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

5414

2011-2012 Regular Sessions

I N S E N A T E

May 18, 2011

Introduced by Sen. KLEIN -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to requiring vehicle identification numbers on the wheels of all motor vehicles sold in this state; and to amend the penal law, in relation to forgery of a vehicle identification number

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 431-a to read as follows:

S 431-A. IDENTIFICATION NUMBERS ON VEHICLE WHEELS. IN ADDITION TO THE REQUIREMENTS OF SECTION FOUR HUNDRED THIRTY-ONE OF THIS ARTICLE, EVERY MANUFACTURER OR ASSEMBLER OF A VEHICLE SOLD IN THIS STATE SHALL HAVE ENGRAVED ON EACH OF THE FOUR WHEELS OF SUCH VEHICLE, NOT INCLUDING ANY SPARE WHEEL, THE VEHICLE IDENTIFICATION NUMBER OF THE VEHICLE THEY WERE SOLD WITH. SUCH IDENTIFICATION NUMBER SHALL BE NO SMALLER IN SIZE THAN IS REQUIRED BY RULE OR REGULATION FOR THE VEHICLE IDENTIFICATION NUMBER REQUIRED UNDER THIS ARTICLE. EACH ENGRAVED WHEEL IDENTIFICATION NUMBER SHALL BE ACCOMPANIED BY A LIKEWISE ENGRAVED SUFFIX DIGIT, EITHER 1, 2, 3 OR 4, THAT UNIQUELY IDENTIFIES EACH OF THE FOUR WHEELS FROM THE OTHER THREE. EACH ENGRAVED IDENTIFICATION NUMBER SHALL BE IN A LOCATION ON THE WHEEL THAT FACES OUTWARD FROM THE BODY OF THE VEHICLE WHEN THE WHEEL IS MOUNTED ON THE VEHICLE AS IT WAS DESIGNED TO BE, AND SHALL BE PLAINLY VISIBLE FROM THE VEHICLE'S EXTERIOR, WITHOUT OBSTRUCTION BY ANY SPOKE OR OTHER PART OF THE WHEEL. EACH WHEEL VEHICLE IDENTIFICATION NUMBER AND UNIQUE SUFFIX SHALL BE ENGRAVED DIRECTLY INTO THE WHEEL ITSELF IN A MANNER THAT IS MEANT TO BE PERMANENT FOR THE LIFE OF THE WHEEL AND MEANT TO EXHIBIT CLEAR EVIDENCE OF AN ATTEMPT TO REMOVE, DEFACE, OR ALTER THE ENGRAVING. THIS ENGRAVING REQUIREMENT SHALL NOT APPLY TO ANY WHEEL SOLD WITH A NEW VEHICLE THAT THE ORIGINAL MANUFACTURER WILL AGREE, IN WRITING AT THE TIME OF SALE, TO REPLACE IN THE EVENT OF LOSS, DAMAGE OR THEFT AT

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

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ANY TIME AFTER THE DATE OF ORIGINAL SALE OF THE ACCOMPANYING VEHICLE, WITH A WHEEL OF IDENTICAL APPEARANCE AND CONSTRUCTION, FOR LESS THAN ONE HUNDRED FIFTY DOLLARS.

S 2. Subdivision 1 of section 170.65 of the penal law, as amended by chapter 488 of the laws of 1977, is amended to read as follows:

(1) He knowingly destroys, covers, defaces, alters or otherwise changes the form or appearance of a vehicle identification number on any vehicle or component part thereof[, except tires] INCLUDING THE VEHICLE'S WHEELS BUT NOT THE TIRES MOUNTED THEREON; or

S 3. The vehicle and traffic law is amended by adding a new section 1223-b to read as follows:

S 1223-B. NO PERSON SHALL OPERATE A MOTOR VEHICLE WHEN THE VEHICLE IDENTIFICATION NUMBERS THAT HAVE BEEN ENGRAVED ON ANY WHEEL IN ACCORDANCE WITH SECTION FOUR HUNDRED THIRTY-ONE-A OF THIS CHAPTER ARE COVERED OR OBSCURED.

S 4. This act shall take effect on the first of January next succeeding the date on which it shall have become a law and shall apply to all motor vehicles manufactured and sold on or after such date.