another state, provided, however, that if such
5 offense was against the laws of another state, such judge or magistrate
6 shall only issue such subpoena if the conduct comprising such offense
7 would, if occurring in this state, constitute a misdemeanor or felony in
8 this state; and

9 (3) may, if lawfully obtained pursuant to this clause and clause (A)
10 of this subparagraph and otherwise admissible, be used in such criminal
11 action or proceeding.

12 (b) If the commissioner or chair establishes a demonstration program
13 pursuant to subdivision (a) of this section, the owner of a vehicle
14 shall be liable for a penalty imposed pursuant to this section if such
15 vehicle was used or operated with the permission of the owner, express
16 or implied, within a highway safety corridor located on a controlled-ac-
17 cess highway or on the thruway in violation of paragraph two of subdivi-
18 sion (d) or subdivision (f), or when other speed limits are in effect in
19 violation of subdivision (b) or (g) or paragraph one of subdivision (d),
20 of section eleven hundred eighty of this article, such vehicle was trav-
21 eling at a speed of more than ten miles per hour above the posted speed
22 limit in effect within such highway safety corridor, and such violation
23 is evidenced by information obtained from a photo speed violation moni-
24 toring system; provided however that no owner of a vehicle shall be
25 liable for a penalty imposed pursuant to this section where the operator
26 of such vehicle has been convicted of the underlying violation of subdivi-
27 sion (b), (d), (f) or (g) of section eleven hundred eighty of this
28 article.

29 (c) For purposes of this section, the following terms shall have the
30 following meanings:

31 1. "chair" shall mean the chair of the New York state thruway authori-
32 ty;

33 2. "commissioner" shall mean the commissioner of transportation;

34 3. "controlled-access highway" shall mean a controlled-access highway
35 as defined by section one hundred nine of this chapter under the commis-
36 sioner's jurisdiction which has been functionally classified by the
37 department of transportation as principal arterial - interstate or prin-
38 cipal arterial - other freeway/expressway on official functional classi-
39 fication maps approved by the federal highway administration pursuant to
40 part 470.105 of title 23 of the code of federal regulations, as amended
41 from time to time;

42 4. "manual on uniform traffic control devices" or "MUTCD" shall mean
43 the manual and specifications for a uniform system of traffic control
44 devices maintained by the commissioner pursuant to section sixteen
45 hundred eighty of this chapter;

46 5. "owner" shall have the meaning provided in article two-B of this
47 chapter;

48 6. "photo speed violation monitoring system" shall mean a vehicle
49 sensor installed to work in conjunction with a speed measuring device
50 which automatically produces two or more photographs, two or more micro-
51 photographs, a videotape or other recorded images of each vehicle at the
52 time it is used or operated in a highway safety corridor located on a
53 controlled-access highway or on the thruway in violation of subdivision
54 (b), (d), (f) or (g) of section eleven hundred eighty of this article in
55 accordance with the provisions of this section;

1 7. "thruway authority" shall mean the New York state thruway authori-
2 ty, a body corporate and politic constituting a public corporation
3 created and constituted pursuant to title nine of article two of the
4 public authorities law; and

5 8. "thruway" shall mean generally a divided highway under the juris-
6 isdiction of the thruway authority for mixed traffic with access limited
7 as the thruway authority may determine and generally with grade sepa-
8 rations at intersections.

9 (d) A certificate, sworn to or affirmed by a technician employed by
10 the commissioner or chair as applicable, or a facsimile thereof, based
11 upon inspection of photographs, microphotographs, videotape or other
12 recorded images produced by a photo speed violation monitoring system,
13 shall be prima facie evidence of the facts contained therein. Any photo-
14 graphs, microphotographs, videotape or other recorded images evidencing
15 such a violation shall include at least two date and time stamped images
16 of the rear of the motor vehicle that include the same stationary object
17 near the motor vehicle and shall be available for inspection reasonably
18 in advance of and at any proceeding to adjudicate the liability for such
19 violation pursuant to this section.

20 (e) An owner liable for a violation of subdivision (b), (d), (f) or
21 (g) of section eleven hundred eighty of this article pursuant to a
22 demonstration program established pursuant to this section shall be
23 liable for monetary penalties not to exceed fifty dollars for a first
24 violation, seventy-five dollars for a second violation both of which
25 were committed within a period of eighteen months, and one hundred
26 dollars for a third or subsequent violation all of which were committed
27 within a period of eighteen months; provided, however, that an addi-
28 tional penalty not in excess of twenty-five dollars for each violation
29 may be imposed for the failure to respond to a notice of liability with-
30 in the prescribed time period.

31 (f) An imposition of liability under the demonstration program estab-
32 lished pursuant to this section shall not be deemed a conviction as an
33 operator and shall not be made part of the operating record of the
34 person upon whom such liability is imposed nor shall it be used for
35 insurance purposes in the provision of motor vehicle insurance coverage.

36 (g) 1. A notice of liability shall be sent by first class mail to each
37 person alleged to be liable as an owner for a violation of subdivision
38 (b), (d), (f) or (g) of section eleven hundred eighty of this article
39 pursuant to this section, within fourteen business days if such owner is
40 a resident of this state and within forty-five business days if such
41 owner is a non-resident. Personal delivery on the owner shall not be
42 required. A manual or automatic record of mailing prepared in the
43 ordinary course of business shall be prima facie evidence of the facts
44 contained therein.

45 2. A notice of liability shall contain the name and address of the
46 person alleged to be liable as an owner for a violation of subdivision
47 (b), (d), (f) or (g) of section eleven hundred eighty of this article
48 pursuant to this section, the registration number of the vehicle
49 involved in such violation, the location where such violation took
50 place, the date and time of such violation, the identification number of
51 the camera which recorded the violation or other document locator
52 number, at least two date and time stamped images of the rear of the
53 motor vehicle that include the same stationary object near the motor
54 vehicle, and the certificate charging the liability.

55 3. The notice of liability shall contain information advising the
56 person charged of the manner and the time in which the person may

1 contest the liability alleged in the notice. Such notice of liability
2 shall also contain a prominent warning to advise the person charged that
3 failure to contest in the manner and time provided shall be deemed an
4 admission of liability and that a default judgment may be entered there-
5 on.

6 4. The notice of liability shall be prepared and mailed by the commis-
7 sioner or chair as applicable, or by any other entity authorized by the
8 commissioner or chair to prepare and mail such notice of liability.

9 (h) Adjudication of the liability imposed upon owners of this section
10 shall be by a traffic violations bureau established pursuant to section
11 three hundred seventy of the general municipal law where the violation
12 occurred or, if there be none, by the court having jurisdiction over
13 traffic infractions where the violation occurred, except that if a city
14 has established an administrative tribunal to hear and determine
15 complaints of traffic infractions constituting parking, standing or
16 stopping violations such city may, by local law, authorize such adjudi-
17 cation by such tribunal.

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

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

53 2. (i) In a city which, by local law, has authorized the adjudication
54 of liability imposed upon owners by this section by a parking violations
55 bureau, an owner who is a lessor of a vehicle to which a notice of
56 liability was issued pursuant to subdivision (g) of this section shall

1 not be liable for the violation of subdivision (b), (d), (f) or (g) of
2 section eleven hundred eighty of this article, provided that:

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

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

14 (ii) Failure to comply with clause (B) of subparagraph (i) of this
15 paragraph shall render the owner liable for the penalty prescribed in
16 this section.

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

23 (k) 1. If the owner liable for a violation of subdivision (b), (d),
24 (f) or (g) of section eleven hundred eighty of this article pursuant to
25 this section was not the operator of the vehicle at the time of the
26 violation, the owner may maintain an action for indemnification against
27 the operator.

28 2. Notwithstanding any other provision of this section, no owner of a
29 vehicle shall be subject to a monetary fine imposed pursuant to this
30 section if the operator of such vehicle was operating such vehicle with-
31 out the consent of the owner at the time such operator operated such
32 vehicle in violation of subdivision (b), (d), (f) or (g) of section
33 eleven hundred eighty of this article. For purposes of this subdivision
34 there shall be a presumption that the operator of such vehicle was oper-
35 ating such vehicle with the consent of the owner at the time such opera-
36 tor operated such vehicle in violation of subdivision (b), (d), (f) or
37 (g) of section eleven hundred eighty of this article.

38 (l) Nothing in this section shall be construed to limit the liability
39 of an operator of a vehicle for any violation of subdivision (b), (d),
40 (f) or (g) of section eleven hundred eighty of this article.

41 (m) If the commissioner or chair adopts a demonstration program pursu-
42 ant to subdivision (a) of this section the commissioner or chair, as
43 applicable, shall conduct a study and submit a report on or before May
44 first, two thousand twenty-six and a report on or before May first, two
45 thousand twenty-eight on the results of the use of photo devices to the
46 governor, the temporary president of the senate and the speaker of the
47 assembly. The commissioner or chair shall also make such reports avail-
48 able on their public-facing websites, provided that they may provide
49 aggregate data from paragraph one of this subdivision if the commission-
50 er or chair finds that publishing specific location data would jeopard-
51 ize public safety. Such report shall include:

52 1. the locations where and dates when photo speed violation monitoring
53 systems were used;

54 2. the aggregate number, type and severity of crashes, fatalities,
55 injuries and property damage reported within all highway safety corridor
56 on controlled-access highways or on the thruway, to the extent the

1 information is maintained by the commissioner, chair or the department
2 of motor vehicles of this state;

3 3. the aggregate number, type and severity of crashes, fatalities,
4 injuries and property damage reported within the highway safety corridor
5 where photo speed violation monitoring systems were used, to the extent
6 the information is maintained by the commissioner, chair or the depart-
7 ment of motor vehicles of this state;

8 4. the number of violations recorded within all highway safety corri-
9 dors on controlled-access highways or on the thruway, in the aggregate
10 on a daily, weekly and monthly basis to the extent the information is
11 maintained by the commissioner, chair or the department of motor vehi-
12 cles of this state;

13 5. the number of violations recorded within each highway safety corri-
14 dor where a photo speed violation monitoring system is used, in the
15 aggregate on a daily, weekly and monthly basis;

16 6. to the extent the information is maintained by the commissioner,
17 chair or the department of motor vehicles of this state, the number of
18 violations recorded within all highway safety corridor on controlled-ac-
19 cess highways or on the thruway that were:

20 (i) more than ten but not more than twenty miles per hour over the
21 posted speed limit;

22 (ii) more than twenty but not more than thirty miles per hour over the
23 posted speed limit;

24 (iii) more than thirty but not more than forty miles per hour over the
25 posted speed limit; and

26 (iv) more than forty miles per hour over the posted speed limit;

27 7. the number of violations recorded within each highway safety corri-
28 dor where a photo speed violation monitoring system is used that were:

29 (i) more than ten but not more than twenty miles per hour over the
30 posted speed limit;

31 (ii) more than twenty but not more than thirty miles per hour over the
32 posted speed limit;

33 (iii) more than thirty but not more than forty miles per hour over the
34 posted speed limit; and

35 (iv) more than forty miles per hour over the posted speed limit;

36 8. the total number of notices of liability issued for violations
37 recorded by such systems;

38 9. the number of fines and total amount of fines paid after the first
39 notice of liability issued for violations recorded by such systems, to
40 the extent the information is maintained by the commissioner, chair or
41 the department of motor vehicles of this state;

42 10. the number of violations adjudicated and the results of such adju-
43 dications including breakdowns of dispositions made for violations
44 recorded by such systems, to the extent the information is maintained by
45 the commissioner, chair or the department of motor vehicles of this
46 state;

47 11. the total amount of revenue realized by the state or thruway
48 authority in connection with the program;

49 12. the expenses incurred by the state or the thruway authority in
50 connection with the program;

51 13. an itemized list of expenditures made by the state and the thruway
52 authority on safety corridor projects undertaken in accordance with
53 subdivisions eleven and twelve of section eighteen hundred three of this
54 chapter; and

1 14. the quality of the adjudication process and its results, to the
2 extent the information is maintained by the commissioner, chair or the
3 department of motor vehicles of this state.

4 (n) It shall be a defense to any prosecution for a violation of subdivi-
5 vision (b), (d), (f) or (g) of section eleven hundred eighty of this
6 article pursuant to this section that such photo speed violation moni-
7 toring system was malfunctioning at the time of the alleged violation.

8 § 14. Section 401 of the highway law, as renumbered by section 1 of
9 this act, is amended to read as follows:

10 § 401. Saving clause. The repeal of a law, as specified in section
11 ~~[three hundred and fifty-three]~~ four hundred four of this article shall
12 not affect or impair any contract, or any act done, or right accruing,
13 accrued or acquired or any penalty, forfeiture, or punishment incurred
14 prior to the time when this chapter or any section thereof takes effect,
15 under or by virtue of the laws so repealed, but the same may be
16 asserted, enforced, prosecuted, or inflicted, as fully and to the same
17 extent, as if such laws had not been repealed.

18 § 15. Section 402 of the highway law, as added by chapter 506 of the
19 laws of 1936, and as renumbered by section 1 of this act, is amended to
20 read as follows:

21 § 402. Effect of amendments to and repeals of provisions of the former
22 highway law. 1. An act of the legislature of the year nineteen hundred
23 thirty-six which, in form, amends or repeals or purports to amend or
24 repeal any provision or provisions of the former highway law shall be
25 legally effective notwithstanding the repeal of such former highway law
26 by section ~~[three hundred fifty-three]~~ four hundred four of this
27 article, and shall be construed as an amendment or repeal, as the case
28 may be, of the corresponding provision or provisions of this chapter
29 irrespective of whether such provision or provisions are contained in
30 this chapter in one or more than one article, section, subdivision or
31 other part thereof and such corresponding provision or provisions shall
32 be deemed amended, modified, changed or repealed as though the same had
33 been expressly and in terms so amended or repealed.

34 2. An act of the legislature of the year nineteen hundred thirty-six
35 which adds or purports to add a new article, section, subdivision or
36 other provision of law to the former highway law shall be legally effec-
37 tive notwithstanding the repeal of such former highway law by section
38 ~~[three hundred fifty-three]~~ four hundred four of this article and shall
39 be construed as having been added to this chapter and shall be given
40 full effect according to its context as if the same had been added
41 expressly and in terms to this chapter and shall be deemed to have been
42 inserted in this chapter in juxtaposition to and as modifying the effect
43 of the corresponding provision or provisions of this chapter.

44 3. The repeal of such former highway law by section ~~[three hundred~~
45 ~~fifty-three]~~ four hundred four of this article shall not be construed to
46 impair or affect the validity of any act of the legislature of the year
47 nineteen hundred thirty-six relating to highways, roads or bridges
48 because of any reference to or dependency on such former law but such
49 act shall be construed in connection with this chapter as though in
50 terms and in effect such act referred to or dependent upon this chapter.

51 § 16. This act shall take effect on the one hundred eightieth day
52 after it shall have become a law. Effective immediately, the addition,
53 amendment and/or repeal of any rule or regulation necessary for the
54 implementation of this act on its effective date are authorized to be
55 made and completed on or before such date.