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

5969

2009-2010 Regular Sessions

I N A S S E M B L Y

February 23, 2009

Introduced by M. of A. TITONE, TOBACCO -- read once and referred to the Committee on Transportation

AN ACT to amend the public authorities law, in relation to providing access to the E-ZPass program on applications for motor vehicle registrations

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

Section 1. Section 362 of the public authorities law, as amended by chapter 766 of the laws of 1992, is amended to read as follows:

S 362. Assistance by state officers, departments, boards, divisions and commissions; ACCESS TO E-ZPASS PROGRAM. (A) At the request of the authority, engineering and legal services for such authority shall be performed by forces or officers of the department of transportation and the department of law respectively, and all other state officers, departments, boards, divisions and commissions shall render services within their respective functions. At the request of the authority, services in connection with the collection of any charges or fees for the use of the thruway, the New York state canal system or any part thereof may be performed by the department of motor vehicles.

(B) THE DEPARTMENT OF MOTOR VEHICLES SHALL INCLUDE ON ALL MOTOR VEHICLE REGISTRATION APPLICATIONS AS FURNISHED BY THE COMMISSIONER OF MOTOR VEHICLES, THE OPPORTUNITY FOR SUCH APPLICANTS TO VOLUNTARILY PARTICIPATE IN THE E-ZPASS PROGRAM AS PRESCRIBED BY THE AUTHORITY OF MOTOR VEHICLES. THE PURPOSE OF SUCH MEASURE IS TO FACILITATE PARTICIPATION IN THE E-ZPASS PROGRAM, THEREFORE THE DEPARTMENT OF MOTOR VEHICLES AND THE AUTHORITY SHALL ESTABLISH MEANS BY WHICH THE RELEVANT INFORMATION MAY BE SHARED TO ACHIEVE SUCH PURPOSE. PARTICIPATION IN THE E-ZPASS PROGRAM SHALL BE SUBJECT TO THE PROCEDURES, TERMS, CONDITIONS AND AGREEMENTS AS FROM TIME TO TIME MAY BE ISSUED BY THE AUTHORITY. SUCH TERMS, CONDITIONS AND AGREEMENTS MAY INCLUDE MINIMUM DEPOSITS, ADMINISTRATIVE SERVICE FEES ON ACCOUNTS OR EQUIPMENT, LIMITS ON TRANSFERABILITY, AND E-ZPASS ACCOUNT

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

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REQUIREMENTS. USE OF THE E-ZPASS SYSTEM MAY BE CONDITIONED ON CONTINUED COMPLIANCE WITH REQUIREMENTS OF OTHER AGENCIES WHICH OPERATE THE E-ZPASS SYSTEM. UNAUTHORIZED OR IMPROPER USE OF AN E-ZPASS TAG OR DEDICATED E-ZPASS LANE IS PROHIBITED AND MAY RESULT IN CANCELLATION OF E-ZPASS ACCOUNT PRIVILEGE AND/OR THE IMPOSITION OF ADMINISTRATIVE FEES, COSTS OR PENALTIES.

S 2. This act shall take effect on the ninetieth day after it shall have become a law; provided, that the commissioner of motor vehicles is immediately authorized and directed to promulgate, amend and/or repeal any rules and regulations necessary to implement the provisions of this act on its effective date.