S T A T E  O F  N E W  Y O R K

S. 402 A. 1060

2009-2010 Regular Sessions

S E N A T E - A S S E M B L Y

(PREFILED)

January 7, 2009

IN SENATE -- Introduced by Sens. BRESLIN, ADAMS, DUANE, HASSELL-THOMPSON, KRUEGER, KRUGER, ONORATO, PARKER, SAMPSON, SMITH, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

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

AN ACT to amend the vehicle and traffic law, in relation to special vehicle identification parking permits

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The opening paragraph of subdivision 1 of section 1203-a of the vehicle and traffic law, as amended by chapter 298 of the laws of 2007, is amended to read as follows:

The commissioner shall distribute special vehicle identification parking permits to the governing bodies of all cities, towns and villages in the state. Notwithstanding any local law or ordinance to the contrary, such permits shall entitle any vehicle displaying such permit to park in any area in any city, town or village of the state which has been designated by such city, town or village or pursuant to the provisions of section twelve hundred three-c of this article as a place for parking for persons with disabilities. The design, period of validity, and procedures for reissuance of such permits shall be as determined by the commissioner. A city, town or village issuing a permit pursuant to this subdivision or subdivision three of this section shall indelibly inscribe or otherwise mark, on the face of such permit, the last three digits of the identification number of the driver's license or non-driver identification card of the person to whom the permit is issued. The governing bodies of cities, towns and villages in the state shall appoint an issuing agent to issue such permits; PROVIDED, ANY INFORMA-

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

LBD00496-01-9

TION CONTAINED ON SUCH PERMITS SHALL BE WRITTEN IN INDELIBLE INK, OR INSCRIBED IN OTHER PERMANENT FASHION, IN ORDER TO PREVENT TAMPERING WITH OR CHANGING THE INFORMATION ON SUCH PERMIT. Any person issued a permit pursuant to this section who holds a driver's license or non-driver identification card shall make the last three digits of such license or identification card available to an issuing agent at the time of permit issuance or renewal by presenting such license or identification card to such issuing agent. Any person issued a permit pursuant to this section who holds a driver's license or non-driver identification card shall carry and make available to a law enforcement officer upon demand, or as soon as practicable thereafter, his or her driver's license or non-driver identification card which shall be presumptive evidence of the validity of his or her special vehicle identification parking permit. Failure to make available such driver's license or non-driver identification card upon demand shall not be deemed a violation. The permits shall be issued to:

S 2. Subdivision 3 of section 1203-a of the vehicle and traffic law, as amended by chapter 220 of the laws of 1984, is amended to read as follows:

3. Notwithstanding any provision of this chapter to the contrary, any municipality may issue a temporary special vehicle identification parking permit to any person who is temporarily unable to ambulate without the aid of an assisting device, as certified by a physician. Such temporary special vehicle identification parking permit shall be valid for not more than six months and shall be recognized statewide. IN ADDITION, SUCH TEMPORARY SPECIAL VEHICLE IDENTIFICATION PARKING PERMIT SHALL BE WRITTEN IN INDELIBLE INK, OR INSCRIBED IN OTHER PERMANENT FASHION, IN ORDER TO PREVENT TAMPERING WITH OR CHANGING THE EXPIRATION DATE OF SUCH PERMIT.

S 3. This act shall take effect on the ninetieth day after it shall have become a law; except that any rules and regulations necessary for the timely implementation of this act on its effective date shall be promulgated on or before such date.