

1262

2013-2014 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 9, 2013

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

AN ACT to amend the vehicle and traffic law, in relation to the  
retention of motor vehicle records

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

1     Section 1. Subparagraph (i) of paragraph (i) of subdivision 1 of  
2     section 201 of the vehicle and traffic law, as amended by section 2 of  
3     part E of chapter 60 of the laws of 2005, is amended to read as follows:  
4     (i) any accident reports filed with the commissioner, conviction  
5     certificates, police reports, complaints, satisfied judgment records,  
6     closed suspension and revocation orders, hearing records, other than  
7     audio tape recordings of hearings, AND significant correspondence relat-  
8     ing to any of the same[, and any other record on file] after remaining  
9     on file for four years except that if the commissioner shall receive,  
10    during the last year of such period of four years, written notice to  
11    retain one or more of such papers or documents, the same shall be  
12    retained for another four years in addition to said period of four  
13    years. The provisions of this paragraph shall not apply to certificates  
14    of conviction filed with respect to convictions which affect sentencing  
15    or administrative action required by law beyond such four year period.  
16    Such certificates may be destroyed after they have no legal effect on  
17    sentencing or administrative action;  
18    S 2. Subdivision 1 of section 201 of the vehicle and traffic law is  
19    amended by adding a new paragraph (l) to read as follows:  
20    (L) FOR ANY OTHER RECORD NOT SPECIFIED IN THIS SECTION, THE COMMIS-  
21    SIONER OR HIS OR HER DESIGNEE SHALL ESTABLISH A RETENTION SCHEDULE IN  
22    CONSULTATION WITH THE STATE ARCHIVES PURSUANT TO SECTION 57.05 OF THE  
23    ARTS AND CULTURAL AFFAIRS LAW.  
24    S 3. This act shall take effect on the ninetieth day after it shall  
25    have become a law.

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

LBD05746-01-3