

STATE OF NEW YORK

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Introduced by M. of A. RODRIGUEZ, BLAKE, CRESPO, BENEDETTO, MOSLEY, MAYER, GOTTFRIED, HEVESI, SEPULVEDA, PAULIN, JOYNER, SIMON, L. ROSENTHAL, SEAWRIGHT, DE LA ROSA, SKARTADOS, QUART, RYAN, ERRIGO, CARROLL, CASTORINA, RIVERA, CUSICK, BRABENEC -- Multi-Sponsored by -- M. of A. GALEF, HOOPER, THIELE -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Ways and Means in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to establishing the Move New York Fair Plan; to amend the state finance law, in relation to establishing the Move New York mobility fund; to amend the public authorities law, in relation to the collection and disbursement of the funds of such plan; to amend the tax law, in relation to rescinding certain tax exemptions; to amend the executive law, in relation to diversion of metropolitan transportation authority funds; to amend the public authorities law, in relation to directing the metropolitan transportation authority to contract for the provision of an independent forensic audit of such authority; and providing for the repeal of certain provisions upon the expiration thereof

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

1 Section 1. The vehicle and traffic law is amended by adding a new
2 article 44-C to read as follows:

3 ARTICLE 44-C

4 MOVE NEW YORK FAIR PLAN

5 Section 1701. Definitions.

6 1702. Authorization and establishment of the Move New York Fair
7 Plan.

8 1703. Move New York toll swap.

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

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1 1704. Violations and enforcement.

2 1705. Disposition of revenue and penalties.

3 1706. Rulemaking authority.

4 § 1701. Definitions. For the purposes of this article, the following
5 terms shall have the following meanings:

6 1. "City" means the city of New York.

7 2. "Department" means the department of transportation of the city.

8 3. "Electronic fee collection system" means a system of collecting
9 fees which is capable of charging an account holder the appropriate fee
10 by transmission of information from an electronic device in or on a
11 vehicle to a device sensor, which information is used to charge the
12 appropriate fee.

13 4. "Move New York mobility fund" means the fund of the same name
14 established in section eighty-two of the state finance law.

15 5. "Move New York toll swap" means the imposition of tolls on current-
16 ly free crossings that lead into that area within the borough of Manhat-
17 tan south of but excluding 60th Street and the reduction of tolls on the
18 metropolitan transportation authority's existing seven tolled bridges
19 specified in subdivision four of section seventeen hundred three of this
20 article.

21 6. "Operation date" means the date determined by the department and
22 the Triborough bridge and tunnel authority for the beginning of the
23 operation and enforcement of the Move New York toll swap, but in no case
24 later than January first, two thousand twenty-one.

25 7. "Owner" means any person, corporation, partnership, firm, agency,
26 association, lessor, or organization who at the time a vehicle is oper-
27 ated: (a) is the beneficial or equitable owner of such vehicle; (b) has
28 title to such vehicle; (c) is the registrant or co-registrant of such
29 vehicle which is registered with the department of motor vehicles of
30 this state or any other state, territory, district, province, nation or
31 other jurisdiction; (d) uses such vehicle in its vehicle renting and/or
32 leasing business; or (e) is an owner of such vehicle as defined by
33 section one hundred twenty-eight or subdivision (a) of section twenty-
34 one hundred one of this chapter.

35 8. "Parking violations bureau" means the parking violations bureau
36 created in the department pursuant to section 19-201 of the administra-
37 tive code of the city.

38 9. "Vehicle-monitoring system" means a vehicle sensor installed at
39 newly tolled crossings, pursuant to this article, to work in conjunction
40 with photographic or other recording equipment which automatically
41 produces one or more photographs, one or more microphotographs, a vide-
42 otape, digital record or other recorded images of a vehicle entering or
43 exiting the perimeter established by such new tolls.

44 § 1702. Authorization and establishment of the Move New York Fair
45 Plan. 1. The department and the metropolitan transportation authority
46 are hereby authorized and shall, subject to the completion of any envi-
47 ronmental review required by law or regulation, establish and administer
48 the provisions of this article to be known as the Move New York Fair
49 Plan subject to and conditional upon the establishment and continuation
50 of tolls by the Triborough bridge and tunnel authority as set forth in
51 this section.

52 2. The plan shall commence on the operation date as determined by
53 agreement between the department and the Triborough bridge and tunnel
54 authority.

55 3. Contracting and employment created through the implementation of
56 this plan shall be required to comply with article fifteen-A of the

1 executive law or the most current minority and women-owned business
2 contracting provisions.

3 § 1703. Move New York toll swap. 1. The department shall install and
4 operate an electronic fee collection system and a vehicle-monitoring
5 system or utilize any other technological means to effectuate the
6 provisions of this article at points of entry specified in paragraphs
7 (a) and (b) of this subdivision. The department shall determine the
8 appropriate placement of such systems so as to identify vehicles enter-
9 ing and exiting the perimeter created by the points specified by para-
10 graphs (a) and (b) of this subdivision so as to utilize the electronic
11 fee collection and vehicle-monitoring system, provided that such systems
12 shall be technologically compatible with the analogous systems used by
13 the Triborough bridge and tunnel authority at the facilities identified
14 in paragraph (c) of this subdivision (such that the systems will be
15 interoperable and customers will utilize the same transponders or other
16 means of identification) and be placed at the following locations:

17 (a) at each intersection of East or West 60th street with each north-
18 bound or southbound roadway that crosses East or West 60th street in the
19 borough of Manhattan, including where 60th street would intersect both
20 Franklin Delano Roosevelt drive and route 9A if it extended east to the
21 East river and west to the Hudson river, such that any vehicle traveling
22 in a northerly or southerly direction and passing over East or West 60th
23 street, as described above, will be monitored and eligible for tolling;

24 (b) the Brooklyn bridge, the Ed Koch Queensboro bridge, the Manhattan
25 bridge, and the Williamsburg bridge; and

26 (c) the Brooklyn Battery tunnel and the Queens Midtown tunnel.

27 (d) Notwithstanding the opening paragraph of this subdivision, the
28 department shall not place such systems at the Lincoln tunnel, the
29 Holland tunnel or any other crossing not otherwise named in this subdivi-
30 vision.

31 2. The cost of tolls at points of entry specified in paragraphs (a),
32 (b), and (c) of subdivision one of this section shall be uniform and
33 equal to those tolls established from time to time by the Triborough
34 bridge and tunnel authority at the locations specified in paragraph (c)
35 of subdivision one of this section. And in accordance with the passage
36 of this legislation, tolls shall be reduced at those locations specified
37 in paragraph (c) of subdivision one of this section by 9.75 percent at
38 the time the Move New York toll swap is implemented. Such tolls and all
39 other tolls at the facilities of the Triborough bridge and tunnel
40 authority may thereafter be adjusted from time to time as determined by
41 the Triborough bridge and tunnel authority, subject to legislative
42 approval, and in accordance with those procedures applicable to the
43 setting of tolls for authority facilities generally.

44 2-a. Notwithstanding the provisions of subdivision two of this
45 section, the toll charged for westbound vehicles utilizing the north-
46 bound exit of the Ed Koch Queensboro bridge shall be fifty-five percent
47 of the cost charged at all other points of entry on such bridge.

48 3. Tolls collected at points of entry specified in paragraphs (a) and
49 (b) of subdivision one of this section shall, excepting revenue derived
50 from tolls on facilities operated by the Triborough bridge and tunnel
51 authority, be transferred into the Move New York mobility fund estab-
52 lished by section eighty-two of the state finance law. All revenue
53 collected from the tolls at points of entry specified in paragraph (c)
54 of subdivision one of this section shall continue to be collected and
55 retained by the Triborough bridge and tunnel authority.

1 4. The tolls at the points of entry specified in paragraphs (a) and
2 (b) of subdivision one of this section shall be imposed as of the opera-
3 tion date, and maintained thereafter, only if, simultaneously, the then-
4 prevailing tolls at the following locations are lowered and maintained
5 thereafter by the Triborough bridge and tunnel authority in accordance
6 with the provisions of subdivision five of this section:

- 7 (a) Henry Hudson bridge;
8 (b) Triborough bridge;
9 (c) Whitestone bridge;
10 (d) Throgs Neck bridge;
11 (e) Cross Bay Veterans memorial bridge;
12 (f) Marine parkway-Gil Hodges memorial bridge; and
13 (g) Verrazano bridge.

14 5. The price of the tolls at the point of entry specified by:

15 (a) Paragraph (a) of subdivision four of this section shall be uniform
16 and not more than twenty-eight percent of the electronic direct-pay
17 rate, or fifty-six percent of the cost of the pay-by-mail rate, that
18 would be charged to a vehicle at the tolls at the points of entry speci-
19 fied in paragraphs (a), (b) and (c) of subdivision one of this section;

20 (b) Paragraphs (b), (c), (d) and (g) of subdivision four of this
21 section shall be uniform and not more than fifty-five percent of the
22 electronic direct-pay rate, or sixty percent of the cost of the toll-by-
23 mail rate, that would be charged to a vehicle at the tolls at the points
24 of entry specified in paragraphs (a), (b) and (c) of subdivision one of
25 this section; and

26 (c) Paragraphs (e) and (f) of subdivision four of this section shall
27 be uniform and not more than twenty percent of the electronic direct-pay
28 rate, or thirty-four percent of the cost of the toll-by-mail rate, that
29 would be charged to a vehicle at the tolls at the points of entry speci-
30 fied in paragraphs (a), (b) and (c) of subdivision one of this section.

31 (d) For those bridges where a governor-approved resident toll discount
32 is currently in effect, such discount shall be made permanent, and any
33 resident rate for those same crossings shall be fifty percent of the
34 standard toll under this plan for those vehicles equipped with electron-
35 ic, onsite, direct payment technology.

36 6. In the event that the Triborough bridge and tunnel authority fails
37 to establish and maintain tolls at the facilities specified in para-
38 graphs (a) through (g) of subdivision four of this section at levels
39 consistent with the ratios established by subdivision five of this
40 section, then the authority to establish and maintain tolls at the
41 facilities specified in paragraphs (a) and (b) of subdivision one of
42 this section shall lapse and be of no force and effect. Vehicles regis-
43 tered in any borough that lacks subway service to the central business
44 district which are traveling to or from the central business district,
45 shall be limited to one toll per direction so long as the vehicle in
46 question is using E-ZPass or other form of instant, onsite payment and
47 that the second tolled facility the driver may cross is reached within
48 three hours of the first tolled facility in that direction being
49 crossed, where the tolled facilities in question are those specified in
50 paragraphs (a) and (b) of subdivision one and paragraph (g) of subdivi-
51 sion four of this section.

52 7. (a) The city taxi and limousine commission, pursuant to an agree-
53 ment to be entered into with the Move New York highway and transit
54 authority, but in no case later than January first, two thousand twen-
55 ty-one shall be authorized to impose and shall impose a surcharge on all
56 taxis, black cars, liveries and for-hire vehicles licensed by the city

1 taxi and limousine commission picking up or discharging passengers with-
2 in the hail exclusionary zone as defined by the taxi and limousine
3 commission.

4 (b) Such charge shall be determined as follows: twelve cents per two-
5 tenths of one mile traveled at a speed of six miles per hour or more
6 plus twenty cents per two-tenths of one mile traveled at a speed of less
7 than six miles per hour, within the hail exclusionary zone as defined by
8 the taxi and limousine commission. The charges specified in this subdivi-
9 vision shall vary according to subdivision ten of this section. Such
10 charges may be adjusted upward from time to time by the city taxi and
11 limousine commission.

12 (c) All charges under this subdivision shall be collected by the taxi
13 and limousine commission and remitted to the Move New York highway and
14 transit authority on a quarterly basis.

15 (d) Notwithstanding any contrary provision of law, any for hire vehi-
16 cle or taxi subject to the surcharge specified by this subdivision shall
17 be exempt from the tolls specified in paragraphs (a), (b) and (c) of
18 subdivision one of this section.

19 8. (a) A commercial vehicle, as defined by the New York city traffic
20 rules, equipped with an operational commercial E-ZPass, shall only be
21 charged a single round trip toll per day notwithstanding the number of
22 times such vehicle may cross the perimeter of the tolls established by
23 this section.

24 (b) All vehicles and vehicle types or classes shall pay the new toll
25 crossings with the exception of emergency vehicles and New York city
26 government vehicles as may be provided pursuant to the rule making
27 authority of the Move New York highway and transit authority board.

28 9. It shall be a violation of this section for the owner of any vehi-
29 cle subject to a toll charge pursuant to this article or any surcharge
30 pursuant to subdivision seven of this section to fail to pay such toll
31 charge or surcharge to the department within thirty days after the end
32 of a day in which the vehicle has incurred such toll charge or surcharge
33 pursuant to this section or within fifteen days of receiving written
34 notice, whichever is later.

35 10. The department by agreement with the Move New York highway and
36 transit authority and the Triborough bridge and tunnel authority is
37 hereby authorized to establish a demand-based pricing scheme whereby
38 tolls shall be higher during times of heavy traffic volume and lower
39 during times of lighter traffic volume, provided, however, that in all
40 cases revenue raised from the fees established by this section shall
41 meet the revenue that would have been raised if rates did not change
42 throughout the day, as provided for in this section of this article.

43 Nothing in this section is intended nor shall it be construed to limit
44 or modify the authority and power of the Triborough bridge and tunnel
45 authority to establish tolls at its own facilities.

46 § 1704. Violations and enforcement. 1. Notwithstanding any other
47 provision of law, violations of this article shall be adjudicated pursu-
48 ant to this section. The owner of a vehicle shall be liable for a penal-
49 ty imposed pursuant to this section if such vehicle was used or operated
50 with the permission of the owner, expressed or implied, in violation of
51 this article, and such violation is evidenced by information obtained
52 from a vehicle-monitoring system or other credible evidence.

53 2. A certificate, sworn to or affirmed by a technician employed or
54 contracted by the city, or a facsimile or electronic image thereof,
55 based upon inspection of photographs, microphotographs, videotape,
56 digital record, digital recording or other recorded images produced by a

1 vehicle-monitoring system shall be prima facie evidence of the facts
2 contained therein. Any photographs, microphotographs, videotape, digital
3 recording, digital record, or other recorded images evidencing such a
4 violation shall be available for inspection in any proceeding to adjudi-
5 cate the liability for such violation pursuant to this section.

6 3. Notwithstanding any other provision of law, an owner liable for a
7 violation of this article shall be liable for monetary penalties in
8 accordance with the following initial schedule:

9 (a) for failure to respond to written
10 notice within thirty days Fifty dollars

11 (b) for failure to respond to written
12 notice within sixty days One hundred dollars

13 (c) for failure to respond to written
14 notice within ninety or more days ... One hundred fifty dollars

15 The department of finance of the city or the parking violations bureau
16 shall adjudicate liability imposed by this section.

17 4. An imposition of liability pursuant to this section shall not be
18 deemed a conviction as an operator and shall not be made part of the
19 operating record of the person upon whom such liability is imposed nor
20 shall it be used for insurance purposes in the provision of motor vehi-
21 cle insurance coverage.

22 5. A notice of liability shall be sent by first class mail to each
23 person alleged to be liable as an owner for a violation of this article.
24 Personal service on the owner shall not be required. A manual or auto-
25 matic record of mailing prepared in the ordinary course of business
26 shall be prima facie evidence of the facts contained therein. The notice
27 of liability shall contain the following information:

28 (a) the name and address of the person alleged to be liable as an
29 owner for a violation of this article;

30 (b) the registration number of the vehicle involved in such violation;

31 (c) the date, time, and location or locations where such violation
32 took place;

33 (d) the identification number of the vehicle-monitoring system or
34 other document locator number;

35 (e) information advising the person charged of the manner and time in
36 which he or she may contest the liability alleged in the notice; and

37 (f) a warning to advise the person charged that failure to contest in
38 the manner and time provided shall be deemed an admission of liability,
39 may subject the person to additional penalties, and that a default judg-
40 ment may be issued thereon.

41 6. If the evidence of the violation is derived from an official source
42 other than the vehicle-monitoring system, such as from an employee of
43 the police department of the city, the notice shall contain sufficient
44 information detailing the name and title of the city employee who
45 observed the violation in addition to the information described in
46 subdivision five of this section.

47 7. If an owner receives a notice of liability pursuant to this section
48 for any time period during which the vehicle was reported to the police
49 department as having been stolen, it shall be a valid defense to an
50 allegation of liability for a violation of this article that the vehicle
51 had been reported to the police as stolen prior to the time the
52 violation occurred and had not been recovered by such time. For purposes
53 of asserting the defense provided by this subdivision it shall be suffi-
54 cient that a certified copy of the police report on the stolen vehicle
55 be sent by first class mail to the city department of finance or parking
56 violations bureau.

1 8. (a) An owner who is a lessor of a vehicle to which a notice of
2 liability was issued pursuant to subdivision five of this section shall
3 not be liable for the violation of this article provided that:

4 (i) prior to the violation the lessor has filed with the department of
5 finance of the city or the parking violations bureau and paid the
6 required filing fee in accordance with the provisions of section two
7 hundred thirty-nine of this chapter; and

8 (ii) within thirty-seven days after receiving notice from the depart-
9 ment of finance of the city or the parking violations bureau of the date
10 and time of a liability, together with the other information contained
11 in the original notice of liability, the lessor submits to the depart-
12 ment of finance of the city or the parking violations bureau the correct
13 name and address of the lessee of the vehicle identified in the notice
14 of liability at the time of such violation, together with such other
15 additional information contained in the rental lease or other contract
16 document, as may be reasonably required by the department of finance of
17 the city or the parking violations bureau pursuant to regulations that
18 may be promulgated for such purpose.

19 (b) Failure to comply with subparagraph (ii) of paragraph (a) of this
20 subdivision shall render the owner liable for the penalty prescribed in
21 this section.

22 (c) Where the lessor complies with the provisions of this subdivision,
23 the lessee of such vehicle on the date of such violation shall be deemed
24 to be the owner of such vehicle for purposes of this section, and such
25 lessee shall be subject to liability for a violation of this article and
26 shall be sent a notice of liability pursuant to subdivision four of this
27 section.

28 9. If the owner liable for a violation of this article was not the
29 operator of the vehicle at the time of the violation, the owner may
30 maintain an action for indemnification against the operator.

31 10. Notwithstanding any other provision of this section, no owner of a
32 vehicle shall be subject to a penalty imposed pursuant to this section
33 if the operator of such vehicle was operating such vehicle without the
34 consent of the owner at the time such operator committed a violation of
35 this article. For the purposes of this subdivision, there shall be a
36 presumption that the operator of such vehicle was operating such vehicle
37 with the consent of the owner at the time such operator committed a
38 violation of this article.

39 11. Nothing in this section shall be construed to limit the liability
40 of an operator of a vehicle for any violation of this article.

41 § 1705. Disposition of revenue and penalties. 1. All tolls, fees and
42 surcharges collected pursuant to this article shall at all times be the
43 property of the Move New York highway and transit authority, except for
44 that portion allocable and paid to the Triborough bridge and transit
45 authority pursuant to subdivision five of section eighty-two of the
46 state finance law, which shall be retained by the Triborough bridge and
47 tunnel authority, shall be deposited on a quarterly basis into the Move
48 New York mobility fund established by section eighty-two of the state
49 finance law.

50 2. Notwithstanding any law to the contrary, all fines and penalties
51 collected by the Move New York highway and transit authority for a
52 violation of this article pursuant to the provisions of section seven-
53 teen hundred four of this article shall at all times be the property of,
54 and shall be paid to, the authority and shall be deposited into the Move
55 New York mobility fund established by section eighty-two of the state
56 finance law.

1 § 1706. Rulemaking authority. The metropolitan transportation authori-
2 ty, the Triborough bridge and tunnel authority, the Move New York high-
3 way and transit authority and any agencies of the city, including the
4 department, the city department of finance and the parking violations
5 bureau, are empowered and authorized to promulgate any regulations
6 necessary or in aid of their powers and duties pursuant to this article
7 including adjustments in fees and penalties.

8 § 2. The state finance law is amended by adding a new section 82 to
9 read as follows:

10 § 82. Move New York mobility fund. 1. There is hereby established in
11 the joint custody of the state comptroller and the Move New York highway
12 and transit authority, a special revenue fund to be known as the "Move
13 New York mobility fund".

14 2. Moneys in the Move New York mobility fund shall be kept separately
15 from and shall not be commingled with any other moneys in the joint or
16 sole custody of the state comptroller or metropolitan transportation
17 authority.

18 3. The fund shall consist of: (i) any tolls, fees and surcharges
19 collected pursuant to article forty-four-C of the vehicle and traffic
20 law, except tolls collected on facilities operated by the Triborough
21 bridge and tunnel authority; (ii) any penalties imposed pursuant to
22 article forty-four-C of the vehicle and traffic law, and administrative
23 fees imposed pursuant to subdivision fifteen of section twenty-nine
24 hundred eighty-five of the public authorities law; and (iii) any funds
25 realized by the rescission of the tax exemption for New York county
26 residents pursuant to section twelve hundred twelve-A of the tax law.

27 4. Moneys of the fund shall be disbursed without appropriation only
28 upon direction of the Move New York highway and transit authority.

29 5. Moneys in the fund shall be disbursed in the following fashion and
30 order of priority on an annual basis:

31 (a) Sufficient funds to cover the lost revenues from: (i) reduced
32 tolls on the facilities identified in paragraphs (a) through (g) of
33 subdivision four of section seventeen hundred three of the vehicle and
34 traffic law calculated on an annual basis based on the historical
35 percentage (reflecting the three year period prior to the operation
36 date) share that such facilities contribute to all Triborough bridge and
37 tunnel authority revenues that are collected from all bridge and tunnel
38 crossings, and (ii) any toll exemptions to vehicles required by or
39 implemented pursuant to this article and determined by the Triborough
40 bridge and tunnel authority and verified by the comptroller on an annual
41 basis based upon actual experience. Such revenue make-up payment shall
42 be calculated on a quarterly basis and paid by the Move New York highway
43 and transit authority from the Move New York mobility fund to the
44 Triborough bridge and tunnel authority within thirty days of the end of
45 each calendar quarter.

46 (b) Sufficient funds to the department of transportation of the city
47 of New York to cover the amortized cost of installing, maintaining and
48 administering the tolls on the roadways and bridges specified in para-
49 graphs (a) and (b) of subdivision one of section seventeen hundred three
50 of the vehicle and traffic law.

51 (c) Up to the first three hundred million dollars to the New York city
52 department of transportation for actual and verifiable costs of main-
53 taining the bridges specified in subdivision one of section seventeen
54 hundred three of the vehicle and traffic law over a ten year period.

55 (d) Four hundred eighty-seven million dollars annually to the metro-
56 politan transportation authority, all or a portion of which may be used

1 to secure indebtedness of up to seven billion three hundred million
2 dollars by such authority.

3 (e) Seventy-five million dollars per year plus any funds allocated
4 under paragraph (c) of this subdivision that are not required for bridge
5 maintenance costs to the New York city department of transportation for
6 miscellaneous road and bridge maintenance and improvements.

7 (f) As provided in section nine of the chapter of the laws of two
8 thousand seventeen that added this section one hundred twenty-one
9 million dollars per year to the metropolitan transportation authority to
10 implement transit access improvements throughout the five boroughs of
11 New York city.

12 (g) Three hundred million dollars per year to secure indebtedness of
13 the metropolitan transportation authority of up to four billion five
14 hundred sixty-six million dollars to be utilized as the Transit Gap
15 Investment Fund-NYC to be used by the metropolitan transportation
16 authority, the New York city transit authority and the New York city
17 department of transportation in consultation with and approval by a
18 Transit Gap Investment Fund-NYC board which shall consist of the follow-
19 ing officials or, at the discretion of such officials, appointees who
20 shall represent such officials: the governor, the speaker of the assem-
21 bly, the temporary president of the senate, the mayor of the city of New
22 York, each borough president of the city of New York, the New York city
23 council speaker, and two representatives, one of whom shall be appointed
24 by the Hudson Valley delegation of the state legislature, and one of
25 whom shall be appointed by the Long Island delegation of the state
26 legislature. The board shall additionally include the following ex offi-
27 cio, nonvoting members: the president of the transit workers union, the
28 chair of the New York city transit riders council of the permanent citi-
29 zens advisory council to the metropolitan transportation authority, the
30 president of the regional planning association and a representative from
31 the transit riders advocacy community such representative being
32 appointed by the temporary president of the senate. The board shall,
33 prior to voting on any spending proposals, hold at least one public
34 meeting at which an opportunity for public comment on such proposals
35 shall be provided.

36 (g-1) The metropolitan transportation authority, through the Transit
37 Gap Investment Fund-NYC board, shall dedicate three billion five hundred
38 million dollars to network expansion projects. In dedicating such funds,
39 the board shall consider the following expansion projects: citywide
40 ferry capital construction (seventy million dollars), Sheridan express-
41 way conversion in the Bronx (seventy million dollars), Triboro RX
42 circumferential rapid transit (one billion dollars), bus rapid transit
43 on the North Shore of Staten Island (five hundred million dollars), bike
44 and pedestrian path widening at the Brooklyn bridge (nineteen million
45 dollars), and construction of such paths on the Verrazano bridge (fifty
46 million dollars), conversion of the Atlantic avenue line of the Long
47 Island Rail Road to a subway operated by New York city transit (seven
48 hundred fifty million dollars), initial work on phase 2 of the Second
49 Avenue subway (five hundred million dollars), Manhattan crosstown corri-
50 dor select bus service on 14th; 42nd; 57th and 96th streets (forty-six
51 million dollars), select bus service between 125th Street to LaGuardia
52 airport; on Webster avenue in the Bronx; along the Southern Brooklyn
53 east-west corridor; along the Southern Bronx east-west corridor; along
54 Woodside avenue in Queens; and along Utica avenue in Brooklyn (eighty-
55 three million dollars), G train extension to Queens plaza or Queensboro
56 plaza with a new pedestrian transfer between the two facilities (four

1 hundred million dollars); free out of station transfers between the G
2 and JMZ lines at the Broadway and Hewes stations; and free out of
3 station transfers between the G and L lines at the Broadway and Lorimer
4 stations (two million dollars), free out of station transfers between
5 the 3 line at Junius street station and the L line at Livonia avenue
6 station (one million dollars), and a feasibility study for reactivation
7 of commuter rail service on the lower Montauk branch of the Long Island
8 Rail Road (two million dollars).

9 (g-2) The remaining billion dollars shall be allocated by the metro-
10 politan transportation authority and department of transportation of the
11 city of New York in the following amounts: three hundred million dollars
12 for the boroughs of Brooklyn and Queens, one hundred seventy-five
13 million for the boroughs of the Bronx and Manhattan, and fifty million
14 for the borough of Staten Island. Projects from funds dedicated pursu-
15 ant to this subdivision shall be used for hyperlocal transit accessibil-
16 ity projects including, but not limited to, new bus shelters, subway
17 station accessibility improvements and streetscape improvements consist-
18 ent with the New York city department of transportation's vision zero
19 goals. In every borough, each community board shall petition for its
20 priority projects, and the final list in every borough shall be approved
21 at the first borough board meeting subsequent to the establishment of
22 the board. Funds shall be distributed evenly between community boards
23 within a borough, within a ten percent margin differential. The minimum
24 project size shall be up to the discretion of the managing agency.

25 (g-3) The Transit Gap Investment Fund-NYC shall be annually audited
26 until all moneys within the fund are depleted by both the state comp-
27 troller and the comptroller of the city of New York. All moneys within
28 the fund shall be expended or allocated within five years of receiving
29 bonded revenues.

30 (h) Twenty-three million five hundred thousand dollars all or a
31 portion of which may be used to secure indebtedness of up to three
32 hundred fifty million dollars to establish the Transit Gap Investment
33 Fund-Hudson Valley for transit capital projects in the counties of West-
34 chester, Putnam, Dutchess, Orange, and Rockland, including, but not
35 limited to, transforming the Tappan Zee express bus service into a bus
36 rapid transit line; supplementing existing county bus system operating
37 budgets with up to ten percent of additional funding; investing in tran-
38 sit-oriented development and increased parking capacity at select
39 metro-north railroad stations; and establishing new express routes from
40 points originating west of the Hudson river into Manhattan's central
41 business district. Funds provided by this subdivision shall be
42 controlled by a board consisting of the following officials, or their
43 appointees: the governor, the speaker of the assembly, the temporary
44 president of the senate, and five members appointed by the Hudson Valley
45 delegation of the state legislature (each of whom shall represent one of
46 the five counties) and one member jointly appointed by the five county
47 executives. The board shall, prior to voting on any spending proposals,
48 hold at least one public meeting at which an opportunity for public
49 comment on such proposals shall be provided.

50 (i) Twenty-three million five hundred thousand dollars, all or a
51 portion of which may be used to secure indebtedness of up to three
52 hundred fifty million dollars to establish the Transit Gap Investment
53 Fund-Long Island to finance transit capital projects in the counties of
54 Nassau and Suffolk, including, but not limited to: supplementing exist-
55 ing county bus system operating budgets with up to ten percent of addi-
56 tional funding; investing in transit-oriented development and increased

1 parking capacity at Long Island Rail Road stations. Funds provided by
2 this subdivision shall be controlled by a board consisting of the
3 following officials, or their appointees: the governor, speaker of the
4 assembly, the temporary president of the senate, and two members
5 appointed by the Long Island delegation of the state legislature (each
6 of whom shall represent one of the two counties) and the two county
7 executives. The board shall, prior to voting on any spending proposals,
8 hold at least one public meeting at which an opportunity for public
9 comment on such proposals shall be provided.

10 (j) Any sums remaining in the fund shall be allocated three quarters
11 to the metropolitan transportation authority and one quarter to the city
12 department of transportation to be utilized in both cases for capital
13 purposes only in the first year there is a surplus and every year there-
14 after.

15 (k) In the event that there may be insufficient funds to be disbursed
16 pursuant to paragraphs (g), (h), and (i) of this subdivision, 86.5
17 percent of available funds shall be allocated to the Transit Gap Invest-
18 ment Fund-NYC, 6.75 percent of available funds shall be allocated to the
19 Transit Gap Investment Fund-Hudson Valley, and 6.75 Percent of available
20 funds shall be allocated to the Transit Gap Investment Fund-Long Island.

21 § 3. The public authorities law is amended by adding a new section
22 1279-d to read as follows:

23 § 1279-d. Move New York highway and transit authority. 1. Creation of
24 authority. There is hereby created a public benefit corporation that
25 shall be known as the "Move New York highway and transit authority".
26 The authority shall be a body corporate and politic constituting a
27 public benefit corporation. The members of the board of the metropolitan
28 transportation authority shall serve, ex officio, as the members of the
29 board of the Move New York highway and transit authority.

30 2. Duties of the authority. The Move New York highway and transit
31 authority shall have the sole duty of: (a) receiving revenue pursuant to
32 article forty-four-C of the vehicle and traffic law administered by the
33 department of transportation of the city of New York, any fees or fines
34 for violations thereof, and any funds realized by the rescission of the
35 tax exemption for New York county residents pursuant to section twelve
36 hundred twelve-A of the tax law; (b) disbursing such funds pursuant to
37 subdivision four of section eighty-two of the state finance law and in
38 accordance with subdivision five of such section; (c) issuing bonds,
39 notes and other obligations against revenue collected under paragraph
40 (a) of this subdivision; (d) furnishing an annual report on all receipts
41 and expenditures of the fund, and operation expenses of the plan estab-
42 lished by article forty-four-C of the vehicle and traffic law, to be
43 published on the website of the metropolitan transportation authority
44 and submitted to the governor, state legislature, and the mayor and
45 council of the city of New York; and (e) taking all necessary or conven-
46 ient measures to effectuate the provisions of this subdivision.

47 3. Powers of the authority. The authority shall possess all of the
48 powers of the metropolitan transportation authority as described in this
49 title as are necessary to fulfill these duties and responsibilities.

50 4. Agreement of the state. The state does hereby pledge to and agree
51 with the metropolitan transportation authority and its subsidiaries, New
52 York city transit authority and its subsidiaries, and Triborough bridge
53 and tunnel authority, and the holders of any notes, bonds or other obli-
54 gations, including lease obligations, issued or incurred, not to impair
55 the ability of, or interfere with the rights and powers vested in, the
56 metropolitan transportation authority and its subsidiaries, New York

1 city transit authority and its subsidiaries, and Triborough bridge and
2 tunnel authority by this title to fulfill the terms of any agreements
3 made by any of them with the holders thereof, or in any way impair the
4 rights and remedies of such holders until such notes, bonds or other
5 obligations, including lease obligations, together with the interest
6 thereon, with interest on any unpaid installments of interest, and all
7 costs and expenses for which the metropolitan transportation authority
8 or its subsidiaries, New York city transit authority and its subsid-
9 aries, and Triborough bridge and tunnel authority is liable in
10 connection with any action or proceeding by or on behalf of such hold-
11 ers, are fully met and discharged. The metropolitan transportation
12 authority and its subsidiaries, New York city transit authority and its
13 subsidiaries, and Triborough bridge and tunnel authority are each
14 authorized to include this pledge and agreement of the state in any
15 agreement with the holders of such notes, bonds or other obligations,
16 including lease obligations.

17 5. Maintenance of effort. Such amount of revenue generated pursuant to
18 article forty-four-C of the vehicle and traffic law will be used to
19 increase the level of funds that would otherwise be made available for
20 purposes specified by section eighty-two of the state finance law, and
21 not to supplant the amount to be provided to the metropolitan transpor-
22 tation authority or the New York city transit authority or any of their
23 subsidiaries provided by state or local law, rule or regulation.

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

26 15. In addition to any monetary liability that may be imposed pursuant
27 to this section and article forty-four-C of the vehicle and traffic law,
28 a public authority that operates a toll highway, bridge or tunnel facil-
29 ity is hereby authorized and empowered to impose an administrative fee
30 or fees on an owner, an operator or an account holder that has violated
31 toll collection regulations.

32 16. Any notice required to be sent pursuant to this section or article
33 forty-four-C of the vehicle and traffic law by first class mail may
34 instead be sent, with consent, by electronic means of communication. A
35 manual or automatic record of electronic communications prepared in this
36 ordinary course of business shall be adequate evidence of electronic
37 notice.

38 17. The Triborough bridge and tunnel authority, with respect to its
39 toll facilities and the Move New York highway and transit authority with
40 respect to new toll facilities established by article forty-four-C of
41 the vehicle and traffic law are authorized to adopt rules and regu-
42 lations to establish an administrative tribunal to adjudicate the
43 liability of owners for violation of toll collection regulations as
44 defined in and in accordance with the provisions of this section and
45 article forty-four-C of the vehicle and traffic law and the applicable
46 toll regulations of such authorities. Such tribunal shall have, with
47 respect to violation of toll collection regulations of such authorities,
48 non-exclusive jurisdiction over violations of the rules and regulations
49 which may from time to time be established by such authorities in
50 accordance with the provisions of this section and article forty-four-C
51 of the vehicle and traffic law. Violations shall be heard and determined
52 in the county in which the violation is alleged to have occurred or in
53 the county in which the public authority has its primary or regional
54 administrative offices and regulations may provide for the conduct of
55 hearings via videoconferencing.

§ 5. Subdivision 4-d of section 510 of the vehicle and traffic law, as added by chapter 379 of the laws of 1992, is amended to read as follows:

4-d. Suspension of registration for failure to answer or pay penalties with respect to certain violations. Upon the receipt of a notification, in the manner and form prescribed by the commissioner, from a court ~~[or]~~, an administrative tribunal, a public authority, or any other public entity imposing violations, that an owner of a motor vehicle failed to appear on the return date or dates or a new subsequent adjourned date or dates or failed to pay any penalty imposed by a court or failed to comply with the rules and regulations of an administrative tribunal following entry of a final decision or decisions, in response to five or more notices of liability or other process, issued within an eighteen month period from any and all jurisdictions charging such owner with a violation of toll collection regulations in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, or other comparable law, the commissioner or his or her agent shall suspend the registration of the vehicle or vehicles involved in the violation or the privilege of operation of any motor vehicle owned by the registrant. Such suspension shall take effect no less than thirty days from the date on which notice thereof is sent by the commissioner to the person whose registration or privilege is suspended and shall remain in effect until such registrant has appeared in response to such notices of liability or has paid such penalty or in the case of an administrative tribunal, the registrant has complied with the rules and regulations following the entry of a final decision or decisions.

§ 6. Subparagraph (i) of paragraph a of subdivision 5-a of section 401 of the vehicle and traffic law, as amended by section 8 of chapter 222 of the laws of 2015, is amended to read as follows:

(i) If at the time of application for a registration or renewal thereof there is a certification from a court, parking violations bureau, traffic and parking violations agency or administrative tribunal of appropriate jurisdiction that the registrant or his or her representative failed to appear on the return date or any subsequent adjourned date or failed to comply with the rules and regulations of an administrative tribunal following entry of a final decision in response to a total of three or more summonses or other process in the aggregate, issued within an eighteen month period, charging either that: (i) such motor vehicle was parked, stopped or standing, or that such motor vehicle was operated for hire by the registrant or his or her agent without being licensed as a motor vehicle for hire by the appropriate local authority, in violation of any of the provisions of this chapter or of any law, ordinance, rule or regulation made by a local authority; or (ii) the registrant was liable in accordance with section eleven hundred eleven-a, section eleven hundred eleven-b or section eleven hundred eleven-d of this chapter for a violation of subdivision (d) of section eleven hundred eleven of this chapter; or (iii) the registrant was liable in accordance with section eleven hundred eleven-c of this chapter for a violation of a bus lane restriction as defined in such section, or (iv) the registrant was liable in accordance with section eleven hundred eighty-b of this chapter for a violation of subdivision (c) or (d) of section eleven hundred eighty of this chapter, or (v) the registrant was liable in accordance with section eleven hundred eighty-c of this chapter for a violation of subdivision (c) or (d) of section eleven hundred eighty of this chapter; or (vi) the registrant was liable

1 in accordance with section eleven hundred eleven-e of this chapter for a
2 violation of subdivision (d) of section eleven hundred eleven of this
3 chapter, or (vii) the registrant was liable in accordance with article
4 forty-four-C of this chapter, the commissioner or his or her agent shall
5 deny the registration or renewal application until the applicant
6 provides proof from the court, traffic and parking violations agency or
7 administrative tribunal wherein the charges are pending that an appear-
8 ance or answer has been made or in the case of an administrative tribu-
9 nal that he or she has complied with the rules and regulations of said
10 tribunal following entry of a final decision. Where an application is
11 denied pursuant to this section, the commissioner may, in his or her
12 discretion, deny a registration or renewal application to any other
13 person for the same vehicle and may deny a registration or renewal
14 application for any other motor vehicle registered in the name of the
15 applicant where the commissioner has determined that such registrant's
16 intent has been to evade the purposes of this subdivision and where the
17 commissioner has reasonable grounds to believe that such registration or
18 renewal will have the effect of defeating the purposes of this subdivi-
19 sion. Such denial shall only remain in effect as long as the summonses
20 remain unanswered, or in the case of an administrative tribunal, the
21 registrant fails to comply with the rules and regulations following
22 entry of a final decision.

23 § 6-a. Paragraph a of subdivision 5-a of section 401 of the vehicle
24 and traffic law, as amended by section 8-a of chapter 222 of the laws of
25 2015, is amended to read as follows:

26 a. If at the time of application for a registration or renewal thereof
27 there is a certification from a court or administrative tribunal of
28 appropriate jurisdiction that the registrant or his or her represen-
29 tative failed to appear on the return date or any subsequent adjourned
30 date or failed to comply with the rules and regulations of an adminis-
31 trative tribunal following entry of a final decision in response to a
32 total of three or more summonses or other process in the aggregate,
33 issued within an eighteen month period, charging either that: (i) such
34 motor vehicle was parked, stopped or standing, or that such motor vehi-
35 cle was operated for hire by the registrant or his or her agent without
36 being licensed as a motor vehicle for hire by the appropriate local
37 authority, in violation of any of the provisions of this chapter or of
38 any law, ordinance, rule or regulation made by a local authority; or
39 (ii) the registrant was liable in accordance with section eleven hundred
40 eleven-b of this chapter for a violation of subdivision (d) of section
41 eleven hundred eleven of this chapter; or (iii) the registrant was
42 liable in accordance with section eleven hundred eleven-c of this chap-
43 ter for a violation of a bus lane restriction as defined in such
44 section; or (iv) the registrant was liable in accordance with section
45 eleven hundred eleven-d of this chapter for a violation of subdivision
46 (d) of section eleven hundred eleven of this chapter or (v) the regis-
47 trant was liable in accordance with section eleven hundred eighty-b of
48 this chapter for a violation of subdivision (b), (c), (d), (f) or (g) of
49 section eleven hundred eighty of this chapter; or (v) the registrant was
50 liable in accordance with section eleven hundred eighty-c of this chap-
51 ter for a violation of subdivision (b), (c), (d), (f) or (g) of section
52 eleven hundred eighty of this chapter; or (vi) the registrant was liable
53 in accordance with section eleven hundred eleven-e of this chapter for a
54 violation of subdivision (d) of section eleven hundred eleven of this
55 chapter, or (vii) the registrant was liable in accordance with article
56 forty-four-C of this chapter, the commissioner or his or her agent shall

1 deny the registration or renewal application until the applicant
2 provides proof from the court or administrative tribunal wherein the
3 charges are pending that an appearance or answer has been made or in the
4 case of an administrative tribunal that he or she has complied with the
5 rules and regulations of said tribunal following entry of a final deci-
6 sion. Where an application is denied pursuant to this section, the
7 commissioner may, in his or her discretion, deny a registration or
8 renewal application to any other person for the same vehicle and may
9 deny a registration or renewal application for any other motor vehicle
10 registered in the name of the applicant where the commissioner has
11 determined that such registrant's intent has been to evade the purposes
12 of this subdivision and where the commissioner has reasonable grounds to
13 believe that such registration or renewal will have the effect of
14 defeating the purposes of this subdivision. Such denial shall only
15 remain in effect as long as the summonses remain unanswered, or in the
16 case of an administrative tribunal, the registrant fails to comply with
17 the rules and regulations following entry of a final decision.

18 § 6-b. Paragraph a of subdivision 5-a of section 401 of the vehicle
19 and traffic law, as amended by section 8-b of chapter 222 of the laws of
20 2015, is amended to read as follows:

21 a. If at the time of application for a registration or renewal thereof
22 there is a certification from a court or administrative tribunal of
23 appropriate jurisdiction that the registrant or his or her represen-
24 tative failed to appear on the return date or any subsequent adjourned
25 date or failed to comply with the rules and regulations of an adminis-
26 trative tribunal following entry of a final decision in response to
27 three or more summonses or other process, issued within an eighteen
28 month period, charging that: (i) such motor vehicle was parked, stopped
29 or standing, or that such motor vehicle was operated for hire by the
30 registrant or his or her agent without being licensed as a motor vehicle
31 for hire by the appropriate local authority, in violation of any of the
32 provisions of this chapter or of any law, ordinance, rule or regulation
33 made by a local authority; or (ii) the registrant was liable in accord-
34 ance with section eleven hundred eleven-c of this chapter for a
35 violation of a bus lane restriction as defined in such section; or (iii)
36 the registrant was liable in accordance with section eleven hundred
37 eleven-d of this chapter for a violation of subdivision (d) of section
38 eleven hundred eleven of this chapter; or (iv) the registrant was liable
39 in accordance with section eleven hundred eighty-b of this chapter for a
40 violation of subdivision (b), (c), (d), (f) or (g) of section eleven
41 hundred eighty of this chapter, or the registrant was liable in accord-
42 ance with section eleven hundred eighty-c of this chapter for a
43 violation of subdivision (b), (c), (d), (f) or (g) of section eleven
44 hundred eighty of this chapter; or (v) the registrant was liable in
45 accordance with section eleven hundred eleven-e of this chapter for a
46 violation of subdivision (d) of section eleven hundred eleven of this
47 chapter, or (vi) the registrant was liable in accordance with article
48 forty-four-C of this chapter, the commissioner or his or her agent shall
49 deny the registration or renewal application until the applicant
50 provides proof from the court or administrative tribunal wherein the
51 charges are pending that an appearance or answer has been made or in the
52 case of an administrative tribunal that he or she has complied with the
53 rules and regulations of said tribunal following entry of a final deci-
54 sion. Where an application is denied pursuant to this section, the
55 commissioner may, in his or her discretion, deny a registration or
56 renewal application to any other person for the same vehicle and may

1 deny a registration or renewal application for any other motor vehicle
2 registered in the name of the applicant where the commissioner has
3 determined that such registrant's intent has been to evade the purposes
4 of this subdivision and where the commissioner has reasonable grounds to
5 believe that such registration or renewal will have the effect of
6 defeating the purposes of this subdivision. Such denial shall only
7 remain in effect as long as the summonses remain unanswered, or in the
8 case of an administrative tribunal, the registrant fails to comply with
9 the rules and regulations following entry of a final decision.

10 § 6-c. Paragraph a of subdivision 5-a of section 401 of the vehicle
11 and traffic law, as amended by section 8-c of chapter 222 of the laws of
12 2015, is amended to read as follows:

13 a. If at the time of application for a registration or renewal thereof
14 there is a certification from a court or administrative tribunal of
15 appropriate jurisdiction that the registrant or his or her represen-
16 tative failed to appear on the return date or any subsequent adjourned
17 date or failed to comply with the rules and regulations of an adminis-
18 trative tribunal following entry of a final decision in response to
19 three or more summonses or other process, issued within an eighteen
20 month period, charging that: (i) such motor vehicle was parked, stopped
21 or standing, or that such motor vehicle was operated for hire by the
22 registrant or his or her agent without being licensed as a motor vehicle
23 for hire by the appropriate local authority, in violation of any of the
24 provisions of this chapter or of any law, ordinance, rule or regulation
25 made by a local authority; or (ii) the registrant was liable in accord-
26 ance with section eleven hundred eleven-d of this chapter for a
27 violation of subdivision (d) of section eleven hundred eleven of this
28 chapter; or (iii) the registrant was liable in accordance with section
29 eleven hundred eighty-b of this chapter for violations of subdivision
30 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
31 ter, or the registrant was liable in accordance with section eleven
32 hundred eighty-c of this chapter for violations of subdivision (b), (c),
33 (d), (f) or (g) of section eleven hundred eighty of this chapter; or
34 (iv) the registrant was liable in accordance with section eleven hundred
35 eleven-e of this chapter for a violation of subdivision (d) of section
36 eleven hundred eleven of this chapter, or (v) the registrant was liable
37 in accordance with article forty-four-C of this chapter, the commission-
38 er or his or her agent shall deny the registration or renewal applica-
39 tion until the applicant provides proof from the court or administrative
40 tribunal wherein the charges are pending that an appearance or answer
41 has been made or in the case of an administrative tribunal that he has
42 complied with the rules and regulations of said tribunal following entry
43 of a final decision. Where an application is denied pursuant to this
44 section, the commissioner may, in his or her discretion, deny a regis-
45 tration or renewal application to any other person for the same vehicle
46 and may deny a registration or renewal application for any other motor
47 vehicle registered in the name of the applicant where the commissioner
48 has determined that such registrant's intent has been to evade the
49 purposes of this subdivision and where the commissioner has reasonable
50 grounds to believe that such registration or renewal will have the
51 effect of defeating the purposes of this subdivision. Such denial shall
52 only remain in effect as long as the summonses remain unanswered, or in
53 the case of an administrative tribunal, the registrant fails to comply
54 with the rules and regulations following entry of a final decision.

1 § 6-d. Paragraph a of subdivision 5-a of section 401 of the vehicle
2 and traffic law, as amended by section 8-d of chapter 222 of the laws of
3 2015, is amended to read as follows:

4 a. If at the time of application for a registration or renewal thereof
5 there is a certification from a court or administrative tribunal of
6 appropriate jurisdiction that the registrant or his or her represen-
7 tative failed to appear on the return date or any subsequent adjourned
8 date or failed to comply with the rules and regulations of an adminis-
9 trative tribunal following entry of a final decision in response to
10 three or more summonses or other process, issued within an eighteen
11 month period, charging that such motor vehicle was parked, stopped or
12 standing, or that such motor vehicle was operated for hire by the regis-
13 trant or his agent without being licensed as a motor vehicle for hire by
14 the appropriate local authority, in violation of any of the provisions
15 of this chapter or of any law, ordinance, rule or regulation made by a
16 local authority, or the registrant was liable in accordance with section
17 eleven hundred eighty-c of this chapter for violations of subdivision
18 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
19 ter, or the registrant was liable in accordance with section eleven
20 hundred eleven-d of this chapter for a violation of subdivision (d) of
21 section eleven hundred eleven of this chapter, or the registrant was
22 liable in accordance with section eleven hundred eleven-e of this chap-
23 ter for a violation of subdivision (d) of section eleven hundred eleven
24 of this chapter, or the registrant was liable in accordance with article
25 forty-four-C of this chapter, the commissioner or his or her agent shall
26 deny the registration or renewal application until the applicant
27 provides proof from the court or administrative tribunal wherein the
28 charges are pending that an appearance or answer has been made or in the
29 case of an administrative tribunal that he or she has complied with the
30 rules and regulations of said tribunal following entry of a final deci-
31 sion. Where an application is denied pursuant to this section, the
32 commissioner may, in his or her discretion, deny a registration or
33 renewal application to any other person for the same vehicle and may
34 deny a registration or renewal application for any other motor vehicle
35 registered in the name of the applicant where the commissioner has
36 determined that such registrant's intent has been to evade the purposes
37 of this subdivision and where the commissioner has reasonable grounds to
38 believe that such registration or renewal will have the effect of
39 defeating the purposes of this subdivision. Such denial shall only
40 remain in effect as long as the summonses remain unanswered, or in the
41 case of an administrative tribunal, the registrant fails to comply with
42 the rules and regulations following entry of a final decision.

43 § 6-e. Paragraph a of subdivision 5-a of section 401 of the vehicle
44 and traffic law, as amended by section 8-e of chapter 222 of the laws of
45 2015, is amended to read as follows:

46 a. If at the time of application for a registration or renewal thereof
47 there is a certification from a court or administrative tribunal of
48 appropriate jurisdiction that the registrant or his or her represen-
49 tative failed to appear on the return date or any subsequent adjourned
50 date or failed to comply with the rules and regulations of an adminis-
51 trative tribunal following entry of a final decision in response to
52 three or more summonses or other process, issued within an eighteen
53 month period, charging that such motor vehicle was parked, stopped or
54 standing, or that such motor vehicle was operated for hire by the regis-
55 trant or his or her agent without being licensed as a motor vehicle for
56 hire by the appropriate local authority, in violation of any of the

provisions of this chapter or of any law, ordinance, rule or regulation made by a local authority, or the registrant was liable in accordance with section eleven hundred eleven-d of this chapter for a violation of subdivision (d) of section eleven hundred eleven of this chapter, or the registrant was liable in accordance with section eleven hundred eleven-e of this chapter for a violation of subdivision (d) of section eleven hundred eleven of this chapter, or the registrant is liable in accordance with article forty-four-C of this chapter, the commissioner or his or her agent shall deny the registration or renewal application until the applicant provides proof from the court or administrative tribunal wherein the charges are pending that an appearance or answer has been made or in the case of an administrative tribunal that he has complied with the rules and regulations of said tribunal following entry of a final decision. Where an application is denied pursuant to this section, the commissioner may, in his or her discretion, deny a registration or renewal application to any other person for the same vehicle and may deny a registration or renewal application for any other motor vehicle registered in the name of the applicant where the commissioner has determined that such registrant's intent has been to evade the purposes of this subdivision and where the commissioner has reasonable grounds to believe that such registration or renewal will have the effect of defeating the purposes of this subdivision. Such denial shall only remain in effect as long as the summonses remain unanswered, or in the case of an administrative tribunal, the registrant fails to comply with the rules and regulations following entry of a final decision.

§ 6-f. Paragraph a of subdivision 5-a of section 401 of the vehicle and traffic law, as amended by section 8-f of chapter 222 of the laws of 2015, is amended to read as follows:

a. If at the time of application for a registration or renewal thereof there is a certification from a court or administrative tribunal of appropriate jurisdiction that the registrant or his or her representative failed to appear on the return date or any subsequent adjourned date or failed to comply with the rules and regulations of an administrative tribunal following entry of a final decision in response to three or more summonses or other process, issued within an eighteen month period, charging that such motor vehicle was parked, stopped or standing, or that such motor vehicle was operated for hire by the registrant or his or her agent without being licensed as a motor vehicle for hire by the appropriate local authority, in violation of any of the provisions of this chapter or of any law, ordinance, rule or regulation made by a local authority, or the registrant was liable in accordance with section eleven hundred eleven-e of this chapter for a violation of subdivision (d) of section eleven hundred eleven of this chapter, or the registrant is liable in accordance with article forty-four-C of this chapter, the commissioner or his or her agent shall deny the registration or renewal application until the applicant provides proof from the court or administrative tribunal wherein the charges are pending that an appearance or answer has been made or in the case of an administrative tribunal that he has complied with the rules and regulations of said tribunal following entry of a final decision. Where an application is denied pursuant to this section, the commissioner may, in his or her discretion, deny a registration or renewal application to any other person for the same vehicle and may deny a registration or renewal application for any other motor vehicle registered in the name of the applicant where the commissioner has determined that such registrant's intent has been to evade the purposes of this subdivision and where the

1 commissioner has reasonable grounds to believe that such registration or
2 renewal will have the effect of defeating the purposes of this subdivi-
3 sion. Such denial shall only remain in effect as long as the summonses
4 remain unanswered, or in the case of an administrative tribunal, the
5 registrant fails to comply with the rules and regulations following
6 entry of a final decision.

7 § 6-g. Paragraph a of subdivision 5-a of section 401 of the vehicle
8 and traffic law, as separately amended by chapters 339 and 592 of the
9 laws of 1987, is amended to read as follows:

10 a. If at the time of application for a registration or renewal thereof
11 there is a certification from a court or administrative tribunal of
12 appropriate jurisdiction that the registrant or his representative
13 failed to appear on the return date or any subsequent adjourned date or
14 failed to comply with the rules and regulations of an administrative
15 tribunal following entry of a final decision in response to three or
16 more summonses or other process, issued within an eighteen month period,
17 charging that such motor vehicle was parked, stopped or standing, or
18 that such motor vehicle was operated for hire by the registrant or his
19 agent without being licensed as a motor vehicle for hire by the appro-
20 priate local authority, in violation of any of the provisions of this
21 chapter or of any law, ordinance, rule or regulation made by a local
22 authority, or the registrant is liable in accordance with article
23 forty-four-C of this chapter, the commissioner or his agent shall deny
24 the registration or renewal application until the applicant provides
25 proof from the court or administrative tribunal wherein the charges are
26 pending that an appearance or answer has been made or in the case of an
27 administrative tribunal that he has complied with the rules and regu-
28 lations of said tribunal following entry of a final decision. Where an
29 application is denied pursuant to this section, the commissioner may, in
30 his discretion, deny a registration or renewal application to any other
31 person for the same vehicle and may deny a registration or renewal
32 application for any other motor vehicle registered in the name of the
33 applicant where the commissioner has determined that such registrant's
34 intent has been to evade the purposes of this subdivision and where the
35 commissioner has reasonable grounds to believe that such registration or
36 renewal will have the effect of defeating the purposes of this subdivi-
37 sion. Such denial shall only remain in effect as long as the summonses
38 remain unanswered, or in the case of an administrative tribunal, the
39 registrant fails to comply with the rules and regulations following
40 entry of a final decision.

41 § 7. The opening paragraph of paragraph 1 of subdivision (a) of
42 section 1212-A of the tax law, as amended by chapter 196 of the laws of
43 1995, is amended to read as follows:

44 a tax on receipts from every sale of the service of providing parking,
45 garaging or storing for motor vehicles by persons operating a garage
46 (other than a garage which is part of premises occupied solely as a
47 private one or two family dwelling), parking lot or other place of busi-
48 ness engaged in providing parking, garaging or storing for motor vehi-
49 cles, in any county within such city with a population density in excess
50 of fifty thousand persons per square mile, at the rate of eight per
51 centum, on receipts from every sale of such services[~~, except receipts~~
52 ~~from the sale of such services to an individual resident of such county~~
53 ~~when such services are rendered on a monthly or longer term basis at the~~
54 ~~principal location for the parking, garaging or storing of a motor vehi-~~
55 ~~cle owned or leased (but only in the case of a lease for a term of one~~

1 ~~year or more) by such individual resident~~]. The population of a county
2 shall be determined by reference to the latest federal census.

3 § 8. Section 182 of the executive law, as amended by section 1 of part
4 J of chapter 56 of the laws of 2011, is amended to read as follows:

5 § 182. Diversion of funds dedicated to the metropolitan transportation
6 authority or the New York city transit authority and any of their
7 subsidiaries to the general fund of the state or to any other purpose,

8 is prohibited. 1. The director of the budget shall be prohibited from
9 diverting revenues derived from taxes and fees paid by the public into
10 any fund created by law including, but not limited to sections eighty-
11 two, eighty-eight-a [~~and~~], eighty-nine-c and ninety-two-ff of the state
12 finance law and chapter twenty-five of the laws of two thousand nine for
13 the purpose of funding the metropolitan transportation authority or the
14 New York city transit authority and any of their subsidiaries into the
15 general fund of the state or into any other fund maintained for the
16 support of another governmental purpose. No diversion of funds can occur
17 contrary to this section by an administrative act of the director of the
18 budget or any other person in the executive branch [~~unless the governor~~
19 ~~declares a fiscal emergency, and communicates such emergency to the~~
20 ~~temporary president of the senate and speaker of the assembly, and a~~
21 ~~statute is enacted into law authorizing a diversion that would otherwise~~
22 ~~be prohibited by this section~~].

23 2. If any diversion of funds occurs by passage of legislation during a
24 regular or extraordinary session of the legislature, the director of the
25 budget shall create and include with the budget or legislation diverting
26 funds, a diversion impact statement which shall include the following
27 information:

28 (a) The amount of the diversion from dedicated mass transit funds;
29 (b) The amount diverted from each fund;
30 (c) The amount diverted expressed as current monthly transit fares;
31 (d) The cumulative amount of diversion from dedicated mass transit
32 funds during the preceding five years;
33 (e) The date or dates when the diversion is to occur; and
34 (f) A detailed estimate of the impact of diversion from dedicated mass
35 transit funds will have on the level of public transportation system
36 service, maintenance, security, and the current capital program.

37 § 9. Notwithstanding any other law, rule, regulation to the contrary,
38 the metropolitan transportation authority shall, as a part of its 2015-
39 2019 capital program with funding provided pursuant to paragraph (f) of
40 subdivision 5 of section 82 of the state finance law:

41 (a) increase the number and availability of express bus routes;
42 (b) reduce the cost of all express bus fares by one dollar;
43 (c) set the cost of all Long Island Rail Road and metro-north railroad
44 trips taken wholly within New York with CityTicket to six dollars during
45 peak hours and four dollars during non-peak hours;
46 (d) provide for the availability of CityTicket on weekdays in addition
47 to weekends;

48 (e) provide for the availability of CityTicket for trips taken between
49 stations within New York city and Far Rockaway and all trips taken
50 between and including Fordham and Manhattan; and

51 (f) fund the freedom ticket proposal of the New York City Transit
52 Riders Council contained in such council's December 2015 report entitled
53 "Freedom Ticket: Southeast Queens Proof of Concept" and expand such
54 pilot program to extend throughout New York city and include all Express
55 Bus routes and stations of the metro-north railroad and Long Island Rail
56 Roads located within New York city.

1 For the purposes of this section "CityTicket" shall mean the fare
2 option so denominated and provided by the metropolitan transportation
3 authority.

4 § 10. The public authorities law is amended by adding a new section
5 1265-c to read as follows:

6 § 1265-c. Independent forensic audit. 1. Notwithstanding any other
7 provision of law, the authority shall, within sixty days of the effec-
8 tive date of this section and at its own expense, contract with a certi-
9 fied public accounting firm for the provision of an independent, compre-
10 hensive, forensic audit of the authority. Such audit shall be performed
11 in accordance with generally accepted government auditing standards.
12 Such audit shall be independent of and in addition to the independent
13 audit of the authority conducted pursuant to section twenty-eight
14 hundred two of this chapter.

15 2. The certified independent public accounting firm providing the
16 authority's independent, comprehensive, forensic audit shall be prohib-
17 ited from providing audit services if the lead (or coordinating) audit
18 partner (having primary responsibility for the audit), or the audit
19 partner responsible for reviewing the audit, has performed audit
20 services for the authority within any of the ten previous fiscal years
21 of the authority.

22 3. The certified independent accounting firm performing the audit
23 pursuant to this section shall be prohibited from performing any non-au-
24 dit services for the authority contemporaneously with the audit.

25 4. It shall be prohibited for the certified independent public
26 accounting firm to perform for the authority any audit service if the
27 chief executive officer, comptroller, chief financial officer, chief
28 accounting officer or any other person serving in an equivalent position
29 in the authority was an employee, consultant or independent contractor
30 of that certified independent public accounting firm and participated in
31 any capacity in the audit of the authority at any time in the past.

32 5. The certified independent public accounting firm contracted to
33 perform the independent comprehensive, forensic audit of the authority
34 shall, on or before January first, two thousand twenty-one, report its
35 findings, conclusions and recommendations to the governor, the state
36 comptroller, the temporary president of the senate, the speaker of the
37 assembly, the chair and ranking minority member of the senate finance
38 committee, the chair and ranking minority member of the assembly ways
39 and means committee, the chairs and ranking minority members of the
40 senate and the assembly corporations, authorities and commissions
41 committees, and the chairs and ranking minority members of the senate
42 and the assembly transportation committees.

43 § 11. This act shall take effect immediately provided, however, that
44 section seven of this act shall take effect on the first of January next
45 succeeding the date on which it shall have become a law; and provided
46 further:

47 (a) the amendments to subparagraph (i) of paragraph a of subdivision
48 5-a of section 401 of the vehicle and traffic law made by section six of
49 this act shall not affect the expiration of such paragraph and shall be
50 deemed to expire therewith, when upon such date the provisions of
51 section six-a of this act shall take effect;

52 (b) the amendments to paragraph a of subdivision 5-a of section 401 of
53 the vehicle and traffic law made by section six-a of this act shall not
54 affect the expiration of such paragraph and shall be deemed to expire
55 therewith, when upon such date the provisions of section six-b of this
56 act shall take effect;

1 (c) the amendments to paragraph a of subdivision 5-a of section 401 of
2 the vehicle and traffic law made by section six-b of this act shall not
3 affect the expiration of such paragraph and shall be deemed to expire
4 therewith, when upon such date the provisions of section six-c of this
5 act shall take effect;

6 (d) the amendments to paragraph a of subdivision 5-a of section 401 of
7 the vehicle and traffic law made by section six-c of this act shall not
8 affect the expiration of such paragraph and shall be deemed to expire
9 therewith, when upon such date the provisions of section six-d of this
10 act shall take effect;

11 (e) the amendments to paragraph a of subdivision 5-a of section 401 of
12 the vehicle and traffic law made by section six-d of this act shall not
13 affect the expiration of such paragraph and shall be deemed to expire
14 therewith, when upon such date the provisions of section six-e of this
15 act shall take effect;

16 (f) the amendments to paragraph a of subdivision 5-a of section 401 of
17 the vehicle and traffic law made by section six-e of this act shall not
18 affect the expiration of such paragraph and shall be deemed to expire
19 therewith, when upon such date the provisions of section six-f of this
20 act shall take effect;

21 (g) the amendments to paragraph a of subdivision 5-a of section 401 of
22 the vehicle and traffic law made by section six-f of this act shall not
23 affect the expiration of such paragraph and shall be deemed to expire
24 therewith, when upon such date the provisions of section six-g of this
25 act shall take effect; and

26 (h) section ten of this act shall expire and be deemed repealed Janu-
27 ary 2, 2021.