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2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. CAHILL, PHEFFER, GANTT, ENGLEBRIGHT -- Multi-Sponsored by -- M. of A. CLARK, MARKEY, McENENY -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to consent for the use of registration lists and title information

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

1 Section 1. Paragraph (b) of subdivision 4 of section 202 of the vehi-
2 cle and traffic law, as amended by chapter 293 of the laws of 1989, is
3 amended to read as follows:

4 (b) The commissioner shall notify each vehicle registrant that the
5 registration information specified in paragraph (a) of this subdivision
6 has been or will be furnished to the contracting party. The commis-
7 sioner shall inform each vehicle registrant when such registrant first makes
8 application for a vehicle registration or when such registrant applies
9 to renew an existing vehicle registration how to [achieve the deletion
10 of] PROVIDE EXPRESS CONSENT FOR such information [from] IN the contract-
11 ing party's file TO BE USED FOR PURPOSES OTHER THAN THOSE LISTED IN
12 SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH. The contract between the
13 commissioner and the contracting party shall provide that, [upon the
14 request of the registrant] UNLESS THE VEHICLE REGISTRANT HAS PROVIDED
15 EXPRESS CONSENT AS INDICATED IN A SEPARATE WRITTEN AUTHORIZATION, made
16 in such manner and in such form as shall be prescribed by the commis-
17 sioner, such registration information shall be deleted from the
18 contracting party's file for all purposes, except: (i) issuance of
19 manufacturer's warranty, safety recall or similar notices, or (ii)
20 statistical [complications] COMPILATIONS.

21 S 2. This act shall take effect on the one hundred twentieth day after
22 it shall have become a law; provided that the commissioner of motor
23 vehicles is authorized to promulgate any and all rules and regulations

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

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1 and take any other measures necessary to implement this act on its
2 effective date on or before such date; and provided further that the
3 provisions of this act shall apply to contracts entered into, altered,
4 modified, extended, or renewed on or after such effective date.