

S. 402

A. 1060

2009-2010 Regular Sessions

S E N A T E - A S S E M B L Y

(PREFILED)

January 7, 2009

IN SENATE -- Introduced by Sens. BRESLIN, ADAMS, DUANE, HASSELL-THOMPSON, KRUEGER, KRUGER, ONORATO, PARKER, SAMPSON, SMITH, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

IN ASSEMBLY -- Introduced by M. of A. MCENENY -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to special vehicle identification parking permits

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

1 Section 1. The opening paragraph of subdivision 1 of section 1203-a of
2 the vehicle and traffic law, as amended by chapter 298 of the laws of
3 2007, is amended to read as follows:
4 The commissioner shall distribute special vehicle identification park-
5 ing permits to the governing bodies of all cities, towns and villages in
6 the state. Notwithstanding any local law or ordinance to the contrary,
7 such permits shall entitle any vehicle displaying such permit to park in
8 any area in any city, town or village of the state which has been desig-
9 nated by such city, town or village or pursuant to the provisions of
10 section twelve hundred three-c of this article as a place for parking
11 for persons with disabilities. The design, period of validity, and
12 procedures for reissuance of such permits shall be as determined by the
13 commissioner. A city, town or village issuing a permit pursuant to this
14 subdivision or subdivision three of this section shall indelibly
15 inscribe or otherwise mark, on the face of such permit, the last three
16 digits of the identification number of the driver's license or non-dri-
17 ver identification card of the person to whom the permit is issued. The
18 governing bodies of cities, towns and villages in the state shall
19 appoint an issuing agent to issue such permits; PROVIDED, ANY INFORMA-

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

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1 TION CONTAINED ON SUCH PERMITS SHALL BE WRITTEN IN INDELIBLE INK, OR
2 INSCRIBED IN OTHER PERMANENT FASHION, IN ORDER TO PREVENT TAMPERING WITH
3 OR CHANGING THE INFORMATION ON SUCH PERMIT. Any person issued a permit
4 pursuant to this section who holds a driver's license or non-driver
5 identification card shall make the last three digits of such license or
6 identification card available to an issuing agent at the time of permit
7 issuance or renewal by presenting such license or identification card to
8 such issuing agent. Any person issued a permit pursuant to this section
9 who holds a driver's license or non-driver identification card shall
10 carry and make available to a law enforcement officer upon demand, or as
11 soon as practicable thereafter, his or her driver's license or non-dri-
12 ver identification card which shall be presumptive evidence of the
13 validity of his or her special vehicle identification parking permit.
14 Failure to make available such driver's license or non-driver identifi-
15 cation card upon demand shall not be deemed a violation. The permits
16 shall be issued to:

17 S 2. Subdivision 3 of section 1203-a of the vehicle and traffic law,
18 as amended by chapter 220 of the laws of 1984, is amended to read as
19 follows:

20 3. Notwithstanding any provision of this chapter to the contrary, any
21 municipality may issue a temporary special vehicle identification park-
22 ing permit to any person who is temporarily unable to ambulate without
23 the aid of an assisting device, as certified by a physician. Such tempo-
24 rary special vehicle identification parking permit shall be valid for
25 not more than six months and shall be recognized statewide. IN ADDI-
26 TION, SUCH TEMPORARY SPECIAL VEHICLE IDENTIFICATION PARKING PERMIT SHALL
27 BE WRITTEN IN INDELIBLE INK, OR INSCRIBED IN OTHER PERMANENT FASHION, IN
28 ORDER TO PREVENT TAMPERING WITH OR CHANGING THE EXPIRATION DATE OF SUCH
29 PERMIT.

30 S 3. This act shall take effect on the ninetieth day after it shall
31 have become a law; except that any rules and regulations necessary for
32 the timely implementation of this act on its effective date shall be
33 promulgated on or before such date.