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

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4444

2013-2014 Regular Sessions

I N   A S S E M B L Y

February 5, 2013
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Introduced by M. of A. BORELLI -- read once and referred to the Commit-
  tee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to claims
  against certain entities based upon use of an electronic toll
  collection system

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

 1   Section 1. Section 2985 of the public authorities law is designated as
 2 title 11-A of article 9 and a new title heading is added to read as
 3 follows:
 4   ELECTRONIC TOLL COLLECTION
 5   S 2. Title 11-A of article 9 of the public authorities law is amended
 6 by adding two new sections 2985-a and 2985-b to read as follows:
 7   S 2985-A. ELECTRONIC TOLL COLLECTION DISPUTES. ANY DISPUTE RELATING
 8 TO CHARGES IMPOSED BY AN ELECTRONIC TOLL COLLECTION SYSTEM MADE BY AN
 9 ACCOUNT HOLDER MAY BE BROUGHT IN THE COUNTY COURT IN THE COUNTY IN WHICH
10 SUCH ACCOUNT HOLDER RESIDES, OR IN THE CIVIL COURT OF THE CITY OF NEW
11 YORK IF THE ACCOUNT HOLDER RESIDES WITHIN ITS JURISDICTION OR IN A
12 DISTRICT COURT HAVING JURISDICTION OVER SUCH ACCOUNT HOLDER.
13   S 2985-B.   CONTRACTS FOR USE OF ELECTRONIC TOLL COLLECTION. ANY
14 CONTRACT OR AGREEMENT BETWEEN A CONSUMER AND A PUBLIC AUTHORITY WHICH
15 PROVIDES FOR USE OF A SYSTEM OR DEVICE FACILITATING ELECTRONIC TOLL
16 COLLECTION SHALL CLEARLY STATE THE NAME, ADDRESS AND TELEPHONE NUMBER OF
17 THE LEGAL ENTITY WITH WHICH THE CONSUMER IS CONTRACTING FOR SERVICE. ANY
18 SUCH CONTRACT OR AGREEMENT SHALL ALSO CLEARLY STATE, IN A SEPARATE
19 SECTION,   HOW AND WHERE A CONSUMER MAY CHALLENGE ANY CHANGES MADE ON HIS
20 OR HER ACCOUNT. SUCH NOTICE SHALL INCLUDE SPECIFIC CONTACT INFORMATION
21 RELATING TO SETTLING DISPUTES RELATING TO CHARGES AS WELL AS IDENTIFYING
22 THE COURT IN WHICH A CLAIM MAY BE BROUGHT, THE STATUTE OF LIMITATIONS
23 FOR SUCH CLAIM AND ANY STEPS WHICH A CLAIMANT MAY BE REQUIRED TO TAKE
24 BEFORE MAKING A CLAIM.
25   S 3. This act shall take effect immediately.

     EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
                      [ ] is old law to be omitted.
                                                          LBD05499-01-3