

# STATE OF NEW YORK

7868--A

2025-2026 Regular Sessions

## IN ASSEMBLY

April 11, 2025

Introduced by M. of A. CUNNINGHAM, LUPARDO, ALVAREZ -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to establishing a fixed fee for the purchase of registration lists and title information

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

1 Section 1. Subdivision 4 of section 202 of the vehicle and traffic  
2 law, as amended by chapter 61 of the laws of 1989, the subdivision head-  
3 ing and paragraphs (a) and (e) as amended by chapter 496 of the laws of  
4 1995, and paragraph (b) as amended by chapter 293 of the laws of 1989,  
5 is amended and a new subdivision 6 is added to read as follows:  
6 4. Registration lists and title information. (a) The commissioner  
7 shall have discretion to contract with [~~the highest responsible~~ any  
8 successful bidder or bidders to furnish the registration information  
9 specified in this section from the records of all vehicle registrations  
10 from any registration period, or number of periods not exceeding five  
11 years in the aggregate, with respect to a given territory or information  
12 on titles. In such event, the fees provided by this section shall not  
13 apply to copies of records furnished under any such contract. Any such  
14 contract entered into by the commissioner pursuant to this section shall  
15 not be for a term of more than two years and shall contain language  
16 prohibiting [~~the~~] any successful bidder or bidders from assigning the  
17 contract and from any use or resale of the information received which  
18 use or resale is contrary to the public policy of this state or is  
19 contrary to the public morals or welfare. In addition, any such sale of  
20 registration information shall be limited to only that part of the vehi-  
21 cle registration records describing the name and address of the owner of  
22 the vehicle and the make, model, year, weight, body style, number of

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

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1 passengers and cylinders, fuel, license number, type of registration and  
2 transaction, validation and expiration date and vehicle identification  
3 number of the vehicle.

4 (a-1) The commissioner shall affix a cost for the sale of such lists  
5 or other records specified in paragraph (a) of this subdivision in bulk  
6 not to exceed the annual cost of one million five hundred twenty thou-  
7 sand dollars (\$1,520,000).

8 (b) The commissioner shall notify each vehicle registrant that the  
9 registration information specified in paragraph (a) of this subdivision  
10 has been or will be furnished to the contracting party. The commissioner  
11 shall inform each vehicle registrant when such registrant first makes  
12 application for a vehicle registration or when such registrant applies  
13 to renew an existing vehicle registration how to achieve the deletion of  
14 such information from the contracting party's file. The contract between  
15 the commissioner and the contracting party shall provide that, upon the  
16 request of the registrant made in such manner and in such form as shall  
17 be prescribed by the commissioner, such registration information shall  
18 be deleted from the contracting party's file for all purposes, except:  
19 (i) issuance of manufacturer's warranty, safety recall or similar  
20 notices, or (ii) statistical complications, or (iii) for use by any  
21 insurer or by a self-insured entity or its agents, employees, or  
22 contractor, in connection with motor vehicle claims investigation activ-  
23 ities, antifraud activities, rating or underwriting.

24 (b-1) Vehicle accident report information and emissions information.  
25 The commissioner shall have discretion to contract with responsible  
26 vendors to furnish the vehicle accident report and emissions information  
27 specified in this subdivision from the records of all vehicle accident  
28 reports and emissions information in bulk for all accidents and emission  
29 inspection records occurring during the course of the contract for use  
30 in vehicle history reports. The vendors shall pay a fee for such infor-  
31 mation with the combined cost not to exceed thirty percent of the bulk  
32 title and registration fee. In such event, the fees provided by this  
33 section shall not apply to copies of records furnished under any such  
34 contract for the vehicle accident information. Any such contract entered  
35 into by the commissioner pursuant to this section shall not be for a  
36 term of more than two years and shall contain language prohibiting  
37 successful vendors from assigning the contract and from any use or  
38 resale of the information received which use or resale is contrary to  
39 the public policy of this state or is contrary to the public morals or  
40 welfare. Such bulk data set may include all requested relevant fields of  
41 data but shall not contain personal information.

42 (c) Any material violation of the terms of such contract by [~~the~~] any  
43 successful bidder or bidders not corrected or discontinued within thirty  
44 days following receipt of notice of such violation will automatically  
45 cancel and void its contract with the commissioner and disqualify it  
46 from bidding for the five successive years following such cancellation.

47 (d) Any contract authorized by this section shall be subject to the  
48 provisions of article nine of the state finance law.

49 (e) The commissioner may from time to time require that the contract-  
50 ing party pursuant to this section submit written reports, in form  
51 satisfactory to the commissioner, concerning the use of such registra-  
52 tion or title information.

53 6. Additional requirements. The commissioner may require:

54 (a) Each successful bidder or bidders to post a performance bond in an  
55 amount of not more than one million dollars;

1 (b) A prohibition on the sale or redisclosure of the personal informa-  
2 tion for the purpose of marketing extended vehicle warranties;

3 (c) A requirement that the bidder or bidders provide proof of general  
4 liability and cyber-threat insurance coverage in an amount specified by  
5 the contracting agency that is:

6 (i) In the amount of three million dollars; and

7 (ii) Reasonably related to the risks associated with unauthorized  
8 access and use of the records;

9 (d) A requirement that the bidder or bidders include in each contract  
10 with a third party that receives the personal information from the  
11 bidder or bidders that the third party must comply with federal and  
12 state laws regarding the records;

13 (e) A requirement that the bidder or bidders and any third party  
14 receiving the personal information from the requestor protect the  
15 personal information with appropriate and accepted industry standard  
16 security measures for the type of information and the known risks from  
17 unauthorized access and use of the information; and

18 (f) A requirement that the bidder or bidders annually provide to the  
19 agency a report of all third parties to which the personal information  
20 was disclosed under this section and the purpose of such disclosure.

21 § 2. This act shall take effect immediately.