

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:

1 Section 1. Section 301 of the vehicle and traffic law is amended by
2 adding a new subdivision (c-1) to read as follows:
3 (C-1) THE OWNER OF AN ALTERED LIVERY VEHICLE INSPECTED PURSUANT TO
4 THIS CHAPTER SHALL ALSO BE REQUIRED, AS PART OF SUCH INSPECTION, TO SHOW
5 TO THE INSPECTOR A COPY OF THE CERTIFICATION STATING THE LENGTH OF THE
6 CENTER PANEL OF SUCH VEHICLE AND IF THE CENTER PANEL OF SUCH VEHICLE
7 EXCEEDS ONE HUNDRED INCHES, A COPY OF THE MOST RECENT PROOF THAT SUCH
8 VEHICLE IS IN COMPLIANCE WITH ALL APPLICABLE FEDERAL AND STATE MOTOR
9 VEHICLE SAFETY STANDARDS, SUBMITTED AT THE TIME OF SUCH VEHICLE'S REGIS-
10 TRATION, REREGISTRATION OR RENEWAL THEREOF TO THE COMMISSIONER PURSUANT
11 TO SUBPARAGRAPH (E) OF PARAGRAPH B OF SUBDIVISION ONE OF SECTION FOUR
12 HUNDRED ONE OF THIS CHAPTER. FAILURE TO COMPLY WITH THIS SUBDIVISION
13 SHALL BE GROUNDS FOR FAILURE OF THE INSPECTION.
14 S 2. Subparagraph (e) of paragraph b of subdivision 1 of section 401
15 of the vehicle and traffic law, as amended by chapter 222 of the laws of
16 1996, is amended to read as follow:
17 (e) A STATEMENT IN APPLICATIONS FOR REGISTRATION, REREGISTRATION AND
18 RENEWALS AS TO WHETHER SUCH MOTOR VEHICLE IS AN ALTERED LIVERY AND
19 WHETHER THE CENTER PANEL OF ANY SUCH ALTERED LIVERY VEHICLE EXCEEDS ONE
20 HUNDRED INCHES, provided, that, if such motor vehicle is an altered
21 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.

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

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

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

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

18 5-B. WITHIN FIVE DAYS OF THE ALTERATION OF THE CENTER PANEL OF A
19 LIVERY VEHICLE, A REGISTRATION, REREGISTRATION OR RENEWAL ISSUED PURSU-
20 ANT TO THIS CHAPTER PRIOR TO SUCH ALTERATION SHALL BE NULL AND VOID AND
21 NO PERSON SHALL OPERATE SUCH VEHICLE UNTIL IT HAS BEEN REREGISTERED IN
22 ACCORDANCE WITH THE PROVISIONS OF THIS CHAPTER. IT SHALL BE THE DUTY OF
23 EVERY OWNER OF A LIVERY ALTERED AFTER SUCH VEHICLE WAS REGISTERED,
24 REREGISTERED OR RENEWED TO NOTIFY THE COMMISSIONER IN WRITING OF SUCH
25 ALTERATION WITHIN FIVE DAYS AFTER SUCH ALTERATION OCCURS.

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

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

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