

2850

2015-2016 Regular Sessions

I N   S E N A T E

January 29, 2015

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Introduced by Sen. LANZA -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

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 ASSEMBLY, 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.

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