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

5088

2013-2014 Regular Sessions

I N A S S E M B L Y

February 20, 2013

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

AN ACT to amend the vehicle and traffic law, in relation to imposing a penalty for illegally displaying an improper number plate on a vehicle that was seized by the sheriff or marshal of the city of New York

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

Section 1. Subdivision 8 of section 402 of the vehicle and traffic law, as renumbered by chapter 648 of the laws of 2006, is renumbered subdivision 9 and a new subdivision 8 is added to read as follows:

8. (A) THE OWNER OF ANY MOTOR VEHICLE OR TRAILER SEIZED BY THE SHERIFF OR MARSHAL OF THE CITY OF NEW YORK, WHERE SUCH VEHICLE OR TRAILER DISPLAYED A NUMBER PLATE THAT WAS NOT PROPER FOR SUCH VEHICLE OR TRAILER UNDER THE PROVISIONS OF THIS CHAPTER, SHALL BE ASSESSED, IN ADDITION TO ALL OTHER CHARGES AND EXPENSES RELATING TO THE SEIZURE, A PENALTY OF TWO HUNDRED DOLLARS, PAYABLE TO THE DEPARTMENT OF FINANCE OF THE CITY OF NEW YORK UPON REDEMPTION OF SUCH MOTOR VEHICLE OR TRAILER.

(B) IT SHALL BE A VALID DEFENSE TO AN ALLEGATION OF LIABILITY UNDER THIS SUBDIVISION THAT THE VEHICLE OR TRAILER HAD BEEN REPORTED TO THE POLICE AS STOLEN PRIOR TO THE TIME THE VIOLATION OCCURRED AND HAD NOT BEEN RECOVERED BY SUCH TIME. AN OWNER OF A VEHICLE OR TRAILER LIABLE FOR A PENALTY UNDER THIS SUBDIVISION MAY MAINTAIN AN ACTION FOR INDEMNIFICATION AGAINST THE OPERATOR OF SAID VEHICLE OR TRAILER IF SUCH OPERATOR VIOLATED THE PROVISIONS OF THIS SECTION WITHOUT THE OWNER'S KNOWLEDGE OR CONSENT.

S 2. This act shall take effect immediately, except that section one of this act shall take effect thirty days after it shall have become a law.

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

LBD01990-01-3