

5864

2013-2014 Regular Sessions

I N A S S E M B L Y

March 7, 2013

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

AN ACT to amend the vehicle and traffic law, in relation to the registration of vintage snowmobiles; and to amend the parks, recreation and historic preservation law, in relation to a fee for snowmobile trail development and maintenance

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

1 Section 1. Subdivision 4-a of section 2222 of the vehicle and traffic
2 law, as amended by chapter 609 of the laws of 2005, is amended to read
3 as follows:
4 4-a. Additional fee. In addition to the other fees provided for in
5 paragraphs (a), (b) and (c) of subdivision four of this section the
6 commissioner shall, upon application in such cases for the registration
7 of a snowmobile or the renewal thereof, collect the annual ninety dollar
8 fee for residents and ninety dollar fee for nonresidents and a thirty-
9 five dollar fee for residents and thirty-five dollar fee for nonresi-
10 dents who provide proof, at the time of registration, that such individ-
11 ual is a member of an organized New York state snowmobile club that is a
12 member of the New York state snowmobile association or is a member of an
13 organized New York state snowmobile club that is a trail maintenance
14 entity and a member of the New York state snowmobile association AND THE
15 COMMISSIONER SHALL, UPON APPLICATION IN SUCH CASES FOR THE REGISTRATION
16 OF A VINTAGE SNOWMOBILE COLLECT A FIFTEEN DOLLAR FEE FOR ANY RESIDENTS
17 OR NONRESIDENTS WHO PROVIDE PROOF, AT THE TIME OF REGISTRATION, THAT
18 SUCH INDIVIDUAL IS A MEMBER OF AN ORGANIZED NEW YORK STATE SNOWMOBILE
19 CLUB THAT IS A MEMBER OF THE NEW YORK STATE SNOWMOBILE ASSOCIATION OR IS
20 A MEMBER OF AN ORGANIZED NEW YORK STATE SNOWMOBILE CLUB THAT IS A TRAIL
21 MAINTENANCE ENTITY AND A MEMBER OF THE NEW YORK STATE SNOWMOBILE ASSOCI-
22 ATION which are imposed by section 21.07 of the parks, recreation and
23 historic preservation law. In the event that an individual seeking snow-

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

LBD09530-01-3

mobile club membership is unable, for any reason, to secure such club membership, he or she may contact the New York state snowmobile association, who shall secure such membership for such person. This fee shall also be collected from dealers at the time of original registration and at the time of each renewal. The commissioner shall effectuate regulations regarding what is required as proof of membership in an organized New York state snowmobile club that is a trail maintenance entity and a member of the New York state snowmobile association for the purposes of this subdivision.

S 2. Section 2222 of the vehicle and traffic law is amended by adding a new subdivision 4-b to read as follows:

4-B. (A) FEES FOR VINTAGE SNOWMOBILES. NOTWITHSTANDING ANY OTHER LAW, RULE OR REGULATION TO THE CONTRARY, FEES FOR REGISTRATION OF A VINTAGE SNOWMOBILE WHICH IS OWNED AND OPERATED AS AN EXHIBITION PIECE OR COLLECTOR'S ITEM, AND IS USED FOR PARTICIPATION IN CLUB ACTIVITIES, EXHIBITS, TOURS, PARADES, OCCASIONAL TRANSPORTATION AND SIMILAR USES, BUT NOT USED FOR GENERAL SNOWMOBILING PURPOSES, SHALL BE TEN DOLLARS ANNUALLY.

(B) THE ANNUAL REGISTRATION STICKER SHALL NOT BE ISSUED NOR REQUIRED TO BE AFFIXED TO THE SNOWMOBILE, BUT THE REGISTRATION SHALL BE REQUIRED TO BE READILY AVAILABLE TO THE OPERATOR AND PRESENTED ON DEMAND BY A LAW ENFORCEMENT OFFICER.

(C) FOR PURPOSES OF THIS SUBDIVISION, A VINTAGE SNOWMOBILE SHALL MEAN ANY SNOWMOBILE MANUFACTURED TWENTY-FIVE OR MORE YEARS PRIOR TO THE CURRENT CALENDAR YEAR, AND ANY OTHER MODEL, YEAR AND TYPE SNOWMOBILE WHICH HAS UNIQUE CHARACTERISTICS AND WHICH IS DETERMINED BY THE COMMISSIONER TO BE OF HISTORICAL, CLASSIC OR EXHIBITION VALUE.

(D) A PERSON WHO OWNS OR OPERATES A SNOWMOBILE WHICH IS REGISTERED AS A VINTAGE SNOWMOBILE AND SUCH SNOWMOBILE IS NOT A VINTAGE SNOWMOBILE AS DEFINED IN PARAGRAPH (C) OF THIS SUBDIVISION SHALL BE GUILTY OF A VIOLATION AND SHALL BE SUBJECT TO A FINE OF TWO HUNDRED DOLLARS.

S 3. Section 21.07 of the parks, recreation and historic preservation law is amended by adding a new subdivision 3 to read as follows:

3. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION TWO OF THIS SECTION A FEE OF FIFTEEN DOLLARS IS IMPOSED UPON AN INDIVIDUAL RESIDENT OR NONRESIDENT WHO PROVIDES PROOF AT THE TIME OF REGISTRATION OF A SLED PURSUANT TO SUBDIVISION FOUR-B OF SECTION TWENTY-TWO HUNDRED TWENTY-TWO OF THE VEHICLE AND TRAFFIC LAW THAT SUCH INDIVIDUAL IS A MEMBER OF AN ORGANIZED NEW YORK STATE SNOWMOBILE CLUB THAT IS A MEMBER OF THE NEW YORK STATE SNOWMOBILE ASSOCIATION OR IS A MEMBER OF AN ORGANIZED NEW YORK STATE SNOWMOBILE CLUB THAT IS A TRAIL MAINTENANCE ENTITY AND A MEMBER OF THE NEW YORK STATE SNOWMOBILE ASSOCIATION, IN ADDITION TO THE REGISTRATION REQUIRED BY THE VEHICLE AND TRAFFIC LAW. IN THE EVENT THAT AN INDIVIDUAL SEEKING SNOWMOBILE CLUB MEMBERSHIP IS UNABLE, FOR ANY REASON, TO SECURE SUCH CLUB MEMBERSHIP, HE OR SHE MAY CONTACT THE NEW YORK STATE SNOWMOBILE ASSOCIATION, WHO SHALL SECURE SUCH MEMBERSHIP FOR SUCH PERSON.

S 4. This act shall take effect on the ninetieth day after it shall have become a law, provided that the commissioner of motor vehicles is immediately authorized and directed to promulgate and/or repeal any rules and regulations necessary to implement the provisions of this act on its effective date.