

2963

2009-2010 Regular Sessions

I N S E N A T E

March 9, 2009

Introduced by Sens. DILAN, DIAZ, HASSELL-THOMPSON, HUNTLEY, C. JOHNSON, MONSERRATE, MONTGOMERY, SAMPSON, SERRANO -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to affixing the designation "qualified hybrid vehicle" and the estimated miles per gallon of such vehicle as calculated by the United States environmental protection agency onto all car registration forms

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

1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 125-b to read as follows:

3 S 125-B. QUALIFIED HYBRID VEHICLE. A QUALIFIED HYBRID VEHICLE IS A
4 MOTOR VEHICLE AS DEFINED IN SECTION ONE HUNDRED TWENTY-FIVE OF THIS
5 ARTICLE, OTHER THAN AN ELECTRIC VEHICLE, THAT DRAWS PROPULSION ENERGY
6 FROM BOTH AN INTERNAL COMBUSTION ENGINE (OR HEAT ENGINE THAT USES
7 COMBUSTIVE FUEL) AND AN ENERGY STORAGE DEVICE, AND EMPLOYS A REGENERA-
8 TIVE VEHICLE BRAKING SYSTEM THAT RECOVERS WASTE ENERGY TO CHARGE SUCH
9 ENERGY STORAGE DEVICE.

10 S 2. Subparagraphs (e) and (f) of paragraph b of subdivision 1 of
11 section 401 of the vehicle and traffic law, as amended by chapter 222 of
12 the laws of 1996, are amended to read as follows:

13 (e) provided, that, if such motor vehicle is an altered livery, the
14 applicant shall so furnish a certified copy of the length of the center
15 panel of such vehicle, provided, however, that the commissioner shall
16 require such proof, as [he] SUCH COMMISSIONER may determine is neces-
17 sary, in the application for registration and provided further, if the
18 center panel of such vehicle exceeds one hundred inches, the commission-
19 er shall require proof that such vehicle is in compliance with all
20 applicable federal and state motor vehicle safety standards; [and] (f)
21 PROVIDED, THAT, IF SUCH MOTOR VEHICLE IS A "QUALIFIED HYBRID VEHICLE" AS

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

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1 DEFINED IN SECTION ONE HUNDRED TWENTY-FIVE-B OF THIS CHAPTER, THE APPLI-
2 CANT SHALL FURNISH PROOF TO THE COMMISSIONER, IN THE APPLICATION FOR
3 REGISTRATION, OR OTHERWISE, OF THE MAKE, MODEL AND MODEL YEAR OF SUCH
4 APPLICANT'S MOTOR VEHICLE. IF SUCH PROOF HAS BEEN SUBMITTED, SUCH APPLI-
5 CANT'S CERTIFICATE OF REGISTRATION SHALL CONTAIN A DISTINGUISHING MARK
6 WHICH SHALL DESIGNATE SUCH APPLICANT'S MOTOR VEHICLE AS A "QUALIFIED
7 HYBRID VEHICLE," AND SHALL ALSO DISPLAY SUCH MOTOR VEHICLE'S UNITED
8 STATES ENVIRONMENTAL PROTECTION AGENCY HIGHWAY FUEL ECONOMY RATING OF
9 FORTY-FIVE MILES PER GALLON OR MORE. THE COMMISSIONER IS HEREBY AUTHOR-
10 IZED TO PROMULGATE ANY RULES AND REGULATIONS NECESSARY FOR THE IMPLEMEN-
11 TATION OF THE PROVISIONS OF THIS SUBPARAGRAPH; AND (G) such additional
12 facts or evidence as the commissioner may require in connection with the
13 application for registration.

14 S 3. Paragraph a of subdivision 3 of section 401 of the vehicle and
15 traffic law, as amended by section 1 of part B of chapter 62 of the laws
16 of 2003, is amended to read as follows:

17 a. Upon filing of such application and the payment of the fee herein-
18 after provided, the commissioner shall assign to such motor vehicle a
19 distinctive number and, without expense to the applicant, issue and
20 deliver in such manner as the commissioner may select to the owner a
21 certificate of registration, in such form as the commissioner shall
22 prescribe[,]. SUCH CERTIFICATE OF REGISTRATION SHALL CONTAIN A DISTIN-
23 GUISHING MARK WHICH SHALL DESIGNATE SUCH MOTOR VEHICLE AS A "QUALIFIED
24 HYBRID VEHICLE" AS DEFINED IN SECTION ONE HUNDRED TWENTY-FIVE-B OF THIS
25 CHAPTER, PURSUANT TO SUBPARAGRAPH (F) OF PARAGRAPH B OF SUBDIVISION ONE
26 OF THIS SECTION, AND SHALL CONTAIN ADEQUATE SPACE UPON WHICH SUCH MOTOR
27 VEHICLE'S UNITED STATES ENVIRONMENTAL PROTECTION AGENCY HIGHWAY FUEL
28 ECONOMY RATING OF FORTY-FIVE MILES PER GALLON OR MORE SHALL BE
29 DISPLAYED. THE COMMISSIONER SHALL ALSO ISSUE and DELIVER two number
30 plates at a place within the state of New York named by the applicant in
31 his application. A number plate, within the meaning of this chapter,
32 may, in the discretion of the commissioner, be a plate of a permanent
33 nature, treated with reflectorized material according to specifications
34 prescribed by the commissioner, and with a date tag attached to such
35 plate or to the vehicle as prescribed by regulations of the commissioner
36 indicating the validity of the plate during a certain period and the
37 issuance of such a number plate with such date tag to a person possess-
38 ing such a number plate shall be deemed the issuance of a number plate.
39 An additional fee, not to exceed fifteen dollars, shall be paid to the
40 commissioner whenever a set of reflectorized number plates is issued for
41 any vehicle for which a registration fee is normally charged except
42 that, with respect to any number plate which is specifically requested
43 by the applicant, such fee shall be paid to the commissioner upon
44 approval of such request. In the event of the loss, mutilation or
45 destruction of any certificate of registration, any number plate or set
46 of number plates whether with or without a date tag or tags, or any date
47 tag or set of date tags provided for in this article, the owner of a
48 registered motor vehicle may file such statement and proof of the facts
49 as the commissioner shall require, with a fee of three dollars, in the
50 office of the commissioner, or, unless and until the commissioner shall
51 otherwise direct, in the office of the agent who issued the certificate,
52 plate, plates, tag or tags and the commissioner or his agent, as the
53 case may be, shall issue a duplicate or substitute. It shall be the duty
54 of every owner holding a certificate of registration to notify the
55 commissioner in writing of any change of residence of such person within
56 ten days after such change occurs, and to inscribe on such certificate,

1 in the place provided by the commissioner, a record of such change of
2 residence.
3 S 4. This act shall take effect on the one hundred eightieth day after
4 it shall have become a law.