

4245

2013-2014 Regular Sessions

I N S E N A T E

March 15, 2013

Introduced by Sen. FUSCHILLO -- (at request of the Department of Motor Vehicles) -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to sanctions for credit card charge backs on motor vehicle fees

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

1 Section 1. Section 202-b of the vehicle and traffic law, as added by
2 chapter 190 of the laws of 1990, is amended to read as follows:
3 S 202-b. Penalties for submission of dishonored checks AND CREDIT CARD
4 PAYMENTS. A thirty-five dollar penalty fee shall be charged to any
5 person who has submitted a check to the commissioner or his or her agent
6 as payment for any license, permit or registration or any other type of
7 fee for any type of transaction as required by this chapter and such
8 check has been dishonored. Such thirty-five dollar penalty shall be
9 added to the amount due to the commissioner. In addition, any or all
10 licenses, permits or registrations issued in the name of such person may
11 be suspended WHERE SUCH PERSON'S CHECK HAS BEEN DISHONORED, OR, IN THE
12 CASE OF A CREDIT CARD PAYMENT, WHERE THE PAYMENT IS CONTESTED AND IS NOT
13 HONORED BY THE CREDIT CARD COMPANY and, if a suspension has been issued,
14 any other transaction in the name of such person with this department
15 may be prohibited until full satisfaction of the amount due to the
16 commissioner and, IN THE CASE OF A DISHONORED CHECK, the thirty-five
17 dollar penalty fee is paid to the commissioner. No such suspension shall
18 be issued until thirty days after notification that the check has been
19 dishonored OR THE CREDIT CARD PAYMENT HAS NOT BEEN HONORED BY THE CREDIT
20 CARD COMPANY is mailed to such person. If satisfaction is made within
21 thirty days from the date of mailing of such notification, no suspension
22 shall be issued.
23 S 2. This act shall take effect on the one hundred twentieth day after
24 it shall have become a law and shall apply to all payments received on
25 or after such date.

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

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