

3275

2013-2014 Regular Sessions

I N A S S E M B L Y

January 24, 2013

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 Article 17-C of the vehicle and traffic law is REPEALED.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 SUBDIVISION 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 THERE-  
3 ON. THE REVENUES SO CERTIFIED SHALL BE DEPOSITED BY THE STATE COMP-  
4 TROLLER IN THE METROPOLITAN TRANSPORTATION AUTHORITY AID TRUST ACCOUNT  
5 OF THE METROPOLITAN TRANSPORTATION AUTHORITY FINANCIAL ASSISTANCE FUND  
6 ESTABLISHED PURSUANT TO SECTION NINETY-TWO-FF OF THE STATE FINANCE LAW  
7 FOR DEPOSIT, SUBJECT TO APPROPRIATION, IN THE CORPORATE TRANSPORTATION  
8 ACCOUNT OF THE METROPOLITAN TRANSPORTATION AUTHORITY SPECIAL ASSISTANCE  
9 FUND ESTABLISHED BY SECTION TWELVE HUNDRED SEVENTY-A OF THE PUBLIC  
10 AUTHORITIES LAW, TO BE APPLIED AS PROVIDED IN PARAGRAPH (E) OF SUBDIVI-  
11 SION FOUR OF SUCH SECTION. ANY MONEY COLLECTED PURSUANT TO THIS SECTION  
12 THAT IS DEPOSITED BY THE COMPTROLLER IN THE METROPOLITAN TRANSPORTATION  
13 AUTHORITY AID TRUST ACCOUNT OF THE METROPOLITAN TRANSPORTATION AUTHORITY  
14 FINANCIAL ASSISTANCE FUND SHALL BE HELD IN SUCH FUND FREE AND CLEAR OF  
15 ANY CLAIM BY ANY PERSON OR ENTITY PAYING AN ADDITIONAL FEE PURSUANT TO  
16 THIS SECTION, INCLUDING, WITHOUT LIMITING THE GENERALITY OF THE FOREGO-  
17 ING, ANY RIGHT OR CLAIM AGAINST THE METROPOLITAN TRANSPORTATION AUTHORI-  
18 TY, ANY OF ITS BONDHOLDERS, OR ANY SUBSIDIARY OR AFFILIATE OF THE METRO-  
19 POLITAN TRANSPORTATION AUTHORITY.

20 S 3. Paragraph (b-1) of subdivision 2 of section 503 of the vehicle  
21 and traffic law, as added by section 1 of part A of chapter 25 of the  
22 laws of 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 trans-  
27 portation district] CITY OF NEW YORK established by section [one thou-  
28 sand two hundred sixty-two] TWELVE HUNDRED SIXTY-TWO of the public  
29 authorities law shall be required to pay a supplemental fee of one  
30 dollar for each six months or portion thereof of the period of validity  
31 of a learner's permit or license which is or may be issued pursuant to  
32 the provisions of subparagraph (i) or (ii) of paragraph (b) of this  
33 subdivision.

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