

S T A T E   O F   N E W   Y O R K

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5559--A

2011-2012 Regular Sessions

I N   S E N A T E

June 1, 2011

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Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, the vehicle and traffic law and the public officers law, in relation to bus lane restrictions enforcement by photo devices

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

1     Section 1. Subdivision 3 of section 1209-a of the public authorities  
2 law, as amended by chapter 379 of the laws of 1992, is amended to read  
3 as follows:  
4     3. Jurisdiction. The bureau shall have, with respect to acts or inci-  
5 dents in or on the transit facilities of the authority committed by or  
6 involving persons who are sixteen years of age or over, VIOLATION OF BUS  
7 LANE RESTRICTIONS ENFORCED BY PHOTO DEVICES IN ACCORDANCE WITH SECTION  
8 ELEVEN HUNDRED ELEVEN-D OF THE VEHICLE AND TRAFFIC LAW, NOTICES OF  
9 VIOLATION OF BUS LANE RESTRICTIONS ISSUED BY AUTHORIZED AUTHORITY  
10 EMPLOYEES IN ACCORDANCE WITH SECTION TWO HUNDRED THIRTY-EIGHT OF THE  
11 VEHICLE AND TRAFFIC LAW, and with respect to violation of toll  
12 collection regulations of the triborough bridge and tunnel authority as  
13 described in section two thousand nine hundred eighty-five of this chap-  
14 ter, non-exclusive jurisdiction over violations of: (a) the rules which  
15 may from time to time be established by the authority under subdivision  
16 five-a of section twelve hundred four of this chapter; (b) article one  
17 hundred thirty-nine of the health code of the city of New York, as it  
18 may be amended from time to time, relating to public transportation  
19 facilities; and (c) article four of the noise control code of the city  
20 of New York, as it may be amended from time to time, insofar as it  
21 pertains to sound reproduction devices; [and] (d) the rules and regu-

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

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lations which may from time to time be established by the triborough bridge and tunnel authority in accordance with the provisions of section two thousand nine hundred eighty-five of this chapter; (E) BUS LANE RESTRICTIONS ENFORCED BY PHOTO DEVICES IN ACCORDANCE WITH SECTION ELEVEN HUNDRED ELEVEN-D OF THE VEHICLE AND TRAFFIC LAW; AND (F) BUS LANE RESTRICTIONS FOR NOTICES OF VIOLATION ISSUED BY AUTHORIZED AUTHORITY EMPLOYEES IN ACCORDANCE WITH SECTION TWO HUNDRED THIRTY-EIGHT OF THE VEHICLE AND TRAFFIC LAW. Matters within the jurisdiction of the bureau except violations of the rules and regulations of the triborough bridge and tunnel authority shall be known for purposes of this section as transit infractions, WHICH INCLUDE VIOLATIONS OF BUS LANE RESTRICTIONS ENFORCED BY PHOTO DEVICES IN ACCORDANCE WITH SECTION ELEVEN HUNDRED ELEVEN-D OF THE VEHICLE AND TRAFFIC LAW AND NOTICES OF VIOLATION OF BUS LANE RESTRICTIONS ISSUED BY AUTHORIZED AUTHORITY EMPLOYEES IN ACCORDANCE WITH SECTION TWO HUNDRED THIRTY-EIGHT OF THE VEHICLE AND TRAFFIC LAW. Nothing [herein] IN THIS SUBDIVISION shall be construed to divest jurisdiction from any court now having jurisdiction over any criminal charge or traffic infraction relating to any act committed in a transit or toll facility OR A DESIGNATED BUS LANE, or to impair the ability of a police officer to conduct a lawful search of a person in a transit facility. The criminal court of the city of New York shall continue to have jurisdiction over any criminal charge or traffic infraction brought for violation of the rules of the authority or the triborough bridge and tunnel authority, as well as jurisdiction relating to any act which may constitute a crime or an offense under any law of the state of New York or any municipality or political subdivision thereof and which may also constitute a violation of such rules. The bureau shall have concurrent jurisdiction with the environmental control board and the administrative tribunal of the department of health over the aforesaid provisions of the health code and noise control code of the city of New York.

S 2. Paragraphs b and j of subdivision 4 of section 1209-a of the public authorities law, as amended by chapter 379 of the laws of 1992, are amended to read as follows:

b. To impose civil penalties not to exceed a total of one hundred fifty dollars for any transit infraction within its jurisdiction, in accordance with a penalty schedule established by the authority except that penalties for violations of the health code of the city of New York shall be in accordance with the penalties established for such violations by the board of health of the city of New York, and penalties for violations of the noise code of the city of New York shall be in accordance with the penalties established for such violations by law, and civil penalties for violations of the rules and regulations of the triborough bridge and tunnel authority shall be in accordance with the penalties established for such violations by section two thousand nine hundred eighty-five of this chapter, AND THAT PENALTIES FOR VIOLATIONS OF BUS LANE RESTRICTIONS ENFORCED BY PHOTO DEVICES AND FOR NOTICES OF VIOLATION OF BUS LANE RESTRICTIONS ISSUED BY AUTHORIZED AUTHORITY EMPLOYEES IN ACCORDANCE WITH SECTION TWO HUNDRED THIRTY-EIGHT OF THE VEHICLE AND TRAFFIC LAW SHALL BE IN ACCORDANCE WITH THE PENALTIES SET FORTH IN SECTION ELEVEN HUNDRED ELEVEN-D OF THE VEHICLE AND TRAFFIC LAW;

j. To adjudicate the liability of motor vehicle owners for violations of rules and regulations established in accordance with the provisions of section two thousand nine hundred eighty-five of this chapter AND SECTION ELEVEN HUNDRED ELEVEN-D OF THE VEHICLE AND TRAFFIC LAW, AND FOR NOTICES OF VIOLATION OF BUS LANE RESTRICTIONS ISSUED BY AUTHORIZED

1 AUTHORITY EMPLOYEES IN ACCORDANCE WITH SECTION TWO HUNDRED THIRTY-EIGHT  
2 OF THE VEHICLE AND TRAFFIC LAW.

3 S 3. Section 1209-a of the public authorities law is amended by adding  
4 two new subdivisions 5-a and 5-b to read as follows:

5 5-A. NOTICES OF LIABILITY FOR VIOLATION OF BUS LANE RESTRICTIONS;  
6 PHOTO DEVICES. NOTICES OF LIABILITY FOR VIOLATION OF BUS LANE  
7 RESTRICTIONS ENFORCED BY PHOTO DEVICES SHALL BE PREPARED AND MAILED IN  
8 ACCORDANCE WITH SECTION ELEVEN HUNDRED ELEVEN-D OF THE VEHICLE AND TRAF-  
9 FIC LAW.

10 5-B. NOTICES OF VIOLATION OF BUS LANE RESTRICTIONS; AUTHORIZED AUTHOR-  
11 ITY EMPLOYEES. NOTICES OF VIOLATION OF BUS LANE RESTRICTIONS ISSUED BY  
12 AUTHORIZED AUTHORITY EMPLOYEES SHALL BE IN ACCORDANCE WITH SECTION TWO  
13 HUNDRED THIRTY-EIGHT OF THE VEHICLE AND TRAFFIC LAW.

14 S 4. Subdivision 6 of section 1209-a of the public authorities law, as  
15 amended by chapter 379 of the laws of 1992, is amended to read as  
16 follows:

17 6. Defaults. Where a respondent has failed to plead to a notice of  
18 violation or to a notice of liability issued pursuant to section two  
19 thousand nine hundred eighty-five of this chapter OR SECTION ELEVEN  
20 HUNDRED ELEVEN-D OF THE VEHICLE AND TRAFFIC LAW OR TO A NOTICE OF  
21 VIOLATION OF BUS LANE RESTRICTIONS ISSUED BY AUTHORIZED AUTHORITY  
22 EMPLOYEES IN ACCORDANCE WITH SECTION TWO HUNDRED THIRTY-EIGHT OF THE  
23 VEHICLE AND TRAFFIC LAW within the time allowed by the rules of said  
24 bureau or has failed to appear on a designated hearing date or a subse-  
25 quent date following an adjournment, such failure to plead or appear  
26 shall be deemed, for all purposes, to be an admission of liability and  
27 shall be grounds for rendering a default decision and order imposing a  
28 penalty in such amount as may be prescribed by the authority, OR IN  
29 ACCORDANCE WITH SECTION ELEVEN HUNDRED ELEVEN-D OF THE VEHICLE AND TRAF-  
30 FIC LAW FOR A DEFAULT ON A VIOLATION OF BUS LANE RESTRICTIONS ENFORCED  
31 BY PHOTO DEVICES OR ON A NOTICE OF VIOLATION OF BUS LANE RESTRICTIONS  
32 ISSUED BY AUTHORIZED AUTHORITY EMPLOYEES IN ACCORDANCE WITH SECTION TWO  
33 HUNDRED THIRTY-EIGHT OF THE VEHICLE AND TRAFFIC LAW.

34 S 5. Paragraph g of subdivision 7 of section 1209-a of the public  
35 authorities law, as amended by chapter 379 of the laws of 1992, is  
36 amended to read as follows:

37 g. After due consideration of the evidence and arguments, the hearing  
38 officer shall determine whether the charges or allegations have been  
39 established. No charge may be established except upon proof by clear and  
40 convincing evidence except allegations of civil liability for violations  
41 of triborough bridge and tunnel authority rules and regulations will be  
42 established in accordance with the provisions of section two thousand  
43 nine hundred eighty-five of this chapter. Where the charges have not  
44 been established, an order dismissing the charges or allegations shall  
45 be entered. Where a determination is made that a charge or allegation  
46 has been established or if an answer admitting the charge or allegation  
47 has been received, the hearing officer shall set a penalty in accordance  
48 with the penalty schedule established by the authority, or for allega-  
49 tions of civil liability in accordance with the provisions of section  
50 two thousand nine hundred eighty-five of this chapter; OR FOR NOTICES OF  
51 LIABILITY FOR VIOLATION OF BUS LANE RESTRICTIONS ENFORCED BY PHOTO  
52 DEVICES OR NOTICES OF VIOLATION OF BUS LANE RESTRICTIONS ISSUED BY  
53 AUTHORIZED AUTHORITY EMPLOYEES IN ACCORDANCE WITH SECTION TWO HUNDRED  
54 THIRTY-EIGHT OF THE VEHICLE AND TRAFFIC LAW, THE PENALTY SHALL BE SET IN  
55 ACCORDANCE WITH SECTION ELEVEN HUNDRED ELEVEN-D OF THE VEHICLE AND TRAF-  
56 FIC LAW, and an appropriate order shall be entered in the records of the

1 bureau. The respondent shall be given notice of such entry in person or  
2 by certified mail. This order shall constitute the final determination  
3 of the hearing officer, and for purposes of review it shall be deemed to  
4 incorporate any intermediate determinations made by said officer in the  
5 course of the proceeding. When no appeal is filed this order shall be  
6 the final order of the bureau.

7 S 6. Subdivision 10 of section 1209-a of the public authorities law,  
8 as amended by chapter 379 of the laws of 1992, is amended to read as  
9 follows:

10 10. Funds. All penalties collected pursuant to the provisions of this  
11 section shall be paid to the authority to the credit of a transit crime  
12 fund which the authority shall establish. Any sums in this fund shall be  
13 used to pay for programs selected by the board of the authority, in its  
14 discretion, to reduce the incidence of crimes and infractions on transit  
15 facilities OR VIOLATION OF BUS LANE RESTRICTIONS, or to improve the  
16 enforcement of laws against such crimes and infractions. Such funds  
17 shall be in addition to and not in substitution for any funds provided  
18 by the state or the city of New York for such purposes.

19 S 7. Subparagraph (i) of paragraph a of subdivision 5-a of section 401  
20 of the vehicle and traffic law, as amended by section 1 of part SS of  
21 chapter 57 of the laws of 2010, is amended to read as follows:

22 (i) If at the time of application for a registration or renewal there-  
23 of there is a certification from a court, parking violations bureau,  
24 traffic and parking violations agency or administrative tribunal of  
25 appropriate jurisdiction [or administrative tribunal of appropriate  
26 jurisdiction] that the registrant or his or her representative failed to  
27 appear on the return date or any subsequent adjourned date or failed to  
28 comply with the rules and regulations of an administrative tribunal  
29 following entry of a final decision in response to a total of three or  
30 more summonses or other process in the aggregate, issued within an eigh-  
31 teen month period, charging either that: (i) such motor vehicle was  
32 parked, stopped or standing, or that such motor vehicle was operated for  
33 hire by the registrant or his or her agent without being licensed as a  
34 motor vehicle for hire by the appropriate local authority, in violation  
35 of any of the provisions of this chapter or of any law, ordinance, rule  
36 or regulation made by a local authority; or (ii) the registrant was  
37 liable in accordance with section eleven hundred eleven-a of this chap-  
38 ter or section eleven hundred eleven-b of this chapter for a violation  
39 of subdivision (d) of section eleven hundred eleven of this chapter; or  
40 (iii) the registrant was liable in accordance with section eleven  
41 hundred eleven-c OR ELEVEN HUNDRED ELEVEN-D of this chapter for a  
42 violation of a bus lane restriction as defined in such [section]  
43 SECTIONS, the commissioner or his or her agent shall deny the registra-  
44 tion or renewal application until the applicant provides proof from the  
45 court, traffic and parking violations agency or administrative tribunal  
46 wherein the charges are pending that an appearance or answer has been  
47 made or in the case of an administrative tribunal that he or she has  
48 complied with the rules and regulations of said tribunal following entry  
49 of a final decision. Where an application is denied pursuant to this  
50 section, the commissioner may, in his or her discretion, deny a regis-  
51 tration or renewal application to any other person for the same vehicle  
52 and may deny a registration or renewal application for any other motor  
53 vehicle registered in the name of the applicant where the commissioner  
54 has determined that such registrant's intent has been to evade the  
55 purposes of this subdivision and where the commissioner has reasonable  
56 grounds to believe that such registration or renewal will have the

1 effect of defeating the purposes of this subdivision. Such denial shall  
2 only remain in effect as long as the summonses remain unanswered, or in  
3 the case of an administrative tribunal, the registrant fails to comply  
4 with the rules and regulations following entry of a final decision.

5 S 8. Paragraph a of subdivision 5-a of section 401 of the vehicle and  
6 traffic law, as amended by section 8-a of part II of chapter 59 of the  
7 laws of 2010, is amended to read as follows:

8 a. If at the time of application for a registration or renewal thereof  
9 there is a certification from a court or administrative tribunal of  
10 appropriate jurisdiction that the registrant or his or her represen-  
11 tative failed to appear on the return date or any subsequent adjourned  
12 date or failed to comply with the rules and regulations of an adminis-  
13 trative tribunal following entry of a final decision in response to a  
14 total of three or more summonses or other process in the aggregate,  
15 issued within an eighteen month period, charging either that: (i) such  
16 motor vehicle was parked, stopped or standing, or that such motor vehi-  
17 cle was operated for hire by the registrant or his or her agent without  
18 being licensed as a motor vehicle for hire by the appropriate local  
19 authority, in violation of any of the provisions of this chapter or of  
20 any law, ordinance, rule or regulation made by a local authority; or  
21 (ii) the registrant was liable in accordance with section eleven hundred  
22 eleven-b of this chapter for a violation of subdivision (d) of section  
23 eleven hundred eleven of this chapter; or (iii) the registrant was  
24 liable in accordance with section eleven hundred eleven-c OR ELEVEN  
25 HUNDRED ELEVEN-D of this chapter for a violation of a bus lane  
26 restriction as defined in such [section] SECTIONS, the commissioner or  
27 his or her agent shall deny the registration or renewal application  
28 until the applicant provides proof from the court or administrative  
29 tribunal wherein the charges are pending that an appearance or answer  
30 has been made or in the case of an administrative tribunal that he or  
31 she has complied with the rules and regulations of said tribunal follow-  
32 ing entry of a final decision. Where an application is denied pursuant  
33 to this section, the commissioner may, in his or her discretion, deny a  
34 registration or renewal application to any other person for the same  
35 vehicle and may deny a registration or renewal application for any other  
36 motor vehicle registered in the name of the applicant where the commis-  
37 sioner has determined that such registrant's intent has been to evade  
38 the purposes of this subdivision and where the commissioner has reason-  
39 able grounds to believe that such registration or renewal will have the  
40 effect of defeating the purposes of this subdivision. Such denial shall  
41 only remain in effect as long as the summonses remain unanswered, or in  
42 the case of an administrative tribunal, the registrant fails to comply  
43 with the rules and regulations following entry of a final decision.

44 S 9. Paragraph a of subdivision 5-a of section 401 of the vehicle and  
45 traffic law, as amended by section 8-b of part II of chapter 59 of the  
46 laws of 2010, is amended to read as follows:

47 a. If at the time of application for a registration or renewal thereof  
48 there is a certification from a court or administrative tribunal of  
49 appropriate jurisdiction that the registrant or his or her represen-  
50 tative failed to appear on the return date or any subsequent adjourned  
51 date or failed to comply with the rules and regulations of an adminis-  
52 trative tribunal following entry of a final decision in response to  
53 three or more summonses or other process, issued within an eighteen  
54 month period, charging that such motor vehicle was parked, stopped or  
55 standing, or that such motor vehicle was operated for hire by the regis-  
56 trant or his or her agent without being licensed as a motor vehicle for

1 hire by the appropriate local authority, in violation of any of the  
2 provisions of this chapter or of any law, ordinance, rule or regulation  
3 made by a local authority or the registrant was liable in accordance  
4 with section eleven hundred eleven-c OR ELEVEN HUNDRED ELEVEN-D of this  
5 chapter for a violation of a bus lane restriction as defined in such  
6 [section] SECTIONS, the commissioner or his or her agent shall deny the  
7 registration or renewal application until the applicant provides proof  
8 from the court or administrative tribunal wherein the charges are pend-  
9 ing that an appearance or answer has been made or in the case of an  
10 administrative tribunal that he or she has complied with the rules and  
11 regulations of said tribunal following entry of a final decision. Where  
12 an application is denied pursuant to this section, the commissioner may,  
13 in his or her discretion, deny a registration or renewal application to  
14 any other person for the same vehicle and may deny a registration or  
15 renewal application for any other motor vehicle registered in the name  
16 of the applicant where the commissioner has determined that such regis-  
17 trant's intent has been to evade the purposes of this subdivision and  
18 where the commissioner has reasonable grounds to believe that such  
19 registration or renewal will have the effect of defeating the purposes  
20 of this subdivision. Such denial shall only remain in effect as long as  
21 the summonses remain unanswered, or in the case of an administrative  
22 tribunal, the registrant fails to comply with the rules and regulations  
23 following entry of a final decision.

24 S 10. Paragraph a of subdivision 5-a of section 401 of the vehicle and  
25 traffic law, as separately amended by chapters 339 and 592 of the laws  
26 of 1987, is amended to read as follows:

27 a. If at the time of application for a registration or renewal thereof  
28 there is a certification from a court or administrative tribunal of  
29 appropriate jurisdiction that the registrant or his OR HER represen-  
30 tative failed to appear on the return date or any subsequent adjourned  
31 date or failed to comply with the rules and regulations of an adminis-  
32 trative tribunal following entry of a final decision in response to  
33 three or more summonses or other process, issued within an eighteen  
34 month period, charging that such motor vehicle was parked, stopped or  
35 standing, or that such motor vehicle was operated for hire by the regis-  
36 trant or his OR HER agent without being licensed as a motor vehicle for  
37 hire by the appropriate local authority, in violation of any of the  
38 provisions of this chapter or of any law, ordinance, rule or regulation  
39 made by a local authority, OR THE REGISTRANT WAS LIABLE IN ACCORDANCE  
40 WITH SECTION ELEVEN HUNDRED ELEVEN-D OF THIS CHAPTER FOR A VIOLATION OF  
41 A BUS LANE RESTRICTION AS DEFINED IN SUCH SECTION, the commissioner or  
42 his OR HER agent shall deny the registration or renewal application  
43 until the applicant provides proof from the court or administrative  
44 tribunal wherein the charges are pending that an appearance or answer  
45 has been made or in the case of an administrative tribunal that he OR  
46 SHE has complied with the rules and regulations of said tribunal follow-  
47 ing entry of a final decision. Where an application is denied pursuant  
48 to this section, the commissioner may, in his OR HER discretion, deny a  
49 registration or renewal application to any other person for the same  
50 vehicle and may deny a registration or renewal application for any other  
51 motor vehicle registered in the name of the applicant where the commis-  
52 sioner has determined that such registrant's intent has been to evade  
53 the purposes of this subdivision and where the commissioner has reason-  
54 able grounds to believe that such registration or renewal will have the  
55 effect of defeating the purposes of this subdivision. Such denial shall  
56 only remain in effect as long as the summonses remain unanswered, or in

1 the case of an administrative tribunal, the registrant fails to comply  
2 with the rules and regulations following entry of a final decision.

3 S 11. Subdivision (d) of section 1111-c of the vehicle and traffic  
4 law, as added by section 9 of part II of chapter 59 of the laws of 2010,  
5 is amended to read as follows:

6 (d) A certificate, sworn to or affirmed by a technician employed by  
7 the city in which the charged violation occurred OR BY THE APPLICABLE  
8 MASS TRANSIT AGENCY, or a facsimile thereof, based upon inspection of  
9 photographs, microphotographs, videotape or other recorded images  
10 produced by a bus lane photo device, shall be prima facie evidence of  
11 the facts contained therein. Any photographs, microphotographs, vide-  
12 otape or other recorded images evidencing such a violation shall be  
13 available for inspection in any proceeding to adjudicate the liability  
14 for such violation pursuant to this section.

15 S 12. The vehicle and traffic law is amended by adding a new section  
16 1111-d to read as follows:

17 S 1111-D. MASS TRANSIT PHOTO DEVICE ENFORCEMENT OF OWNER LIABILITY FOR  
18 FAILURE OF OPERATOR TO COMPLY WITH BUS LANE RESTRICTIONS. (A) 1.  
19 NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IN A CITY WITH A POPULATION  
20 OF ONE MILLION OR MORE, THE METROPOLITAN TRANSPORTATION AUTHORITY, THE  
21 NEW YORK CITY TRANSIT AUTHORITY AND THEIR SUBSIDIARIES AND AFFILIATES,  
22 OR THE APPLICABLE MASS TRANSIT AUTHORITY OR AGENCY FOR SUCH CITY  
23 (REFERRED TO AS THE "AUTHORITY" FOR PURPOSES OF THIS SECTION) IS HEREBY  
24 AUTHORIZED AND EMPOWERED TO ESTABLISH A BUS LANE PHOTO DEVICE ENFORCE-  
25 MENT PROGRAM IMPOSING MONETARY LIABILITY ON THE OWNER OF A VEHICLE FOR  
26 FAILURE OF AN OPERATOR THEREOF TO COMPLY WITH BUS LANE RESTRICTIONS IN  
27 SUCH CITY IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION. THE AUTHOR-  
28 ITY, FOR PURPOSES OF THE IMPLEMENTATION OF SUCH PROGRAM, SHALL OPERATE  
29 BUS LANE PHOTO DEVICES ONLY ON DESIGNATED BUS LANES IN SUCH CITY, EXCEPT  
30 THE BUS ROUTES SPECIFIED IN PARAGRAPH FOUR OF SUBDIVISION (C) OF SECTION  
31 ELEVEN HUNDRED ELEVEN-C OF THIS CHAPTER. SUCH BUS LANE PHOTO DEVICES MAY  
32 BE STATIONARY OR MOBILE AND SHALL BE ACTIVATED AT LOCATIONS DETERMINED  
33 BY THE AUTHORITY IN CONSULTATION WITH SUCH CITY AND/OR ON BUSES OR VEHI-  
34 CLES SELECTED BY THE AUTHORITY.

35 2. ANY IMAGE OR IMAGES CAPTURED BY BUS LANE PHOTO DEVICES SHALL BE  
36 INADMISSIBLE IN ANY DISCIPLINARY PROCEEDING CONVENED BY THE AUTHORITY OR  
37 ANY SUBSIDIARY THEREOF AND ANY PROCEEDING INITIATED BY THE DEPARTMENT OF  
38 MOTOR VEHICLES INVOLVING LICENSURE PRIVILEGES OF BUS OPERATORS. ANY  
39 MOBILE BUS LANE PHOTO DEVICE MOUNTED ON A BUS SHALL BE DIRECTED OUTWARD-  
40 LY FROM SUCH BUS TO CAPTURE IMAGES OF VEHICLES OPERATED IN VIOLATION OF  
41 BUS LANE RESTRICTIONS, AND IMAGES PRODUCED BY SUCH DEVICE SHALL NOT BE  
42 USED FOR ANY OTHER PURPOSE IN THE ABSENCE OF A COURT ORDER REQUIRING  
43 SUCH IMAGES TO BE PRODUCED.

44 3. THE AUTHORITY SHALL ADOPT AND ENFORCE MEASURES TO PROTECT THE  
45 PRIVACY OF DRIVERS, PASSENGERS, PEDESTRIANS AND CYCLISTS WHOSE IDENTITY  
46 AND IDENTIFYING INFORMATION MAY BE CAPTURED BY A BUS LANE PHOTO DEVICE.  
47 SUCH MEASURES SHALL INCLUDE:

48 (I) UTILIZATION OF NECESSARY TECHNOLOGIES TO ENSURE, TO THE EXTENT  
49 PRACTICABLE, THAT IMAGES PRODUCED BY SUCH BUS LANE PHOTO DEVICES SHALL  
50 NOT INCLUDE IMAGES THAT IDENTIFY THE DRIVER, THE PASSENGERS, OR THE  
51 CONTENTS OF THE VEHICLE, PROVIDED, HOWEVER, THAT NO NOTICE OF LIABILITY  
52 ISSUED PURSUANT TO THIS SECTION SHALL BE DISMISSED SOLELY BECAUSE AN  
53 IMAGE ALLOWS FOR THE IDENTIFICATION OF THE DRIVER, THE PASSENGERS OR  
54 OTHER CONTENTS OF A VEHICLE;

55 (II) A PROHIBITION ON THE USE OR DISSEMINATION OF VEHICLES' LICENSE  
56 PLATE INFORMATION AND OTHER INFORMATION AND IMAGES CAPTURED BY BUS LANE

1 PHOTO DEVICES EXCEPT: (A) AS REQUIRED TO ESTABLISH LIABILITY UNDER THIS  
2 SECTION OR COLLECT PAYMENT OF PENALTIES; (B) AS REQUIRED BY COURT ORDER;  
3 OR (C) AS OTHERWISE REQUIRED BY LAW;

4 (III) IN CONSULTATION WITH SUCH CITY, THE INSTALLATION OF SIGNAGE AT  
5 REGULAR INTERVALS OR ENHANCED ROAD MARKINGS WITHIN DESIGNATED BUS LANES  
6 STATING THAT BUS LANE PHOTO DEVICES ARE USED TO ENFORCE RESTRICTIONS ON  
7 VEHICULAR TRAFFIC IN BUS LANES; AND

8 (IV) OVERSIGHT PROCEDURES TO ENSURE COMPLIANCE WITH THE AFOREMENTIONED  
9 PRIVACY PROTECTION MEASURES.

10 (B) THE OWNER OF A VEHICLE SHALL BE LIABLE FOR A PENALTY IMPOSED  
11 PURSUANT TO THIS SECTION IF SUCH VEHICLE WAS USED OR OPERATED WITH THE  
12 PERMISSION OF THE OWNER, EXPRESS OR IMPLIED, IN VIOLATION OF ANY BUS  
13 LANE RESTRICTIONS THAT APPLY TO DESIGNATED BUS LANES, AND SUCH VIOLATION  
14 IS EVIDENCED BY INFORMATION OBTAINED FROM A BUS LANE PHOTO DEVICE;  
15 PROVIDED HOWEVER THAT NO OWNER OF A VEHICLE SHALL BE LIABLE FOR A PENAL-  
16 TY IMPOSED PURSUANT TO THIS SECTION WHERE THE OPERATOR OF SUCH VEHICLE  
17 HAS BEEN CONVICTED OF THE UNDERLYING VIOLATION OF ANY BUS LANE  
18 RESTRICTIONS.

19 (C) FOR PURPOSES OF THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE  
20 FOLLOWING MEANINGS:

21 1. "OWNER" SHALL HAVE THE MEANING PROVIDED IN SECTION TWO HUNDRED  
22 THIRTY-NINE OF THIS CHAPTER.

23 2. "BUS LANE PHOTO DEVICE" SHALL MEAN A DEVICE THAT IS CAPABLE OF  
24 OPERATING INDEPENDENTLY OF AN ENFORCEMENT OFFICER AND PRODUCES ONE OR  
25 MORE IMAGES OF EACH VEHICLE AT THE TIME IT IS IN VIOLATION OF BUS LANE  
26 RESTRICTIONS.

27 3. "BUS LANE RESTRICTIONS" SHALL MEAN RESTRICTIONS ON THE USE OF  
28 DESIGNATED BUS LANES BY VEHICLES OTHER THAN BUSES IMPOSED BY LOCAL LAW  
29 AND SIGNS ERECTED BY THE AUTHORITY IN CONSULTATION WITH SUCH CITY PURSU-  
30 ANT TO THIS SECTION, WITH THE EXCEPTIONS ALLOWED UNDER 4-12(M) AND  
31 4-08(A)(3) OF TITLE 34 OF THE RULES OF THE CITY OF NEW YORK OR ANY SUCH  
32 RULES OF A CITY WITH A POPULATION OF ONE MILLION OR MORE.

33 4. "DESIGNATED BUS LANE" SHALL MEAN A VEHICLE LANE DEDICATED FOR THE  
34 EXCLUSIVE USE OF BUSES, WHICH INCLUDES BUS STOPS WITHIN THE DESIGNATED  
35 BUS LANE.

36 (D) A CERTIFICATE, OR A FACSIMILE THEREOF, SWORN TO OR AFFIRMED BY A  
37 TECHNICIAN EMPLOYED BY THE AUTHORITY OR ANY OTHER ENTITY AUTHORIZED BY  
38 THE AUTHORITY, BASED UPON INSPECTION OF PHOTOGRAPHS, MICROPHOTOGRAPHS,  
39 VIDEOTAPE OR OTHER RECORDED IMAGES PRODUCED BY A BUS LANE PHOTO DEVICE,  
40 SHALL BE PRIMA FACIE EVIDENCE OF THE FACTS CONTAINED THEREIN. ANY PHOTO-  
41 GRAPHS, MICROPHOTOGRAPHS, VIDEOTAPE OR OTHER RECORDED IMAGES EVIDENCING  
42 SUCH A VIOLATION SHALL BE AVAILABLE FOR INSPECTION IN ANY PROCEEDING TO  
43 ADJUDICATE THE LIABILITY FOR SUCH VIOLATION PURSUANT TO THIS SECTION.

44 (E) AN OWNER LIABLE FOR A VIOLATION OF A BUS LANE RESTRICTION UNDER  
45 THIS SECTION SHALL BE LIABLE FOR MONETARY PENALTIES IN ACCORDANCE WITH A  
46 SCHEDULE OF FINES AND PENALTIES PROMULGATED BY THE PARKING VIOLATIONS  
47 BUREAU OF A CITY WITH A POPULATION OF ONE MILLION OR MORE; PROVIDED,  
48 HOWEVER, THAT THE MONETARY PENALTY FOR VIOLATING A BUS LANE RESTRICTION  
49 SHALL NOT EXCEED ONE HUNDRED FIFTEEN DOLLARS; PROVIDED, FURTHER, THAT AN  
50 OWNER SHALL BE LIABLE FOR AN ADDITIONAL PENALTY NOT TO EXCEED  
51 TWENTY-FIVE DOLLARS FOR EACH VIOLATION FOR THE FAILURE TO RESPOND TO A  
52 NOTICE OF LIABILITY WITHIN THE PRESCRIBED TIME PERIOD.

53 (F) AN IMPOSITION OF LIABILITY PURSUANT TO THIS SECTION SHALL NOT BE  
54 DEEMED A CONVICTION OF AN OPERATOR AND SHALL NOT BE MADE PART OF THE  
55 OPERATING RECORD OF THE PERSON UPON WHOM SUCH LIABILITY IS IMPOSED, NOR

1 SHALL IT BE USED FOR INSURANCE PURPOSES IN THE PROVISION OF MOTOR VEHI-  
2 CLE INSURANCE COVERAGE.

3 (G) 1. A NOTICE OF LIABILITY SHALL BE SENT BY FIRST CLASS MAIL TO EACH  
4 PERSON ALLEGED TO BE LIABLE AS AN OWNER FOR A VIOLATION OF A BUS LANE  
5 RESTRICTION. PERSONAL DELIVERY TO THE OWNER SHALL NOT BE REQUIRED. A  
6 MANUAL OR AUTOMATIC RECORD OF MAILING PREPARED IN THE ORDINARY COURSE OF  
7 BUSINESS SHALL BE PRIMA FACIE EVIDENCE OF THE FACTS CONTAINED THEREIN.

8 2. A NOTICE OF LIABILITY SHALL CONTAIN THE NAME AND ADDRESS OF THE  
9 PERSON ALLEGED TO BE LIABLE AS AN OWNER FOR A VIOLATION OF A BUS LANE  
10 RESTRICTION, THE REGISTRATION NUMBER OF THE VEHICLE INVOLVED IN SUCH  
11 VIOLATION, THE LOCATION WHERE SUCH VIOLATION TOOK PLACE INCLUDING THE  
12 STREET ADDRESS OR CROSS STREETS, ONE OR MORE IMAGES IDENTIFYING THE  
13 VIOLATION, THE DATE AND TIME OF SUCH VIOLATION AND THE IDENTIFICATION  
14 NUMBER OF THE BUS LANE PHOTO DEVICE WHICH RECORDED THE VIOLATION OR  
15 OTHER DOCUMENT LOCATOR NUMBER.

16 3. THE NOTICE OF LIABILITY SHALL CONTAIN INFORMATION ADVISING THE  
17 PERSON CHARGED OF THE MANNER AND THE TIME IN WHICH HE OR SHE MAY CONTEST  
18 THE LIABILITY ALLEGED IN THE NOTICE. SUCH NOTICE OF LIABILITY SHALL ALSO  
19 CONTAIN A WARNING TO ADVISE THE PERSONS CHARGED THAT FAILURE TO CONTEST  
20 IN THE MANNER AND TIME PROVIDED SHALL BE DEEMED AN ADMISSION OF LIABIL-  
21 ITY AND THAT A DEFAULT JUDGMENT MAY BE ENTERED THEREON.

22 4. THE NOTICE OF LIABILITY SHALL BE PREPARED AND MAILED BY THE AUTHOR-  
23 ITY, OR ANY OTHER ENTITY AUTHORIZED BY SUCH AUTHORITY TO PREPARE AND  
24 MAIL SUCH NOTIFICATION OF VIOLATION.

25 5. ADJUDICATION OF THE LIABILITY IMPOSED UPON OWNERS BY THIS SECTION  
26 SHALL BE BY THE AUTHORITY'S TRANSIT ADJUDICATION BUREAU PURSUANT TO  
27 SECTION TWELVE HUNDRED NINE-A OF THE PUBLIC AUTHORITIES LAW OR ANY SUCH  
28 TRANSIT ADJUDICATION BUREAU IN A CITY WITH A POPULATION OF ONE MILLION  
29 OR MORE.

30 (H) IF AN OWNER OF A VEHICLE RECEIVES A NOTICE OF LIABILITY PURSUANT  
31 TO THIS SECTION FOR ANY TIME PERIOD DURING WHICH SUCH VEHICLE WAS  
32 REPORTED TO THE POLICE DEPARTMENT AS HAVING BEEN STOLEN, IT SHALL BE A  
33 VALID DEFENSE TO AN ALLEGATION OF LIABILITY FOR A VIOLATION OF A BUS  
34 LANE RESTRICTION THAT THE VEHICLE HAD BEEN REPORTED TO THE POLICE AS  
35 STOLEN PRIOR TO THE TIME THE VIOLATION OCCURRED AND HAD NOT BEEN RECOV-  
36 ERED BY SUCH TIME. FOR PURPOSES OF ASSERTING THE DEFENSE PROVIDED BY  
37 THIS SUBDIVISION IT SHALL BE SUFFICIENT THAT A CERTIFIED COPY OF THE  
38 POLICE REPORT ON THE STOLEN VEHICLE BE SENT BY FIRST CLASS MAIL TO THE  
39 TRANSIT ADJUDICATION BUREAU IN SUCH CITY WITH A POPULATION OF ONE  
40 MILLION OR MORE.

41 (I) 1. AN OWNER WHO IS A LESSOR OF A VEHICLE TO WHICH A NOTICE OF  
42 LIABILITY WAS ISSUED PURSUANT TO SUBDIVISION (G) OF THIS SECTION SHALL  
43 NOT BE LIABLE FOR THE VIOLATION OF A BUS LANE RESTRICTION, PROVIDED THAT  
44 WITHIN THIRTY-SEVEN DAYS AFTER RECEIVING NOTICE FROM THE TRANSIT ADJUDI-  
45 CATION BUREAU OF THE DATE AND TIME OF A LIABILITY, TOGETHER WITH THE  
46 OTHER INFORMATION CONTAINED IN THE ORIGINAL NOTICE OF LIABILITY, THE  
47 LESSOR SUBMITS TO SUCH BUREAU THE CORRECT NAME AND ADDRESS OF THE LESSEE  
48 OF THE VEHICLE IDENTIFIED IN THE NOTICE OF LIABILITY AT THE TIME OF SUCH  
49 VIOLATION, TOGETHER WITH SUCH OTHER ADDITIONAL INFORMATION CONTAINED IN  
50 THE RENTAL, LEASE OR OTHER CONTRACT DOCUMENT, AS MAY BE REASONABLY  
51 REQUIRED BY SUCH BUREAU PURSUANT TO REGULATIONS THAT MAY BE PROMULGATED  
52 FOR SUCH PURPOSE.

53 2. FAILURE TO COMPLY WITH PARAGRAPH ONE OF THIS SUBDIVISION SHALL  
54 RENDER THE LESSOR LIABLE FOR THE PENALTY PRESCRIBED IN THIS SECTION.

55 3. WHERE THE LESSOR COMPLIES WITH THE PROVISIONS OF PARAGRAPH ONE OF  
56 THIS SUBDIVISION, THE LESSEE OF SUCH VEHICLE ON THE DATE OF SUCH

1 VIOLATION SHALL BE DEEMED TO BE THE OWNER OF SUCH VEHICLE FOR PURPOSES  
2 OF THIS SECTION, SHALL BE SUBJECT TO LIABILITY FOR SUCH VIOLATION PURSU-  
3 ANT TO THIS SECTION AND SHALL BE SENT A NOTICE OF LIABILITY PURSUANT TO  
4 SUBDIVISION (G) OF THIS SECTION.

5 (J) IF THE OWNER LIABLE FOR A VIOLATION OF A BUS LANE RESTRICTION WAS  
6 NOT THE OPERATOR OF THE VEHICLE AT THE TIME OF THE VIOLATION, THE OWNER  
7 MAY MAINTAIN AN ACTION FOR INDEMNIFICATION AGAINST THE OPERATOR.

8 (K) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT THE LIABILITY  
9 OF AN OPERATOR OF A VEHICLE FOR ANY VIOLATION OF BUS LANE RESTRICTIONS.

10 (1) THE AUTHORITY SHALL SUBMIT A REPORT ON THE RESULTS OF THE USE OF  
11 BUS LANE PHOTO DEVICES TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE  
12 SENATE AND THE SPEAKER OF THE ASSEMBLY BY APRIL FIRST, TWO THOUSAND  
13 FOURTEEN AND EVERY TWO YEARS THEREAFTER. SUCH REPORT SHALL INCLUDE, BUT  
14 NOT BE LIMITED TO:

15 1. A DESCRIPTION OF THE LOCATIONS AND/OR BUSES WHERE BUS LANE PHOTO  
16 DEVICES WERE USED;

17 2. THE TOTAL NUMBER OF VIOLATIONS RECORDED ON A MONTHLY AND ANNUAL  
18 BASIS;

19 3. THE TOTAL NUMBER OF NOTICES OF LIABILITY ISSUED;

20 4. THE NUMBER OF FINES AND TOTAL AMOUNT OF FINES PAID AFTER THE FIRST  
21 NOTICE OF LIABILITY;

22 5. THE NUMBER OF VIOLATIONS ADJUDICATED AND RESULTS OF SUCH ADJUDI-  
23 CATIONS INCLUDING BREAKDOWNS OF DISPOSITIONS MADE;

24 6. THE TOTAL AMOUNT OF REVENUE REALIZED BY ANY PARTICIPATING MASS  
25 TRANSIT AUTHORITY OR AGENCY;

26 7. THE QUALITY OF THE ADJUDICATION PROCESS AND ITS RESULTS;

27 8. THE TOTAL NUMBER OF PHOTO DEVICES BY TYPE OF PHOTO DEVICE;

28 9. THE TOTAL COST TO ANY PARTICIPATING MASS TRANSIT AUTHORITY OR AGEN-  
29 CY; AND

30 10. A DETAILED REPORT ON THE BUS SPEEDS, RELIABILITY, AND RIDERSHIP  
31 BEFORE AND AFTER IMPLEMENTATION OF THE BUS LANE PHOTO DEVICE ENFORCEMENT  
32 PROGRAM FOR EACH BUS ROUTE, INCLUDING CURRENT STATISTICS.

33 S 13. The opening paragraph and paragraph (c) of subdivision 1 of  
34 section 1809 of the vehicle and traffic law, as amended by section 10 of  
35 part II of chapter 59 of the laws of 2010, are amended to read as  
36 follows:

37 Whenever proceedings in an administrative tribunal or a court of this  
38 state result in a conviction for an offense under this chapter or a  
39 traffic infraction under this chapter, or a local law, ordinance, rule  
40 or regulation adopted pursuant to this chapter, other than a traffic  
41 infraction involving standing, stopping, or parking or violations by  
42 pedestrians or bicyclists, or other than an adjudication of liability of  
43 an owner for a violation of subdivision (d) of section eleven hundred  
44 eleven of this chapter in accordance with section eleven hundred  
45 eleven-a of this chapter, or other than an adjudication of liability of  
46 an owner for a violation of subdivision (d) of section eleven hundred  
47 eleven of this chapter in accordance with section eleven hundred  
48 eleven-b of this chapter, or other than an adjudication in accordance  
49 with section eleven hundred eleven-c OR ELEVEN HUNDRED ELEVEN-D of this  
50 chapter for a violation of a bus lane restriction as defined in such  
51 [section] SECTIONS, there shall be levied a crime victim assistance fee  
52 and a mandatory surcharge, in addition to any sentence required or  
53 permitted by law, in accordance with the following schedule:

54 (c) Whenever proceedings in an administrative tribunal or a court of  
55 this state result in a conviction for an offense under this chapter  
56 other than a crime pursuant to section eleven hundred ninety-two of this

chapter, or a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, other than a traffic infraction involving standing, stopping, or parking or violations by pedestrians or bicyclists, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-b of this chapter, or other than an infraction pursuant to article nine of this chapter or other than an adjudication of liability of an owner for a violation of toll collection regulations pursuant to section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty or other than an adjudication in accordance with section eleven hundred eleven-c OR ELEVEN HUNDRED ELEVEN-D of this chapter for a violation of a bus lane restriction as defined in such [section] SECTIONS, there shall be levied a crime victim assistance fee in the amount of five dollars and a mandatory surcharge, in addition to any sentence required or permitted by law, in the amount of fifty-five dollars.

S 14. Subdivision 1 of section 1809 of the vehicle and traffic law, as amended by section 10-a of part II of chapter 59 of the laws of 2010, is amended to read as follows:

1. Whenever proceedings in an administrative tribunal or a court of this state result in a conviction for a crime under this chapter or a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, other than a traffic infraction involving standing, stopping, parking or motor vehicle equipment or violations by pedestrians or bicyclists, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-b of this chapter, or other than an adjudication in accordance with section eleven hundred eleven-c OR ELEVEN HUNDRED ELEVEN-D of this chapter for a violation of a bus lane restriction as defined in such [section] SECTIONS, there shall be levied a mandatory surcharge, in addition to any sentence required or permitted by law, in the amount of twenty-five dollars.

S 15. Subdivision 1 of section 1809 of the vehicle and traffic law, as amended by section 10-b of part II of chapter 59 of the laws of 2010, is amended to read as follows:

1. Whenever proceedings in an administrative tribunal or a court of this state result in a conviction for a crime under this chapter or a traffic infraction under this chapter other than a traffic infraction involving standing, stopping, parking or motor vehicle equipment or violations by pedestrians or bicyclists, or other than an adjudication in accordance with section eleven hundred eleven-c OR ELEVEN HUNDRED ELEVEN-D of this chapter for a violation of a bus lane restriction as defined in such [section] SECTIONS, there shall be levied a mandatory surcharge, in addition to any sentence required or permitted by law, in the amount of seventeen dollars.

1 S 16. Subdivision 1 of section 1809 of the vehicle and traffic law, as  
2 separately amended by chapter 16 of the laws of 1983 and chapter 62 of  
3 the laws of 1989, is amended to read as follows:

4 1. Whenever proceedings in an administrative tribunal or a court of  
5 this state result in a conviction for a crime under this chapter or a  
6 traffic infraction under this chapter other than a traffic infraction  
7 involving standing, stopping, parking or motor vehicle equipment or  
8 violations by pedestrians or bicyclists, OR OTHER THAN AN ADJUDICATION  
9 IN ACCORDANCE WITH SECTION ELEVEN HUNDRED ELEVEN-D OF THIS CHAPTER FOR A  
10 VIOLATION OF A BUS LANE RESTRICTION AS DEFINED IN SUCH SECTION, there  
11 shall be levied a mandatory surcharge, in addition to any sentence  
12 required or permitted by law, in the amount of seventeen dollars.

13 S 17. Paragraph a of subdivision 1 of section 1809-e of the vehicle  
14 and traffic law, as amended by section 11 of part II of chapter 59 of  
15 the laws of 2010, is amended to read as follows:

16 a. Notwithstanding any other provision of law, whenever proceedings in  
17 a court or an administrative tribunal of this state result in a  
18 conviction for an offense under this chapter, except a conviction pursu-  
19 ant to section eleven hundred ninety-two of this chapter, or for a traf-  
20 fic infraction under this chapter, or a local law, ordinance, rule or  
21 regulation adopted pursuant to this chapter, except a traffic infraction  
22 involving standing, stopping, or parking or violations by pedestrians or  
23 bicyclists, and except an adjudication of liability of an owner for a  
24 violation of subdivision (d) of section eleven hundred eleven of this  
25 chapter in accordance with section eleven hundred eleven-a of this chap-  
26 ter, and except an adjudication of liability of an owner for a violation  
27 of subdivision (d) of section eleven hundred eleven of this chapter in  
28 accordance with section eleven hundred eleven-b of this chapter, and  
29 except an adjudication in accordance with section eleven hundred  
30 eleven-c OR ELEVEN HUNDRED ELEVEN-D of this chapter of a violation of a  
31 bus lane restriction as defined in such [section] SECTIONS, and except  
32 an adjudication of liability of an owner for a violation of toll  
33 collection regulations pursuant to section two thousand nine hundred  
34 eighty-five of the public authorities law or sections sixteen-a,  
35 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the  
36 laws of nineteen hundred fifty, there shall be levied in addition to any  
37 sentence, penalty or other surcharge required or permitted by law, an  
38 additional surcharge of twenty dollars.

39 S 18. Paragraph a of subdivision 1 of section 1809-e of the vehicle  
40 and traffic law, as amended by section 11-a of part II of chapter 59 of  
41 the laws of 2010, is amended to read as follows:

42 a. Notwithstanding any other provision of law, whenever proceedings in  
43 a court or an administrative tribunal of this state result in a  
44 conviction for an offense under this chapter, except a conviction pursu-  
45 ant to section eleven hundred ninety-two of this chapter, or for a traf-  
46 fic infraction under this chapter, or a local law, ordinance, rule or  
47 regulation adopted pursuant to this chapter, except a traffic infraction  
48 involving standing, stopping, or parking or violations by pedestrians or  
49 bicyclists, and except an adjudication of liability of an owner for a  
50 violation of subdivision (d) of section eleven hundred eleven of this  
51 chapter in accordance with section eleven hundred eleven-a of this chap-  
52 ter, and except an adjudication in accordance with section eleven  
53 hundred eleven-c OR ELEVEN HUNDRED ELEVEN-D of this chapter of a  
54 violation of a bus lane restriction as defined in such [section]  
55 SECTIONS, and except an adjudication of liability of an owner for a  
56 violation of toll collection regulations pursuant to section two thou-

1 sand nine hundred eighty-five of the public authorities law or sections  
2 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four  
3 of the laws of nineteen hundred fifty, there shall be levied in addition  
4 to any sentence, penalty or other surcharge required or permitted by  
5 law, an additional surcharge of twenty dollars.

6 S 19. Paragraph a of subdivision 1 of section 1809-e of the vehicle  
7 and traffic law, as added by section 1 of part EE of chapter 56 of the  
8 laws of 2008, is amended to read as follows:

9 a. Notwithstanding any other provision of law, whenever proceedings in  
10 a court or an administrative tribunal of this state result in a  
11 conviction for an offense under this chapter, except a conviction pursu-  
12 ant to section eleven hundred ninety-two of this chapter, or for a traf-  
13 fic infraction under this chapter, or a local law, ordinance, rule or  
14 regulation adopted pursuant to this chapter, except a traffic infraction  
15 involving standing, stopping, or parking or violations by pedestrians or  
16 bicyclists, and except an adjudication of liability of an owner for a  
17 violation of subdivision (d) of section eleven hundred eleven of this  
18 chapter in accordance with section eleven hundred eleven-a of this chap-  
19 ter, AND EXCEPT AN ADJUDICATION IN ACCORDANCE WITH SECTION ELEVEN  
20 HUNDRED ELEVEN-D OF THIS CHAPTER A VIOLATION OF A BUS LANE RESTRICTION  
21 AS DEFINED IN SUCH SECTION, and except an adjudication of liability of  
22 an owner for a violation of toll collection regulations pursuant to  
23 section two thousand nine hundred eighty-five of the public authorities  
24 law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven  
25 hundred seventy-four of the laws of nineteen hundred fifty, there shall  
26 be levied in addition to any sentence, penalty or other surcharge  
27 required or permitted by law, an additional surcharge of twenty dollars.

28 S 20. Paragraph (l) of subdivision 2 of section 87 of the public  
29 officers law, as added by section 12 of part II of chapter 59 of the  
30 laws of 2010, is amended to read as follows:

31 (l) are photographs, microphotographs, videotape or other recorded  
32 images produced by a bus lane photo device prepared under authority of  
33 section eleven hundred eleven-c OR ELEVEN HUNDRED ELEVEN-D of the vehi-  
34 cle and traffic law.

35 S 21. This act shall take effect on the ninetieth day after it shall  
36 have become a law; provided, however, that:

37 (a) the amendments to paragraph (i) of subdivision a of section 401 of  
38 the vehicle and traffic law made by section seven of this act shall not  
39 affect the expiration of such subdivision and shall expire therewith,  
40 when upon such date section eight of this act shall take effect;

41 (b) the amendments to subdivision a of section 401 of the vehicle and  
42 traffic law as made by section eight of this act shall not affect the  
43 expiration of such subdivision and shall expire therewith, when upon  
44 such date section nine of this act shall take effect;

45 (c) the amendments to subdivision a of section 401 of the vehicle and  
46 traffic law as made by section nine of this act shall not affect the  
47 expiration of such subdivision and shall expire therewith, when upon  
48 such date section ten of this act shall take effect;

49 (d) the amendments to subdivision (d) of section 1111-c of the vehicle  
50 and traffic law made by section eleven of this act shall not affect the  
51 repeal of such subdivision and shall be deemed to repeal therewith;

52 (e) the amendments to the opening paragraph and paragraph (c) of  
53 subdivision one of section 1809 of the vehicle and traffic law made by  
54 section thirteen of this act shall not affect the expiration of such  
55 subdivision and shall expire therewith, when upon such date, section  
56 fourteen of this act shall take effect;

1 (f) the amendments to subdivision 1 of section 1809 of the vehicle and  
2 traffic law made by section fourteen of this act shall not affect the  
3 expiration of such subdivision and shall expire therewith when upon such  
4 date, section fifteen of this act shall take effect;

5 (g) the amendments to subdivision 1 of section 1809 of the vehicle and  
6 traffic law made by section fifteen of this act shall not affect the  
7 expiration of such subdivision and shall expire therewith when upon such  
8 date, section sixteen of this act shall take effect;

9 (h) the amendments to paragraph a of subdivision 1 of section 1809-e  
10 of the vehicle and traffic law made by section seventeen of this act  
11 shall not affect the expiration of such subdivision and shall expire  
12 therewith when upon such date, section eighteen of this act shall take  
13 effect;

14 (i) the amendments to paragraph a of subdivision 1 of section 1809-e  
15 of the vehicle and traffic law made by section eighteen of this act  
16 shall not affect the expiration of such subdivision and shall expire  
17 therewith when upon such date, section nineteen of this act shall take  
18 effect; and

19 (j) the amendments to paragraph (l) of subdivision 2 of section 87 of  
20 the public officers law made by section twenty of this act shall not  
21 affect the repeal of such subdivision and shall be deemed to repeal  
22 therewith.