

6670

I N S E N A T E

February 3, 2016

Introduced by Sen. GALLIVAN -- 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 registration information

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

1 Section 1. Paragraph (b) of subdivision 4 of section 202 of the vehi-
2 cle and traffic law, as amended by chapter 293 of the laws of 1989, is
3 amended to read as follows:
4 (b) The commissioner shall notify each vehicle registrant that the
5 PERSONAL INFORMATION CONTAINED WITHIN registration information specified
6 in paragraph (a) of this subdivision has been or will be furnished to
7 the contracting party. The commissioner shall inform each vehicle regis-
8 trant when such registrant first makes application for a vehicle regis-
9 tration or when such registrant applies to renew an existing vehicle
10 registration how to achieve the deletion of such information from the
11 contracting party's file. The contract between the commissioner and the
12 contracting party shall provide that, upon the request of the registrant
13 made in such manner and in such form as shall be prescribed by the
14 commissioner, such PERSONAL INFORMATION CONTAINED WITHIN registration
15 information shall be deleted from the contracting party's file for all
16 purposes, except: [(i) issuance of manufacturer's warranty, safety
17 recall or similar notices, or (ii) statistical complications.]
18 (I) FOR USE BY ANY GOVERNMENT AGENCY, INCLUDING ANY COURT OR LAW
19 ENFORCEMENT AGENCY, IN CARRYING OUT ITS FUNCTIONS, OR ANY PRIVATE PERSON
20 OR ENTITY ACTING ON BEHALF OF A FEDERAL, STATE, OR LOCAL AGENCY IN
21 CARRYING OUT ITS FUNCTIONS;
22 (II) FOR USE IN CONNECTION WITH MATTERS OF MOTOR VEHICLE OR DRIVER
23 SAFETY AND THEFT; MOTOR VEHICLE EMISSIONS; MOTOR VEHICLE PRODUCT ALTER-
24 ATIONS, RECALLS, OR ADVISORS; PERFORMANCE MONITORING OF MOTOR VEHICLES,
25 MOTOR VEHICLE PARTS AND DEALERS; MOTOR VEHICLE MARKET RESEARCH ACTIV-
26 ITIES, INCLUDING SURVEY RESEARCH; AND REMOVAL OF NON-OWNER RECORDS FROM
27 THE ORIGINAL RECORDS OF MOTOR VEHICLE MANUFACTURERS;

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

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1 (III) FOR USE IN THE NORMAL COURSE OF BUSINESS BY A LEGITIMATE BUSI-
2 NESS OR ITS AGENTS, EMPLOYEES, OR CONTRACTORS, BUT ONLY: (1) TO VERIFY
3 THE ACCURACY OF PERSONAL INFORMATION SUBMITTED BY THE INDIVIDUAL TO THE
4 BUSINESS OR ITS AGENTS, EMPLOYEES, OR CONTRACTORS; AND (2) IF SUCH
5 INFORMATION AS SO SUBMITTED IS NOT CORRECT OR IS NO LONGER CORRECT, TO
6 OBTAIN THE CORRECT INFORMATION, BUT ONLY FOR THE PURPOSES OF PREVENTING
7 FRAUD BY, PURSUING LEGAL REMEDIES AGAINST, OR RECOVERING ON A DEBT OR
8 SECURITY INTEREST AGAINST, THE INDIVIDUAL;

9 (IV) FOR USE IN CONNECTION WITH ANY CIVIL, CRIMINAL, ADMINISTRATIVE,
10 OR ARBITRAL PROCEEDING IN ANY FEDERAL, STATE, OR LOCAL COURT AGENCY OR
11 BEFORE ANY SELF-REGULATING BODY, INCLUDING THE SERVICE OF PROCESS,
12 INVESTIGATION IN ANTICIPATION OF LITIGATION, AND THE EXECUTION OR
13 ENFORCEMENT OF JUDGEMENTS AND ORDERS, OR PURSUANT TO AN ORDER OF A
14 FEDERAL, STATE, OR LOCAL COURT;

15 (V) FOR USE IN RESEARCH ACTIVITIES, AND FOR USE IN PRODUCING STATIS-
16 TICAL REPORTS, SO LONG AS THE PERSONAL INFORMATION IS NOT PUBLISHED,
17 REDISCLOSED, OR USED TO CONTACT INDIVIDUALS;

18 (VI) FOR USE BY ANY INSURER OR INSURANCE SUPPORT ORGANIZATION, OR BY A
19 SELF-INSURED ENTITY, OR ITS AGENTS, EMPLOYEES, OR CONTRACTORS, IN
20 CONNECTION WITH CLAIMS INVESTIGATION ACTIVITIES, ANTIFRAUD ACTIVITIES,
21 RATING OR UNDERWRITING;

22 (VII) FOR USE IN PROVIDING NOTICE TO THE OWNERS OF TOWED OR IMPOUNDED
23 VEHICLES;

24 (VIII) FOR USE BY ANY LICENSED PRIVATE INVESTIGATIVE AGENCY OR
25 LICENSED SECURITY SERVICE FOR ANY PURPOSE PERMITTED UNDER THIS SUBDIVI-
26 SION; AND

27 (IX) FOR USE BY AN EMPLOYER OR ITS AGENT OR INSURER TO OBTAIN OR VERI-
28 FY INFORMATION RELATING TO A HOLDER OF A COMMERCIAL DRIVER'S LICENSE
29 THAT IS REQUIRED UNDER 49 U.S.C. 313.

30 S 2. This act shall take effect immediately.