

6590

2011-2012 Regular Sessions

I N A S S E M B L Y

March 22, 2011

Introduced by M. of A. MOLINARO -- 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 Article 17-C of the vehicle and traffic law is REPEALED.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

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

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1 RECEIVED PURSUANT TO THIS ARTICLE DURING THE PRIOR MONTH AS A RESULT OF
2 THE SUPPLEMENTAL FEE IMPOSED, INCLUDING ANY INTEREST AND PENALTIES THEREON.
3 THE REVENUES SO CERTIFIED SHALL BE DEPOSITED BY THE STATE COMPTROLLER
4 IN THE METROPOLITAN TRANSPORTATION AUTHORITY AID TRUST ACCOUNT OF THE
5 METROPOLITAN TRANSPORTATION AUTHORITY FINANCIAL ASSISTANCE FUND ESTABLISHED
6 PURSUANT TO SECTION NINETY-TWO-FF OF THE STATE FINANCE LAW FOR DEPOSIT,
7 SUBJECT TO APPROPRIATION, IN THE CORPORATE TRANSPORTATION ACCOUNT OF
8 THE METROPOLITAN TRANSPORTATION AUTHORITY SPECIAL ASSISTANCE FUND ESTABLISHED
9 BY SECTION TWELVE HUNDRED SEVENTY-A OF THE PUBLIC AUTHORITIES LAW, TO BE
10 APPLIED AS PROVIDED IN PARAGRAPH (E) OF SUBDIVISION FOUR OF SUCH SECTION.
11 ANY MONEY COLLECTED PURSUANT TO THIS SECTION THAT IS DEPOSITED BY THE
12 COMPTROLLER IN THE METROPOLITAN TRANSPORTATION AUTHORITY AID TRUST ACCOUNT
13 OF THE METROPOLITAN TRANSPORTATION AUTHORITY FINANCIAL ASSISTANCE FUND SHALL
14 BE HELD IN SUCH FUND FREE AND CLEAR OF ANY CLAIM BY ANY PERSON OR ENTITY
15 PAYING AN ADDITIONAL FEE PURSUANT TO THIS SECTION, INCLUDING, WITHOUT
16 LIMITING THE GENERALITY OF THE FOREGOING, ANY RIGHT OR CLAIM AGAINST THE
17 METROPOLITAN TRANSPORTATION AUTHORITY, ANY OF ITS BONDHOLDERS, OR ANY
18 SUBSIDIARY OR AFFILIATE OF THE METROPOLITAN TRANSPORTATION AUTHORITY.

19
20 S 3. Paragraph (b-1) of subdivision 2 of section 503 of the vehicle and
21 traffic law, as added by section 1 of part A of chapter 25 of the laws of
22 2009, is amended to read as follows:

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

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

1 any of its bondholders, or any subsidiary or affiliate of the metropol-
2 itan transportation authority.

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

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

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

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

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

1 the metropolitan transportation authority financial assistance fund
2 shall be retained in and become a part of such fund.

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

12 S 6. This act shall take effect immediately.