

STATE OF NEW YORK

81

2025-2026 Regular Sessions

IN SENATE

(Prefiled)

January 8, 2025

Introduced by Sens. LIU, FERNANDEZ, MURRAY, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the adjudication of parking infractions

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

1 Section 1. Subdivision 2 of section 240 of the vehicle and traffic
2 law is amended by adding a new paragraph h to read as follows:

3 h. (i) in every instance, the state of New York mandatory surcharge
4 shall be paid by the respondent or operator unless a hearing officer
5 dismisses the notice of violation;

6 (ii) a notice of violation shall only be reduced or dismissed with the
7 express written determination of a hearing examiner upon completion of a
8 hearing based specifically on the merits presented by the respondent for
9 each violation a respondent is charged with;

10 (iii) when a respondent or operator is issued a notice of violation,
11 the respondent or their representative shall be given the opportunity to
12 exercise the option to have a hearing on the merits on a ticket by tick-
13 et basis; and

14 (iv) the hearing examiner shall write out the determination and the
15 actual basis in law for the particular rationale for a guilty or not
16 guilty decision, so respondents are fully informed as to the basis for
17 the underlying decision and from which the respondent may take an
18 appeal. The respondent or the respondent's representative may waive this
19 requirement on a ticket by ticket basis, on the record, by doing so
20 orally or in writing.

21 § 2. This act shall take effect immediately.

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

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