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

3713

2009-2010 Regular Sessions

I N A S S E M B L Y

January 28, 2009

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

AN ACT to amend the vehicle and traffic law, in relation to requiring police departments to electronically transmit to parking violations bureaus a copy of each report of stolen vehicle prepared

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

Section 1. Subdivision 3 of section 239 of the vehicle and traffic law, as added by chapter 180 of the laws of 1980, is amended to read as follows:

3. Stolen vehicles. If any owner of a motor vehicle receives a notice of violation for a period during which the illegally parked vehicle was reported to any police department as having been stolen, it shall be a valid defense to any charge of a parking violation that the motor vehicle had been reported to the police as stolen prior to the time the violation occurred and had not been recovered by such time. THE POLICE DEPARTMENT SHALL ELECTRONICALLY TRANSMIT TO THE PARKING VIOLATIONS BUREAU, WHO SHALL RECEIVE AND KEEP ON FILE, A COPY OF EACH REPORT OF STOLEN VEHICLE WITHIN FIVE DAYS OF THE REPORT'S COMPLETION. For the purposes of asserting the defense provided by this subdivision, it shall be A sufficient DEFENSE that [a]:

A. A COPY OF THE ELECTRONICALLY TRANSMITTED POLICE REPORT OF THE STOLEN VEHICLE IS ON FILE WITH THE PARKING VIOLATIONS BUREAU, OR

B. A certified copy of the police report of the stolen vehicle [be] HAS BEEN mailed to the PARKING VIOLATIONS bureau.

S 2. This act shall take effect on the thirtieth day after it shall have become a law.

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

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