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

498

2009-2010 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2009

Introduced by Sen. LANZA -- 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 inspection and registration of an altered livery vehicle and authorizes the commissioner of motor vehicles to summarize the number of such vehicles registered with certain center panels and to make available on-line certain forms necessary for certification

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

Section 1. Section 301 of the vehicle and traffic law is amended by adding a new subdivision (c-1) to read as follows:

(C-1) THE OWNER OF AN ALTERED LIVERY VEHICLE INSPECTED PURSUANT TO THIS CHAPTER SHALL ALSO BE REQUIRED, AS PART OF SUCH INSPECTION, TO SHOW TO THE INSPECTOR A COPY OF THE CERTIFICATION STATING THE LENGTH OF THE CENTER PANEL OF SUCH VEHICLE AND IF THE CENTER PANEL OF SUCH VEHICLE EXCEEDS ONE HUNDRED INCHES, A COPY OF THE MOST RECENT PROOF THAT SUCH VEHICLE IS IN COMPLIANCE WITH ALL APPLICABLE FEDERAL AND STATE MOTOR VEHICLE SAFETY STANDARDS, SUBMITTED AT THE TIME OF SUCH VEHICLE'S REGISTRATION, REREGISTRATION OR RENEWAL THEREOF TO THE COMMISSIONER PURSUANT TO SUBPARAGRAPH (E) OF PARAGRAPH B OF SUBDIVISION ONE OF SECTION FOUR HUNDRED ONE OF THIS CHAPTER. FAILURE TO COMPLY WITH THIS SUBDIVISION SHALL BE GROUNDS FOR FAILURE OF THE INSPECTION.

S 2. Subparagraph (e) of paragraph b of subdivision 1 of section 401 of the vehicle and traffic law, as amended by chapter 222 of the laws of 1996, is amended to read as follow:

(e) A STATEMENT IN APPLICATIONS FOR REGISTRATION, REREGISTRATION AND RENEWALS AS TO WHETHER SUCH MOTOR VEHICLE IS AN ALTERED LIVERY AND WHETHER THE CENTER PANEL OF ANY SUCH ALTERED LIVERY VEHICLE EXCEEDS ONE HUNDRED INCHES, provided, that, if such motor vehicle is an altered livery, the applicant shall [so furnish a certified copy of] CERTIFY, IN

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

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SUCH FORM AS SHALL BE SATISFACTORY TO THE COMMISSIONER, the length of the center panel of such vehicle AND ALSO CERTIFY AS TO THE SEATING CAPACITY, provided, however, that the commissioner shall require such ADDITIONAL proof, as he OR SHE may determine is necessary, in the application for registration and provided further, if the center panel of such vehicle exceeds one hundred inches, the commissioner shall require proof that such vehicle is in compliance with all applicable federal and state motor vehicle safety standards; and

S 3. Subdivision 3 of section 401 of the vehicle and traffic law is amended by adding a new paragraph e to read as follows:

E. A CERTIFICATE OF REGISTRATION AND VALIDATING STICKER ISSUED FOR THE REGISTRATION, REREGISTRATION OR RENEWAL THEREOF OF AN ALTERED LIVERY VEHICLE SHALL, IN ADDITION TO ANY OTHER INFORMATION REQUIRED PURSUANT TO THIS CHAPTER OR ANY RULE OR REGULATION PROMULGATED THEREUNDER, INCLUDE THE SEATING CAPACITY OF SUCH VEHICLE.

S 4. Section 401 of the vehicle and traffic law is amended by adding a new subdivision 5-b to read as follows:

5-B. WITHIN FIVE DAYS OF THE ALTERATION OF THE CENTER PANEL OF A LIVERY VEHICLE, A REGISTRATION, REREGISTRATION OR RENEWAL ISSUED PURSUANT TO THIS CHAPTER PRIOR TO SUCH ALTERATION SHALL BE NULL AND VOID AND NO PERSON SHALL OPERATE SUCH VEHICLE UNTIL IT HAS BEEN REREGISTERED IN ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER. IT SHALL BE THE DUTY OF EVERY OWNER OF A LIVERY ALTERED AFTER SUCH VEHICLE WAS REGISTERED, REREGISTERED OR RENEWED TO NOTIFY THE COMMISSIONER IN WRITING OF SUCH ALTERATION WITHIN FIVE DAYS AFTER SUCH ALTERATION OCCURS.

S 5. Beginning in 2011, the commissioner of motor vehicles shall include in the department of motor vehicles annual summary of motor vehicle registrations in force information regarding the number of altered liveries registered in New York state with center panels one hundred inches or less, and with center panels exceeding one hundred inches. Such summary shall also include information regarding the number of such vehicles with a seating capacity of less than fifteen passengers, and with a seating capacity of fifteen passengers or more.

S 6. Beginning in 2011, the commissioner of motor vehicles shall make available, on-line and in a format capable of being downloaded, all forms necessary to make the certifications required pursuant to subparagraph (e) of paragraph b of subdivision 1 of section 401 of the vehicle and traffic law with respect to altered livery vehicles.

S 7. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed by the commissioner of the department of motor vehicles on or before such effective date.