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

2196

2015-2016 Regular Sessions

I N S E N A T E

January 21, 2015

Introduced by Sen. CARLUCCI -- 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 adjudication of toll collection violations

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

Section 1. Section 2985 of the public authorities law is amended by adding three new subdivisions 15, 16 and 17 to read as follows:

15. IN ADDITION TO ANY MONETARY LIABILITY THAT MAY BE IMPOSED PURSUANT TO THIS SECTION, A PUBLIC AUTHORITY THAT OPERATES A TOLL HIGHWAY, BRIDGE OR TUNNEL FACILITY IS HEREBY AUTHORIZED AND EMPOWERED TO IMPOSE AN ADMINISTRATIVE FEE OR FEES ON AN OWNER, AN OPERATOR OR AN ACCOUNT HOLDER THAT HAS VIOLATED TOLL COLLECTION REGULATIONS.

16. ANY NOTICE REQUIRED TO BE SENT PURSUANT TO THIS SECTION BY FIRST CLASS MAIL MAY INSTEAD BE SENT, WITH CONSENT, BY ELECTRONIC MEANS OF COMMUNICATION. A MANUAL OR AUTOMATIC RECORD OF ELECTRONIC COMMUNICATIONS PREPARED IN THIS ORDINARY COURSE OF BUSINESS SHALL BE ADEQUATE EVIDENCE OF ELECTRONIC NOTICE.

17. THE NEW YORK STATE THRUWAY AUTHORITY AND THE NEW YORK STATE BRIDGE AUTHORITY ARE AUTHORIZED TO ADOPT RULES AND REGULATIONS TO ESTABLISH AN ADMINISTRATIVE TRIBUNAL TO ADJUDICATE THE LIABILITY OF OWNERS FOR VIOLATION OF TOLL COLLECTION REGULATIONS AS DEFINED IN AND IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION AND THE APPLICABLE TOLL REGULATIONS OF SUCH AUTHORITIES. SUCH TRIBUNAL SHALL HAVE, WITH RESPECT TO VIOLATION OF TOLL COLLECTION REGULATIONS OF SUCH AUTHORITIES, NON-EXCLUSIVE JURISDICTION OVER VIOLATIONS OF THE RULES AND REGULATIONS WHICH MAY FROM TIME TO TIME BE ESTABLISHED BY SUCH AUTHORITIES IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION. VIOLATIONS SHALL BE HEARD AND DETERMINED IN THE COUNTY IN WHICH THE VIOLATION IS ALLEGED TO HAVE OCCURRED OR IN THE COUNTY IN WHICH THE PUBLIC AUTHORITY HAS ITS PRIMARY OR REGIONAL ADMIN-

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

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ISTRATIVE OFFICES AND REGULATIONS MAY PROVIDE FOR THE CONDUCT OF HEARINGS VIA VIDEOCONFERENCING.

S 2. Subdivision 10 of section 1209-a of the public authorities law, as amended by chapter 379 of the laws of 1992, is amended to read as follows:

10. Funds. [All] EXCEPT FOR PENALTIES, EVADED TOLLS AND OTHER CHARGES COLLECTED AND PAID TO THE TRIBOROUGH BRIDGE AND TUNNEL AUTHORITY IN ACCORDANCE WITH THE PROVISIONS OF SECTION TWENTY-NINE HUNDRED EIGHTY-FIVE OF THIS CHAPTER, ALL penalties collected pursuant to the provisions of this section shall be paid to the authority to the credit of a transit crime fund which the authority shall establish. Any sums in this fund shall be used to pay for programs selected by the board of the authority, in its discretion, to reduce the incidence of crimes and infractions on transit facilities, or to improve the enforcement of laws against such crimes and infractions. Such funds shall be in addition to and not in substitution for any funds provided by the state or the city of New York for such purposes.

S 3. This act shall take effect on the one hundred twentieth day after it shall have become a law.