

5969

2009-2010 Regular Sessions

I N A S S E M B L Y

February 23, 2009

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

AN ACT to amend the public authorities law, in relation to providing  
access to the E-ZPass program on applications for motor vehicle regis-  
trations

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

1 Section 1. Section 362 of the public authorities law, as amended by  
2 chapter 766 of the laws of 1992, is amended to read as follows:  
3 S 362. Assistance by state officers, departments, boards, divisions  
4 and commissions; ACCESS TO E-ZPASS PROGRAM. (A) At the request of the  
5 authority, engineering and legal services for such authority shall be  
6 performed by forces or officers of the department of transportation and  
7 the department of law respectively, and all other state officers,  
8 departments, boards, divisions and commissions shall render services  
9 within their respective functions. At the request of the authority,  
10 services in connection with the collection of any charges or fees for  
11 the use of the thruway, the New York state canal system or any part  
12 thereof may be performed by the department of motor vehicles.  
13 (B) THE DEPARTMENT OF MOTOR VEHICLES SHALL INCLUDE ON ALL MOTOR VEHI-  
14 CLE REGISTRATION APPLICATIONS AS FURNISHED BY THE COMMISSIONER OF MOTOR  
15 VEHICLES, THE OPPORTUNITY FOR SUCH APPLICANTS TO VOLUNTARILY PARTICIPATE  
16 IN THE E-ZPASS PROGRAM AS PRESCRIBED BY THE AUTHORITY OF MOTOR VEHICLES.  
17 THE PURPOSE OF SUCH MEASURE IS TO FACILITATE PARTICIPATION IN THE  
18 E-ZPASS PROGRAM, THEREFORE THE DEPARTMENT OF MOTOR VEHICLES AND THE  
19 AUTHORITY SHALL ESTABLISH MEANS BY WHICH THE RELEVANT INFORMATION MAY BE  
20 SHARED TO ACHIEVE SUCH PURPOSE. PARTICIPATION IN THE E-ZPASS PROGRAM  
21 SHALL BE SUBJECT TO THE PROCEDURES, TERMS, CONDITIONS AND AGREEMENTS AS  
22 FROM TIME TO TIME MAY BE ISSUED BY THE AUTHORITY. SUCH TERMS, CONDITIONS  
23 AND AGREEMENTS MAY INCLUDE MINIMUM DEPOSITS, ADMINISTRATIVE SERVICE FEES  
24 ON ACCOUNTS OR EQUIPMENT, LIMITS ON TRANSFERABILITY, AND E-ZPASS ACCOUNT

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

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1 REQUIREMENTS. USE OF THE E-ZPASS SYSTEM MAY BE CONDITIONED ON CONTINUED  
2 COMPLIANCE WITH REQUIREMENTS OF OTHER AGENCIES WHICH OPERATE THE E-ZPASS  
3 SYSTEM. UNAUTHORIZED OR IMPROPER USE OF AN E-ZPASS TAG OR DEDICATED  
4 E-ZPASS LANE IS PROHIBITED AND MAY RESULT IN CANCELLATION OF E-ZPASS  
5 ACCOUNT PRIVILEGE AND/OR THE IMPOSITION OF ADMINISTRATIVE FEES, COSTS OR  
6 PENALTIES.

7 S 2. This act shall take effect on the ninetieth day after it shall  
8 have become a law; provided, that the commissioner of motor vehicles is  
9 immediately authorized and directed to promulgate, amend and/or repeal  
10 any rules and regulations necessary to implement the provisions of this  
11 act on its effective date.