

2292

2009-2010 Regular Sessions

I N   A S S E M B L Y

January 15, 2009

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Introduced by M. of A. TOBACCO -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to claims against certain entities based upon use of an electronic toll collection system

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

1     Section 1. Section 2985 of the public authorities law is designated as  
2     title 12 of article 9 and a new title heading is added to read as  
3     follows:

4                                ELECTRONIC TOLL COLLECTION

5     S 2. Title 12 of article 9 of the public authorities law is amended by  
6     adding two new sections 2986 and 2987 to read as follows:

7     S 2986. ELECTRONIC TOLL COLLECTION DISPUTES. ANY DISPUTE RELATING TO  
8     CHARGES IMPOSED BY AN ELECTRONIC TOLL COLLECTION SYSTEM MADE BY AN  
9     ACCOUNT HOLDER MAY BE BROUGHT IN THE COUNTY COURT IN THE COUNTY IN WHICH  
10    SUCH ACCOUNT HOLDER RESIDES, OR IN THE CIVIL COURT OF THE CITY OF NEW  
11    YORK IF THE ACCOUNT HOLDER RESIDES WITHIN ITS JURISDICTION OR IN A  
12    DISTRICT COURT HAVING JURISDICTION OVER SUCH ACCOUNT HOLDER.

13    S 2987. CONTRACTS FOR USE OF ELECTRONIC TOLL COLLECTION. ANY CONTRACT  
14    OR AGREEMENT BETWEEN A CONSUMER AND A PUBLIC AUTHORITY WHICH PROVIDES  
15    FOR USE OF A SYSTEM OR DEVICE FACILITATING ELECTRONIC TOLL COLLECTION  
16    SHALL CLEARLY STATE THE NAME, ADDRESS AND TELEPHONE NUMBER OF THE LEGAL  
17    ENTITY WITH WHICH THE CONSUMER IS CONTRACTING FOR SERVICE. ANY SUCH  
18    CONTRACT OR AGREEMENT SHALL ALSO CLEARLY STATE, IN A SEPARATE SECTION,  
19    HOW AND WHERE A CONSUMER MAY CHALLENGE ANY CHANGES MADE ON HIS OR HER  
20    ACCOUNT. SUCH NOTICE SHALL INCLUDE SPECIFIC CONTACT INFORMATION RELATING  
21    TO SETTLING DISPUTES RELATING TO CHARGES AS WELL AS IDENTIFYING THE  
22    COURT IN WHICH A CLAIM MAY BE BROUGHT, THE STATUTE OF LIMITATIONS FOR  
23    SUCH CLAIM AND ANY STEPS WHICH A CLAIMANT MAY BE REQUIRED TO TAKE BEFORE  
24    MAKING A CLAIM.

25    S 3. 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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