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

4221

2009-2010 Regular Sessions

I N A S S E M B L Y

February 2, 2009

Introduced by M. of A. COLTON, CASTRO, ENGLEBRIGHT, SCHIMEL, ALFANO -- Multi-Sponsored by -- M. of A. DUPREY, ESPAILLAT, TOWNS, WEISENBERG -- read once and referred 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:

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

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

S 2. Subparagraphs (e) and (f) 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, are amended to read as follows:

(e) provided, that, if such motor vehicle is an altered livery, the applicant shall so furnish a certified copy of the length of the center panel of such vehicle, provided, however, that the commissioner shall require such proof, as [he] SUCH COMMISSIONER 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] (f) PROVIDED, THAT, IF SUCH MOTOR VEHICLE IS A "QUALIFIED HYBRID VEHICLE" AS DEFINED IN SECTION ONE HUNDRED TWENTY-FIVE-B OF THIS CHAPTER, THE APPLI-

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

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CANT SHALL FURNISH PROOF TO THE COMMISSIONER, IN THE APPLICATION FOR REGISTRATION, OR OTHERWISE, OF THE MAKE, MODEL AND MODEL YEAR OF SUCH APPLICANT'S MOTOR VEHICLE. IF SUCH PROOF HAS BEEN SUBMITTED, SUCH APPLICANT'S CERTIFICATE OF REGISTRATION SHALL CONTAIN A DISTINGUISHING MARK WHICH SHALL DESIGNATE SUCH APPLICANT'S MOTOR VEHICLE AS A "QUALIFIED HYBRID VEHICLE," AND SHALL ALSO DISPLAY SUCH MOTOR VEHICLE'S UNITED STATES ENVIRONMENTAL PROTECTION AGENCY HIGHWAY FUEL ECONOMY RATING OF FORTY-FIVE MILES PER GALLON OR MORE. THE COMMISSIONER IS HEREBY AUTHORIZED TO PROMULGATE ANY RULES AND REGULATIONS NECESSARY FOR THE IMPLEMENTATION OF THE PROVISIONS OF THIS SUBPARAGRAPH; AND (G) such additional facts or evidence as the commissioner may require in connection with the application for registration.

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

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

in the place provided by the commissioner, a record of such change of residence.

S 4. This act shall take effect on the one hundred eightieth day after it shall have become a law.