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

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The vehicle and traffic law is amended by adding a new section 397-c to read as follows:

S 397-C. DIGITAL LICENSE PLATE FRAMES PROHIBITED. 1. NO DIGITAL LICENSE PLATE FRAME SHALL BE USED IN ANY MOTOR VEHICLE. THE PRESENCE ON SUCH VEHICLE OF A DIGITAL LICENSE PLATE FRAME CONNECTED TO A POWER SOURCE AND IN AN OPERABLE CONDITION IS PRESUMPTIVE EVIDENCE OF ITS USE BY ANY PERSON OPERATING SUCH VEHICLE. SUCH PRESUMPTION SHALL BE REBUTTED BY ANY CREDIBLE AND RELIABLE EVIDENCE WHICH TENDS TO SHOW THAT SUCH DIGITAL LICENSE PLATE FRAME WAS NOT IN USE.

2. FOR PURPOSES OF THIS SECTION THE TERM, "DIGITAL LICENSE PLATE FRAME" SHALL MEAN ANY DIGITAL LICENSE PLATE FRAME CAPABLE OF PRODUCING STILL OR SCROLLING IMAGES OR TEXTS.

3. THE PROVISIONS OF THIS SECTION SHALL NOT BE CONSTRUED AS AUTHORIZING THE SEIZURE OR FORFEITURE OF A DIGITAL LICENSE PLATE FRAME, UNLESS OTHERWISE PROVIDED BY LAW.

4. A VIOLATION OF THE PROVISIONS OF THIS SECTION SHALL CONSTITUTE A TRAFFIC INFRACTION PUNISHABLE BY A FINE OF SIXTY-FIVE DOLLARS.

S 2. This act shall take effect on the one hundred eightieth day after 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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