

10461

I N A S S E M B L Y

May 29, 2012

Introduced by M. of A. RABBITT -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the collection of supplemental vehicle registration, learners permits and drivers license fees for New York City registrants and operators; to amend the state finance law, in relation to the metropolitan transportation authority financial assistance fund; and to repeal article 17-C of the vehicle and traffic law relating to the metropolitan commuter transportation district supplemental registration fee

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

1 Section 1. Article 17-C of the vehicle and traffic law is REPEALED.

2 S 2. Section 401 of the vehicle and traffic law is amended by adding a  
3 new subdivision 22 to read as follows:

4 22. COLLECTION OF SUPPLEMENTAL FEE FOR NEW YORK CITY REGISTRANTS. (A)  
5 ALL REGISTRANTS OF MOTOR VEHICLES WHO RESIDE IN THE CITY OF NEW YORK  
6 SHALL PAY TO THE COMMISSIONER OR HIS OR HER AGENT A SUPPLEMENTAL REGIS-  
7 TRATION FEE OF TWENTY-FIVE DOLLARS PER ANNUM FOR EACH YEAR OR PORTION OF  
8 A YEAR THAT SUCH REGISTRATION IS VALID UPON REGISTRATION OR RENEWAL OF  
9 MOTOR VEHICLES SUBJECT TO REGISTRATION FEES PURSUANT TO THE FOLLOWING  
10 PROVISIONS: PARAGRAPH A OF SUBDIVISION SIX OF THIS SECTION; SCHEDULES A,  
11 B, C, E, F, G, I AND K OF SUBDIVISION SEVEN OF THIS SECTION; PARAGRAPH A  
12 OF SUBDIVISION EIGHT OF THIS SECTION; PARAGRAPH A OF SUBDIVISION FIVE OF  
13 SECTION FOUR HUNDRED TEN OF THIS TITLE; AND SECTION FOUR HUNDRED  
14 ELEVEN-B OF THIS TITLE.

15 (B) THE COMMISSIONER SHALL DEPOSIT DAILY ALL FUNDS DERIVED FROM THE  
16 COLLECTION OF THE SUPPLEMENTAL FEE ESTABLISHED PURSUANT TO PARAGRAPH (A)  
17 OF THIS SECTION WITH SUCH RESPONSIBLE BANKS, BANKING HOUSES OR TRUST  
18 COMPANIES AS MAY BE DESIGNATED BY THE STATE COMPTROLLER, TO THE CREDIT  
19 OF THE COMPTROLLER. ON OR BEFORE THE TWELFTH DAY OF EACH MONTH, THE  
20 COMMISSIONER SHALL CERTIFY TO THE COMPTROLLER THE AMOUNT OF ALL REVENUES  
21 RECEIVED PURSUANT TO THIS ARTICLE DURING THE PRIOR MONTH AS A RESULT OF  
22 THE SUPPLEMENTAL FEE IMPOSED, INCLUDING ANY INTEREST AND PENALTIES THERE-  
23 ON. THE REVENUES SO CERTIFIED SHALL BE DEPOSITED BY THE STATE COMP-

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

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1 TROLLER IN THE METROPOLITAN TRANSPORTATION AUTHORITY AID TRUST ACCOUNT  
2 OF THE METROPOLITAN TRANSPORTATION AUTHORITY FINANCIAL ASSISTANCE FUND  
3 ESTABLISHED PURSUANT TO SECTION NINETY-TWO-FF OF THE STATE FINANCE LAW  
4 FOR DEPOSIT, SUBJECT TO APPROPRIATION, IN THE CORPORATE TRANSPORTATION  
5 ACCOUNT OF THE METROPOLITAN TRANSPORTATION AUTHORITY SPECIAL ASSISTANCE  
6 FUND ESTABLISHED BY SECTION TWELVE HUNDRED SEVENTY-A OF THE PUBLIC  
7 AUTHORITIES LAW, TO BE APPLIED AS PROVIDED IN PARAGRAPH (E) OF SUBDIVI-  
8 SION FOUR OF SUCH SECTION. ANY MONEY COLLECTED PURSUANT TO THIS SECTION  
9 THAT IS DEPOSITED BY THE COMPTROLLER IN THE METROPOLITAN TRANSPORTATION  
10 AUTHORITY AID TRUST ACCOUNT OF THE METROPOLITAN TRANSPORTATION AUTHORITY  
11 FINANCIAL ASSISTANCE FUND SHALL BE HELD IN SUCH FUND FREE AND CLEAR OF  
12 ANY CLAIM BY ANY PERSON OR ENTITY PAYING AN ADDITIONAL FEE PURSUANT TO  
13 THIS SECTION, INCLUDING, WITHOUT LIMITING THE GENERALITY OF THE FOREGO-  
14 ING, ANY RIGHT OR CLAIM AGAINST THE METROPOLITAN TRANSPORTATION AUTHORI-  
15 TY, ANY OF ITS BONDHOLDERS, OR ANY SUBSIDIARY OR AFFILIATE OF THE METRO-  
16 POLITAN TRANSPORTATION AUTHORITY.

17 S 3. Paragraph (b-1) of subdivision 2 of section 503 of the vehicle  
18 and traffic law, as added by section 1 of part A of chapter 25 of the  
19 laws of 2009, is amended to read as follows:

20 (b-1) Supplemental learner permit/license fee in the [metropolitan  
21 commuter transportation district] CITY OF NEW YORK. (i) Upon passage of  
22 the knowledge test required to obtain a learner's permit, an applicant  
23 for a driver's license who resides in the [metropolitan commuter trans-  
24 portation district] CITY OF NEW YORK established by section [one thou-  
25 sand two hundred sixty-two] TWELVE HUNDRED SIXTY-TWO of the public  
26 authorities law shall be required to pay a supplemental fee of one  
27 dollar for each six months or portion thereof of the period of validity  
28 of a learner's permit or license which is or may be issued pursuant to  
29 the provisions of subparagraph (i) or (ii) of paragraph (b) of this  
30 subdivision.

31 (ii) The commissioner shall deposit daily all funds collected pursuant  
32 to subparagraph (i) of this paragraph with such responsible banks, bank-  
33 ing houses or trust companies as may be designated by the state comp-  
34 troller, to the credit of the comptroller. On or before the twelfth day  
35 of each month, the commissioner shall certify to the comptroller the  
36 amount of all revenues received pursuant to subparagraph (i) of this  
37 paragraph during the prior month as a result of the supplemental fee  
38 imposed, including any interest and penalties thereon. The revenues so  
39 certified shall be deposited by the state comptroller in the metropol-  
40 itan transportation authority aid trust account of the metropolitan  
41 transportation authority financial assistance fund established pursuant  
42 to section ninety-two-ff of the state finance law for deposit, subject  
43 to appropriation, in the corporate transportation account of the metro-  
44 politan transportation authority special assistance fund established by  
45 section twelve hundred seventy-a of the public authorities law, to be  
46 applied as provided in paragraph (e) of subdivision four of such  
47 section. Any money collected pursuant to this section that is deposited  
48 by the comptroller in the metropolitan transportation authority aid  
49 trust account of the metropolitan transportation authority financial  
50 assistance fund shall be held in such fund free and clear of any claim  
51 by any person or entity paying an additional fee pursuant to this  
52 section, including, without limiting the generality of the foregoing,  
53 any right or claim against the metropolitan transportation authority,  
54 any of its bondholders, or any subsidiary or affiliate of the metropol-  
55 itan transportation authority.

1 S 4. Paragraph (c-3) of subdivision 2 of section 503 of the vehicle  
2 and traffic law, as added by section 2 of part A of chapter 25 of the  
3 laws of 2009, is amended to read as follows:

4 (c-3) (i) Supplemental renewal fee in the [metropolitan commuter  
5 transportation district] CITY OF NEW YORK. In addition to the fees  
6 required to be paid pursuant to paragraph (c) of this subdivision, a  
7 supplemental fee of one dollar for each six months or portion thereof of  
8 the validity of the license shall be paid for renewal of a license of a  
9 person who resides in the [metropolitan commuter transportation  
10 district] CITY OF NEW YORK established by section [one thousand two  
11 hundred sixty-two] TWELVE HUNDRED SIXTY-TWO of the public authorities  
12 law issued by the commissioner.

13 (ii) The commissioner shall deposit daily all funds collected pursuant  
14 to this paragraph with such responsible banks, banking houses or trust  
15 companies as may be designated by the state comptroller, to the credit  
16 of the comptroller. On or before the twelfth day of each month, the  
17 commissioner shall certify to the comptroller the amount of all revenues  
18 received pursuant to this paragraph during the prior month as a result  
19 of the supplemental fees imposed, including any interest and penalties  
20 thereon. The revenues so certified shall be deposited by the state comp-  
21 troller in the metropolitan transportation authority aid trust account  
22 of the metropolitan transportation authority financial assistance fund  
23 established pursuant to section ninety-two-ff of the state finance law  
24 for deposit, subject to appropriation, in the corporate transportation  
25 account of the metropolitan transportation authority special assistance  
26 fund established by section twelve hundred seventy-a of the public  
27 authorities law, to be applied as provided in paragraph (e) of subdivi-  
28 sion four of such section. Any money collected pursuant to this section  
29 that is deposited by the comptroller in the metropolitan transportation  
30 authority aid trust account of the metropolitan transportation authority  
31 financial assistance fund shall be held in such fund free and clear of  
32 any claim by any person or entity paying an additional fee pursuant to  
33 this section, including, without limiting the generality of the forego-  
34 ing, any right or claim against the metropolitan transportation authori-  
35 ty, any of its bondholders, or any subsidiary or affiliate of the metro-  
36 politan transportation authority.

37 S 5. Subdivision 3 and paragraph (a) of subdivision 6 of section 92-ff  
38 of the state finance law, as added by section 1 of part G of chapter 25  
39 of the laws of 2009, are amended to read as follows:

40 3. Such fund shall consist of all moneys collected [therefore] THERE-  
41 FOR or credited or transferred thereto from any other fund, account or  
42 source, including, without limitation, the revenues derived from the  
43 metropolitan commuter transportation mobility tax imposed by article  
44 twenty-three of the tax law; revenues derived from the special supple-  
45 mental tax on passenger car rentals imposed by section eleven hundred  
46 sixty-six-a of the tax law; revenues derived from the transportation  
47 surcharge imposed by article twenty-nine-A of the tax law; the supple-  
48 mental registration fees imposed by [article seventeen-C] SUBDIVISION  
49 TWENTY-TWO OF SECTION FOUR HUNDRED ONE of the vehicle and traffic law;  
50 and the supplemental [metropolitan commuter transportation district]  
51 CITY OF NEW YORK license fees imposed by PARAGRAPHS (B-1) AND (C-3) OF  
52 SUBDIVISION TWO OF section five hundred three of the vehicle and traffic  
53 law. Any interest received by the comptroller on moneys on deposit in  
54 the metropolitan transportation authority financial assistance fund  
55 shall be retained in and become a part of such fund.

1 (a) The "metropolitan transportation authority aid trust account"  
2 shall consist of revenues required to be deposited therein pursuant to  
3 the provisions of section eleven hundred sixty-six-a of the tax law;  
4 article twenty-nine-A of the tax law; [article seventeen-C of the vehi-  
5 cle and traffic law;] and SUBDIVISION TWENTY-TWO OF SECTION FOUR HUNDRED  
6 ONE AND PARAGRAPHS (B-1) AND (C-3) OF SUBDIVISION TWO OF section five  
7 hundred three of the vehicle and traffic law, and all other moneys cred-  
8 ited or transferred thereto from any other fund or source pursuant to  
9 law.  
10 S 6. This act shall take effect immediately.