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

8825

I N A S S E M B L Y

(PREFILED)

January 4, 2012

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

AN ACT to amend the vehicle and traffic law, in relation to authorizing the impoundment of for sale motor vehicles parked on a public highway with an improper validating sticker or the absence of a proper validating sticker

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

Section 1. Subdivision 4 of section 401 of the vehicle and traffic law, as amended by chapter 132 of the laws of 1986, is amended to read as follows:

4. Carrying certificate of registration. Any magistrate, motor vehicle inspector, peace officer, acting pursuant to his special duties, or police officer may request that the operator of any motor vehicle produce for inspection the certificate of registration for such vehicle and such operator shall furnish to such magistrate, inspector, peace officer or police officer any information necessary for the identification of such vehicle and its owner, and all information required concerning his license to operate, if he is required by law to have such a license, and shall, if required, sign his name in the presence of such magistrate, inspector, peace officer or police officer as a further means of identification. The production of a license to a magistrate, inspector, peace officer or police officer shall be prima facie evidence in a prosecution for a violation of any provision of this chapter, other than section three hundred ninety-two of this chapter, that the person who so produced the license is the person identified on such license. Provided, however, that a photostatic copy of the certificate of registration may be produced in lieu of the original certificate. If a vehicle does not have affixed a validating sticker which indicates the plate number, the vehicle identification number and the expiration date of the registration, the failure to produce the certificate of registration, or a photostatic copy of such certificate, shall be presumptive evidence of operating a motor vehicle or trailer which is not registered as required

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

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by this article PROVIDED, FURTHER HOWEVER, IF SUCH VEHICLE IS MARKED BY THE OWNER AS BEING OFFERED FOR SALE, AND SUCH CAR IS PARKED ON A PUBLIC HIGHWAY, WITH AN IMPROPER VALIDATING STICKER OR WITHOUT A PROPER VALIDATING STICKER, SHALL RENDER SUCH VEHICLE SUBJECT TO IMPOUNDMENT BY THE MAGISTRATE, MOTOR VEHICLE INSPECTOR, PEACE OFFICER, ACTING PURSUANT TO HIS SPECIAL DUTIES, OR POLICE OFFICER, INSPECTING SUCH VEHICLE.

S 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.