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2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. DINOWITZ, MAISEL, STEVENSON, MILLMAN, HOOPER --
Multi-Sponsored by -- M. of A. ARROYO, COOK, GIBSON, SCHIMEL, WEISEN-
BERG -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to requiring
vehicle identification numbers on the wheels of all motor vehicles
sold in this state; and to amend the penal law, in relation to forgery
of a vehicle identification number

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

1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 431-a to read as follows:
3 S 431-A. IDENTIFICATION NUMBERS ON VEHICLE WHEELS. IN ADDITION TO THE
4 REQUIREMENTS OF SECTION FOUR HUNDRED THIRTY-ONE OF THIS ARTICLE, EVERY
5 MANUFACTURER OR ASSEMBLER OF A VEHICLE SOLD IN THIS STATE SHALL HAVE
6 ENGRAVED ON EACH OF THE FOUR WHEELS OF SUCH VEHICLE, NOT INCLUDING ANY
7 SPARE WHEEL, THE VEHICLE IDENTIFICATION NUMBER OF THE VEHICLE THEY WERE
8 SOLD WITH. SUCH IDENTIFICATION NUMBER SHALL BE NO SMALLER IN SIZE THAN
9 IS REQUIRED BY RULE OR REGULATION FOR THE VEHICLE IDENTIFICATION NUMBER
10 REQUIRED UNDER THIS ARTICLE. EACH ENGRAVED WHEEL IDENTIFICATION NUMBER
11 SHALL BE ACCOMPANIED BY A LIKEWISE ENGRAVED SUFFIX DIGIT, EITHER 1, 2, 3
12 OR 4, THAT UNIQUELY IDENTIFIES EACH OF THE FOUR WHEELS FROM THE OTHER
13 THREE. EACH ENGRAVED IDENTIFICATION NUMBER SHALL BE IN A LOCATION ON THE
14 WHEEL THAT FACES OUTWARD FROM THE BODY OF THE VEHICLE WHEN THE WHEEL IS
15 MOUNTED ON THE VEHICLE AS IT WAS DESIGNED TO BE, AND SHALL BE PLAINLY
16 VISIBLE FROM THE VEHICLE'S EXTERIOR, WITHOUT OBSTRUCTION BY ANY SPOKE OR
17 OTHER PART OF THE WHEEL. EACH WHEEL VEHICLE IDENTIFICATION NUMBER AND
18 UNIQUE SUFFIX SHALL BE ENGRAVED DIRECTLY INTO THE WHEEL ITSELF IN A
19 MANNER THAT IS MEANT TO BE PERMANENT FOR THE LIFE OF THE WHEEL AND MEANT
20 TO EXHIBIT CLEAR EVIDENCE OF AN ATTEMPT TO REMOVE, DEFACE, OR ALTER THE
21 ENGRAVING. THIS ENGRAVING REQUIREMENT SHALL NOT APPLY TO ANY WHEEL SOLD

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

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1 WITH A NEW VEHICLE THAT THE ORIGINAL MANUFACTURER WILL AGREE, IN WRITING
2 AT THE TIME OF SALE, TO REPLACE IN THE EVENT OF LOSS, DAMAGE OR THEFT AT
3 ANY TIME AFTER THE DATE OF ORIGINAL SALE OF THE ACCOMPANYING VEHICLE,
4 WITH A WHEEL OF IDENTICAL APPEARANCE AND CONSTRUCTION, FOR LESS THAN ONE
5 HUNDRED FIFTY DOLLARS.

6 S 2. Subdivision 1 of section 170.65 of the penal law, as amended by
7 chapter 488 of the laws of 1977, is amended to read as follows:

8 (1) He knowingly destroys, covers, defaces, alters or otherwise chang-
9 es the form or appearance of a vehicle identification number on any
10 vehicle or component part thereof[, except tires] INCLUDING THE VEHI-
11 CLE'S WHEELS BUT NOT THE TIRES MOUNTED THEREON; or

12 S 3. The vehicle and traffic law is amended by adding a new section
13 1223-b to read as follows:

14 S 1223-B. NO PERSON SHALL OPERATE A MOTOR VEHICLE WHEN THE VEHICLE
15 IDENTIFICATION NUMBERS THAT HAVE BEEN ENGRAVED ON ANY WHEEL IN ACCORD-
16 ANCE WITH SECTION FOUR HUNDRED THIRTY-ONE-A OF THIS CHAPTER ARE COVERED
17 OR OBSCURED.

18 S 4. This act shall take effect on the first of January next succeed-
19 ing the date on which it shall have become a law and shall apply to all
20 motor vehicles manufactured and sold on or after such date.