

STATE OF NEW YORK

7297

2017-2018 Regular Sessions

IN ASSEMBLY

April 21, 2017

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

AN ACT to amend the New York city charter, in relation to service of notice of violation returnable to the environmental control board on the registered owner of a motor vehicle impounded by the department of sanitation of such city

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

1 Section 1. Clauses (iii) and (iv) of subparagraph (a) of paragraph 2
2 of subdivision d of section 1049-a of the New York city charter, clause
3 (iii) as amended and clause (iv) as added by chapter 163 of the laws of
4 2000 and such section as renumbered by local law number 35 of the local
5 laws of the city of New York for the year 2008, are amended and a new
6 clause (v) is added to read as follows:
7 (iii) service of a notice of violation of any provision of the admin-
8 istrative code relating to the prevention of noise pollution caused by
9 an audible motor vehicle burglar alarm and over which the environmental
10 control board has jurisdiction may be served upon the owner of a motor
11 vehicle by affixing such notice to said vehicle in a conspicuous place;
12 [~~and~~]
13 (iv) service of a notice of violation of any of the provisions of
14 section 10-119 or 10-120 of the administrative code of the city of New
15 York and over which the environmental control board has jurisdiction,
16 may be made by certified mail, return receipt requested, to the respond-
17 ent's last known residence or business address, provided that delivery
18 of such notice shall be restricted to the respondent. Service by certi-
19 fied mail shall be deemed complete upon mailing of the notice of
20 violation unless the notice of violation is returned to the sender by
21 the United States postal service for any reason other than refusal of
22 delivery[~~-~~]; and

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

LBD11024-01-7

1 (v) service of a notice of violation of any provision of the adminis-
2 trative code of the city of New York on a respondent who is the regis-
3 tered owner of a motor vehicle impounded by the department of sanitation
4 in connection with the violation for which the notice of violation is to
5 be served may be made by certified mail to the address at which the
6 vehicle is registered, provided that delivery is restricted to the
7 respondent. Service by certified mail is deemed complete upon mailing of
8 the notice of violation.

9 § 2. This act shall take effect on the one hundred twentieth day after
10 it shall have become a law.