

3190

2013-2014 Regular Sessions

I N   A S S E M B L Y

January 24, 2013

---

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

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] TITLE; (b) arti-  
17 cle one hundred thirty-nine of the health code of the city of New York,  
18 as it may be amended from time to time, relating to public transporta-  
19 tion facilities; [and] (c) article four of the noise control code of the  
20 city 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-  
22 lations which may from time to time be established by the triborough  
23 bridge and tunnel authority in accordance with the provisions of section  
24 two thousand nine hundred eighty-five of this chapter; (E) BUS LANE

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

LBD05519-02-3

1 RESTRICTIONS ENFORCED BY PHOTO DEVICES IN ACCORDANCE WITH SECTION ELEVEN  
2 HUNDRED ELEVEN-D OF THE VEHICLE AND TRAFFIC LAW; AND (F) BUS LANE  
3 RESTRICTIONS FOR NOTICES OF VIOLATION ISSUED BY AUTHORIZED AUTHORITY  
4 EMPLOYEES IN ACCORDANCE WITH SECTION TWO HUNDRED THIRTY-EIGHT OF THE  
5 VEHICLE AND TRAFFIC LAW. Matters within the jurisdiction of the bureau  
6 except violations of the rules and regulations of the triborough bridge  
7 and tunnel authority shall be known for purposes of this section as  
8 transit infractions, WHICH INCLUDE VIOLATIONS OF BUS LANE RESTRICTIONS  
9 ENFORCED BY PHOTO DEVICES IN ACCORDANCE WITH SECTION ELEVEN HUNDRED  
10 ELEVEN-D OF THE VEHICLE AND TRAFFIC LAW AND NOTICES OF VIOLATION OF BUS  
11 LANE RESTRICTIONS ISSUED BY AUTHORIZED AUTHORITY EMPLOYEES IN ACCORDANCE  
12 WITH SECTION TWO HUNDRED THIRTY-EIGHT OF THE VEHICLE AND TRAFFIC LAW.  
13 Nothing [herein] IN THIS SUBDIVISION shall be construed to divest juris-  
14 diction from any court now having jurisdiction over any criminal charge  
15 or traffic infraction relating to any act committed in a transit or toll  
16 facility OR A DESIGNATED BUS LANE, or to impair the ability of a police  
17 officer to conduct a lawful search of a person in a transit facility.  
18 The criminal court of the city of New York shall continue to have juris-  
19 diction over any criminal charge or traffic infraction brought for  
20 violation of the rules of the authority or the triborough bridge and  
21 tunnel authority, as well as jurisdiction relating to any act which may  
22 constitute a crime or an offense under any law of the state of New York  
23 or any municipality or political subdivision thereof and which may also  
24 constitute a violation of such rules. The bureau shall have concurrent  
25 jurisdiction with the environmental control board and the administrative  
26 tribunal of the department of health over the aforesaid provisions of  
27 the health code and noise control code of the city of New York.

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

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

48 j. To adjudicate the liability of motor vehicle owners for violations  
49 of rules and regulations established in accordance with the provisions  
50 of section two thousand nine hundred eighty-five of this chapter AND  
51 SECTION ELEVEN HUNDRED ELEVEN-D OF THE VEHICLE AND TRAFFIC LAW, AND FOR  
52 NOTICES OF VIOLATION OF BUS LANE RESTRICTIONS ISSUED BY AUTHORIZED  
53 AUTHORITY EMPLOYEES IN ACCORDANCE WITH SECTION TWO HUNDRED THIRTY-EIGHT  
54 OF THE VEHICLE AND TRAFFIC LAW.

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

1 5-A. NOTICES OF LIABILITY FOR VIOLATION OF BUS LANE RESTRICTIONS;  
2 PHOTO DEVICES. NOTICES OF LIABILITY FOR VIOLATION OF BUS LANE  
3 RESTRICTIONS ENFORCED BY PHOTO DEVICES SHALL BE PREPARED AND MAILED IN  
4 ACCORDANCE WITH SECTION ELEVEN HUNDRED ELEVEN-D OF THE VEHICLE AND TRAF-  
5 FIC LAW.

6 5-B. NOTICES OF VIOLATION OF BUS LANE RESTRICTIONS; AUTHORIZED AUTHOR-  
7 ITY EMPLOYEES. NOTICES OF VIOLATION OF BUS LANE RESTRICTIONS ISSUED BY  
8 AUTHORIZED AUTHORITY EMPLOYEES SHALL BE IN ACCORDANCE WITH SECTION TWO  
9 HUNDRED THIRTY-EIGHT OF THE VEHICLE AND TRAFFIC LAW.

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

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

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

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

1 course of the proceeding. When no appeal is filed this order shall be  
2 the final order of the bureau.

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

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

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

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

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

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

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

43 a. If at the time of application for a registration or renewal thereof  
44 there is a certification from a court or administrative tribunal of  
45 appropriate jurisdiction that the registrant or his or her represen-  
46 tative failed to appear on the return date or any subsequent adjourned  
47 date or failed to comply with the rules and regulations of an adminis-  
48 trative tribunal following entry of a final decision in response to  
49 three or more summonses or other process, issued within an eighteen  
50 month period, charging that such motor vehicle was parked, stopped or  
51 standing, or that such motor vehicle was operated for hire by the regis-  
52 trant or his or her agent without being licensed as a motor vehicle for  
53 hire by the appropriate local authority, in violation of any of the  
54 provisions of this chapter or of any law, ordinance, rule or regulation  
55 made by a local authority or the registrant was liable in accordance  
56 with section eleven hundred eleven-c OR ELEVEN HUNDRED ELEVEN-D of this

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

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

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

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

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

13 S 12. The vehicle and traffic law is amended by adding a new section  
14 1111-d to read as follows:

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

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

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

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

53 (II) A PROHIBITION ON THE USE OR DISSEMINATION OF VEHICLES' LICENSE  
54 PLATE INFORMATION AND OTHER INFORMATION AND IMAGES CAPTURED BY BUS LANE  
55 PHOTO DEVICES EXCEPT: (A) AS REQUIRED TO ESTABLISH LIABILITY UNDER THIS

SECTION OR COLLECT PAYMENT OF PENALTIES; (B) AS REQUIRED BY COURT ORDER; OR (C) AS OTHERWISE REQUIRED BY LAW;

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

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

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

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

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

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

3. "BUS LANE RESTRICTIONS" SHALL MEAN RESTRICTIONS ON THE USE OF DESIGNATED BUS LANES BY VEHICLES OTHER THAN BUSES IMPOSED BY LOCAL LAW AND SIGNS ERECTED BY THE AUTHORITY IN CONSULTATION WITH SUCH CITY PURSUANT TO THIS SECTION, WITH THE EXCEPTIONS ALLOWED UNDER SUBDIVISION (M) OF SECTION 4-12 AND PARAGRAPH THREE OF SUBDIVISION (A) OF SECTION 4-08(A)(3) OF TITLE THIRTY-FOUR OF THE RULES OF THE CITY OF NEW YORK OR ANY SUCH RULES OF A CITY WITH A POPULATION OF ONE MILLION OR MORE.

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

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

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

(F) AN IMPOSITION OF LIABILITY PURSUANT TO THIS SECTION SHALL NOT BE DEEMED A CONVICTION OF AN OPERATOR AND SHALL NOT BE MADE PART OF THE 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

VIOLATION SHALL BE DEEMED TO BE THE OWNER OF SUCH VEHICLE FOR PURPOSES OF THIS SECTION, SHALL BE SUBJECT TO LIABILITY FOR SUCH VIOLATION PURSUANT TO THIS SECTION AND SHALL BE SENT A NOTICE OF LIABILITY PURSUANT TO SUBDIVISION (G) OF THIS SECTION.

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

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

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

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

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

3. THE TOTAL NUMBER OF NOTICES OF LIABILITY ISSUED;

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

5. THE NUMBER OF VIOLATIONS ADJUDICATED AND RESULTS OF SUCH ADJUDICATIONS INCLUDING BREAKDOWNS OF DISPOSITIONS MADE;

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

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

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

9. THE TOTAL COST TO ANY PARTICIPATING MASS TRANSIT AUTHORITY OR AGENCY; AND

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

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

Whenever proceedings in an administrative tribunal or a court of this state result in a conviction for an offense 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, 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 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 and a mandatory surcharge, in addition to any sentence required or permitted by law, in accordance with the following schedule:

(c) Whenever proceedings in an administrative tribunal or a court of this state result in a conviction for an offense under this chapter 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-C OR ELEVEN HUNDRED  
10 ELEVEN-D OF THIS CHAPTER FOR A VIOLATION OF A BUS LANE RESTRICTION AS  
11 DEFINED IN SUCH SECTIONS, there shall be levied a mandatory surcharge,  
12 in addition to any sentence required or permitted by law, in the amount  
13 of seventeen dollars.

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

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

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

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

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

a. Notwithstanding any other provision of law, whenever proceedings in a court or an administrative tribunal of this state result in a conviction for an offense under this chapter, except a conviction pursuant to section eleven hundred ninety-two of this chapter, or for a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, except a traffic infraction involving standing, stopping, or parking or violations by pedestrians or bicyclists, and except 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, AND EXCEPT AN ADJUDICATION IN ACCORDANCE WITH SECTION ELEVEN HUNDRED ELEVEN-D OF THIS CHAPTER OF A VIOLATION OF A BUS LANE RESTRICTION AS DEFINED IN SUCH SECTION, and except 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, there shall be levied in addition to any sentence, penalty or other surcharge required or permitted by law, an additional surcharge of twenty dollars.

S 20. Paragraph (1) of subdivision 2 of section 87 of the public officers law, as added by section 12 of part II of chapter 59 of the laws of 2010, is amended to read as follows:

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

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

(a) the amendments to paragraph a of subdivision 5-a of section 401 of the vehicle and traffic law made by section seven of this act shall be subject to the expiration and reversion of such paragraph pursuant to section 17 of chapter 746 of the laws of 1988, as amended, when upon such date the provisions of section eight of this act shall take effect;

(b) the amendments to paragraph a of subdivision 5-a of section 401 of the vehicle and traffic law made by section eight of this act shall be subject to the expiration and reversion of such paragraph pursuant to chapters 19, 20, 21, 22, 23 and 383 of the laws of 2009, as amended, when upon such date the provisions of section nine of this act shall take effect;

(c) the amendments to paragraph a of subdivision 5-a of section 401 of the vehicle and traffic law made by section nine of this act shall be subject to the expiration and reversion of such paragraph pursuant to section 14 of part II of chapter 59 of the laws of 2010, as amended, when upon such date the provisions of section ten of this act shall take effect;

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

4 (e) the amendments to subdivision 1 of section 1809 of the vehicle and  
5 traffic law made by section thirteen of this act shall be subject to the  
6 expiration and reversion of such subdivision pursuant to subdivision (p)  
7 of section 406 of chapter 166 of the laws of 1991, as amended, when upon  
8 such date the provisions of section fourteen of this act shall take  
9 effect;

10 (f) the amendments to subdivision 1 of section 1809 of the vehicle and  
11 traffic law made by section fourteen of this act shall be subject to the  
12 expiration and reversion of such subdivision pursuant to section 17 of  
13 chapter 746 of the laws of 1988, and chapters 19, 20, 21, 22, 23 and 383  
14 of the laws of 2009, as amended, when upon such date the provisions of  
15 section fifteen of this act shall take effect;

16 (g) the amendments to subdivision 1 of section 1809 of the vehicle and  
17 traffic law made by section fifteen of this act shall be subject to the  
18 expiration and reversion of such subdivision pursuant to chapter 746 of  
19 the laws of 1988, as amended, when upon such date the provisions of  
20 section sixteen of this act shall take effect;

21 (h) the amendments to paragraph a of subdivision 1 of section 1809-e  
22 of the vehicle and traffic law made by section seventeen of this act  
23 shall be subject to the expiration and reversion of such paragraph  
24 pursuant to chapters 19, 20, 21, 22, 23 and 383 of the laws of 2009, as  
25 amended, when upon such date the provisions of section eighteen of this  
26 act shall take effect;

27 (i) the amendments to paragraph a of subdivision 1 of section 1809-e  
28 of the vehicle and traffic law made by section eighteen of this act  
29 shall be subject to the expiration and reversion of such subdivision  
30 pursuant to chapters 19, 20, 21, 22, 23 and 383 of the laws of 2009, as  
31 amended, when upon such date the provisions of section nineteen of this  
32 act shall take effect; and

33 (j) the amendments to paragraph (1) of subdivision 2 of section 87 of  
34 the public officers law made by section twenty of this act shall not  
35 affect the repeal of such paragraph and shall be deemed repealed there-  
36 with.