

4327

2013-2014 Regular Sessions

I N   A S S E M B L Y

February 4, 2013

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Introduced by M. of A. GLICK, MILLMAN, COOK, GOTTFRIED, WEPRIN, TITONE, ROSENTHAL, ORTIZ, BROOK-KRASNY, HEVESI -- Multi-Sponsored by -- M. of A. BOYLAND, BRENNAN, CRESPO, CYMBROWITZ, DINOWITZ, LUPARDO, O'DONNELL, ROBINSON, SCHIMEL, THIELE, WEISENBERG -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law and the public officers law, in relation to establishing in each city with a population of one million or more a demonstration program to enforce maximum speed limits by means of speed limit photo devices; and providing for the repeal of such provisions upon expiration thereof

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

1     Section 1. Subdivision 1 of section 235 of the vehicle and traffic  
2 law, as amended by section 1 of part II of chapter 59 of the laws of  
3 2010, is amended to read as follows:  
4     1. Notwithstanding any inconsistent provision of any general, special  
5 or local law or administrative code to the contrary, in any city which  
6 heretofore or hereafter is authorized to establish an administrative  
7 tribunal to hear and determine complaints of traffic infractions consti-  
8 tuting parking, standing or stopping violations, or to adjudicate the  
9 liability of owners for violations of subdivision (d) of section eleven  
10 hundred eleven of this chapter in accordance with section eleven hundred  
11 eleven-a of this chapter, or to adjudicate the liability of owners for  
12 violations of subdivision (d) of section eleven hundred eleven of this  
13 chapter in accordance with sections eleven hundred eleven-b of this  
14 chapter as added by sections sixteen of chapters twenty, twenty-one, and  
15 twenty-two of the laws of two thousand nine, or to adjudicate the  
16 liability of owners for violations of toll collection regulations as  
17 defined in and in accordance with the provisions of section two thousand  
18 nine hundred eighty-five of the public authorities law and sections  
19 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four

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

LBD04605-04-3

1 of the laws of nineteen hundred fifty, or to adjudicate liability of  
2 owners in accordance with section eleven hundred eleven-c of this chap-  
3 ter for violations of bus lane restrictions as defined in such section,  
4 OR TO ADJUDICATE LIABILITY OF OWNERS FOR VIOLATIONS OF SUBDIVISIONS (C)  
5 AND (D) OF SECTION ELEVEN HUNDRED EIGHTY OF THIS CHAPTER IN ACCORDANCE  
6 WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER, such tribunal and  
7 the rules and regulations pertaining thereto shall be constituted in  
8 substantial conformance with the following sections.

9 S 1-a. Section 235 of the vehicle and traffic law, as amended by  
10 section 1-a of part II of chapter 59 of the laws of 2010, is amended to  
11 read as follows:

12 S 235. Jurisdiction. Notwithstanding any inconsistent provision of any  
13 general, special or local law or administrative code to the contrary, in  
14 any city which heretofore or hereafter is authorized to establish an  
15 administrative tribunal to hear and determine complaints of traffic  
16 infractions constituting parking, standing or stopping violations, or to  
17 adjudicate the liability of owners for violations of subdivision (d) of  
18 section eleven hundred eleven of this chapter in accordance with section  
19 eleven hundred eleven-a of this chapter, or to adjudicate the liability  
20 of owners for violations of subdivision (d) of section eleven hundred  
21 eleven of this chapter in accordance with sections eleven hundred  
22 eleven-b of this chapter as added by sections sixteen of chapters twen-  
23 ty, twenty-one, and twenty-two of the laws of two thousand nine, or to  
24 adjudicate the liability of owners for violations of toll collection  
25 regulations as defined in and in accordance with the provisions of  
26 section two thousand nine hundred eighty-five of the public authorities  
27 law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven  
28 hundred seventy-four of the laws of nineteen hundred fifty, or to adju-  
29 dicate liability of owners in accordance with section eleven hundred  
30 eleven-c of this chapter for violations of bus lane restrictions as  
31 defined in such section, OR TO ADJUDICATE LIABILITY OF OWNERS FOR  
32 VIOLATIONS OF SUBDIVISIONS (C) AND (D) OF SECTION ELEVEN HUNDRED EIGHTY  
33 OF THIS CHAPTER IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF  
34 THIS CHAPTER, such tribunal and the rules and regulations pertaining  
35 thereto shall be constituted in substantial conformance with the follow-  
36 ing sections.

37 S 1-b. Section 235 of the vehicle and traffic law, as amended by  
38 section 1-b of part II of chapter 59 of the laws of 2010, is amended to  
39 read as follows:

40 S 235. Jurisdiction. Notwithstanding any inconsistent provision of any  
41 general, special or local law or administrative code to the contrary, in  
42 any city which heretofore or hereafter is authorized to establish an  
43 administrative tribunal to hear and determine complaints of traffic  
44 infractions constituting parking, standing or stopping violations, or to  
45 adjudicate the liability of owners for violations of subdivision (d) of  
46 section eleven hundred eleven of this chapter in accordance with  
47 sections eleven hundred eleven-b of this chapter as added by sections  
48 sixteen of chapters twenty, twenty-one, and twenty-two of the laws of  
49 two thousand nine, or to adjudicate the liability of owners for  
50 violations of toll collection regulations as defined in and in accord-  
51 ance with the provisions of section two thousand nine hundred eighty-  
52 five of the public authorities law and sections sixteen-a, sixteen-b and  
53 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen  
54 hundred fifty, or to adjudicate liability of owners in accordance with  
55 section eleven hundred eleven-c of this chapter for violations of bus  
56 lane restrictions as defined in such section, OR TO ADJUDICATE LIABILITY

1 OF OWNERS FOR VIOLATIONS OF SUBDIVISIONS (C) AND (D) OF SECTION ELEVEN  
2 HUNDRED EIGHTY OF THIS CHAPTER IN ACCORDANCE WITH SECTION ELEVEN HUNDRED  
3 EIGHTY-B OF THIS CHAPTER, such tribunal and the rules and regulations  
4 pertaining thereto shall be constituted in substantial conformance with  
5 the following sections.

6 S 1-c. Section 235 of the vehicle and traffic law, as amended by  
7 section 1-c of part II of chapter 59 of the laws of 2010, is amended to  
8 read as follows:

9 S 235. Jurisdiction. Notwithstanding any inconsistent provision of any  
10 general, special or local law or administrative code to the contrary, in  
11 any city which heretofore or hereafter is authorized to establish an  
12 administrative tribunal to hear and determine complaints of traffic  
13 infractions constituting parking, standing or stopping violations, or to  
14 adjudicate the liability of owners for violations of toll collection  
15 regulations as defined in and in accordance with the provisions of  
16 section two thousand nine hundred eighty-five of the public authorities  
17 law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven  
18 hundred seventy-four of the laws of nineteen hundred fifty, or to adju-  
19 dicate liability of owners in accordance with section eleven hundred  
20 eleven-c of this chapter for violations of bus lane restrictions as  
21 defined in such section, OR TO ADJUDICATE LIABILITY OF OWNERS FOR  
22 VIOLATIONS OF SUBDIVISIONS (C) AND (D) OF SECTION ELEVEN HUNDRED EIGHTY  
23 OF THIS CHAPTER IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF  
24 THIS CHAPTER, such tribunal and the rules and regulations pertaining  
25 thereto shall be constituted in substantial conformance with the follow-  
26 ing sections.

27 S 1-d. Section 235 of the vehicle and traffic law, as separately  
28 amended by chapter 715 of the laws of 1972 and chapter 379 of the laws  
29 of 1992, is amended to read as follows:

30 S 235. Jurisdiction. Notwithstanding any inconsistent provision of any  
31 general, special or local law or administrative code to the contrary, in  
32 any city which heretofore or hereafter is authorized to establish an  
33 administrative tribunal to hear and determine complaints of traffic  
34 infractions constituting parking, standing or stopping violations, or to  
35 adjudicate the liability of owners for violations of toll collection  
36 regulations as defined in and in accordance with the provisions of  
37 section two thousand nine hundred eighty-five of the public authorities  
38 law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven  
39 hundred seventy-four of the laws of nineteen hundred fifty, OR TO ADJU-  
40 DICATE LIABILITY OF OWNERS FOR VIOLATIONS OF SUBDIVISIONS (C) AND (D) OF  
41 SECTION ELEVEN HUNDRED EIGHTY OF THIS CHAPTER IN ACCORDANCE WITH SECTION  
42 ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER, such tribunal and the rules and  
43 regulations pertaining thereto shall be constituted in substantial  
44 conformance with the following sections.

45 S 2. Subdivision 1 of section 236 of the vehicle and traffic law, as  
46 amended by section 2 of part II of chapter 59 of the laws of 2010, is  
47 amended to read as follows:

48 1. Creation. In any city as hereinbefore or hereafter authorized such  
49 tribunal when created shall be known as the parking violations bureau  
50 and shall have jurisdiction of traffic infractions which constitute a  
51 parking violation and, where authorized by local law adopted pursuant to  
52 subdivision (a) of section eleven hundred eleven-a of this chapter or  
53 subdivisions (a) of sections eleven hundred eleven-b of this chapter as  
54 added by sections sixteen of chapters twenty, twenty-one, and twenty-two  
55 of the laws of two thousand nine, shall adjudicate the liability of  
56 owners for violations of subdivision (d) of section eleven hundred elev-

1 en of this chapter in accordance with such section eleven hundred  
2 eleven-a or such sections eleven hundred eleven-b as added by sections  
3 sixteen of chapters twenty, twenty-one, and twenty-two of the laws of  
4 two thousand nine and shall adjudicate the liability of owners for  
5 violations of toll collection regulations as defined in and in accord-  
6 ance with the provisions of section two thousand nine hundred eighty-  
7 five of the public authorities law and sections sixteen-a, sixteen-b and  
8 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen  
9 hundred fifty and shall adjudicate liability of owners in accordance  
10 with section eleven hundred eleven-c of this chapter for violations of  
11 bus lane restrictions as defined in such section AND SHALL ADJUDICATE  
12 LIABILITY OF OWNERS FOR VIOLATIONS OF SUBDIVISIONS (C) AND (D) OF  
13 SECTION ELEVEN HUNDRED EIGHTY OF THIS CHAPTER IN ACCORDANCE WITH SECTION  
14 ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER. Such tribunal, except in a  
15 city with a population of one million or more, shall also have jurisdic-  
16 tion of abandoned vehicle violations. For the purposes of this article,  
17 a parking violation is the violation of any law, rule or regulation  
18 providing for or regulating the parking, stopping or standing of a vehi-  
19 cle. In addition for purposes of this article, "commissioner" shall mean  
20 and include the commissioner of traffic of the city or an official  
21 possessing authority as such a commissioner.

22 S 2-a. Subdivision 1 of section 236 of the vehicle and traffic law, as  
23 amended by section 2-a of part II of chapter 59 of the laws of 2010, is  
24 amended to read as follows:

25 1. Creation. In any city as hereinbefore or hereafter authorized such  
26 tribunal when created shall be known as the parking violations bureau  
27 and shall have jurisdiction of traffic infractions which constitute a  
28 parking violation and, where authorized by local law adopted pursuant to  
29 subdivisions (a) of sections eleven hundred eleven-b of this chapter as  
30 added by sections sixteen of chapters twenty, twenty-one, and twenty-two  
31 of the laws of two thousand nine, shall adjudicate the liability of  
32 owners for violations of subdivision (d) of section eleven hundred elev-  
33 en of this chapter in accordance with such sections eleven hundred  
34 eleven-b as added by sections sixteen of chapters twenty, twenty-one,  
35 and twenty-two of the laws of two thousand nine; and shall adjudicate  
36 liability of owners in accordance with section eleven hundred eleven-c  
37 of this chapter for violations of bus lane restrictions as defined in  
38 such section AND SHALL ADJUDICATE LIABILITY OF OWNERS FOR VIOLATIONS OF  
39 SUBDIVISIONS (C) AND (D) OF SECTION ELEVEN HUNDRED EIGHTY OF THIS CHAP-  
40 TER IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER.  
41 For the purposes of this article, a parking violation is the violation  
42 of any law, rule or regulation providing for or regulating the parking,  
43 stopping or standing of a vehicle. In addition for purposes of this  
44 article, "commissioner" shall mean and include the commissioner of traf-  
45 fic of the city or an official possessing authority as such a commis-  
46 sioner.

47 S 2-b. Subdivision 1 of section 236 of the vehicle and traffic law, as  
48 amended by section 2-b of part II of chapter 59 of the laws of 2010, is  
49 amended to read as follows:

50 1. Creation. In any city as hereinbefore or hereafter authorized such  
51 tribunal when created shall be known as the parking violations bureau  
52 and shall have jurisdiction of traffic infractions which constitute a  
53 parking violation and shall adjudicate liability of owners in accordance  
54 with section eleven hundred eleven-c of this chapter for violations of  
55 bus lane restrictions as defined in such section AND SHALL ADJUDICATE  
56 LIABILITY OF OWNERS FOR VIOLATIONS OF SUBDIVISIONS (C) AND (D) OF

SECTION ELEVEN HUNDRED EIGHTY OF THIS CHAPTER IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER. For the purposes of this article, a parking violation is the violation of any law, rule or regulation providing for or regulating the parking, stopping or standing of a vehicle. In addition for purposes of this article, "commissioner" shall mean and include the commissioner of traffic of the city or an official possessing authority as such a commissioner.

S 2-c. Subdivision 1 of section 236 of the vehicle and traffic law, as added by chapter 715 of the laws of 1972, is amended to read as follows:

1. Creation. In any city as hereinbefore or hereafter authorized such tribunal when created shall be known as the parking violations bureau and shall have jurisdiction of traffic infractions which constitute a parking violation AND SHALL ADJUDICATE LIABILITY OF OWNERS FOR VIOLATIONS OF SUBDIVISIONS (C) AND (D) OF SECTION ELEVEN HUNDRED EIGHTY OF THIS CHAPTER IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER. For the purposes of this article, a parking violation is the violation of any law, rule or regulation providing for or regulating the parking, stopping or standing of a vehicle. In addition for purposes of this article, "commissioner" shall mean and include the commissioner of traffic of the city or an official possessing authority as such a commissioner.

S 3. Subdivision 12 of section 237 of the vehicle and traffic law, as added by section 3 of part II of chapter 59 of the laws of 2010, is amended and a new subdivision 13 is added to read as follows:

12. To adjudicate liability of owners in accordance with section eleven hundred eleven-c of this chapter for violations of bus lane restrictions as defined in such section[.];

13. TO ADJUDICATE THE LIABILITY OF OWNERS FOR VIOLATIONS OF SUBDIVISIONS (C) AND (D) OF SECTION ELEVEN HUNDRED EIGHTY OF THIS CHAPTER IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER.

S 3-a. Subdivision 11 of section 237 of the vehicle and traffic law, as added by chapter 379 of the laws of 1992, is amended and a new subdivision 12 is added to read as follows:

11. To adjudicate the liability of owners for violations of toll collection regulations as defined in and in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty[.];

12. TO ADJUDICATE THE LIABILITY OF OWNERS FOR VIOLATIONS OF SUBDIVISIONS (C) AND (D) OF SECTION ELEVEN HUNDRED EIGHTY OF THIS CHAPTER IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER.

S 4. Paragraph f of subdivision 1 of section 239 of the vehicle and traffic law, as amended by section 4 of part II of chapter 59 of the laws of 2010, is amended to read as follows:

f. "Notice of violation" means a notice of violation as defined in subdivision nine of section two hundred thirty-seven of this article, but shall not be deemed to include a notice of liability issued pursuant to authorization set forth in section eleven hundred eleven-a of this chapter or sections eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty, twenty-one, and twenty-two of the laws of two thousand nine, and shall not be deemed to include a notice of liability issued pursuant to section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty and shall not be deemed to include a notice of

liability issued pursuant to section eleven hundred eleven-c of this chapter AND SHALL NOT BE DEEMED TO INCLUDE A NOTICE OF LIABILITY ISSUED PURSUANT TO SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER.

S 4-a. Paragraph f of subdivision 1 of section 239 of the vehicle and traffic law, as amended by section 4-a of part II of chapter 59 of the laws of 2010, is amended to read as follows:

f. "Notice of violation" means a notice of violation as defined in subdivision nine of section two hundred thirty-seven of this article but shall not be deemed to include a notice of liability issued pursuant to authorization set forth in sections eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty, twenty-one, and twenty-two of the laws of two thousand nine and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eleven-c of this chapter AND SHALL NOT BE DEEMED TO INCLUDE A NOTICE OF LIABILITY ISSUED PURSUANT TO SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER.

S 4-b. Paragraph f of subdivision 1 of section 239 of the vehicle and traffic law, as amended by section 4-b of part II of chapter 59 of the laws of 2010, is amended to read as follows:

f. "Notice of violation" means a notice of violation as defined in subdivision nine of section two hundred thirty-seven of this article and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eleven-c of this chapter AND SHALL NOT BE DEEMED TO INCLUDE A NOTICE OF LIABILITY ISSUED PURSUANT TO SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER.

S 4-c. Paragraph f of subdivision 1 of section 239 of the vehicle and traffic law, as added by chapter 180 of the laws of 1980, is amended to read as follows:

f. "Notice of violation" means a notice of violation as defined in subdivision nine of section two hundred thirty-seven of this article AND SHALL NOT BE DEEMED TO INCLUDE A NOTICE OF LIABILITY ISSUED PURSUANT TO SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER.

S 5. Subdivision 4 of section 239 of the vehicle and traffic law, as amended by chapter 379 of the laws of 1992, is amended to read as follows:

4. Applicability. The provisions of paragraph b of subdivision two and subdivision three of this section shall not be applicable to determinations of owner liability for the failure of an operator to comply with subdivision (d) of section eleven hundred eleven of this chapter and shall not be applicable to determinations of owner liability imposed pursuant to section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty AND SHALL NOT BE APPLICABLE TO DETERMINATIONS OF OWNER LIABILITY FOR VIOLATIONS OF SUBDIVISIONS (C) AND (D) OF SECTION ELEVEN HUNDRED EIGHTY OF THIS CHAPTER.

S 5-a. Section 239 of the vehicle and traffic law is amended by adding a new subdivision 4 to read as follows:

4. APPLICABILITY. THE PROVISIONS OF PARAGRAPH B OF SUBDIVISION TWO AND SUBDIVISION THREE OF THIS SECTION SHALL NOT BE APPLICABLE TO DETERMINATIONS OF OWNER LIABILITY FOR VIOLATIONS OF SUBDIVISIONS (C) AND (D) OF SECTION ELEVEN HUNDRED EIGHTY OF THIS CHAPTER.

S 6. Subdivisions 1 and 1-a of section 240 of the vehicle and traffic law, as amended by section 5 of part II of chapter 59 of the laws of 2010, are amended to read as follows:

1 1. Notice of hearing. Whenever a person charged with a parking  
2 violation enters a plea of not guilty or a person alleged to be liable  
3 in accordance with section eleven hundred eleven-a of this chapter or  
4 sections eleven hundred eleven-b of this chapter as added by sections  
5 sixteen of chapters twenty, twenty-one, and twenty two of the laws of  
6 two thousand nine, for a violation of subdivision (d) of section eleven  
7 hundred eleven of this chapter contests such allegation, or a person  
8 alleged to be liable in accordance with the provisions of section two  
9 thousand nine hundred eighty-five of the public authorities law or  
10 sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred  
11 seventy-four of the laws of nineteen hundred fifty, or a person alleged  
12 to be liable in accordance with the provisions of section eleven hundred  
13 eleven-c of this chapter for a violation of a bus lane restriction as  
14 defined in such section contests such allegation, OR A PERSON ALLEGED TO  
15 BE LIABLE IN ACCORDANCE WITH THE PROVISIONS OF SECTION ELEVEN HUNDRED  
16 EIGHTY-B OF THIS CHAPTER FOR A VIOLATION OF SUBDIVISION (C) OR (D) OF  
17 SECTION ELEVEN HUNDRED EIGHTY OF THIS CHAPTER CONTESTS SUCH ALLEGATION,  
18 the bureau shall advise such person personally by such form of first  
19 class mail as the director may direct of the date on which he or she  
20 must appear to answer the charge at a hearing. The form and content of  
21 such notice of hearing shall be prescribed by the director, and shall  
22 contain a warning to advise the person so pleading or contesting that  
23 failure to appear on the date designated, or on any subsequent adjourned  
24 date, shall be deemed an admission of liability, and that a default  
25 judgment may be entered thereon.

26 1-a. Fines and penalties. Whenever a plea of not guilty has been  
27 entered, or the bureau has been notified that an allegation of liability  
28 in accordance with section eleven hundred eleven-a of this chapter or  
29 sections eleven hundred eleven-b of this chapter as added by sections  
30 sixteen of chapters twenty, twenty-one, and twenty-two of the laws of  
31 two thousand nine or an allegation of liability in accordance with  
32 section two thousand nine hundred eighty-five of the public authorities  
33 law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven  
34 hundred seventy-four of the laws of nineteen hundred fifty or an allega-  
35 tion of liability in accordance with section eleven hundred eleven-c of  
36 this chapter OR AN ALLEGATION OF LIABILITY IN ACCORDANCE WITH SECTION  
37 ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER, is being contested, by a person  
38 in a timely fashion and a hearing upon the merits has been demanded, but  
39 has not yet been held, the bureau shall not issue any notice of fine or  
40 penalty to that person prior to the date of the hearing.

41 S 6-a. Subdivisions 1 and 1-a of section 240 of the vehicle and traf-  
42 fic law, as amended by section 5-a of part II of chapter 59 of the laws  
43 of 2010, are amended to read as follows:

44 1. Notice of hearing. Whenever a person charged with a parking  
45 violation enters a plea of not guilty or a person alleged to be liable  
46 in accordance with sections eleven hundred eleven-b of this chapter as  
47 added by sections sixteen of chapters twenty, twenty-one, and twenty-two  
48 of the laws of two thousand nine for a violation of subdivision (d) of  
49 section eleven hundred eleven of this chapter, or a person alleged to be  
50 liable in accordance with the provisions of section eleven hundred  
51 eleven-c of this chapter for a violation of a bus lane restriction as  
52 defined in such section contests such allegation, OR A PERSON ALLEGED TO  
53 BE LIABLE IN ACCORDANCE WITH THE PROVISIONS OF SECTION ELEVEN HUNDRED  
54 EIGHTY-B OF THIS CHAPTER FOR VIOLATIONS OF SUBDIVISIONS (C) AND (D) OF  
55 SECTION ELEVEN HUNDRED EIGHTY OF THIS CHAPTER CONTESTS SUCH ALLEGATION,  
56 the bureau shall advise such person personally by such form of first

1 class mail as the director may direct of the date on which he or she  
2 must appear to answer the charge at a hearing. The form and content of  
3 such notice of hearing shall be prescribed by the director, and shall  
4 contain a warning to advise the person so pleading or contesting that  
5 failure to appear on the date designated, or on any subsequent adjourned  
6 date, shall be deemed an admission of liability, and that a default  
7 judgment may be entered thereon.

8 1-a. Fines and penalties. Whenever a plea of not guilty has been  
9 entered, or the bureau has been notified that an allegation of liability  
10 in accordance with sections eleven hundred eleven-b of this chapter, as  
11 added by sections sixteen of chapters twenty, twenty-one, and twenty-two  
12 of the laws of two thousand nine, or an allegation of liability in  
13 accordance with section eleven hundred eleven-c of this chapter OR AN  
14 ALLEGATION OF LIABILITY IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHT-  
15 Y-B OF THIS CHAPTER is being contested, by a person in a timely fashion  
16 and a hearing upon the merits has been demanded, but has not yet been  
17 held, the bureau shall not issue any notice of fine or penalty to that  
18 person prior to the date of the hearing.

19 S 6-b. Subdivisions 1 and 1-a of section 240 of the vehicle and traf-  
20 fic law, as amended by section 5-b of part II of chapter 59 of the laws  
21 of 2010, are amended to read as follows:

22 1. Notice of hearing. Whenever a person charged with a parking  
23 violation enters a plea of not guilty or a person alleged to be liable  
24 in accordance with the provisions of section eleven hundred eleven-c of  
25 this chapter for a violation of a bus lane restriction as defined in  
26 such section, contests such allegation, OR A PERSON ALLEGED TO BE LIABLE  
27 IN ACCORDANCE WITH THE PROVISIONS OF SECTION ELEVEN HUNDRED EIGHTY-B OF  
28 THIS CHAPTER FOR VIOLATIONS OF SUBDIVISIONS (C) AND (D) OF SECTION ELEV-  
29 EN HUNDRED EIGHTY OF THIS CHAPTER CONTESTS SUCH ALLEGATION, the bureau  
30 shall advise such person personally by such form of first class mail as  
31 the director may direct of the date on which he or she must appear to  
32 answer the charge at a hearing. The form and content of such notice of  
33 hearing shall be prescribed by the director, and shall contain a warning  
34 to advise the person so pleading that failure to appear on the date  
35 designated, or on any subsequent adjourned date, shall be deemed an  
36 admission of liability, and that a default judgment may be entered ther-  
37 eon.

38 1-a. Fines and penalties. Whenever a plea of not guilty has been  
39 entered, or the bureau has been notified that an allegation of liability  
40 in accordance with section eleven hundred eleven-c of this chapter OR AN  
41 ALLEGATION OF LIABILITY IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHT-  
42 Y-B OF THIS CHAPTER is being contested, by a person in a timely fashion  
43 and a hearing upon the merits has been demanded, but has not yet been  
44 held, the bureau shall not issue any notice of fine or penalty to that  
45 person prior to the date of the hearing.

46 S 6-c. Subdivisions 1 and 1-a of section 240 of the vehicle and traf-  
47 fic law, subdivision 1 as added by chapter 715 of the laws of 1972 and  
48 subdivision 1-a as added by chapter 365 of the laws of 1978, are amended  
49 to read as follows:

50 1. Notice of hearing. Whenever a person charged with a parking  
51 violation enters a plea of not guilty, OR A PERSON ALLEGED TO BE LIABLE  
52 IN ACCORDANCE WITH THE PROVISIONS OF SECTION ELEVEN HUNDRED EIGHTY-B OF  
53 THIS CHAPTER FOR VIOLATIONS OF SUBDIVISIONS (C) AND (D) OF SECTION ELEV-  
54 EN HUNDRED EIGHTY OF THIS CHAPTER CONTESTS SUCH ALLEGATION, the bureau  
55 shall advise such person personally by such form of first class mail as  
56 the director may direct of the date on which he OR SHE must appear to



1 answer the charge at a hearing. The form and content of such notice of  
2 hearing shall be prescribed by the director, and shall contain a warning  
3 to advise the person so pleading that failure to appear on the date  
4 designated, or on any subsequent adjourned date, shall be deemed an  
5 admission of liability, and that a default judgment may be entered ther-  
6 eon.

7 1-a. Fines and penalties. Whenever a plea of not guilty has been  
8 entered, OR THE BUREAU HAS BEEN NOTIFIED THAT AN ALLEGATION OF LIABILITY  
9 IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER, IS  
10 BEING CONTESTED, by a person in a timely fashion and a hearing upon the  
11 merits has been demanded, but has not yet been held, the bureau shall  
12 not issue any notice of fine or penalty to that person prior to the date  
13 of the hearing.

14 S 7. Paragraphs a and g of subdivision 2 of section 240 of the vehicle  
15 and traffic law, as amended by section 6 of part II of chapter 59 of the  
16 laws of 2010, are amended to read as follows:

17 a. Every hearing for the adjudication of a charge of parking violation  
18 or an allegation of liability in accordance with section eleven hundred  
19 eleven-a of this chapter or in accordance with sections eleven hundred  
20 eleven-b of this chapter as added by sections sixteen of chapters twen-  
21 ty, twenty-one, and twenty-two of the laws of two thousand nine or an  
22 allegation of liability in accordance with section two thousand nine  
23 hundred eighty-five of the public authorities law or sections sixteen-a,  
24 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the  
25 laws of nineteen hundred fifty or an allegation of liability in accord-  
26 ance with section eleven hundred eleven-c of this chapter OR AN ALLEGA-  
27 TION OF LIABILITY IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF  
28 THIS CHAPTER, shall be held before a hearing examiner in accordance with  
29 rules and regulations promulgated by the bureau.

30 g. A record shall be made of a hearing on a plea of not guilty or of a  
31 hearing at which liability in accordance with section eleven hundred  
32 eleven-a of this chapter or in accordance with sections eleven hundred  
33 eleven-b of this chapter as added by sections sixteen of chapters twen-  
34 ty, twenty-one, and twenty-two of the laws of two thousand nine is  
35 contested or of a hearing at which liability in accordance with section  
36 two thousand nine hundred eighty-five of the public authorities law or  
37 sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred  
38 seventy-four of the laws of nineteen hundred fifty is contested or of a  
39 hearing at which liability in accordance with section eleven hundred  
40 eleven-c of this chapter OR A HEARING AT WHICH LIABILITY IN ACCORDANCE  
41 WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER is contested.  
42 Recording devices may be used for the making of the record.

43 S 7-a. Paragraphs a and g of subdivision 2 of section 240 of the vehi-  
44 cle and traffic law, as amended by section 6-a of part II of chapter 59  
45 of the laws of 2010, are amended to read as follows:

46 a. Every hearing for the adjudication of a charge of parking violation  
47 or an allegation of liability in accordance with sections eleven hundred  
48 eleven-b of this chapter, as added by sections sixteen of chapters twen-  
49 ty, twenty-one, and twenty-two of the laws of two thousand nine or an  
50 allegation of liability in accordance with section eleven hundred  
51 eleven-c of this chapter OR AN ALLEGATION OF LIABILITY IN ACCORDANCE  
52 WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER, shall be held  
53 before a hearing examiner in accordance with rules and regulations  
54 promulgated by the bureau.

55 g. A record shall be made of a hearing on a plea of not guilty or of a  
56 hearing at which liability in accordance with sections eleven hundred

eleven-b of this chapter, as added by sections sixteen of chapters twenty, twenty-one, and twenty-two of the laws of two thousand nine or of a hearing at which liability in accordance with section eleven hundred eleven-c of this chapter OR A HEARING AT WHICH LIABILITY IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER is contested. Recording devices may be used for the making of the record.

S 7-b. Paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law, as amended by section 6-b of part II of chapter 59 of the laws of 2010, are amended to read as follows:

a. Every hearing for the adjudication of a charge of parking violation or an allegation of liability in accordance with section eleven hundred eleven-c of this chapter OR AN ALLEGATION OF LIABILITY IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER shall be held before a hearing examiner in accordance with rules and regulations promulgated by the bureau.

g. A record shall be made of a hearing on a plea of not guilty or of a hearing at which liability in accordance with section eleven hundred eleven-c of this chapter OR A HEARING AT WHICH LIABILITY IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER is contested. Recording devices may be used for the making of the record.

S 7-c. Paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law, as added by chapter 715 of the laws of 1972, are amended to read as follows:

a. Every hearing for the adjudication of a charge of parking violation OR AN ALLEGATION OF LIABILITY IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER shall be held before a hearing examiner in accordance with rules and regulations promulgated by the bureau.

g. A record shall be made of a hearing on a plea of not guilty OR A HEARING AT WHICH LIABILITY IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER IS CONTESTED. Recording devices may be used for the making of the record.

S 8. Subdivisions 1 and 2 of section 241 of the vehicle and traffic law, as amended by section 7 of part II of chapter 59 of the laws of 2010, are amended to read as follows:

1. The hearing examiner shall make a determination on the charges, either sustaining or dismissing them. Where the hearing examiner determines that the charges have been sustained he or she may examine either the prior parking violations record or the record of liabilities incurred in accordance with section eleven hundred eleven-a of this chapter or in accordance with sections eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty, twenty-one, and twenty-two of the laws of two thousand nine or the record of liabilities incurred in accordance with 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 of the person charged, or the record of liabilities incurred in accordance with section eleven hundred eleven-c of this chapter, OR THE RECORD OF LIABILITIES INCURRED IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER, as applicable prior to rendering a final determination. Final determinations sustaining or dismissing charges shall be entered on a final determination roll maintained by the bureau together with records showing payment and nonpayment of penalties.

2. Where an operator or owner fails to enter a plea to a charge of a parking violation or contest an allegation of liability in accordance with section eleven hundred eleven-a of this chapter or in accordance

1 with sections eleven hundred eleven-b of this chapter as added by  
2 sections sixteen of chapters twenty, twenty-one, and twenty-two of the  
3 laws of two thousand nine or fails to contest an allegation of liability  
4 in accordance with section two thousand nine hundred eighty-five of the  
5 public authorities law or sections sixteen-a, sixteen-b and sixteen-c of  
6 chapter seven hundred seventy-four of the laws of nineteen hundred  
7 fifty, or fails to contest an allegation of liability in accordance with  
8 section eleven hundred eleven-c of this chapter OR FAILS TO CONTEST AN  
9 ALLEGATION OF LIABILITY IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHT-  
10 Y-B OF THIS CHAPTER or fails to appear on a designated hearing date or  
11 subsequent adjourned date or fails after a hearing to comply with the  
12 determination of a hearing examiner, as prescribed by this article or by  
13 rule or regulation of the bureau, such failure to plead or contest,  
14 appear or comply shall be deemed, for all purposes, an admission of  
15 liability and shall be grounds for rendering and entering a default  
16 judgment in an amount provided by the rules and regulations of the  
17 bureau. However, after the expiration of the original date prescribed  
18 for entering a plea and before a default judgment may be rendered, in  
19 such case the bureau shall pursuant to the applicable provisions of law  
20 notify such operator or owner, by such form of first class mail as the  
21 commission may direct; (1) of the violation charged, or liability in  
22 accordance with section eleven hundred eleven-a of this chapter or in  
23 accordance with sections eleven hundred eleven-b of this chapter as  
24 added by sections sixteen of chapters twenty, twenty-one, and twenty-two  
25 of the laws of two thousand nine alleged or liability in accordance with  
26 section two thousand nine hundred eighty-five of the public authorities  
27 law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven  
28 hundred seventy-four of the laws of nineteen hundred fifty alleged or  
29 liability in accordance with section eleven hundred eleven-c of this  
30 chapter OR LIABILITY IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B  
31 OF THIS CHAPTER ALLEGED, (2) of the impending default judgment, (3) that  
32 such judgment will be entered in the Civil Court of the city in which  
33 the bureau has been established, or other court of civil jurisdiction or  
34 any other place provided for the entry of civil judgments within the  
35 state of New York, and (4) that a default may be avoided by entering a  
36 plea or contesting an allegation of liability in accordance with section  
37 eleven hundred eleven-a of this chapter or in accordance with sections  
38 eleven hundred eleven-b of this chapter as added by sections sixteen of  
39 chapters twenty, twenty-one, and twenty-two of the laws of two thousand  
40 nine or contesting an allegation of liability in accordance with section  
41 two thousand nine hundred eighty-five of the public authorities law or  
42 sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred  
43 seventy-four of the laws of nineteen hundred fifty or contesting an  
44 allegation of liability in accordance with section eleven hundred  
45 eleven-c of this chapter OR CONTESTING AN ALLEGATION OF LIABILITY IN  
46 ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER, as  
47 appropriate, or making an appearance within thirty days of the sending  
48 of such notice. Pleas entered and allegations contested within that  
49 period shall be in the manner prescribed in the notice and not subject  
50 to additional penalty or fee. Such notice of impending default judgment  
51 shall not be required prior to the rendering and entry thereof in the  
52 case of operators or owners who are non-residents of the state of New  
53 York. In no case shall a default judgment be rendered or, where  
54 required, a notice of impending default judgment be sent, more than two  
55 years after the expiration of the time prescribed for entering a plea or  
56 contesting an allegation. When a person has demanded a hearing, no fine

1 or penalty shall be imposed for any reason, prior to the holding of the  
2 hearing. If the hearing examiner shall make a determination on the  
3 charges, sustaining them, he or she shall impose no greater penalty or  
4 fine than those upon which the person was originally charged.

5 S 8-a. Subdivisions 1 and 2 of section 241 of the vehicle and traffic  
6 law, as amended by section 7-a of part II of chapter 59 of the laws of  
7 2010, are amended to read as follows:

8 1. The hearing examiner shall make a determination on the charges,  
9 either sustaining or dismissing them. Where the hearing examiner deter-  
10 mines that the charges have been sustained he or she may examine either  
11 the prior parking violations record or the record of liabilities  
12 incurred in accordance with sections eleven hundred eleven-b of this  
13 chapter as added by sections sixteen of chapters twenty, twenty-one, and  
14 twenty-two of the laws of two thousand nine of the person charged, or  
15 the record of liabilities incurred in accordance with section eleven  
16 hundred eleven-c of this chapter, OR THE RECORD OF LIABILITIES INCURRED  
17 IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER, as  
18 applicable prior to rendering a final determination. Final determi-  
19 nations sustaining or dismissing charges shall be entered on a final  
20 determination roll maintained by the bureau together with records show-  
21 ing payment and nonpayment of penalties.

22 2. Where an operator or owner fails to enter a plea to a charge of a  
23 parking violation or contest an allegation of liability in accordance  
24 with sections eleven hundred eleven-b of this chapter as added by  
25 sections sixteen of chapters twenty, twenty-one, and twenty-two of the  
26 laws of two thousand nine or fails to contest an allegation of liability  
27 in accordance with section eleven hundred eleven-c of this chapter, OR  
28 FAILS TO CONTEST AN ALLEGATION OF LIABILITY INCURRED IN ACCORDANCE WITH  
29 SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER, or fails to appear on a  
30 designated hearing date or subsequent adjourned date or fails after a  
31 hearing to comply with the determination of a hearing examiner, as  
32 prescribed by this article or by rule or regulation of the bureau, such  
33 failure to plead, contest, appear or comply shall be deemed, for all  
34 purposes, an admission of liability and shall be grounds for rendering  
35 and entering a default judgment in an amount provided by the rules and  
36 regulations of the bureau. However, after the expiration of the original  
37 date prescribed for entering a plea and before a default judgment may be  
38 rendered, in such case the bureau shall pursuant to the applicable  
39 provisions of law notify such operator or owner, by such form of first  
40 class mail as the commission may direct; (1) of the violation charged,  
41 or liability in accordance with sections eleven hundred eleven-b of this  
42 chapter, as added by sections sixteen of chapters twenty, twenty-one,  
43 and twenty-two of the laws of two thousand nine, or liability in accord-  
44 ance with section eleven hundred eleven-c of this chapter OR LIABILITY  
45 IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER  
46 alleged, (2) of the impending default judgment, (3) that such judgment  
47 will be entered in the Civil Court of the city in which the bureau has  
48 been established, or other court of civil jurisdiction or any other  
49 place provided for the entry of civil judgments within the state of New  
50 York, and (4) that a default may be avoided by entering a plea or  
51 contesting an allegation of liability in accordance with sections eleven  
52 hundred eleven-b of this chapter as added by sections sixteen of chap-  
53 ters twenty, twenty-one, and twenty-two of the laws of two thousand  
54 nine, or contesting an allegation of liability in accordance with  
55 section eleven hundred eleven-c of this chapter OR CONTESTING AN ALLEGA-  
56 TION OF LIABILITY IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF

1 THIS CHAPTER as appropriate, or making an appearance within thirty days  
2 of the sending of such notice. Pleas entered and allegations contested  
3 within that period shall be in the manner prescribed in the notice and  
4 not subject to additional penalty or fee. Such notice of impending  
5 default judgment shall not be required prior to the rendering and entry  
6 thereof in the case of operators or owners who are non-residents of the  
7 state of New York. In no case shall a default judgment be rendered or,  
8 where required, a notice of impending default judgment be sent, more  
9 than two years after the expiration of the time prescribed for entering  
10 a plea or contesting an allegation. When a person has demanded a hear-  
11 ing, no fine or penalty shall be imposed for any reason, prior to the  
12 holding of the hearing. If the hearing examiner shall make a determi-  
13 nation on the charges, sustaining them, he or she shall impose no great-  
14 er penalty or fine than those upon which the person was originally  
15 charged.

16 S 8-b. Subdivisions 1 and 2 of section 241 of the vehicle and traffic  
17 law, as amended by section 7-b of part II of chapter 59 of the laws of  
18 2010, are amended to read as follows:

19 1. The hearing examiner shall make a determination on the charges,  
20 either sustaining or dismissing them. Where the hearing examiner deter-  
21 mines that the charges have been sustained he or she may examine the  
22 prior parking violations record of the person charged, or the record of  
23 liabilities incurred in accordance with section eleven hundred eleven-c  
24 of this chapter, OR THE RECORD OF LIABILITIES INCURRED IN ACCORDANCE  
25 WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER, as applicable,  
26 prior to rendering a final determination. Final determinations sustain-  
27 ing or dismissing charges shall be entered on a final determination roll  
28 maintained by the bureau together with records showing payment and  
29 nonpayment of penalties.

30 2. Where an operator or owner fails to enter a plea to a charge of a  
31 parking violation, or fails to contest an allegation of liability in  
32 accordance with section eleven hundred eleven-c of this chapter, OR  
33 FAILS TO CONTEST AN ALLEGATION OF LIABILITY INCURRED IN ACCORDANCE WITH  
34 SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER, or fails to appear on a  
35 designated hearing date or subsequent adjourned date or fails after a  
36 hearing to comply with the determination of a hearing examiner, as  
37 prescribed by this article or by rule or regulation of the bureau, such  
38 failure to plead, appear or comply shall be deemed, for all purposes, an  
39 admission of liability and shall be grounds for rendering and entering a  
40 default judgment in an amount provided by the rules and regulations of  
41 the bureau. However, after the expiration of the original date  
42 prescribed for entering a plea and before a default judgment may be  
43 rendered, in such case the bureau shall pursuant to the applicable  
44 provisions of law notify such operator or owner, by such form of first  
45 class mail as the commission may direct; (1) of the violation charged or  
46 alleged liability in accordance with section eleven hundred eleven-c of  
47 this chapter OR ALLEGED LIABILITY IN ACCORDANCE WITH SECTION ELEVEN  
48 HUNDRED EIGHTY-B OF THIS CHAPTER, (2) of the impending default judgment,  
49 (3) that such judgment will be entered in the Civil Court of the city in  
50 which the bureau has been established, or other court of civil jurisdic-  
51 tion or any other place provided for the entry of civil judgments within  
52 the state of New York, and (4) that a default may be avoided by entering  
53 a plea or contesting an allegation of liability in accordance with  
54 section eleven hundred eleven-c of this chapter OR CONTESTING AN ALLEGA-  
55 TION OF LIABILITY IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF  
56 THIS CHAPTER or making an appearance within thirty days of the sending

1 of such notice. Pleas entered within that period shall be in the manner  
2 prescribed in the notice and not subject to additional penalty or fee.  
3 Such notice of impending default judgment shall not be required prior to  
4 the rendering and entry thereof in the case of operators or owners who  
5 are non-residents of the state of New York. In no case shall a default  
6 judgment be rendered or, where required, a notice of impending default  
7 judgment be sent, more than two years after the expiration of the time  
8 prescribed for entering a plea. When a person has demanded a hearing, no  
9 fine or penalty shall be imposed for any reason, prior to the holding of  
10 the hearing. If the hearing examiner shall make a determination on the  
11 charges, sustaining them, he or she shall impose no greater penalty or  
12 fine than those upon which the person was originally charged.

13 S 8-c. Subdivisions 1 and 2 of section 241 of the vehicle and traffic  
14 law, subdivision 1 as added by chapter 715 of the laws of 1972 and  
15 subdivision 2 as amended by chapter 365 of the laws of 1978, are amended  
16 to read as follows:

17 1. The hearing examiner shall make a determination on the charges,  
18 either sustaining or dismissing them. Where the hearing examiner deter-  
19 mines that the charges have been sustained he may examine EITHER the  
20 prior parking violations record of the person charged, OR THE RECORD OF  
21 LIABILITIES INCURRED IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B  
22 OF THIS CHAPTER, AS APPLICABLE, prior to rendering a final determi-  
23 nation. Final determinations sustaining or dismissing charges shall be  
24 entered on a final determination roll maintained by the bureau together  
25 with records showing payment and nonpayment of penalties.

26 2. Where an operator or owner fails to enter a plea to a charge of a  
27 parking violation OR FAILS TO CONTEST AN ALLEGATION OF LIABILITY  
28 INCURRED IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS  
29 CHAPTER or fails to appear on a designated hearing date or subsequent  
30 adjourned date or fails after a hearing to comply with the determination  
31 of a hearing examiner, as prescribed by this article or by rule or regu-  
32 lation of the bureau, such failure to plead, appear or comply shall be  
33 deemed, for all purposes, an admission of liability and shall be grounds  
34 for rendering and entering a default judgment in an amount provided by  
35 the rules and regulations of the bureau. However, after the expiration  
36 of the original date prescribed for entering a plea and before a default  
37 judgment may be rendered, in such case the bureau shall pursuant to the  
38 applicable provisions of law notify such operator or owner, by such form  
39 of first class mail as the commission may direct; (1) of the violation  
40 charged OR LIABILITY IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B  
41 OF THIS CHAPTER ALLEGED, (2) of the impending default judgment, (3) that  
42 such judgment will be entered in the Civil Court of the city in which  
43 the bureau has been established, or other court of civil jurisdiction or  
44 any other place provided for the entry of civil judgments within the  
45 state of New York, and (4) that a default may be avoided by entering a  
46 plea OR CONTESTING AN ALLEGATION OF LIABILITY IN ACCORDANCE WITH SECTION  
47 ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER or making an appearance within  
48 thirty days of the sending of such notice. Pleas entered within that  
49 period shall be in the manner prescribed in the notice and not subject  
50 to additional penalty or fee. Such notice of impending default judgment  
51 shall not be required prior to the rendering and entry thereof in the  
52 case of operators or owners who are non-residents of the state of New  
53 York. In no case shall a default judgment be rendered or, where  
54 required, a notice of impending default judgment be sent, more than two  
55 years after the expiration of the time prescribed for entering a plea.  
56 When a person has demanded a hearing, no fine or penalty shall be

1 imposed for any reason, prior to the holding of the hearing. If the  
2 hearing examiner shall make a determination on the charges, sustaining  
3 them, he shall impose no greater penalty or fine than those upon which  
4 the person was originally charged.

5 S 9. Subparagraph (i) of paragraph a of subdivision 5-a of section 401  
6 of the vehicle and traffic law, as amended by section 1 of part SS of  
7 chapter 57 of the laws of 2010, is amended to read as follows:

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

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

53 a. If at the time of application for a registration or renewal thereof  
54 there is a certification from a court or administrative tribunal of  
55 appropriate jurisdiction that the registrant or his or her represen-  
56 tative failed to appear on the return date or any subsequent adjourned

1 date or failed to comply with the rules and regulations of an adminis-  
2 trative tribunal following entry of a final decision in response to a  
3 total of three or more summonses or other process in the aggregate,  
4 issued within an eighteen month period, charging either that: (i) such  
5 motor vehicle was parked, stopped or standing, or that such motor vehi-  
6 cle was operated for hire by the registrant or his or her agent without  
7 being licensed as a motor vehicle for hire by the appropriate local  
8 authority, in violation of any of the provisions of this chapter or of  
9 any law, ordinance, rule or regulation made by a local authority; or  
10 (ii) the registrant was liable in accordance with section eleven hundred  
11 eleven-b of this chapter for a violation of subdivision (d) of section  
12 eleven hundred eleven of this chapter; or (iii) the registrant was  
13 liable in accordance with section eleven hundred eleven-c of this chap-  
14 ter for a violation of a bus lane restriction as defined in such  
15 section; OR (IV) THE REGISTRANT WAS LIABLE IN ACCORDANCE WITH SECTION  
16 ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER FOR A VIOLATION OF SUBDIVISION  
17 (C) OR (D) OF SECTION ELEVEN HUNDRED EIGHTY OF THIS CHAPTER, the commis-  
18 sioner or his or her agent shall deny the registration or renewal appli-  
19 cation until the applicant provides proof from the court or administra-  
20 tive tribunal wherein the charges are pending that an appearance or  
21 answer has been made or in the case of an administrative tribunal that  
22 he or she has complied with the rules and regulations of said tribunal  
23 following entry of a final decision. Where an application is denied  
24 pursuant to this section, the commissioner may, in his or her  
25 discretion, deny a registration or renewal application to any other  
26 person for the same vehicle and may deny a registration or renewal  
27 application for any other motor vehicle registered in the name of the  
28 applicant where the commissioner has determined that such registrant's  
29 intent has been to evade the purposes of this subdivision and where the  
30 commissioner has reasonable grounds to believe that such registration or  
31 renewal will have the effect of defeating the purposes of this subdivi-  
32 sion. Such denial shall only remain in effect as long as the summonses  
33 remain unanswered, or in the case of an administrative tribunal, the  
34 registrant fails to comply with the rules and regulations following  
35 entry of a final decision.

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

39 a. If at the time of application for a registration or renewal thereof  
40 there is a certification from a court or administrative tribunal of  
41 appropriate jurisdiction that the registrant or his or her represen-  
42 tative failed to appear on the return date or any subsequent adjourned  
43 date or failed to comply with the rules and regulations of an adminis-  
44 trative tribunal following entry of a final decision in response to  
45 three or more summonses or other process, issued within an eighteen  
46 month period, charging that such motor vehicle was parked, stopped or  
47 standing, or that such motor vehicle was operated for hire by the regis-  
48 trant or his or her agent without being licensed as a motor vehicle for  
49 hire by the appropriate local authority, in violation of any of the  
50 provisions of this chapter or of any law, ordinance, rule or regulation  
51 made by a local authority or the registrant was liable in accordance  
52 with section eleven hundred eleven-c of this chapter for a violation of  
53 a bus lane restriction as defined in such section, OR THE REGISTRANT WAS  
54 LIABLE IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAP-  
55 TER FOR A VIOLATION OF SUBDIVISION (C) OR (D) OF SECTION ELEVEN HUNDRED  
56 EIGHTY OF THIS CHAPTER, the commissioner or his or her agent shall deny



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

18 S 9-c. Paragraph a of subdivision 5-a of section 401 of the vehicle  
19 and traffic law, as separately amended by chapters 339 and 592 of the  
20 laws of 1987, is amended to read as follows:

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

53 S 10. The vehicle and traffic law is amended by adding a new section  
54 1180-b to read as follows:

55 S 1180-B. OWNER LIABILITY FOR FAILURE OF OPERATOR TO COMPLY WITH  
56 APPLICABLE MAXIMUM SPEED LIMIT. 1. NOTWITHSTANDING ANY OTHER PROVISION

1 OF LAW, EACH CITY WITH A POPULATION OF ONE MILLION OR MORE IS HEREBY  
2 AUTHORIZED AND EMPOWERED TO ESTABLISH A DEMONSTRATION PROGRAM IMPOSING  
3 MONETARY LIABILITY ON THE OWNER OF A VEHICLE FOR FAILURE OF AN OPERATOR  
4 THEREOF TO COMPLY WITH THE APPLICABLE MAXIMUM SPEED LIMIT IN SUCH CITY  
5 IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION. SUCH CITY, FOR  
6 PURPOSES OF THE IMPLEMENTATION OF SUCH PROGRAM, SHALL OPERATE SPEED  
7 LIMIT PHOTO DEVICES WITHIN SUCH CITY AT NO MORE THAN FORTY AND NO FEWER  
8 THAN TWENTY LOCATIONS AT ANY ONE TIME DURING ANY YEAR OF SUCH PROGRAM.  
9 SUCH SPEED LIMIT PHOTO DEVICES MAY BE STATIONARY OR MOBILE AND SHALL BE  
10 ACTIVATED AT LOCATIONS SELECTED BY SUCH CITY, EXCEPT THAT NO MORE THAN  
11 TWENTY LOCATIONS SHALL BE ACTIVATED WITH MOBILE SPEED LIMIT PHOTO  
12 DEVICES AT ANY ONE TIME DURING ANY YEAR OF SUCH DEMONSTRATION PROGRAM.  
13 SUCH SPEED LIMIT PHOTO DEVICES SHALL BE PLACED AT LOCATIONS BASED ON  
14 CRITERIA, INCLUDING BUT NOT LIMITED TO WHETHER THE LOCATION IS WITHIN A  
15 QUARTER MILE OF A SCHOOL, SPEEDING DATA, ACCIDENT HISTORY, PROXIMITY TO  
16 NATURALLY OCCURRING RETIREMENT COMMUNITIES OR FACILITIES FOR SENIOR  
17 CITIZENS OR DISABLED PERSONS AND ROADWAY GEOMETRY.

18 2. IN ANY CITY THAT HAS ESTABLISHED A DEMONSTRATION PROGRAM PURSUANT  
19 TO SUBDIVISION ONE OF THIS SECTION, THE OWNER OF A VEHICLE SHALL BE  
20 LIABLE FOR A PENALTY IMPOSED PURSUANT TO THIS SECTION IF SUCH VEHICLE  
21 WAS USED OR OPERATED WITH THE PERMISSION OF THE OWNER, EXPRESS OR  
22 IMPLIED, IN VIOLATION OF SUBDIVISION (C) OR (D) OF SECTION ELEVEN  
23 HUNDRED EIGHTY OF THIS ARTICLE, AND SUCH VIOLATION IS EVIDENCED BY  
24 INFORMATION OBTAINED FROM A SPEED LIMIT PHOTO DEVICE; PROVIDED HOWEVER  
25 THAT NO OWNER OF A VEHICLE SHALL BE LIABLE FOR A PENALTY IMPOSED PURSU-  
26 ANT TO THIS SECTION WHERE THE OPERATOR OF SUCH VEHICLE HAS BEEN  
27 CONVICTED OF THE UNDERLYING VIOLATION OF SUBDIVISION (C) OR (D) OF  
28 SECTION ELEVEN HUNDRED EIGHTY OF THIS ARTICLE.

29 3. SUCH DEMONSTRATION PROGRAM SHALL UTILIZE NECESSARY TECHNOLOGIES TO  
30 ENSURE, TO THE EXTENT PRACTICABLE, THAT PHOTOGRAPHS PRODUCED BY SUCH  
31 SPEED LIMIT PHOTO DEVICES SHALL NOT INCLUDE IMAGES THAT IDENTIFY THE  
32 DRIVER, THE PASSENGERS OR THE CONTENTS OF THE VEHICLE, PROVIDED, HOWEV-  
33 ER, THAT NO NOTICE OF LIABILITY ISSUED PURSUANT TO THIS SECTION SHALL BE  
34 DISMISSED SOLELY BECAUSE A PHOTOGRAPH OR PHOTOGRAPHS ALLOW FOR THE IDEN-  
35 TIFICATION OF THE DRIVER, THE PASSENGERS OR OTHER CONTENTS OF A VEHICLE,  
36 PROVIDED THAT SUCH CITY HAS MADE A REASONABLE EFFORT TO COMPLY WITH THE  
37 PROVISIONS OF THIS SUBDIVISION.

38 4. SUCH DEMONSTRATION PROGRAM SHALL INCLUDE A PROHIBITION ON THE USE  
39 OR DISSEMINATION OF VEHICLES' LICENSE PLATE INFORMATION AND OTHER INFOR-  
40 MATION AND IMAGES CAPTURED BY SPEED CAMERAS EXCEPT AS REQUIRED TO ESTAB-  
41 LISH LIABILITY UNDER THIS SECTION OR COLLECT PAYMENT OF PENALTIES;  
42 EXCEPT AS REQUIRED TO RESPOND TO A REQUEST BY LAW ENFORCEMENT OFFICIALS  
43 PERTAINING TO A SPECIFIC ACCIDENT OR SPECIFIC INCIDENT OF ALLEGED CRIMI-  
44 NAL CONDUCT; OR EXCEPT AS OTHERWISE REQUIRED BY LAW.

45 5. FOR PURPOSES OF THIS SECTION, "OWNER" SHALL HAVE THE MEANING  
46 PROVIDED IN SECTION TWO HUNDRED THIRTY-NINE OF THIS CHAPTER. FOR  
47 PURPOSES OF THIS SECTION, "SPEED LIMIT PHOTO DEVICE" SHALL MEAN EQUIP-  
48 MENT THAT TAKES A FILM OR DIGITAL CAMERA-BASED PHOTOGRAPH, MICROPHOTO-  
49 GRAPH, VIDEO, OR OTHER RECORDED IMAGE WHICH IS LINKED WITH A VIOLATION  
50 DETECTION SYSTEM THAT SYNCHRONIZES THE TAKING OF SUCH IMAGE OF A VEHICLE  
51 AT THE TIME THE VEHICLE IS USED OR OPERATED IN VIOLATION OF SUBDIVISION  
52 (C) OR (D) OF SECTION ELEVEN HUNDRED EIGHTY OF THIS ARTICLE.

53 6. A CERTIFICATE, SWORN TO OR AFFIRMED BY A TECHNICIAN EMPLOYED BY THE  
54 CITY IN WHICH THE CHARGED VIOLATION OCCURRED OR ITS VENDOR OR CONTRAC-  
55 TOR, OR A FACSIMILE THEREOF, BASED UPON INSPECTION OF PHOTOGRAPHS,  
56 MICROPHOTOGRAPHS, VIDEOTAPE OR OTHER RECORDED IMAGES PRODUCED BY A SPEED

1 LIMIT PHOTO DEVICE, SHALL BE PRIMA FACIE EVIDENCE OF THE FACTS CONTAINED  
2 THEREIN. ANY PHOTOGRAPHS, MICROPHOTOGRAPHS, VIDEOTAPE OR OTHER RECORDED  
3 IMAGES EVIDENCING SUCH A VIOLATION SHALL BE AVAILABLE FOR INSPECTION IN  
4 ANY PROCEEDING TO ADJUDICATE THE LIABILITY FOR SUCH VIOLATION PURSUANT  
5 TO THIS SECTION.

6 7. AN OWNER LIABLE FOR A VIOLATION OF SUBDIVISION (C) OR (D) OF  
7 SECTION ELEVEN HUNDRED EIGHTY OF THIS ARTICLE SHALL BE LIABLE FOR MONE-  
8 TARY PENALTIES IN ACCORDANCE WITH A SCHEDULE OF FINES AND PENALTIES  
9 PROMULGATED BY THE PARKING VIOLATIONS BUREAU OF SUCH CITY; PROVIDED,  
10 HOWEVER, THAT THE MONETARY PENALTY FOR DRIVING AT A SPEED IN EXCESS OF  
11 THE MAXIMUM SPEED LIMIT BY TEN OR MORE MILES PER HOUR AND LESS THAN  
12 THIRTY MILES PER HOUR SHALL NOT EXCEED FIFTY DOLLARS, AND THE MONETARY  
13 PENALTY FOR DRIVING IN EXCESS OF THE MAXIMUM SPEED LIMIT BY THIRTY OR  
14 MORE MILES PER HOUR SHALL NOT EXCEED ONE HUNDRED DOLLARS; PROVIDED,  
15 FURTHER, THAT AN OWNER SHALL BE LIABLE FOR AN ADDITIONAL PENALTY NOT TO  
16 EXCEED TWENTY-FIVE DOLLARS FOR EACH VIOLATION FOR THE FAILURE TO RESPOND  
17 TO A NOTICE OF LIABILITY WITHIN THE PRESCRIBED TIME PERIOD.

18 8. AN IMPOSITION OF LIABILITY PURSUANT TO THIS SECTION SHALL NOT BE  
19 DEEMED A CONVICTION AS AN OPERATOR AND SHALL NOT BE MADE PART OF THE  
20 OPERATING RECORD OF THE PERSON UPON WHOM SUCH LIABILITY IS IMPOSED NOR  
21 SHALL IT BE USED FOR INSURANCE PURPOSES IN THE PROVISION OF MOTOR VEHI-  
22 CLE INSURANCE COVERAGE.

23 9. (A) A NOTICE OF LIABILITY SHALL BE SENT BY FIRST CLASS MAIL IN  
24 ACCORDANCE WITH THIS SECTION TO EACH PERSON ALLEGED TO BE LIABLE AS AN  
25 OWNER FOR A VIOLATION OF SUBDIVISION (C) OR (D) OF SECTION ELEVEN  
26 HUNDRED EIGHTY OF THIS ARTICLE. PERSONAL DELIVERY ON THE OWNER SHALL NOT  
27 BE REQUIRED. A MANUAL OR AUTOMATIC RECORD OF MAILING PREPARED IN THE  
28 ORDINARY COURSE OF BUSINESS SHALL BE PRIMA FACIE EVIDENCE OF THE FACTS  
29 CONTAINED THEREIN.

30 (B) A NOTICE OF LIABILITY SHALL CONTAIN THE NAME AND ADDRESS OF THE  
31 PERSON ALLEGED TO BE LIABLE AS AN OWNER FOR A VIOLATION OF SUBDIVISION  
32 (C) OR (D) OF SECTION ELEVEN HUNDRED EIGHTY OF THIS ARTICLE, THE REGIS-  
33 TRATION NUMBER OF THE VEHICLE INVOLVED IN SUCH VIOLATION, THE LOCATION  
34 WHERE SUCH VIOLATION TOOK PLACE, THE DATE AND TIME OF SUCH VIOLATION AND  
35 THE IDENTIFICATION NUMBER OF THE SPEED LIMIT PHOTO DEVICE WHICH RECORDED  
36 THE VIOLATION OR OTHER DOCUMENT LOCATOR NUMBER.

37 (C) THE NOTICE OF LIABILITY SHALL CONTAIN INFORMATION ADVISING THE  
38 PERSON CHARGED OF THE MANNER AND THE TIME IN WHICH HE OR SHE MAY CONTEST  
39 THE LIABILITY ALLEGED IN THE NOTICE. SUCH NOTICE OF LIABILITY SHALL ALSO  
40 CONTAIN A WARNING TO ADVISE THE PERSONS CHARGED THAT FAILURE TO CONTEST  
41 IN THE MANNER AND TIME PROVIDED SHALL BE DEEMED AN ADMISSION OF LIABIL-  
42 ITY AND THAT A DEFAULT JUDGMENT MAY BE ENTERED THEREON.

43 (D) THE NOTICE OF LIABILITY SHALL BE PREPARED AND MAILED BY THE AGENCY  
44 OR AGENCIES DESIGNATED BY SUCH CITY.

45 10. IF AN OWNER OF A VEHICLE RECEIVES A NOTICE OF LIABILITY PURSUANT  
46 TO THIS SECTION FOR ANY TIME PERIOD DURING WHICH SUCH VEHICLE WAS  
47 REPORTED TO THE POLICE DEPARTMENT AS HAVING BEEN STOLEN, IT SHALL BE A  
48 VALID DEFENSE TO AN ALLEGATION OF LIABILITY FOR A VIOLATION OF SUBDIVI-  
49 SION (C) OR (D) OF SECTION ELEVEN HUNDRED EIGHTY OF THIS ARTICLE THAT  
50 THE VEHICLE HAD BEEN REPORTED TO THE POLICE AS STOLEN PRIOR TO THE TIME  
51 THE VIOLATION OCCURRED AND HAD NOT BEEN RECOVERED BY SUCH TIME. FOR  
52 PURPOSES OF ASSERTING THE DEFENSE PROVIDED BY THIS SUBDIVISION IT SHALL  
53 BE SUFFICIENT THAT AN ORIGINAL INCIDENT FORM ISSUED BY THE POLICE ON THE  
54 STOLEN VEHICLE BE SENT BY FIRST CLASS MAIL TO THE PARKING VIOLATIONS  
55 BUREAU OF SUCH CITY.

11. (A) AN OWNER WHO IS A LESSOR OF A VEHICLE TO WHICH A NOTICE OF LIABILITY WAS ISSUED PURSUANT TO SUBDIVISION NINE OF THIS SECTION SHALL NOT BE LIABLE FOR THE VIOLATION OF SUBDIVISION (C) OR (D) OF SECTION ELEVEN HUNDRED EIGHTY OF THIS ARTICLE, PROVIDED THAT:

(I) PRIOR TO THE VIOLATION, THE LESSOR HAS FILED WITH SUCH PARKING VIOLATIONS BUREAU IN ACCORDANCE WITH THE PROVISIONS OF SECTION TWO HUNDRED THIRTY-NINE OF THIS CHAPTER; AND

(II) WITHIN THIRTY-SEVEN DAYS AFTER RECEIVING NOTICE FROM SUCH BUREAU OF THE DATE AND TIME OF A LIABILITY, TOGETHER WITH THE OTHER INFORMATION CONTAINED IN THE ORIGINAL NOTICE OF LIABILITY, THE LESSOR SUBMITS TO SUCH BUREAU THE CORRECT NAME AND ADDRESS OF THE LESSEE OF THE VEHICLE IDENTIFIED IN THE NOTICE OF LIABILITY AT THE TIME OF SUCH VIOLATION, TOGETHER WITH SUCH OTHER ADDITIONAL INFORMATION CONTAINED IN THE RENTAL, LEASE OR OTHER CONTRACT DOCUMENT, AS MAY BE REASONABLY REQUIRED BY SUCH BUREAU PURSUANT TO REGULATIONS THAT MAY BE PROMULGATED FOR SUCH PURPOSE.

(B) FAILURE TO COMPLY WITH SUBPARAGRAPH (II) OF PARAGRAPH (A) OF THIS SUBDIVISION SHALL RENDER THE OWNER LIABLE FOR THE PENALTY PRESCRIBED IN THIS SECTION.

(C) WHERE THE LESSOR COMPLIES WITH THE PROVISIONS OF PARAGRAPH (A) OF 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 NINE OF THIS SECTION.

12. IF THE OWNER LIABLE FOR A VIOLATION OF SUBDIVISION (C) OR (D) OF SECTION ELEVEN HUNDRED EIGHTY OF THIS ARTICLE PURSUANT TO THIS SECTION WAS NOT THE OPERATOR OF THE VEHICLE AT THE TIME OF THE VIOLATION, THE OWNER MAY MAINTAIN AN ACTION FOR INDEMNIFICATION AGAINST THE OPERATOR.

13. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT THE LIABILITY OF AN OPERATOR OF A VEHICLE FOR ANY VIOLATION OF SUBDIVISION (C) OR (D) OF SECTION ELEVEN HUNDRED EIGHTY OF THIS ARTICLE.

14. ANY CITY THAT ADOPTS A DEMONSTRATION PROGRAM PURSUANT TO SUBDIVISION ONE OF THIS SECTION SHALL SUBMIT A REPORT ON THE RESULTS OF THE USE OF SPEED LIMIT PHOTO DEVICES TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY BY APRIL FIRST, TWO THOUSAND SIXTEEN. SUCH REPORT SHALL INCLUDE, BUT NOT BE LIMITED TO:

(A) A DESCRIPTION OF THE LOCATIONS WHERE SPEED LIMIT PHOTO DEVICES WERE USED;

(B) THE NUMBER OF VIOLATIONS RECORDED AT EACH SUCH LOCATION AND IN THE AGGREGATE ON A DAILY, WEEKLY AND MONTHLY BASIS;

(C) THE TOTAL NUMBER OF NOTICES OF LIABILITY ISSUED;

(D) THE NUMBER OF FINES AND TOTAL AMOUNT OF FINES PAID AFTER FIRST NOTICE OF LIABILITY;

(E) THE NUMBER OF VIOLATIONS ADJUDICATED AND RESULTS OF SUCH ADJUDICATIONS INCLUDING BREAKDOWNS OF DISPOSITIONS MADE;

(F) THE TOTAL AMOUNT OF REVENUE REALIZED BY SUCH CITY; AND

(G) QUALITY OF THE ADJUDICATION PROCESS AND ITS RESULTS.

S 11. 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

1 pedestrians or bicyclists, or other than an adjudication of liability of  
2 an owner for a violation of subdivision (d) of section eleven hundred  
3 eleven of this chapter in accordance with section eleven hundred  
4 eleven-a of this chapter, or other than an adjudication of liability of  
5 an owner for a violation of subdivision (d) of section eleven hundred  
6 eleven of this chapter in accordance with section eleven hundred  
7 eleven-b of this chapter, or other than an adjudication in accordance  
8 with section eleven hundred eleven-c of this chapter for a violation of  
9 a bus lane restriction as defined in such section, OR OTHER THAN AN  
10 ADJUDICATION OF LIABILITY OF AN OWNER FOR A VIOLATION OF SUBDIVISION (C)  
11 OR (D) OF SECTION ELEVEN HUNDRED EIGHTY OF THIS CHAPTER IN ACCORDANCE  
12 WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER, there shall be  
13 levied a crime victim assistance fee and a mandatory surcharge, in addi-  
14 tion to any sentence required or permitted by law, in accordance with  
15 the following schedule:

16 (c) Whenever proceedings in an administrative tribunal or a court of  
17 this state result in a conviction for an offense under this chapter  
18 other than a crime pursuant to section eleven hundred ninety-two of this  
19 chapter, or a traffic infraction under this chapter, or a local law,  
20 ordinance, rule or regulation adopted pursuant to this chapter, other  
21 than a traffic infraction involving standing, stopping, or parking or  
22 violations by pedestrians or bicyclists, or other than an adjudication  
23 of liability of an owner for a violation of subdivision (d) of section  
24 eleven hundred eleven of this chapter in accordance with section eleven  
25 hundred eleven-a of this chapter, or other than an adjudication of  
26 liability of an owner for a violation of subdivision (d) of section  
27 eleven hundred eleven of this chapter in accordance with section eleven  
28 hundred eleven-b of this chapter, or other than an infraction pursuant  
29 to article nine of this chapter or other than an adjudication of liabil-  
30 ity of an owner for a violation of toll collection regulations pursuant  
31 to section two thousand nine hundred eighty-five of the public authori-  
32 ties law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven  
33 hundred seventy-four of the laws of nineteen hundred fifty or other than  
34 an adjudication in accordance with section eleven hundred eleven-c of  
35 this chapter for a violation of a bus lane restriction as defined in  
36 such section, OR OTHER THAN AN ADJUDICATION OF LIABILITY OF AN OWNER FOR  
37 A VIOLATION OF SUBDIVISION (C) OR (D) OF SECTION ELEVEN HUNDRED EIGHTY  
38 OF THIS CHAPTER IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF  
39 THIS CHAPTER, there shall be levied a crime victim assistance fee in the  
40 amount of five dollars and a mandatory surcharge, in addition to any  
41 sentence required or permitted by law, in the amount of fifty-five  
42 dollars.

43 S 11-a. Subdivision 1 of section 1809 of the vehicle and traffic law,  
44 as amended by section 10-a of part II of chapter 59 of the laws of 2010,  
45 is amended to read as follows:

46 1. Whenever proceedings in an administrative tribunal or a court of  
47 this state result in a conviction for a crime under this chapter or a  
48 traffic infraction under this chapter, or a local law, ordinance, rule  
49 or regulation adopted pursuant to this chapter, other than a traffic  
50 infraction involving standing, stopping, parking or motor vehicle equip-  
51 ment or violations by pedestrians or bicyclists, or other than an adju-  
52 dication of liability of an owner for a violation of subdivision (d) of  
53 section eleven hundred eleven of this chapter in accordance with section  
54 eleven hundred eleven-a of this chapter, or other than an adjudication  
55 of liability of an owner for a violation of subdivision (d) of section  
56 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 of this chapter for a violation of a bus lane restriction as defined in such section, OR OTHER THAN AN ADJUDICATION OF LIABILITY OF AN OWNER FOR A VIOLATION OF SUBDIVISION (C) OR (D) OF SECTION ELEVEN HUNDRED EIGHTY OF THIS CHAPTER IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER, 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 11-b. 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 of this chapter for a violation of a bus lane restriction as defined in such section, OR OTHER THAN AN ADJUDICATION OF LIABILITY OF AN OWNER FOR A VIOLATION OF SUBDIVISION (C) OR (D) OF SECTION ELEVEN HUNDRED EIGHTY OF THIS CHAPTER IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER, there shall be levied a mandatory surcharge, in addition to any sentence required or permitted by law, in the amount of seventeen dollars.

S 11-c. Subdivision 1 of section 1809 of the vehicle and traffic law, as separately amended by chapter 16 of the laws of 1983 and chapter 62 of the laws of 1989, 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 OF LIABILITY OF AN OWNER FOR A VIOLATION OF SUBDIVISION (C) OR (D) OF SECTION ELEVEN HUNDRED EIGHTY OF THIS CHAPTER IN ACCORDANCE WITH SECTION ELEVEN HUNDRED EIGHTY-B OF THIS CHAPTER, there shall be levied a mandatory surcharge, in addition to any sentence required or permitted by law, in the amount of seventeen dollars.

S 12. Subdivision 2 of section 87 of the public officers law is amended by adding a new paragraph (m) to read as follows:

(M) ARE PHOTOGRAPHS, MICROPHOTOGRAPHS, VIDEOTAPE OR OTHER RECORDED IMAGES PRODUCED BY A SPEED LIMIT PHOTO DEVICE PREPARED UNDER AUTHORITY OF SECTION ELEVEN HUNDRED EIGHTY-B OF THE VEHICLE AND TRAFFIC LAW.

S 13. This act shall take effect on the thirtieth day after it shall have become a law and shall expire 5 years after such effective date when upon such date the provisions of this act shall be deemed repealed; and provided further that any rules necessary for the implementation of this act on its effective date shall be promulgated on or before such date, provided that:

(a) the amendments to subdivision 1 of section 235 of the vehicle and traffic law made by section one of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith, when upon such date the provisions of section one-a of this act shall take effect;

(b) the amendments to section 235 of the vehicle and traffic law made by section one-a of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section one-b of this act shall take effect;

1 (c) the amendments to section 235 of the vehicle and traffic law made  
2 by section one-b of this act shall not affect the expiration of such  
3 section and shall be deemed to expire therewith, when upon such date the  
4 provisions of section one-c of this act shall take effect;

5 (d) the amendments to section 235 of the vehicle and traffic law made  
6 by section one-c of this act shall not affect the expiration of such  
7 section and shall be deemed to expire therewith, when upon such date the  
8 provisions of section one-d of this act shall take effect;

9 (e) the amendments to subdivision 1 of section 236 of the vehicle and  
10 traffic law made by section two of this act shall not affect the expira-  
11 tion of such subdivision and shall be deemed to expire therewith, when  
12 upon such date the provisions of section two-a of this act shall take  
13 effect;

14 (f) the amendments to subdivision 1 of section 236 of the vehicle and  
15 traffic law made by section two-a of this act shall not affect the expi-  
16 ration of such subdivision and shall be deemed to expire therewith, when  
17 upon such date the provisions of section two-b of this act shall take  
18 effect;

19 (g) the amendments to subdivision 1 of section 236 of the vehicle and  
20 traffic law made by section two-b of this act shall not affect the expi-  
21 ration of such subdivision and shall be deemed to expire therewith, when  
22 upon such date the provisions of section two-c of this act shall take  
23 effect;

24 (h) the amendments to subdivision 12 of section 237 of the vehicle and  
25 traffic law made by section three of this act shall not affect the  
26 repeal of such subdivision and shall be deemed to be repealed therewith,  
27 when upon such date the provisions of section three-a of this act shall  
28 take effect;

29 (i) the amendments to paragraph f of subdivision 1 of section 239 of  
30 the vehicle and traffic law made by section four of this act shall not  
31 affect the expiration of such paragraph and shall be deemed to expire  
32 therewith, when upon such date the provisions of section four-a of this  
33 act shall take effect;

34 (j) the amendments to paragraph f of subdivision 1 of section 239 of  
35 the vehicle and traffic law made by section four-a of this act shall not  
36 affect the expiration of such paragraph and shall be deemed to expire  
37 therewith, when upon such date the provisions of section four-b of this  
38 act shall take effect;

39 (k) the amendments to paragraph f of subdivision 1 of section 239 of  
40 the vehicle and traffic law made by section four-b of this act shall not  
41 affect the expiration of such paragraph and shall be deemed to expire  
42 therewith, when upon such date the provisions of section four-c of this  
43 act shall take effect;

44 (l) the amendments to subdivision 4 of section 239 of the vehicle and  
45 traffic law made by section five of this act shall not affect the repeal  
46 of such subdivision and shall be deemed to be repealed therewith, when  
47 upon such date the provisions of section five-a of this act shall take  
48 effect;

49 (m) the amendments to subdivisions 1 and 1-a of section 240 of the  
50 vehicle and traffic law made by section six of this act shall not affect  
51 the expiration of such subdivisions and shall be deemed to expire there-  
52 with, when upon such date the provisions of section six-a of this act  
53 shall take effect;

54 (n) the amendments to subdivisions 1 and 1-a of section 240 of the  
55 vehicle and traffic law made by section six-a of this act shall not  
56 affect the expiration of such subdivisions and shall be deemed to expire

therewith, when upon such date the provisions of section six-b of this act shall take effect;

(o) the amendments to subdivisions 1 and 1-a of section 240 of the vehicle and traffic law made by section six-b of this act shall not affect the expiration of such subdivisions and shall be deemed to expire therewith, when upon such date the provisions of section six-c of this act shall take effect;

(p) the amendments to paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law made by section seven of this act shall not affect the expiration of such paragraphs and shall be deemed to expire therewith, when upon such date the provisions of section seven-a of this act shall take effect;

(q) the amendments to paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law made by section seven-a of this act shall not affect the expiration of such paragraphs and shall be deemed to expire therewith, when upon such date the provisions of section seven-b of this act shall take effect;

(r) the amendments to paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law made by section seven-b of this act shall not affect the expiration of such paragraphs and shall be deemed to expire therewith, when upon such date the provisions of section seven-c of this act shall take effect;

(s) the amendments to subdivisions 1 and 2 of section 241 of the vehicle and traffic law made by section eight of this act shall not affect the expiration of such subdivisions and shall be deemed to expire therewith, when upon such date the provisions of section eight-a of this act shall take effect;

(t) the amendments to subdivisions 1 and 2 of section 241 of the vehicle and traffic law made by section eight-a of this act shall not affect the expiration of such subdivisions and shall be deemed to expire therewith, when upon such date the provisions of section eight-b of this act shall take effect;

(u) the amendments to subdivisions 1 and 2 of section 241 of the vehicle and traffic law made by section eight-b of this act shall not affect the expiration of such subdivisions and shall be deemed to expire therewith, when upon such date the provisions of section eight-c of this act shall take effect;

(v) the amendments to subparagraph (i) of paragraph a of subdivision 5-a of section 401 of the vehicle and traffic law made by section nine of this act shall not affect the expiration of such subparagraph and shall be deemed to expire therewith, when upon such date the provisions of section nine-a of this act shall take effect;

(w) the amendments to paragraph a of subdivision 5-a of section 401 of the vehicle and traffic law made by section nine-a of this act shall not affect the expiration of such paragraph and shall be deemed to expire therewith, when upon such date the provisions of section nine-b of this act shall take effect;

(x) the amendments to paragraph a of subdivision 5-a of section 401 of the vehicle and traffic law made by section nine-b of this act shall not affect the expiration of such paragraph and shall be deemed to expire therewith, when upon such date the provisions of section nine-c of this act shall take effect;

(y) the amendments to subdivision 1 of section 1809 of the vehicle and traffic law made by section eleven of this act shall not affect the expiration of such subdivision and shall be deemed to expire therewith,



1 when upon such date the provisions of section eleven-a of this act shall  
2 take effect;  
3 (z) the amendments to subdivision 1 of section 1809 of the vehicle and  
4 traffic law made by section eleven-a of this act shall not affect the  
5 expiration of such subdivision and shall be deemed to expire therewith,  
6 when upon such date the provisions of section eleven-b of this act shall  
7 take effect; and  
8 (aa) the amendments to subdivision 1 of section 1809 of the vehicle  
9 and traffic law made by section eleven-b of this act shall not affect  
10 the expiration of such subdivision and shall be deemed to expire there-  
11 with, when upon such date the provisions of section eleven-c of this act  
12 shall take effect.