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

3547

2009-2010 Regular Sessions

I N S E N A T E

March 24, 2009

Introduced by Sen. MAZIARZ -- 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 registration of street rods and custom vehicles

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

Section 1. Subdivision 7 of section 401 of the vehicle and traffic law is amended by adding a new schedule M to read as follows:

M. SCHEDULE FOR STREET RODS AND CUSTOM VEHICLES. FOR EACH MOTOR VEHICLE WHICH IS OWNED OR OPERATED AS AN EXHIBITION PIECE OR COLLECTORS ITEM, AND WHICH IS USED FOR PARTICIPATION IN CLUB ACTIVITIES, EXHIBITS, TOURS, PARADES, OCCASIONAL TRANSPORTATION AND SIMILAR USES, BUT NOT USED FOR GENERAL DAILY TRANSPORTATION, A ONE TIME INITIAL REGISTRATION FEE OF TWENTY-THREE DOLLARS.

1. (A)(I) A "STREET ROD" MEANS A MOTOR VEHICLE THAT:

(1) IS A NINETEEN HUNDRED FORTY-EIGHT OR OLDER VEHICLE; OR THE VEHICLE WAS MANUFACTURED AFTER NINETEEN HUNDRED FORTY-EIGHT TO RESEMBLE A VEHICLE MANUFACTURED BEFORE NINETEEN HUNDRED FORTY-NINE; AND

(2) HAS BEEN ALTERED FROM THE MANUFACTURER'S ORIGINAL DESIGN; OR HAS A BODY CONSTRUCTED FROM NON-ORIGINAL MATERIALS.

(II) THE MODEL YEAR THAT IS LISTED ON THE CERTIFICATE OF TITLE OF A STREET ROD VEHICLE SHALL BE THE MODEL YEAR THAT THE BODY OF SUCH VEHICLE RESEMBLES.

(B)(I) A CUSTOM VEHICLE MEANS ANY MOTOR VEHICLE THAT:

(1) IS AT LEAST TWENTY-FIVE YEARS OLD AND OF A MODEL YEAR AFTER NINETEEN HUNDRED FORTY-EIGHT; OR WAS MANUFACTURED TO RESEMBLE A VEHICLE TWENTY-FIVE OR MORE YEARS OLD AND OF A MODEL YEAR AFTER NINETEEN HUNDRED FORTY-EIGHT; AND

(2) HAS BEEN ALTERED FROM THE MANUFACTURER'S ORIGINAL DESIGN; OR HAS A BODY CONSTRUCTED FROM NON-ORIGINAL MATERIALS.

(II) THE MODEL YEAR THAT IS LISTED ON THE CERTIFICATE OF TITLE OF A CUSTOM VEHICLE SHALL BE THE MODEL YEAR THAT THE BODY OF SUCH VEHICLE RESEMBLES.

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

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2. (A) IN APPLYING FOR A REGISTRATION UNDER THIS SCHEDULE, THE OWNER OF THE STREET ROD OR CUSTOM VEHICLE SHALL SUBMIT WITH THE APPLICATION A CERTIFICATION THAT THE VEHICLE FOR WHICH THE APPLICATION IS MADE: (I) WILL BE MAINTAINED FOR OCCASIONAL TRANSPORTATION, EXHIBITIONS, CLUB ACTIVITIES, PARADES, TOURS, AND SIMILAR USES; AND (II) WILL NOT BE USED FOR GENERAL DAILY TRANSPORTATION.

(B) IN ADDITION TO THE CERTIFICATION REQUIREMENT UNDER SUBPARAGRAPH (A) OF THIS PARAGRAPH, WHEN APPLYING FOR REGISTRATION OF A STREET ROD, THE NEW OWNER OF THE STREET ROD SHALL PROVIDE PROOF ACCEPTABLE TO THE COMMISSIONER THAT THE STREET ROD PASSED A SAFETY INSPECTION THAT HAS BEEN APPROVED BY THE COMMISSIONER IN CONSULTATION WITH THE STREET ROD COMMUNITY IN THE STATE.

3. ON THE REGISTRATION OF A VEHICLE UNDER THIS SCHEDULE, THE COMMISSIONER SHALL ISSUE A SPECIAL STREET ROD OR CUSTOM VEHICLE REGISTRATION PLATE OF THE SIZE AND DESIGN AS THE COMMISSIONER DETERMINES IN CONSULTATION WITH THE STREET ROD COMMUNITY OR CUSTOM VEHICLE COMMUNITY, RESPECTIVELY, OF THE STATE. SUCH PLATES SHALL BE USED ONLY FOR THE OPERATION OF THE MOTOR VEHICLE LISTED ON THE REGISTRATION APPLICATION AND ON OTHER MOTOR VEHICLES WHICH WOULD QUALIFY FOR REGISTRATION UNDER THIS SCHEDULE OWNED BY PERSONS OTHER THAN THE REGISTRANT OR HIS AGENT IN ANTICIPATION OF POSSIBLE PURCHASE.

4. UNLESS THE PRESENCE OF THE EQUIPMENT WAS SPECIFICALLY REQUIRED BY THE LAW AS A CONDITION OF SALE IN THE YEAR LISTED AS THE YEAR OF MANUFACTURE ON THE CERTIFICATE OF TITLE, THE PRESENCE OF ANY SPECIFIC EQUIPMENT IS NOT REQUIRED FOR THE OPERATION OF A VEHICLE REGISTERED UNDER THIS SCHEDULE.

5. A STREET ROD OR CUSTOM VEHICLE MAY USE BLUE DOT TAIL LIGHTS FOR STOP LAMPS, REAR TURNING INDICATOR LAMPS, REAR HAZARD LAMPS, AND REAR REFLECTORS. FOR PURPOSES OF THIS SUBDIVISION, "BLUE DOT TAIL LIGHT" MEANS A RED LAMP INSTALLED IN THE REAR OF A MOTOR VEHICLE CONTAINING A BLUE OR PURPLE INSERT THAT IS NOT MORE THAN ONE INCH IN DIAMETER.

6. NO SUCH REGISTRATION WILL BE ISSUED UNLESS EVIDENCE OF FINANCIAL SECURITY, IN A FORM PRESCRIBED BY THE COMMISSIONER, IS SUBMITTED WHICH PROVIDES COVERAGE FOR THE MOTOR VEHICLE LISTED ON THE REGISTRATION APPLICATION AND FOR NON-OWNED MOTOR VEHICLES BEING OPERATED WITH SUCH PLATES.

S 2. Paragraph (b) of subdivision 48 of section 375 of the vehicle and traffic law, as added by chapter 236 of the laws of 1988, such subdivision as renumbered by chapter 278 of the laws of 1991, is amended to read as follows:

(b) No person shall operate a passenger car registered in New York unless it is equipped with both a front and rear bumper, each securely fastened and with some part of the bumper located between sixteen inches and twenty inches above the ground. This provision shall not apply to a vehicle registered as an historical vehicle, A STREET ROD OR A CUSTOM VEHICLE PURSUANT TO SECTION FOUR HUNDRED ONE OF THIS CHAPTER.

S 3. Subdivision (e) of section 301 of the vehicle and traffic law, as amended by chapter 608 of the laws of 1993, is amended to read as follows:

(e) The requirements of air contamination emission system inspection shall not apply to historical motor vehicles registered pursuant to schedule G, OR TO STREET RODS AND CUSTOM VEHICLES REGISTERED PURSUANT TO SCHEDULE M of subdivision seven of section four hundred one of this chapter unless required by federal law.

S 4. This act shall take effect immediately.