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

4069

2011-2012 Regular Sessions

I N S E N A T E

March 16, 2011

Introduced by Sen. FUSCHILLO -- (at request of the Department of Motor Vehicles) -- 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 allowing the commissioner to require an electronic transfer of vehicles and to establish separate fees for paper and electronic transfers

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

Section 1. Subdivision 6 of section 415 of the vehicle and traffic law, as amended by section 1-b of part A of chapter 63 of the laws of 2005, is amended to read as follows:

6. Fees. Every original application for registration as a dealer or transporter shall be accompanied by an application fee of thirty-seven dollars and fifty cents, which shall in no event be refunded. The annual fee for registration as a dealer or transporter or for renewal thereof shall be two hundred twenty-five dollars. The annual fee for any other registration under this section shall be fifty dollars. However, the commissioner may, in his discretion, issue a renewal of either registration for a period of two years. The fee for a two-year renewal shall be twice the annual fee. The annual fee for dealer or transporter number plates shall be twenty dollars for each set. If the commissioner issues to dealers a document which is required to be used by a dealer to sell or transfer a vehicle, the fee for the issuance of each such document shall be five dollars. *IN LIEU OF ISSUING SUCH DOCUMENT, THE COMMISSIONER MAY, BY REGULATION, REQUIRE THAT THE INFORMATION CONTAINED ON SUCH DOCUMENT BE TRANSMITTED TO THE COMMISSIONER ELECTRONICALLY AND STORED ELECTRONICALLY BY THE COMMISSIONER. THE FEE FOR TRANSMITTING SUCH INFORMATION ELECTRONICALLY SHALL BE FIVE DOLLARS. THE COMMISSIONER SHALL PROVIDE THAT SUCH ELECTRONIC TRANSMISSION BE WAIVED WHEN A DEALER SHOWS GOOD CAUSE THAT THE DEALER CANNOT TRANSMIT THE INFORMATION ELECTRONICALLY.* There shall be no refund of registration fee or fees for number plates in the event of suspension, revocation or voluntary cancellation of registration. The fee for any such transfer document issued by the

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

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commissioner shall be refunded only upon the surrender of such document upon voluntary cancellation of registration.

S 2. Subdivision 6 of section 415 of the vehicle and traffic law, as amended by chapter 7 of the laws of 2000, is amended to read as follows:

6. Fees. Every original application for registration as a dealer or transporter shall be accompanied by an application fee of twenty-five dollars, which shall in no event be refunded. The annual fee for registration as a dealer or transporter or for renewal thereof shall be one hundred fifty dollars. The annual fee for any other registration under this section shall be fifty dollars. However, the commissioner may, in his discretion, issue a renewal of either registration for a period of two years. The fee for a two-year renewal shall be twice the annual fee. The annual fee for dealer or transporter number plates shall be twenty dollars for each set. If the commissioner issues to dealers a document which is required to be used by a dealer to sell or transfer a vehicle, the fee for the issuance of each such document shall be one dollar. IN LIEU OF ISSUING SUCH DOCUMENT, THE COMMISSIONER MAY, BY REGULATION, REQUIRE THAT THE INFORMATION CONTAINED ON SUCH DOCUMENT BE TRANSMITTED TO THE COMMISSIONER ELECTRONICALLY AND STORED ELECTRONICALLY BY THE COMMISSIONER. THE FEE FOR TRANSMITTING SUCH INFORMATION ELECTRONICALLY SHALL BE FIVE DOLLARS. THE COMMISSIONER SHALL PROVIDE THAT SUCH ELECTRONIC TRANSMISSION BE WAIVED WHEN A DEALER SHOWS GOOD CAUSE THAT THE DEALER CANNOT TRANSMIT THE INFORMATION ELECTRONICALLY. There shall be no refund of registration fee or fees for number plates in the event of suspension, revocation or voluntary cancellation of registration. The fee for any such transfer document issued by the commissioner shall be refunded only upon the surrender of such document upon voluntary cancellation of registration.

S 3. Paragraph (b) of subdivision 1 of section 429 of the vehicle and traffic law, as amended by chapter 691 of the laws of 1979, is amended to read as follows:

(b) By a vehicle dismantler. Whenever a person who is engaged in a business requiring him to be registered as a vehicle dismantler or an itinerant vehicle collector acquires a motor vehicle which has been sold or otherwise disposed of as junk or for salvage, such person shall deliver a statement concerning such acquisition to the commissioner as provided in this section. Such person shall deliver the certificate of title or any other ownership documents relating to such motor vehicle properly executed to transfer title by the transferor to the vehicle dismantler or itinerant vehicle collector and notices of release of security interest from any lienholder whose lien has been satisfied to the commissioner with the required statement of acquisition. However, the provisions of this subdivision shall not apply to a vehicle which has been transferred to a vehicle dismantler registered under section four hundred fifteen-a of this chapter by means of a document issued pursuant to this section. THE COMMISSIONER MAY, BY REGULATION, WAIVE THE REQUIREMENTS OF THIS SUBDIVISION WITH RESPECT TO THE DELIVERY OF DOCUMENTS OR, IN THE ALTERNATIVE, ALLOW SUCH REQUIREMENTS TO BE SATISFIED BY AN ELECTRONIC FILING OF THE NECESSARY INFORMATION BY OR ON BEHALF OF THE PERSON TO WHOM SUCH REQUIREMENTS APPLY.

S 4. This act shall take effect immediately provided that the amendments to subdivision 6 of section 415 of the vehicle and traffic law made by section one of this act shall be subject to the expiration and reversion of such subdivision pursuant to section 13 of part U-1 of chapter 62 of the laws of 2003, as amended, when upon such date the provisions of section two of this act shall take effect.