

2068

2011-2012 Regular Sessions

I N A S S E M B L Y

January 13, 2011

Introduced by M. of A. M. MILLER, CASTRO, MONTESANO -- Multi-Sponsored
by -- M. of A. BURLING, CALHOUN, MAGEE, NOLAN -- read once and
referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to prohibiting
the use of digital license plate frames

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

1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 397-c to read as follows:
3 S 397-C. DIGITAL LICENSE PLATE FRAMES PROHIBITED. 1. NO DIGITAL
4 LICENSE PLATE FRAME SHALL BE USED IN ANY MOTOR VEHICLE. THE PRESENCE ON
5 SUCH VEHICLE OF A DIGITAL LICENSE PLATE FRAME CONNECTED TO A POWER
6 SOURCE AND IN AN OPERABLE CONDITION IS PRESUMPTIVE EVIDENCE OF ITS USE
7 BY ANY PERSON OPERATING SUCH VEHICLE. SUCH PRESUMPTION SHALL BE REBUTTED
8 BY ANY CREDIBLE AND RELIABLE EVIDENCE WHICH TENDS TO SHOW THAT SUCH
9 DIGITAL LICENSE PLATE FRAME WAS NOT IN USE.
10 2. FOR PURPOSES OF THIS SECTION THE TERM, "DIGITAL LICENSE PLATE
11 FRAME" SHALL MEAN ANY DIGITAL LICENSE PLATE FRAME CAPABLE OF PRODUCING
12 STILL OR SCROLLING IMAGES OR TEXTS.
13 3. THE PROVISIONS OF THIS SECTION SHALL NOT BE CONSTRUED AS AUTHORIZ-
14 ING THE SEIZURE OR FORFEITURE OF A DIGITAL LICENSE PLATE FRAME, UNLESS
15 OTHERWISE PROVIDED BY LAW.
16 4. A VIOLATION OF THE PROVISIONS OF THIS SECTION SHALL CONSTITUTE A
17 TRAFFIC INFRACTION PUNISHABLE BY A FINE OF SIXTY-FIVE DOLLARS.
18 S 2. This act shall take effect on the one hundred eightieth day after
19 it shall have become a law.

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

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