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

7604--A

2011-2012 Regular Sessions

I N A S S E M B L Y

May 10, 2011

Introduced by M. of A. GANTT -- (at request of the Department of Motor Vehicles) -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to allowing the commissioner to require an electronic transfer of vehicles and to establish separate fees for paper and electronic transfers

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

Section 1. Subdivision 6 of section 415 of the vehicle and traffic law, as amended by section 1-b of part A of chapter 63 of the laws of 2005, is amended to read as follows:

6. Fees. Every original application for registration as a dealer or transporter shall be accompanied by an application fee of thirty-seven dollars and fifty cents, which shall in no event be refunded. The annual fee for registration as a dealer or transporter or for renewal thereof shall be two hundred twenty-five dollars. The annual fee for any other registration under this section shall be fifty dollars. However, the commissioner may, in his discretion, issue a renewal of either registration for a period of two years. The fee for a two-year renewal shall be twice the annual fee. The annual fee for dealer or transporter number plates shall be twenty dollars for each set. If the commissioner issues to dealers a document which is required to be used by a dealer to sell or transfer a vehicle, the fee for the issuance of each such document shall be five dollars. *IN LIEU OF ISSUING SUCH DOCUMENT, THE COMMISSIONER MAY, BY REGULATION, REQUIRE THAT THE INFORMATION CONTAINED ON SUCH DOCUMENT BE TRANSMITTED TO THE COMMISSIONER ELECTRONICALLY AND STORED ELECTRONICALLY BY THE COMMISSIONER. THE FEE FOR TRANSMITTING SUCH INFORMATION ELECTRONICALLY SHALL BE FIVE DOLLARS. THE COMMISSIONER SHALL PROVIDE THAT SUCH ELECTRONIC TRANSMISSION BE WAIVED WHEN A DEALER SHOWS*

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

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GOOD CAUSE THAT THE DEALER CANNOT TRANSMIT THE INFORMATION ELECTRONICALLY. There shall be no refund of registration fee or fees for number plates in the event of suspension, revocation or voluntary cancellation of registration. The fee for any such transfer document issued by the commissioner shall be refunded only upon the surrender of such document upon voluntary cancellation of registration.

S 2. Subdivision 6 of section 415 of the vehicle and traffic law, as amended by chapter 7 of the laws of 2000, is amended to read as follows:

6. Fees. Every original application for registration as a dealer or transporter shall be accompanied by an application fee of twenty-five dollars, which shall in no event be refunded. The annual fee for registration as a dealer or transporter or for renewal thereof shall be one hundred fifty dollars. The annual fee for any other registration under this section shall be fifty dollars. However, the commissioner may, in his discretion, issue a renewal of either registration for a period of two years. The fee for a two-year renewal shall be twice the annual fee. The annual fee for dealer or transporter number plates shall be twenty dollars for each set. If the commissioner issues to dealers a document which is required to be used by a dealer to sell or transfer a vehicle, the fee for the issuance of each such document shall be one dollar. IN LIEU OF ISSUING SUCH DOCUMENT, THE COMMISSIONER MAY, BY REGULATION, REQUIRE THAT THE INFORMATION CONTAINED ON SUCH DOCUMENT BE TRANSMITTED TO THE COMMISSIONER ELECTRONICALLY AND STORED ELECTRONICALLY BY THE COMMISSIONER. THE FEE FOR TRANSMITTING SUCH INFORMATION ELECTRONICALLY SHALL BE FIVE DOLLARS. THE COMMISSIONER SHALL PROVIDE THAT SUCH ELECTRONIC TRANSMISSION BE WAIVED WHEN A DEALER SHOWS GOOD CAUSE THAT THE DEALER CANNOT TRANSMIT THE INFORMATION ELECTRONICALLY. There shall be no refund of registration fee or fees for number plates in the event of suspension, revocation or voluntary cancellation of registration. The fee for any such transfer document issued by the commissioner shall be refunded only upon the surrender of such document upon voluntary cancellation of registration.

S 3. This act shall take effect immediately provided that the amendments to subdivision 6 of section 415 of the vehicle and traffic law made by section one of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 13 of part U-1 of chapter 62 of the laws of 2003, as amended, when upon such date the provisions of section two of this act shall take effect.