STATE OF NEW YORK

111

2017-2018 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 4, 2017

Introduced by M. of A. CAHILL, GIGLIO, GRAF, MURRAY, LUPINACCI, FITZPATRICK, BRABENEC, JOHNS, LAWRENCE, STECK, McDONOUGH, PEOPLES-STOKES, KOLB, HAWLEY -- Multi-Sponsored by -- M. of A. ENGLEBRIGHT, GANTT, RA -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to consent for the use of registration lists and title information

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph (b) of subdivision 4 of section 202 of the vehicle and traffic law, as amended by chapter 293 of the laws of 1989, is amended to read as follows:

(b) The commissioner shall notify each vehicle registrant that the registration information specified in paragraph (a) of this subdivision [~~has been or~~] will be furnished to the contracting party. The commissioner shall inform each vehicle registrant when such registrant first makes application for a vehicle registration or when such registrant applies to renew an existing vehicle registration how to [~~achieve the deletion of~~] **provide express affirmative consent for** such information [~~from the contracting party's file~~] **to be shared with the contracting party when such information is to be used for purposes other than those listed in subparagraphs (i) and (ii) of this paragraph**. The contract between the commissioner and the contracting party shall provide that, [~~upon the request of the registrant~~] **unless the vehicle registrant has provided express affirmative consent as indicated in a separate written authorization,** made in such manner and in such form as shall be prescribed by the commissioner, such registration information shall **not be shared with the contracting party or shall** be deleted from the contracting party's file for all purposes, except: (i) issuance of manufacturer's warranty, safety recall or similar notices, or (ii) statistical [~~complications~~] **compilations**.

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

LBD01608-01-7

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided that the commissioner of motor vehicles is authorized to promulgate any and all rules and regulations and take any other measures necessary to implement this act on its effective date on or before such date; and provided further that the provisions of this act shall apply to contracts entered into, altered, modified, extended, or renewed on or after such effective date.