

864

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. COLTON, CASTRO, ENGLEBRIGHT, SCHIMEL -- Multi-Sponsored by -- M. of A. DUPREY, HIKIND, TOWNS, WEISENBERG -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to affixing the designation "qualified hybrid vehicle" and the estimated miles per gallon of such vehicle as calculated by the United States environmental protection agency onto all car registration forms

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

1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 125-b to read as follows:
3 S 125-B. QUALIFIED HYBRID VEHICLE. A QUALIFIED HYBRID VEHICLE IS A
4 MOTOR VEHICLE AS DEFINED IN SECTION ONE HUNDRED TWENTY-FIVE OF THIS
5 ARTICLE, OTHER THAN AN ELECTRIC VEHICLE, THAT DRAWS PROPULSION ENERGY
6 FROM BOTH AN INTERNAL COMBUSTION ENGINE (OR HEAT ENGINE THAT USES
7 COMBUSTIVE FUEL) AND AN ENERGY STORAGE DEVICE, AND EMPLOYS A REGENERA-
8 TIVE VEHICLE BRAKING SYSTEM THAT RECOVERS WASTE ENERGY TO CHARGE SUCH
9 ENERGY STORAGE DEVICE.
10 S 2. Subparagraphs (e) and (f) of paragraph b of subdivision 1 of
11 section 401 of the vehicle and traffic law, as amended by chapter 222 of
12 the laws of 1996, are amended to read as follows:
13 (e) provided, that, if such motor vehicle is an altered livery, the
14 applicant shall so furnish a certified copy of the length of the center
15 panel of such vehicle, provided, however, that the commissioner shall
16 require such proof, as [he] SUCH COMMISSIONER may determine is neces-
17 sary, in the application for registration and provided further, if the
18 center panel of such vehicle exceeds one hundred inches, the commission-
19 er shall require proof that such vehicle is in compliance with all
20 applicable federal and state motor vehicle safety standards; [and] (f)
21 PROVIDED, THAT, IF SUCH MOTOR VEHICLE IS A "QUALIFIED HYBRID VEHICLE" AS

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

LBD04982-01-1

1 DEFINED IN SECTION ONE HUNDRED TWENTY-FIVE-B OF THIS CHAPTER, THE APPLI-
2 CANT SHALL FURNISH PROOF TO THE COMMISSIONER, IN THE APPLICATION FOR
3 REGISTRATION, OR OTHERWISE, OF THE MAKE, MODEL AND MODEL YEAR OF SUCH
4 APPLICANT'S MOTOR VEHICLE. IF SUCH PROOF HAS BEEN SUBMITTED, SUCH APPLI-
5 CANT'S CERTIFICATE OF REGISTRATION SHALL CONTAIN A DISTINGUISHING MARK
6 WHICH SHALL DESIGNATE SUCH APPLICANT'S MOTOR VEHICLE AS A "QUALIFIED
7 HYBRID VEHICLE," AND SHALL ALSO DISPLAY SUCH MOTOR VEHICLE'S UNITED
8 STATES ENVIRONMENTAL PROTECTION AGENCY HIGHWAY FUEL ECONOMY RATING OF
9 FORTY-FIVE MILES PER GALLON OR MORE. THE COMMISSIONER IS HEREBY AUTHOR-
10 IZED TO PROMULGATE ANY RULES AND REGULATIONS NECESSARY FOR THE IMPLEMEN-
11 TATION OF THE PROVISIONS OF THIS SUBPARAGRAPH; AND (G) such additional
12 facts or evidence as the commissioner may require in connection with the
13 application for registration.

14 S 3. Paragraph a of subdivision 3 of section 401 of the vehicle and
15 traffic law, as amended by section 1 of part H of chapter 59 of the laws
16 of 2009, is amended to read as follows:

17 a. Upon filing of such application and the payment of the fee herein-
18 after provided, the commissioner shall assign to such motor vehicle a
19 distinctive number and, without expense to the applicant, issue and
20 deliver in such manner as the commissioner may select to the owner a
21 certificate of registration, in such form as the commissioner shall
22 prescribe[,]. SUCH CERTIFICATE OF REGISTRATION SHALL CONTAIN A DISTIN-
23 GUISHING MARK WHICH SHALL DESIGNATE SUCH MOTOR VEHICLE AS A "QUALIFIED
24 HYBRID VEHICLE" AS DEFINED IN SECTION ONE HUNDRED TWENTY-FIVE-B OF THIS
25 CHAPTER, PURSUANT TO SUBPARAGRAPH (F) OF PARAGRAPH B OF SUBDIVISION ONE
26 OF THIS SECTION, AND SHALL CONTAIN ADEQUATE SPACE UPON WHICH SUCH MOTOR
27 VEHICLE'S UNITED STATES ENVIRONMENTAL PROTECTION AGENCY HIGHWAY FUEL
28 ECONOMY RATING OF FORTY-FIVE MILES PER GALLON OR MORE SHALL BE
29 DISPLAYED. THE COMMISSIONER SHALL ALSO ISSUE and DELIVER two number
30 plates at a place within the state of New York named by the applicant in
31 his or her application. A number plate, within the meaning of this chap-
32 ter, may, in the discretion of the commissioner, be a plate of a perma-
33 nent nature, treated with reflectorized material according to specifica-
34 tions prescribed by the commissioner, and with a date tag attached to
35 such plate or to the vehicle as prescribed by regulations of the commis-
36 sioner indicating the validity of the plate during a certain period and
37 the issuance of such a number plate with such date tag to a person
38 possessing such a number plate shall be deemed the issuance of a number
39 plate. An additional fee, not to exceed twenty-five dollars, shall be
40 paid to the commissioner whenever a set of reflectorized number plates
41 is issued for any vehicle for which a registration fee is normally
42 charged except that, with respect to any number plate which is specif-
43 ically requested by the applicant, such fee shall be paid to the commis-
44 sioner upon approval of such request. In the event of the loss, mutila-
45 tion or destruction of any certificate of registration, any number plate
46 or set of number plates whether with or without a date tag or tags, or
47 any date tag or set of date tags provided for in this article, the owner
48 of a registered motor vehicle may file such statement and proof of the
49 facts as the commissioner shall require, with a fee of three dollars, in
50 the office of the commissioner, or, unless and until the commissioner
51 shall otherwise direct, in the office of the agent who issued the
52 certificate, plate, plates, tag or tags and the commissioner or his or
53 her agent, as the case may be, shall issue a duplicate or substitute. It
54 shall be the duty of every owner holding a certificate of registration
55 to notify the commissioner in writing of any change of residence of such
56 person within ten days after such change occurs, and to inscribe on such

1 certificate, in the place provided by the commissioner, a record of such
2 change of residence.
3 S 4. This act shall take effect on the one hundred eightieth day after
4 it shall have become a law.