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

1180

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. GANTT, CAHILL, JAFFEE -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to refunds of registration fees and to repeal certain provisions of such law relating thereto

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

Section 1. Subdivision 2 of section 420 of the vehicle and traffic law, as amended by section 2 of part G of chapter 59 of the laws of 2009, is amended to read as follows:

2. Such seller or owner may, however, register another vehicle and use said number plates thereon, if appropriate, upon making application for such registration, paying a transfer fee of ten dollars, and paying the proportional excess, if any[, of the]. THE annual fee for registering the second vehicle [over] SHALL BE INCREASED OR REDUCED PROPORTIONATELY ON A MONTHLY COMPUTATION BASIS FROM the annual fee for registering the first vehicle for each day or fraction thereof constituting the unexpired registration period AND ANY SURPLUS SHALL BE PARTIALLY REFUNDED IF THE FULL REGISTRATION FEE IS NOT USED. If the number plates of the first vehicle are not appropriate for the second vehicle, the commissioner or his or her agent shall, upon the surrender of such number plates, furnish appropriate number plates.

S 2. Subdivision 1 of section 428 of the vehicle and traffic law, as amended by chapter 515 of the laws of 1982, is amended to read as follows:

1. Any fee paid for the registration of a vehicle under the provisions of this chapter shall be refunded, less the sum of one dollar, provided that the commissioner and the state comptroller are satisfied that [the registration has not been used and] the number plates and sticker have been surrendered to the commissioner [within two

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

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months after the date the fee was paid or the beginning of the registration period for which the registration was issued, whichever comes later] and application therefor is filed with the commissioner within the period of validity for which such registration was issued.

S 3. Subdivision 2 of section 428 of the vehicle and traffic law is REPEALED and a new subdivision 2 is added to read as follows:

2. ANY FEE PAID FOR THE REGISTRATION OF A MOTOR VEHICLE UNDER THE PROVISIONS OF THIS CHAPTER SHALL BE PARTIALLY REFUNDED IF THE FULL REGISTRATION PERIOD IS NOT USED AND IF SUCH REGISTRATION IS NOT TRANSFERRED TO ANOTHER MOTOR VEHICLE, AND THE NUMBER PLATES OR THE PLATES ISSUED FOR A VEHICLE REGISTERED UNDER THIS CHAPTER ARE SURRENDERED TO THE COMMISSIONER. THE AMOUNT OF SUCH REFUND SHALL BE COMPUTED BY APPORTIONING THE REGISTRATION FEE FOR REGISTERING THE MOTOR VEHICLE BETWEEN THE NUMBER OF MONTHS FOR WHICH THE REGISTRATION FEE WAS PAID WITH THE NUMBER OF MONTHS REMAINING AT THE TIME THE PLATES WERE DESTROYED OR SURRENDERED, LESS THE SUM OF ONE DOLLAR.

S 4. This act shall take effect on the first of April next succeeding the date on which it shall have become a law.