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

5051

2009-2010 Regular Sessions

I N A S S E M B L Y

February 10, 2009

Introduced by M. of A. V. LOPEZ, BRADLEY, PAULIN, BRODSKY -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the enforcement of appearance tickets issued to owners of taxicabs and liveries in the city of New York and county of Westchester

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

Section 1. Section 514 of the vehicle and traffic law is amended by adding a new subdivision 8 to read as follows:

8.(A) UPON THE FAILURE OF THE OWNER OF A MOTOR VEHICLE REGISTERED IN THIS STATE OR HIS OR HER REPRESENTATIVE TO APPEAR OR ANSWER, ON THE RETURN DATE OR ANY SUBSEQUENT ADJOURNED DATE BEFORE AN ADMINISTRATIVE TRIBUNAL PURSUANT TO AN APPEARANCE TICKET CHARGING SUCH OWNER WITH A VIOLATION OF THE LAWS, RULES OR REGULATIONS REGARDING THE OPERATION OF TAXICABS OR LIVERIES IN THE CITY OF NEW YORK OR THE COUNTY OF WESTCHESTER OR UPON THE FAILURE OF THE OWNER OF A MOTOR VEHICLE REGISTERED IN THIS STATE OR HIS OR HER REPRESENTATIVE TO COMPLY WITH THE RULES AND REGULATIONS OF AN ADMINISTRATIVE TRIBUNAL FOLLOWING ENTRY OF A FINAL DECISION IN RESPONSE TO AN APPEARANCE TICKET CHARGING SUCH OWNER WITH A VIOLATION OF THE LAWS, RULES OR REGULATIONS REGARDING THE OPERATION OF TAXICABS OR LIVERIES IN THE CITY OF NEW YORK OR THE COUNTY OF WESTCHESTER, THE ADMINISTRATIVE TRIBUNAL OR AGENCY RESPONSIBLE FOR THE ENFORCEMENT OF THE LAWS, RULES OR REGULATIONS REGARDING THE OPERATION OF TAXICABS OR LIVERIES IN THE CITY OF NEW YORK OR THE COUNTY OF WESTCHESTER, MAY CERTIFY THAT FACT TO THE COMMISSIONER IN THE MANNER AND FORM PRESCRIBED BY THE COMMISSIONER, WHO MAY RECORD THE SAME IN HIS OR HER OFFICE.

(B) UPON THE CERTIFICATION TO THE COMMISSIONERS SET FORTH IN PARAGRAPH (A) OF THIS SUBDIVISION, THE ADMINISTRATIVE TRIBUNAL OR AGENCY RESPONSIBLE FOR THE ENFORCEMENT OF THE LAWS, RULES OR REGULATIONS REGARDING THE OPERATION OF TAXICABS OR LIVERIES IN THE CITY OF NEW YORK OR THE COUNTY

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

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OF WESTCHESTER SHALL NOTIFY THE OWNER OF THE VEHICLE BY CERTIFIED OR REGISTERED MAIL, RETURN RECEIPT REQUESTED, THAT THE COMMISSIONER SHALL DENY THE REGISTRATION OR RENEWAL APPLICATION FOR SUCH VEHICLE UNTIL THE REGISTRANT PROVIDES PROOF FROM THE APPROPRIATE ADMINISTRATIVE TRIBUNAL OR AGENCY THAT HE OR SHE HAS COMPLIED WITH THE LAWS, RULES AND REGULATIONS OF SUCH ADMINISTRATIVE TRIBUNAL OR AGENCY FOLLOWING ENTRY OF A FINAL DECISION. THEREAFTER AND UPON THE APPEARANCE OR ANSWER OF ANY SUCH PERSON IN RESPONSE TO SUCH SUMMONSES, SUCH ADMINISTRATIVE TRIBUNAL OR AGENCY SHALL FORTHWITH CERTIFY THAT FACT TO THE REGISTRANT, AND TO THE COMMISSIONER UPON HIS OR HER REQUEST, IN A MANNER AND FORM PRESCRIBED BY THE COMMISSIONER. SUCH CERTIFICATION SHALL BE MADE UPON COMPLIANCE WITH THE RULES AND REGULATIONS OF THE ADMINISTRATIVE TRIBUNAL OR AGENCY.

(C) AT LEAST SIXTY DAYS PRIOR TO RENEWAL DATE, THE COMMISSIONER SHALL NOTIFY THE REGISTRANT THAT UNLESS HE OR SHE COMPLIES WITH THE PROVISIONS OF THIS SECTION AS SET FORTH ABOVE, HIS OR HER REGISTRATION OR RENEWAL THEREOF, WILL BE DENIED.

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