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

8009

2015-2016 Regular Sessions

I N A S S E M B L Y

June 4, 2015

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

AN ACT to amend the vehicle and traffic law, in relation to penalties for unregistered dealers

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

Section 1. Subparagraph (ii) of paragraph c of subdivision 16 of section 415 of the vehicle and traffic law, as amended by chapter 7 of the laws of 2000, is amended and a new subparagraph (iii) is added to read as follows:

(ii) Any person who operates as a dealer without being registered as required by subdivision three of this section who has previously had a civil penalty assessed for unregistered operation shall pay to the people of this state a civil penalty in the sum of one thousand dollars. ANY PERSON WHO OPERATES AS A DEALER WITHOUT BEING REGISTERED AS REQUIRED BY SUBDIVISION THREE OF THIS SECTION WHO HAS HAD TWO PREVIOUS CIVIL PENALTIES ASSESSED FOR UNREGISTERED OPERATION NOT ARISING FROM THE SAME INCIDENT ALL OF WHICH WERE COMMITTED WITHIN A PERIOD OF THIRTY MONTHS SHALL PAY TO THE PEOPLE OF THIS STATE A CIVIL PENALTY IN THE SUM OF FOUR THOUSAND TEN DOLLARS. Such civil [penalty] PENALTIES may not be avoided.

(III) NO PERSON WHO OPERATES AS A DEALER WITHOUT BEING REGISTERED AS REQUIRED BY SUBDIVISION THREE OF THIS SECTION OR WHILE HIS OR HER REGISTRATION IS REVOKED OR SUSPENDED SHALL PARK A MOTOR VEHICLE, WHICH HE OR SHE OWNS OR CONTROLS AND HOLDS FOR SALE OR DEMONSTRATION, UPON A PUBLIC HIGHWAY OF THIS STATE WITHOUT FIRST BEING REGISTERED IN ACCORDANCE WITH THE PROVISIONS OF SECTION FOUR HUNDRED ONE OF THIS CHAPTER. ANY SUCH PERSON SHALL, IN ADDITION TO ANY PENALTIES IMPOSED PURSUANT TO PARAGRAPH B OF THIS SUBDIVISION OR SUBPARAGRAPH (II) OF THIS PARAGRAPH, BE REQUIRED TO PAY TO THE PEOPLE OF THIS STATE AN ADDITIONAL CIVIL PENALTY OF THREE HUNDRED DOLLARS FOR EACH MOTOR VEHICLE OWNED OR CONTROLLED AND HELD FOR SALE OR DEMONSTRATION BY SUCH PERSON WHICH IS PARKED UPON THE

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

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PUBLIC HIGHWAYS OF THIS STATE WITHOUT FIRST BEING REGISTERED IN ACCORDANCE WITH THE PROVISIONS OF SECTION FOUR HUNDRED ONE OF THIS CHAPTER.

S 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.