

# STATE OF NEW YORK

883

2017-2018 Regular Sessions

## IN ASSEMBLY

January 9, 2017

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

AN ACT to amend the vehicle and traffic law and the general municipal law, in relation to owner liability for failure of operator to comply with traffic-control indications; and providing for the repeal of such provisions upon 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 section 1111-f to read as follows:

3 § 1111-f. Owner liability for failure of operator to comply with  
4 traffic-control indications. (a) 1. Notwithstanding any other provision  
5 of law, the town of Wallkill, in the county of Orange is hereby author-  
6 ized and empowered to adopt and amend a local law or ordinance estab-  
7 lishing a demonstration program imposing monetary liability on the owner  
8 of a vehicle for failure of an operator thereof to comply with traffic-  
9 control indications in such town in accordance with the provisions of  
10 this section. Such demonstration program shall empower such town to  
11 install and operate traffic-control signal photo violation-monitoring  
12 devices at no more than four intersections within such town at any one  
13 time.

14 2. Such demonstration program shall utilize necessary technologies to  
15 ensure, to the extent practicable, that photographs produced by such  
16 traffic-control signal photo violation-monitoring systems shall not  
17 include images that identify the driver, the passengers, or the contents  
18 of the vehicle. Provided, however, that no notice of liability issued  
19 pursuant to this section shall be dismissed solely because a photograph  
20 or photographs allow for the identification of the contents of a vehi-  
21 cle, provided that such town has made a reasonable effort to comply with  
22 the provisions of this paragraph.

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

LBD04127-01-7

(b) In any such town which has adopted a local law or ordinance pursuant to subdivision (a) of this section, the owner of a vehicle shall be liable for a penalty imposed pursuant to this section of such vehicle was used or operated with the permission of the owner, express or implied, in violation of subdivision (d) of section eleven hundred eleven of this article, and such violation is evidenced by information obtained from a traffic-control signal photo violation-monitoring system; provided however that no owner of a vehicle shall be liable for a penalty imposed pursuant to this section where the operator of such vehicle has been convicted of the underlying violation of subdivision (d) of section eleven hundred eleven of this article.

(c) For purposes of this section, "owner" shall have the meaning provided in article two-B of this chapter. For purposes of this section, "traffic-control signal photo violation-monitoring system" shall mean a vehicle sensor installed to work in conjunction with a traffic-control signal which automatically produces two or more photographs, two or more microphotographs, a videotape or other recorded images of each vehicle at the time it is used or operated in violation of subdivision (d) of section eleven hundred eleven of this article.

(d) A certificate, sworn to or affirmed by a technician employed by the town of Wallkill in which the charged violation occurred, or a facsimile thereof, based upon inspection of photographs, microphotographs, videotape or other recorded images produced by traffic-control signal photo violation-monitoring system, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotape or other recorded images evidencing such a violation shall be available for inspection in any proceeding to adjudicate the liability for such violation pursuant to a local law or ordinance adopted pursuant to this section.

(e) An owner liable for a violation of subdivision (d) of section eleven hundred eleven of this article pursuant to a local law or ordinance adopted pursuant to this section shall be liable for monetary penalties in accordance with a schedule of fines and penalties to be set forth in such local law or ordinance, except that if such town by local law has authorized the adjudication of such owner liability by a parking violations bureau, such schedule shall be promulgated by such bureau. The liability of the owner pursuant to this section shall not exceed fifty dollars for each violation; provided, however, that such local law or ordinance may provide for an additional penalty not in excess of twenty-five dollars for each violation for the failure to respond to a notice of liability within the prescribed time period.

(f) An imposition of liability under a local law or ordinance adopted pursuant to this section shall not be deemed a conviction as an operator and shall not be made part of the operating record of the person upon whom such liability is imposed nor shall it be used for insurance purposes in the provision of motor vehicle insurance coverage.

(g) 1. A notice of liability shall be sent by first class mail to each person alleged to be liable as an owner for a violation of subdivision (d) of section eleven hundred eleven of this article pursuant to this section. Personal delivery on the owner shall not be required. A manual or automatic record of mailing prepared in the ordinary course of business shall be prima facie evidence of the facts contained therein.

2. A notice of liability shall contain the name and address of the person alleged to be liable as an owner for a violation of subdivision (d) of section eleven hundred eleven of this article pursuant to this section, the registration number of the vehicle involved in such

1 violation, the location where such violation took place, the date and  
2 time of such violation and the identification number of the camera which  
3 recorded the violation or other document locator number.

4 3. The notice of liability shall contain information advising the  
5 person charged of the manner and the time in which he or she may contest  
6 the liability alleged in the notice. Such notice of liability shall also  
7 contain a warning to advise the persons charged that failure to contest  
8 in the manner and time provided shall be deemed an admission of liabil-  
9 ity and that a default judgment may be entered thereon.

10 4. The notice of liability shall be prepared and mailed by the town of  
11 Wallkill, or by any other entity authorized by such town to prepare and  
12 mail such notification of violation.

13 (h) Adjudication of the liability imposed upon owners by this section  
14 shall be by a traffic violations bureau established pursuant to section  
15 three hundred seventy of the general municipal law or, if there be none,  
16 by the court having jurisdiction over traffic infractions.

17 (i) If an owner receives a notice of liability pursuant to this  
18 section for any time period during which the vehicle was reported to the  
19 police department as having been stolen, it shall be a valid defense to  
20 an allegation of liability for a violation of subdivision (d) of section  
21 eleven hundred eleven of this article pursuant to this section that the  
22 vehicle had been reported to the police as stolen prior to the time the  
23 violation occurred and had not been recovered by such time. For purposes  
24 of asserting the defense provided by this subdivision it shall be suffi-  
25 cient that a certified copy of the police report on the stolen vehicle  
26 be sent by first class mail to the traffic violations bureau, court  
27 having jurisdiction or parking violations bureau.

28 (j) 1. In such town where the adjudication of liability imposed upon  
29 owners pursuant to this section is by a traffic violations bureau or a  
30 court having jurisdiction, an owner who is a lessor of a vehicle to  
31 which a notice of liability was issued pursuant to subdivision (g) of  
32 this section shall not be liable for the violation of subdivision (d) of  
33 section eleven hundred eleven of this article, provided that he or she  
34 sends to the traffic violations bureau or court having jurisdiction a  
35 copy of the rental, lease or other such contract document covering such  
36 vehicle on the date of the violation, with the name and address of the  
37 lessee clearly legible, within thirty-seven days after receiving notice  
38 from the bureau or court of the date and time of such violation, togeth-  
39 er with the other information contained in the original notice of  
40 liability. Failure to send such information within such thirty-seven day  
41 time period shall render the owner liable for the penalty prescribed by  
42 this section. Where the lessor complies with the provisions of this  
43 paragraph, the lessee of such vehicle on the date of such violation  
44 shall be deemed to be the owner of such vehicle for purposes of this  
45 section, shall be subject to liability for the violation of subdivision  
46 (d) of section eleven hundred eleven of this article pursuant to this  
47 section and shall be sent a notice of liability pursuant to subdivision  
48 (g) of this section.

49 2. (I) In such town which, by local law, has authorized the adjudi-  
50 cation of liability imposed upon owners by this section by a parking  
51 violations bureau, an owner who is a lessor of a vehicle to which a  
52 notice of liability was issued pursuant to subdivision (g) of this  
53 section shall not be liable for the violation of subdivision (d) of  
54 section eleven hundred eleven of this article, provided that:

1 (A) prior to the violation, the lessor has filed with the bureau in  
2 accordance with the provisions of section two hundred thirty-nine of  
3 this chapter; and

4 (B) within thirty-seven days after receiving notice from the bureau of  
5 the date and time of a liability, together with the other information  
6 contained in the original notice of liability, the lessor submits to the  
7 bureau the correct name and address of the lessee of the vehicle identi-  
8 fied in the notice of liability at the time of such violation, together  
9 with such other additional information contained in the rental, lease or  
10 other contract document, as may be reasonably required by the bureau  
11 pursuant to regulations that may be promulgated for such purpose.

12 (II) Failure to comply with clause (B) of subparagraph (I) of this  
13 paragraph shall render the owner liable for the penalty described in  
14 this section.

15 (III) Where the lessor complies with the provisions of this paragraph,  
16 the lessee of such vehicle on the date of such violation shall be deemed  
17 to be the owner of such vehicle for purposes of this section, shall be  
18 subject to liability for such violation pursuant to this section and  
19 shall be sent a notice of liability pursuant to subdivision (g) of this  
20 section.

21 (k) 1. If the owner liable for a violation of subdivision (d) of  
22 section eleven hundred eleven of this article pursuant to this section  
23 was not the operator of the vehicle at the time of the violation, the  
24 owner may maintain an action for indemnification against the operator.

25 2. Notwithstanding any other provisions of this section, no owner of a  
26 vehicle shall be subject to a monetary fine imposed pursuant to this  
27 section if the operator of such vehicle was operating such vehicle with-  
28 out the consent of the owner at the time such operator failed to obey a  
29 traffic-control indication. For purposes of this subdivision there shall  
30 be a presumption that the operator of such vehicle was operating such  
31 vehicle with the consent of the owner at the time such operator failed  
32 to obey a traffic-control indication.

33 (l) Nothing in this section shall be construed to limit the liability  
34 of an operator of a vehicle for any violation of subdivision (d) of  
35 section eleven hundred eleven of this article.

36 (m) In any such town which adopts a demonstration program pursuant to  
37 subdivision (a) of this section, such town shall submit an annual report  
38 on the results of the use of a traffic-control signal photo violation  
39 monitoring system to the governor, the temporary president of the senate  
40 and the speaker of the assembly on or before June first, two thousand  
41 nineteen, and on the same date in each succeeding year in which the  
42 demonstration program is operable. Such report shall include, but not be  
43 limited to:

44 1. a description of the locations where traffic-control signal photo  
45 violation-monitoring systems were used;

46 2. the aggregate number, type and severity of accidents reported at  
47 intersections where a traffic-control signal photo violation-monitoring  
48 system is used for the year preceding the installation of such system,  
49 to the extent the information is maintained by the department of motor  
50 vehicles of this state;

51 3. The aggregate number, type and severity of accidents reported at  
52 intersections where a traffic-control signal photo violation-monitoring  
53 system is used, to the extent the information is maintained by the  
54 department of motor vehicles of this state;

1 4. the number of violations recorded at each intersection where a  
2 traffic-control signal photo violation-monitoring system is used and in  
3 the aggregate on a daily, weekly and monthly basis;

4 5. the total number of notices of liability issued for violations  
5 recorded by such systems;

6 6. the number of fines and total amount of fines paid after first  
7 notice of liability issued for violations recorded by such systems;

8 7. the number of violations adjudicated and results of such adjudi-  
9 cations including breakdowns of dispositions made for violations  
10 recorded by such systems;

11 8. the total amount of revenue realized by such town from such adjudi-  
12 cations;

13 9. expenses incurred by such town in connection with the program; and

14 10. quality of the adjudication process and its results.

15 (n) It shall be a defense to any prosecution for a violation of subdi-  
16 vision (d) of section eleven hundred eleven of this article pursuant to  
17 a local law or ordinance adopted pursuant to this section that such  
18 traffic-control indications were malfunctioning at the time of the  
19 alleged violation.

20 § 2. Paragraph a of subdivision 5-a of section 401 of the vehicle and  
21 traffic law, as separately amended by chapters 19, 20, 21, 22, 23 and  
22 383 of the laws of 2009; subparagraph (i) as amended by chapter 222 of  
23 the laws of 2015, is amended to read as follows:

24 a. (i) If at the time of application for a registration or renewal  
25 thereof there is a certification from a court, parking violations  
26 bureau, traffic and parking violations agency or administrative tribunal  
27 of appropriate jurisdiction that the registrant or his or her represen-  
28 tative failed to appear on the return date or any subsequent adjourned  
29 date or failed to comply with the rules and regulations of an adminis-  
30 trative tribunal following entry of a final decision in response to a  
31 total of three or more summonses or other process in the aggregate,  
32 issued within an eighteen month period, charging either that: (i) such  
33 motor vehicle was parked, stopped or standing, or that such motor vehi-  
34 cle was operated for hire by the registrant or his or her agent without  
35 being licensed as a motor vehicle for hire by the appropriate local  
36 authority, in violation of any of the provisions of this chapter or of  
37 any law, ordinance, rule or regulation made by a local authority; or  
38 (ii) the registrant was liable in accordance with section eleven hundred  
39 eleven-a, section eleven hundred eleven-b or section eleven hundred  
40 eleven-d 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 eighty-b of this chapter for a violation of subdivision  
46 (c) or (d) of section eleven hundred eighty of this chapter, or (v) the  
47 registrant was liable in accordance with section eleven hundred eighty-c  
48 of this chapter for a violation of subdivision (c) or (d) of section  
49 eleven hundred eighty of this chapter; or (vi) the registrant was liable  
50 in accordance with section eleven hundred eleven-e or section eleven  
51 hundred eleven-f of this chapter for a violation of subdivision (d) of  
52 section eleven hundred eleven of this chapter, the commissioner or his  
53 or her agent shall deny the registration or renewal application until  
54 the applicant provides proof from the court, traffic and parking  
55 violations agency or administrative tribunal wherein the charges are  
56 pending that an appearance or answer has been made or in the case of an



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

15 (ii) For purposes of this paragraph, the term "motor vehicle operated  
16 for hire" shall mean and include a taxicab, livery, coach, limousine or  
17 tow truck.

18 § 2-a. Paragraph a of subdivision 5-a of section 401 of the vehicle  
19 and traffic law, as amended by section 8-a 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 a  
27 total of three or more summonses or other process in the aggregate,  
28 issued within an eighteen month period, charging either that: (i) such  
29 motor vehicle was parked, stopped or standing, or that such motor vehi-  
30 cle was operated for hire by the registrant or his or her agent without  
31 being licensed as a motor vehicle for hire by the appropriate local  
32 authority, in violation of any of the provisions of this chapter or of  
33 any law, ordinance, rule or regulation made by a local authority; or  
34 (ii) the registrant was liable in accordance with section eleven hundred  
35 eleven-b of this chapter for a violation of subdivision (d) of section  
36 eleven hundred eleven of this chapter; or (iii) the registrant was  
37 liable in accordance with section eleven hundred eleven-c of this chap-  
38 ter for a violation of a bus lane restriction as defined in such  
39 section; or (iv) the registrant was liable in accordance with section  
40 eleven hundred eleven-d of this chapter for a violation of subdivision  
41 (d) of section eleven hundred eleven of this chapter or (v) the regis-  
42 trant was liable in accordance with section eleven hundred eighty-b of  
43 this chapter for a violation of subdivision (b), (c), (d), (f) or (g) of  
44 section eleven hundred eighty of this chapter; or (v) the registrant was  
45 liable in accordance with section eleven hundred eighty-c of this chap-  
46 ter for a violation of subdivision (b), (c), (d), (f) or (g) of section  
47 eleven hundred eighty of this chapter; or (vi) the registrant was liable  
48 in accordance with section eleven hundred eleven-e or section eleven  
49 hundred eleven-f of this chapter for a violation of subdivision (d) of  
50 section eleven hundred eleven of this chapter, the commissioner or his  
51 or her agent shall deny the registration or renewal application until  
52 the applicant provides proof from the court or administrative tribunal  
53 wherein the charges are pending that an appearance or answer has been  
54 made or in the case of an administrative tribunal that he or she has  
55 complied with the rules and regulations of said tribunal following entry  
56 of a final decision. Where an application is denied pursuant to this

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

12 § 2-b. Paragraph a of subdivision 5-a of section 401 of the vehicle  
13 and traffic law, as amended by section 8-b of chapter 222 of the laws of  
14 2015, is amended to read as follows:

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

1 the case of an administrative tribunal, the registrant fails to comply  
2 with the rules and regulations following entry of a final decision.

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

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

48 § 2-d. Paragraph a of subdivision 5-a of section 401 of the vehicle  
49 and traffic law, as amended by section 8-d of chapter 222 of the laws of  
50 2015, is amended to read as follows:

51 a. If at the time of application for a registration or renewal thereof  
52 there is a certification from a court or administrative tribunal of  
53 appropriate jurisdiction that the registrant or his or her represen-  
54 tative failed to appear on the return date or any subsequent adjourned  
55 date or failed to comply with the rules and regulations of an adminis-  
56 trative tribunal following entry of a final decision in response to



1 three or more summonses or other process, issued within an eighteen  
2 month period, charging that such motor vehicle was parked, stopped or  
3 standing, or that such motor vehicle was operated for hire by the regis-  
4 trant or his or her agent without being licensed as a motor vehicle for  
5 hire by the appropriate local authority, in violation of any of the  
6 provisions of this chapter or of any law, ordinance, rule or regulation  
7 made by a local authority, or the registrant was liable in accordance  
8 with section eleven hundred eleven-d of this chapter for a violation of  
9 subdivision (d) of section eleven hundred eleven of this chapter, or the  
10 registrant was liable in accordance with section eleven hundred eleven-e  
11 or section eleven hundred eleven-f of this chapter for a violation of  
12 subdivision (d) of section eleven hundred eleven of this chapter, the  
13 commissioner or his or her agent shall deny the registration or renewal  
14 application until the applicant provides proof from the court or admin-  
15 istrative tribunal wherein the charges are pending that an appearance or  
16 answer has been made or in the case of an administrative tribunal that  
17 he has complied with the rules and regulations of said tribunal follow-  
18 ing entry of a final decision. Where an application is denied pursuant  
19 to this section, the commissioner may, in his or her discretion, deny a  
20 registration or renewal application to any other person for the same  
21 vehicle and may deny a registration or renewal application for any other  
22 motor vehicle registered in the name of the applicant where the commis-  
23 sioner has determined that such registrant's intent has been to evade  
24 the purposes of this subdivision and where the commissioner has reason-  
25 able grounds to believe that such registration or renewal will have the  
26 effect of defeating the purposes of this subdivision. Such denial shall  
27 only remain in effect as long as the summonses remain unanswered, or in  
28 the case of an administrative tribunal, the registrant fails to comply  
29 with the rules and regulations following entry of a final decision.

30 § 2-e. Paragraph a of subdivision 5-a of section 401 of the vehicle  
31 and traffic law, as amended by section 8-e of chapter 222 of the laws of  
32 2015, is amended to read as follows:

33 a. If at the time of application for a registration or renewal thereof  
34 there is a certification from a court or administrative tribunal of  
35 appropriate jurisdiction that the registrant or his or her represen-  
36 tative failed to appear on the return date or any subsequent adjourned  
37 date or failed to comply with the rules and regulations of an adminis-  
38 trative tribunal following entry of a final decision in response to  
39 three or more summonses or other process, issued within an eighteen  
40 month period, charging that such motor vehicle was parked, stopped or  
41 standing, or that such motor vehicle was operated for hire by the regis-  
42 trant or his or her agent without being licensed as a motor vehicle for  
43 hire by the appropriate local authority, in violation of any of the  
44 provisions of this chapter or of any law, ordinance, rule or regulation  
45 made by a local authority, or the registrant was liable in accordance  
46 with section eleven hundred eleven-d of this chapter for a violation of  
47 subdivision (d) of section eleven hundred eleven of this chapter, or the  
48 registrant was liable in accordance with section eleven hundred eleven-e  
49 or section eleven hundred eleven-f of this chapter for a violation of  
50 subdivision (d) of section eleven hundred eleven of this chapter, the  
51 commissioner or his or her agent shall deny the registration or renewal  
52 application until the applicant provides proof from the court or admin-  
53 istrative tribunal wherein the charges are pending that an appearance or  
54 answer has been made or in the case of an administrative tribunal that  
55 he has complied with the rules and regulations of said tribunal follow-  
56 ing entry of a final decision. Where an application is denied pursuant

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

12 § 2-f. Paragraph a of subdivision 5-a of section 401 of the vehicle  
13 and traffic law, as amended by section 8-f of chapter 222 of the laws of  
14 2015, is amended to read as follows:

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

48 § 2-g. Paragraph a of subdivision 5-a of section 401 of the vehicle  
49 and traffic law, as separately amended by chapters 339 and 592 of the  
50 laws of 1987, is amended to read as follows:

51 a. If at the time of application for a registration or renewal thereof  
52 there is a certification from a court or administrative tribunal of  
53 appropriate jurisdiction that the registrant or his representative  
54 failed to appear on the return date or any subsequent adjourned date or  
55 failed to comply with the rules and regulations of an administrative  
56 tribunal following entry of a final decision in response to three or

1 more summonses or other process, issued within an eighteen month period,  
2 charging that such motor vehicle was parked, stopped or standing, or  
3 that such motor vehicle was operated for hire by the registrant or his  
4 agent without being licensed as a motor vehicle for hire by the appro-  
5 priate local authority, in violation of any of the provisions of this  
6 chapter or of any law, ordinance, rule or regulation made by a local  
7 authority, or the registrant was liable in accordance with section eleven  
8 hundred eleven-e of this chapter for a violation of subdivision (d)  
9 of section eleven hundred eleven of this chapter, the commissioner or  
10 his agent shall deny the registration or renewal application until the  
11 applicant provides proof from the court or administrative tribunal wher-  
12 ein the charges are pending that an appearance or answer has been made  
13 or in the case of an administrative tribunal that he has complied with  
14 the rules and regulations of said tribunal following entry of a final  
15 decision. Where an application is denied pursuant to this section, the  
16 commissioner may, in his discretion, deny a registration or renewal  
17 application to any other person for the same vehicle and may deny a  
18 registration or renewal application for any other motor vehicle regis-  
19 tered in the name of the applicant where the commissioner has determined  
20 that such registrant's intent has been to evade the purposes of this  
21 subdivision and where the commissioner has reasonable grounds to believe  
22 that such registration or renewal will have the effect of defeating the  
23 purposes of this subdivision. Such denial shall only remain in effect as  
24 long as the summonses remain unanswered, or in the case of an adminis-  
25 trative tribunal, the registrant fails to comply with the rules and  
26 regulations following entry of a final decision.

27 § 3. Subdivision 1 of section 1809 of the vehicle and traffic law, as  
28 amended by section 2 of part DD of chapter 56 of the laws of 2008, the  
29 opening paragraph and paragraph (c) as amended by chapter 222 of the  
30 laws of 2015, is amended to read as follows:

31 1. Whenever proceedings in an administrative tribunal or a court of  
32 this state result in a conviction for an offense under this chapter or a  
33 traffic infraction under this chapter, or a local law, ordinance, rule  
34 or regulation adopted pursuant to this chapter, other than a traffic  
35 infraction involving standing, stopping, or parking or violations by  
36 pedestrians or bicyclists, or other than an adjudication of liability of  
37 an owner for a violation of subdivision (d) of section eleven hundred  
38 eleven of this chapter in accordance with section eleven hundred  
39 eleven-a of this chapter, or other than an adjudication of liability of  
40 an owner for a violation of subdivision (d) of section eleven hundred  
41 eleven of this chapter in accordance with section eleven hundred  
42 eleven-b of this chapter, or other than an adjudication in accordance  
43 with section eleven hundred eleven-c of this chapter for a violation of  
44 a bus lane restriction as defined in such section, or other than an  
45 adjudication of liability of an owner for a violation of subdivision (d)  
46 of section eleven hundred eleven of this chapter in accordance with  
47 section eleven hundred eleven-d of this chapter, or other than an adju-  
48 dication of liability of an owner for a violation of subdivision (b),  
49 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in  
50 accordance with section eleven hundred eighty-b of this chapter, or  
51 other than an adjudication of liability of an owner for a violation of  
52 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty  
53 of this chapter in accordance with section eleven hundred eighty-c of  
54 this chapter, or other than an adjudication of liability of an owner for  
55 a violation of subdivision (d) of section eleven hundred eleven of this  
56 chapter in accordance with section eleven hundred eleven-e or section

1 eleven hundred eleven-f of this chapter, there shall be levied a crime  
2 victim assistance fee and a mandatory surcharge, in addition to any  
3 sentence required or permitted by law, in accordance with the following  
4 schedule:

5 (a) Whenever proceedings in an administrative tribunal or a court of  
6 this state result in a conviction for a traffic infraction pursuant to  
7 article nine of this chapter, there shall be levied a crime victim  
8 assistance fee in the amount of five dollars and a mandatory surcharge,  
9 in addition to any sentence required or permitted by law, in the amount  
10 of twenty-five dollars.

11 (b) Whenever proceedings in an administrative tribunal or a court of  
12 this state result in a conviction for a misdemeanor or felony pursuant  
13 to section eleven hundred ninety-two of this chapter, there shall be  
14 levied, in addition to any sentence required or permitted by law, a  
15 crime victim assistance fee in the amount of twenty-five dollars and a  
16 mandatory surcharge in accordance with the following schedule:

17 (i) a person convicted of a felony shall pay a mandatory surcharge of  
18 three hundred dollars;

19 (ii) a person convicted of a misdemeanor shall pay a mandatory  
20 surcharge of one hundred seventy-five dollars.

21 (c) Whenever proceedings in an administrative tribunal or a court of  
22 this state result in a conviction for an offense under this chapter  
23 other than a crime pursuant to section eleven hundred ninety-two of this  
24 chapter, or a traffic infraction under this chapter, or a local law,  
25 ordinance, rule or regulation adopted pursuant to this chapter, other  
26 than a traffic infraction involving standing, stopping, or parking or  
27 violations by pedestrians or bicyclists, or other than an adjudication  
28 of liability of an owner for a violation of subdivision (d) of section  
29 eleven hundred eleven of this chapter in accordance with section eleven  
30 hundred eleven-a of this chapter, or other than an adjudication of  
31 liability of an owner for a violation of subdivision (d) of section  
32 eleven hundred eleven of this chapter in accordance with section eleven  
33 hundred eleven-b of this chapter, or other than an adjudication of  
34 liability of an owner for a violation of subdivision (d) of section  
35 eleven hundred eleven of this chapter in accordance with section eleven  
36 hundred eleven-d of this chapter, or other than an infraction pursuant  
37 to article nine of this chapter or other than an adjudication of liabil-  
38 ity of an owner for a violation of toll collection regulations pursuant  
39 to section two thousand nine hundred eighty-five of the public authori-  
40 ties law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven  
41 hundred seventy-four of the laws of nineteen hundred fifty or other than  
42 an adjudication in accordance with section eleven hundred eleven-c of  
43 this chapter for a violation of a bus lane restriction as defined in  
44 such section, or other than an adjudication of liability of an owner for  
45 a violation of subdivision (b), (c), (d), (f) or (g) of section eleven  
46 hundred eighty of this chapter in accordance with section eleven hundred  
47 eighty-b of this chapter, or other than an adjudication of liability of  
48 an owner for a violation of subdivision (b), (c), (d), (f) or (g) of  
49 section eleven hundred eighty of this chapter in accordance with section  
50 eleven hundred eighty-c of this chapter, or other than an adjudication  
51 of liability of an owner for a violation of subdivision (d) of section  
52 eleven hundred eleven of this chapter in accordance with section eleven  
53 hundred eleven-e or section eleven hundred eleven-f of this chapter,  
54 there shall be levied a crime victim assistance fee in the amount of  
55 five dollars and a mandatory surcharge, in addition to any sentence  
56 required or permitted by law, in the amount of fifty-five dollars.

§ 3-a. Subdivision 1 of section 1809 of the vehicle and traffic law, as amended by section 10-a of chapter 222 of the laws of 2015, is amended to read as follows:

1. Whenever proceedings in an administrative tribunal or a court of this state result in a conviction for a crime under this chapter or a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, other than a traffic infraction involving standing, stopping, parking or motor vehicle equipment or violations by pedestrians or bicyclists, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-b of this chapter, or other than an adjudication 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 other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-d of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-b of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-c of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-e or section eleven hundred eleven-f of this chapter, there shall be levied a mandatory surcharge, in addition to any sentence required or permitted by law, in the amount of twenty-five dollars.

§ 3-b. Subdivision 1 of section 1809 of the vehicle and traffic law, as amended by section 10-b of chapter 222 of the laws of 2015, is amended to read as follows:

1. Whenever proceedings in an administrative tribunal or a court of this state result in a conviction for a crime under this chapter or a traffic infraction under this chapter other than a traffic infraction involving standing, stopping, parking or motor vehicle equipment or violations by pedestrians or bicyclists, or other than an adjudication 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 other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-d of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-b of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-c of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-e or section eleven hundred eleven-f of this chapter, there shall be levied a



1 mandatory surcharge, in addition to any sentence required or permitted  
2 by law, in the amount of seventeen dollars.

3 § 3-c. Subdivision 1 of section 1809 of the vehicle and traffic law,  
4 as amended by section 10-c of chapter 222 of the laws of 2015, is  
5 amended to read as follows:

6 1. Whenever proceedings in an administrative tribunal or a court of  
7 this state result in a conviction for a crime under this chapter or a  
8 traffic infraction under this chapter other than a traffic infraction  
9 involving standing, stopping, parking or motor vehicle equipment or  
10 violations by pedestrians or bicyclists, or other than an adjudication  
11 of liability of an owner for a violation of subdivision (b), (c), (d),  
12 (f) or (g) of section eleven hundred eighty of this chapter in accord-  
13 ance with section eleven hundred eighty-b of this chapter, or other than  
14 an adjudication of liability of an owner for a violation of subdivision  
15 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-  
16 ter in accordance with section eleven hundred eighty-c of this chapter,  
17 or other than an adjudication of liability of an owner for a violation  
18 of subdivision (d) of section eleven hundred eleven of this chapter in  
19 accordance with section eleven hundred eleven-d of this chapter, or  
20 other than an adjudication of liability of an owner for a violation of  
21 subdivision (d) of section eleven hundred eleven of this chapter in  
22 accordance with section eleven hundred eleven-e or section eleven  
23 hundred eleven-f of this chapter, there shall be levied a mandatory  
24 surcharge, in addition to any sentence required or permitted by law, in  
25 the amount of seventeen dollars.

26 § 3-d. Subdivision 1 of section 1809 of the vehicle and traffic law,  
27 as amended by section 10-d of chapter 222 of the laws of 2015, is  
28 amended to read as follows:

29 1. Whenever proceedings in an administrative tribunal or a court of  
30 this state result in a conviction for a crime under this chapter or a  
31 traffic infraction under this chapter other than a traffic infraction  
32 involving standing, stopping, parking or motor vehicle equipment or  
33 violations by pedestrians or bicyclists, or other than an adjudication  
34 of liability of an owner for a violation of subdivision (b), (c), (d),  
35 (f) or (g) of section eleven hundred eighty of this chapter in accord-  
36 ance with section eleven hundred eighty-c of this chapter, or other than  
37 an adjudication of liability of an owner for a violation of subdivision  
38 (d) of section eleven hundred eleven of this chapter in accordance with  
39 section eleven hundred eleven-d of this chapter, or other than an adju-  
40 dication of liability of an owner for a violation of subdivision (d) of  
41 section eleven hundred eleven of this chapter in accordance with section  
42 eleven hundred eleven-e or section eleven hundred eleven-f of this chap-  
43 ter, there shall be levied a mandatory surcharge, in addition to any  
44 sentence required or permitted by law, in the amount of seventeen  
45 dollars.

46 § 3-e. Subdivision 1 of section 1809 of the vehicle and traffic law,  
47 as amended by section 10-e of chapter 222 of the laws of 2015, is  
48 amended to read as follows:

49 1. Whenever proceedings in an administrative tribunal or a court of  
50 this state result in a conviction for a crime under this chapter or a  
51 traffic infraction under this chapter other than a traffic infraction  
52 involving standing, stopping, parking or motor vehicle equipment or  
53 violations by pedestrians or bicyclists, or other than an adjudication  
54 of liability of an owner for a violation of subdivision (d) of section  
55 eleven hundred eleven of this chapter in accordance with section eleven  
56 hundred eleven-d of this chapter, or other than an adjudication of

1 liability of an owner for a violation of subdivision (d) of section  
2 eleven hundred eleven of this chapter in accordance with section eleven  
3 hundred eleven-e or section eleven hundred eleven-f of this chapter,  
4 there shall be levied a mandatory surcharge, in addition to any sentence  
5 required or permitted by law, in the amount of seventeen dollars.

6 § 3-f. Subdivision 1 of section 1809 of the vehicle and traffic law,  
7 as amended by section 10-f of chapter 222 of the laws of 2015, is  
8 amended to read as follows:

9 1. Whenever proceedings in an administrative tribunal or a court of  
10 this state result in a conviction for a crime under this chapter or a  
11 traffic infraction under this chapter other than a traffic infraction  
12 involving standing, stopping, parking or motor vehicle equipment or  
13 violations by pedestrians or bicyclists, or other than an adjudication  
14 of liability of an owner for a violation of subdivision (d) of section  
15 eleven hundred eleven of this chapter in accordance with section eleven  
16 hundred eleven-e or section eleven hundred eleven-f of this chapter,  
17 there shall be levied a mandatory surcharge, in addition to any sentence  
18 required or permitted by law, in the amount of seventeen dollars.

19 § 3-g. Subdivision 1 of section 1809 of the vehicle and traffic law,  
20 as separately amended by chapter 16 of the laws of 1983 and chapter 62  
21 of the laws of 1989, is amended to read as follows:

22 1. Whenever proceedings in an administrative tribunal or a court of  
23 this state result in a conviction for a crime under this chapter or a  
24 traffic infraction under this chapter other than a traffic infraction  
25 involving standing, stopping, parking or motor vehicle equipment or  
26 violations by pedestrians or bicyclists, or other than an adjudication  
27 of liability of an owner for a violation of subdivision (d) of section  
28 eleven hundred eleven of this chapter in accordance with section eleven  
29 hundred eleven-e of this chapter, there shall be levied a mandatory  
30 surcharge, in addition to any sentence required or permitted by law, in  
31 the amount of seventeen dollars.

32 § 4. Paragraph a of subdivision 1 of section 1809-e of the vehicle and  
33 traffic law, as amended by section 11 of chapter 222 of the laws of  
34 2015, is amended to read as follows:

35 a. Notwithstanding any other provision of law, whenever proceedings in  
36 a court or an administrative tribunal of this state result in a  
37 conviction for an offense under this chapter, except a conviction pursu-  
38 ant to section eleven hundred ninety-two of this chapter, or for a traf-  
39 fic infraction under this chapter, or a local law, ordinance, rule or  
40 regulation adopted pursuant to this chapter, except a traffic infraction  
41 involving standing, stopping, or parking or violations by pedestrians or  
42 bicyclists, and except an adjudication of liability of an owner for a  
43 violation of subdivision (d) of section eleven hundred eleven of this  
44 chapter in accordance with section eleven hundred eleven-a [~~of this~~  
45 ~~chapter or in accordance with~~], section eleven hundred eleven-d [~~of this~~  
46 ~~chapter, or in accordance with~~], section eleven hundred eleven-e or  
47 section eleven hundred eleven-f of this chapter, and except an adjudi-  
48 cation of liability of an owner for a violation of subdivision (d) of  
49 section eleven hundred eleven of this chapter in accordance with section  
50 eleven hundred eleven-b of this chapter, and except an adjudication in  
51 accordance with section eleven hundred eleven-c of this chapter of a  
52 violation of a bus lane restriction as defined in such section, and  
53 except an adjudication of liability of an owner for a violation of  
54 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty  
55 of this chapter in accordance with section eleven hundred eighty-b of  
56 this chapter, and except an adjudication of liability of an owner for a

violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-c of this chapter, and except an adjudication of liability of an owner for a violation of toll collection regulations pursuant to 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, there shall be levied in addition to any sentence, penalty or other surcharge required or permitted by law, an additional surcharge of twenty-eight dollars.

§ 4-a. Paragraph a of subdivision 1 of section 1809-e of the vehicle and traffic law, as amended by section 11-a of chapter 222 of the laws of 2015, is amended to read as follows:

a. Notwithstanding any other provision of law, whenever proceedings in a court or an administrative tribunal of this state result in a conviction for an offense under this chapter, except a conviction pursuant to section eleven hundred ninety-two of this chapter, or for a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, except a traffic infraction involving standing, stopping, or parking or violations by pedestrians or bicyclists, and except an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a ~~[of this chapter or in accordance with]~~, section eleven hundred eleven-d ~~[of this chapter or in accordance with]~~, section eleven hundred eleven-e or section eleven hundred eleven-f of this chapter, and except an adjudication in accordance with section eleven hundred eleven-c of this chapter of a violation of a bus lane restriction as defined in such section, and except an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-b of this chapter, and except an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-c of this chapter, and except an adjudication of liability of an owner for a violation of toll collection regulations pursuant to 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, there shall be levied in addition to any sentence, penalty or other surcharge required or permitted by law, an additional surcharge of twenty-eight dollars.

§ 4-b. Paragraph a of subdivision 1 of section 1809-e of the vehicle and traffic law, as amended by section 11-b of chapter 222 of the laws of 2015, is amended to read as follows:

a. Notwithstanding any other provision of law, whenever proceedings in a court or an administrative tribunal of this state result in a conviction for an offense under this chapter, except a conviction pursuant to section eleven hundred ninety-two of this chapter, or for a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, except a traffic infraction involving standing, stopping, or parking or violations by pedestrians or bicyclists, and except an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a ~~[of this chapter or in accordance with]~~, section eleven hundred eleven-d ~~[of this chapter or in accordance with]~~, section eleven hundred eleven-e or section eleven hundred eleven-f of this chapter, and except an adjudication

1 cation of liability of an owner for a violation of subdivision (b), (c),  
2 (d), (f) or (g) of section eleven hundred eighty of this chapter in  
3 accordance with section eleven hundred eighty-b of this chapter, and  
4 except an adjudication of liability of an owner for a violation of  
5 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty  
6 of this chapter in accordance with section eleven hundred eighty-c of  
7 this chapter, and except an adjudication of liability of an owner for a  
8 violation of toll collection regulations pursuant to section two thou-  
9 sand nine hundred eighty-five of the public authorities law or sections  
10 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four  
11 of the laws of nineteen hundred fifty, there shall be levied in addition  
12 to any sentence, penalty or other surcharge required or permitted by  
13 law, an additional surcharge of twenty-eight dollars.

14 § 4-c. Paragraph a of subdivision 1 of section 1809-e of the vehicle  
15 and traffic law, as amended by section 11-c of chapter 222 of the laws  
16 of 2015, is amended to read as follows:

17 a. Notwithstanding any other provision of law, whenever proceedings in  
18 a court or an administrative tribunal of this state result in a  
19 conviction for an offense under this chapter, except a conviction pursu-  
20 ant to section eleven hundred ninety-two of this chapter, or for a traf-  
21 fic infraction under this chapter, or a local law, ordinance, rule or  
22 regulation adopted pursuant to this chapter, except a traffic infraction  
23 involving standing, stopping, or parking or violations by pedestrians or  
24 bicyclists, and except an adjudication of liability of an owner for a  
25 violation of subdivision (d) of section eleven hundred eleven of this  
26 chapter in accordance with section eleven hundred eleven-a [~~of this~~  
27 ~~chapter or in accordance with~~], section eleven hundred eleven-d [~~of this~~  
28 ~~chapter or in accordance with~~], section eleven hundred eleven-e or  
29 section eleven hundred eleven-f of this chapter, and except an adjudi-  
30 cation of liability of an owner for a violation of subdivision (b), (c),  
31 (d), (f) or (g) of section eleven hundred eighty of this chapter in  
32 accordance with section eleven hundred eighty-c of this chapter, and  
33 except an adjudication of liability of an owner for a violation of toll  
34 collection regulations pursuant to section two thousand nine hundred  
35 eighty-five of the public authorities law or sections sixteen-a,  
36 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the  
37 laws of nineteen hundred fifty, there shall be levied in addition to any  
38 sentence, penalty or other surcharge required or permitted by law, an  
39 additional surcharge of twenty-eight dollars.

40 § 4-d. Paragraph a of subdivision 1 of section 1809-e of the vehicle  
41 and traffic law, as amended by section 11-d of chapter 222 of the laws  
42 of 2015, is amended to read as follows:

43 a. Notwithstanding any other provision of law, whenever proceedings in  
44 a court or an administrative tribunal of this state result in a  
45 conviction for an offense under this chapter, except a conviction pursu-  
46 ant to section eleven hundred ninety-two of this chapter, or for a traf-  
47 fic infraction under this chapter, or a local law, ordinance, rule or  
48 regulation adopted pursuant to this chapter, except a traffic infraction  
49 involving standing, stopping, or parking or violations by pedestrians or  
50 bicyclists, and except an adjudication of liability of an owner for a  
51 violation of subdivision (d) of section eleven hundred eleven of this  
52 chapter in accordance with section eleven hundred eleven-a [~~of this~~  
53 ~~chapter or in accordance with~~], section eleven hundred eleven-d [~~of this~~  
54 ~~chapter or in accordance with~~], section eleven hundred eleven-e or  
55 section eleven hundred eleven-f of this chapter, and except an adjudi-  
56 cation of liability of an owner for a violation of toll collection regu-

lations pursuant to 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, there shall be levied in addition to any sentence, penalty or other surcharge required or permitted by law, an additional surcharge of twenty-eight dollars.

§ 4-e. Paragraph a of subdivision 1 of section 1809-e of the vehicle and traffic law, as amended by section 11-e of chapter 222 of the laws of 2015, is amended to read as follows:

a. Notwithstanding any other provision of law, whenever proceedings in a court or an administrative tribunal of this state result in a conviction for an offense under this chapter, except a conviction pursuant to section eleven hundred ninety-two of this chapter, or for a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, except a traffic infraction involving standing, stopping, or parking or violations by pedestrians or bicyclists, and except an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a ~~[of this chapter or in accordance with]~~, section eleven hundred eleven-e or section eleven hundred eleven-f of this chapter, and except an adjudication of liability of an owner for a violation of toll collection regulations pursuant to 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, there shall be levied in addition to any sentence, penalty or other surcharge required or permitted by law, an additional surcharge of twenty-eight dollars.

§ 4-f. Paragraph a of subdivision 1 of section 1809-e of the vehicle and traffic law, as amended by section 5 of part C of chapter 55 of the laws of 2013, is amended to read as follows:

a. Notwithstanding any other provision of law, whenever proceedings in a court or an administrative tribunal of this state result in a conviction for an offense under this chapter, except a conviction pursuant to section eleven hundred ninety-two of this chapter, or for a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, except a traffic infraction involving standing, stopping, or parking or violations by pedestrians or bicyclists, and except an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a or section eleven hundred eleven-e of this chapter, and except an adjudication of liability of an owner for a violation of toll collection regulations pursuant to 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, there shall be levied in addition to any sentence, penalty or other surcharge required or permitted by law, an additional surcharge of twenty-eight dollars.

§ 5. Subdivision 1 of section 371 of the general municipal law, as amended by section 12 of chapter 222 of the laws of 2015, is amended to read as follows:

1. A traffic violations bureau so established may be authorized to dispose of violations of traffic laws, ordinances, rules and regulations when such offenses shall not constitute the traffic infraction known as speeding or a misdemeanor or felony, and, if authorized by local law or



1 ordinance, to adjudicate the liability of owners for violations of  
2 subdivision (d) of section eleven hundred eleven of the vehicle and  
3 traffic law in accordance with section eleven hundred eleven-a of such  
4 law or section eleven hundred eleven-b of such law as added by sections  
5 sixteen of chapters twenty, twenty-one, and twenty-two of the laws of  
6 two thousand nine which amended this subdivision, or section eleven  
7 hundred eleven-d of such law, or section eleven hundred eleven-e, or  
8 section eleven hundred eleven-f of such law.

9 § 5-a. Section 371 of the general municipal law, as amended by section  
10 12-a of chapter 222 of the laws of 2015, is amended to read as follows:

11 § 371. Jurisdiction and procedure. A traffic violations bureau so  
12 established may be authorized to dispose of violations of traffic laws,  
13 ordinances, rules and regulations when such offenses shall not consti-  
14 tute the traffic infraction known as speeding or a misdemeanor or felo-  
15 ny, and, if authorized by local law or ordinance, to adjudicate the  
16 liability of owners for violations of subdivision (d) of section eleven  
17 hundred eleven of the vehicle and traffic law in accordance with section  
18 eleven hundred eleven-b of such law as added by sections sixteen of  
19 chapters twenty, twenty-one, and twenty-two of the laws of two thousand  
20 nine which amended this section or section eleven hundred eleven-d of  
21 such law ~~[or]~~, section eleven hundred eleven-e of such law or section  
22 eleven hundred eleven-f of such law, by permitting a person charged with  
23 an offense within the limitations herein stated, to answer, within a  
24 specified time, at the traffic violations bureau, either in person or by  
25 written power of attorney in such form as may be prescribed in the ordi-  
26 nance creating the bureau, by paying a prescribed fine and, in writing,  
27 waiving a hearing in court, pleading guilty to the charge or admitting  
28 liability as an owner for the violation of subdivision (d) of section  
29 eleven hundred eleven of the vehicle and traffic law, as the case may  
30 be, and authorizing the person in charge of the bureau to make such a  
31 plea or admission and pay such a fine in court. Acceptance of the  
32 prescribed fine and power of attorney by the bureau shall be deemed  
33 complete satisfaction for the violation or of the liability, and the  
34 violator or owner liable for a violation of subdivision (d) of section  
35 eleven hundred eleven of the vehicle and traffic law shall be given a  
36 receipt which so states. If a person charged with a traffic violation  
37 does not answer as hereinbefore prescribed, within a designated time,  
38 the bureau shall cause a complaint to be entered against him or her  
39 forthwith and a warrant to be issued for his or her arrest and appear-  
40 ance before the court. Any person who shall have been, within the  
41 preceding twelve months, guilty of a number of parking violations in  
42 excess of such maximum number as may be designated by the court, or of  
43 three or more violations other than parking violations, shall not be  
44 permitted to appear and answer to a subsequent violation at the traffic  
45 violations bureau, but must appear in court at a time specified by the  
46 bureau. Such traffic violations bureau shall not be authorized to  
47 deprive a person of his or her right to counsel or to prevent him or her  
48 from exercising his or her right to appear in court to answer to,  
49 explain, or defend any charge of a violation of any traffic law, ordi-  
50 nance, rule or regulation.

51 § 5-b. Section 371 of the general municipal law, as amended by section  
52 12-b of chapter 222 of the laws of 2015, is amended to read as follows:

53 § 371. Jurisdiction and procedure. A traffic violations bureau so  
54 established may be authorized to dispose of violations of traffic laws,  
55 ordinances, rules and regulations when such offenses shall not consti-  
56 tute the traffic infraction known as speeding or a misdemeanor or felo-

ny, and, if authorized by local law or ordinance, to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven of the vehicle and traffic law in accordance with section eleven hundred eleven-d ~~[ex]~~, section eleven hundred eleven-e or section eleven hundred eleven-f of the vehicle and traffic law, by permitting a person charged with an offense within the limitations herein stated, to answer, within a specified time, at the traffic violations bureau, either in person or by written power of attorney in such form as may be prescribed in the ordinance creating the bureau, by paying a prescribed fine and, in writing, waiving a hearing in court, pleading guilty to the charge or admitting liability as an owner for the violation of subdivision (d) of section eleven hundred eleven of the vehicle and traffic law, as the case may be, and authorizing the person in charge of the bureau to make such a plea or admission and pay such a fine in court. Acceptance of the prescribed fine and power of attorney by the bureau shall be deemed complete satisfaction for the violation or of the liability, and the violator or owner liable for a violation of subdivision (d) of section eleven hundred eleven of the vehicle and traffic law shall be given a receipt which so states. If a person charged with a traffic violation does not answer as hereinbefore prescribed, within a designated time, the bureau shall cause a complaint to be entered against him or her forthwith and a warrant to be issued for his or her arrest and appearance before the court. Any person who shall have been, within the preceding twelve months, guilty of a number of parking violations in excess of such maximum number as may be designated by the court, or of three or more violations other than parking violations, shall not be permitted to appear and answer to a subsequent violation at the traffic violations bureau, but must appear in court at a time specified by the bureau. Such traffic violations bureau shall not be authorized to deprive a person of his or her right to counsel or to prevent him or her from exercising his or her right to appear in court to answer to, explain, or defend any charge of a violation of any traffic law, ordinance, rule or regulation.

§ 5-c. Section 371 of the general municipal law, as amended by section 12-c of chapter 222 of the laws of 2015, is amended to read as follows:

§ 371. Jurisdiction and procedure. A traffic violations bureau so established may be authorized to dispose of violations of traffic laws, ordinances, rules and regulations when such offenses shall not constitute the traffic infraction known as speeding or a misdemeanor or felony, and, if authorized by local law or ordinance, to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven of the vehicle and traffic law in accordance with section eleven hundred eleven-e or section eleven hundred eleven-f of the vehicle and traffic law, by permitting a person charged with an offense within the limitations herein stated, to answer, within a specified time, at the traffic violations bureau, either in person or by written power of attorney in such form as may be prescribed in the ordinance creating the bureau, by paying a prescribed fine and, in writing, waiving a hearing in court, pleading guilty to the charge or admitting liability as an owner for violation of subdivision (d) of section eleven hundred eleven of the vehicle and traffic law, as the case may be, and authorizing the person in charge of the bureau to make such a plea or admission and pay such a fine in court. Acceptance of the prescribed fine and power of attorney by the bureau shall be deemed complete satisfaction for the violation or of the liability, and the violator or owner

1 liable for a violation of subdivision (d) of section eleven hundred  
2 eleven of the vehicle and traffic law shall be given a receipt which so  
3 states. If a person charged with a traffic violation does not answer as  
4 hereinbefore prescribed, within a designated time, the bureau shall  
5 cause a complaint to be entered against him or her forthwith and a  
6 warrant to be issued for his or her arrest and appearance before the  
7 court. Any person who shall have been, within the preceding twelve  
8 months, guilty of a number of parking violations in excess of such maxi-  
9 mum number as may be designated by the court, or of three or more  
10 violations other than parking violations, shall not be permitted to  
11 appear and answer to a subsequent violation at the traffic violations  
12 bureau, but must appear in court at a time specified by the bureau. Such  
13 traffic violations bureau shall not be authorized to deprive a person of  
14 his or her right to counsel or to prevent him or her from exercising his  
15 or her right to appear in court to answer to, explain, or defend any  
16 charge of a violation of any traffic law, ordinance, rule or regulation.

17 § 5-d. Section 371 of the general municipal law, as amended by chapter  
18 802 of the laws of 1949, is amended to read as follows:

19 § 371. Jurisdiction and procedure. A traffic violations bureau so  
20 established may be authorized to dispose of violations of traffic laws,  
21 ordinances, rules and regulations when such offenses shall not consti-  
22 tute the traffic infraction known as speeding or a misdemeanor or felo-  
23 ny, and if authorized by local law or ordinance, to adjudicate the  
24 liability of owners for violations of subdivision (d) of section eleven  
25 hundred eleven of the vehicle and traffic law in accordance with section  
26 eleven hundred eleven-e of the vehicle and traffic law, by permitting a  
27 person charged with an offense within the limitations herein stated, to  
28 answer, within a specified time, at the traffic violations bureau,  
29 either in person or by written power of attorney in such form as may be  
30 prescribed in the ordinance creating the bureau, by paying a prescribed  
31 fine and, in writing, waiving a hearing in court, pleading guilty to the  
32 charge and authorizing the person in charge of the bureau to make such a  
33 plea and pay such a fine in court. Acceptance of the prescribed fine  
34 and power of attorney by the bureau shall be deemed complete satisfac-  
35 tion for the violation, and the violator shall be given a receipt which  
36 so states. If a person charged with a traffic violation does not answer  
37 as hereinbefore prescribed, within a designated time, the bureau shall  
38 cause a complaint to be entered against him forthwith and a warrant to  
39 be issued for his arrest and appearance before the court. Any person who  
40 shall have been, within the preceding twelve months, guilty of a number  
41 of parking violations in excess of such maximum number as may be desig-  
42 nated by the court, or of three or more violations other than parking  
43 violations, shall not be permitted to appear and answer to a subsequent  
44 violation at the traffic violations bureau, but must appear in court at  
45 a time specified by the bureau. Such traffic violations bureau shall not  
46 be authorized to deprive a person of his right to counsel or to prevent  
47 him from exercising his right to appear in court to answer to, explain,  
48 or defend any charge of a violation of any traffic law, ordinance, rule  
49 or regulation.

50 § 6. This act shall take effect on the thirtieth day after it shall  
51 have become a law and shall expire 5 years after such effective date  
52 when upon such date the provisions of this act shall be deemed repealed;  
53 and provided further that any rules necessary for the implementation of  
54 this act on its effective date shall be promulgated on or before such  
55 effective date, provided that:

1 (a) the amendments to paragraph a of subdivision 5-a of section 401 of  
2 the vehicle and traffic law made by section two 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 two-a of this  
5 act shall take effect;

6 (b) the amendments to paragraph a of subdivision 5-a of section 401 of  
7 the vehicle and traffic law made by section two-a 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 two-b of this  
10 act shall take effect;

11 (c) the amendments to paragraph a of subdivision 5-a of section 401 of  
12 the vehicle and traffic law made by section two-b 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 two-c of this  
15 act shall take effect;

16 (d) the amendments to paragraph a of subdivision 5-a of section 401 of  
17 the vehicle and traffic law made by section two-c 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 two-d of this  
20 act shall take effect;

21 (e) the amendments to paragraph a of subdivision 5-a of section 401 of  
22 the vehicle and traffic law made by section two-d 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 two-e of this  
25 act shall take effect;

26 (e-1) the amendments to paragraph a of subdivision 5-a of section 401  
27 of the vehicle and traffic law made by section two-e of this act shall  
28 not affect the expiration of such paragraph and shall be deemed to  
29 expire therewith, when upon such date the provisions of section two-f of  
30 this act shall take effect;

31 (e-2) the amendments to paragraph a of subdivision 5-a of section 401  
32 of the vehicle and traffic law made by section two-f of this act shall  
33 not affect the expiration of such paragraph and shall be deemed to  
34 expire therewith, when upon such date the provisions of section two-g of  
35 this act shall take effect;

36 (f) the amendments to subdivision 1 of section 1809 of the vehicle and  
37 traffic law made by section three of this act shall not affect the expi-  
38 ration of such subdivision and shall be deemed to expire therewith, when  
39 upon such date the provisions of section three-a of this act shall take  
40 effect;

41 (g) the amendments to subdivision 1 of section 1809 of the vehicle and  
42 traffic law made by section three-a of this act shall not affect the  
43 expiration of such subdivision and shall be deemed to expire therewith,  
44 when upon such date the provisions of section three-b of this act shall  
45 take effect;

46 (h) the amendments to subdivision 1 of section 1809 of the vehicle and  
47 traffic law made by section three-b of this act shall not affect the  
48 expiration of such subdivision and shall be deemed to expire therewith,  
49 when upon such date the provisions of section three-c of this act shall  
50 take effect;

51 (i) the amendments to subdivision 1 of section 1809 of the vehicle and  
52 traffic law made by section three-c of this act shall not affect the  
53 expiration of such subdivision and shall be deemed to expire therewith,  
54 when upon such date the provisions of section three-d of this act shall  
55 take effect;

1 (j) the amendments to subdivision 1 of section 1809 of the vehicle and  
2 traffic law made by section three-d of this act shall not affect the  
3 expiration of such subdivision and shall be deemed to expire therewith,  
4 when upon such date the provisions of section three-e of this act shall  
5 take effect;

6 (j-1) the amendments to subdivision 1 of section 1809 of the vehicle  
7 and traffic law made by section three-e of this act shall not affect the  
8 expiration of such subdivision and shall be deemed to expire therewith,  
9 when upon such date the provisions of section three-f of this act shall  
10 take effect;

11 (j-2) the amendments to subdivision 1 of section 1809 of the vehicle  
12 and traffic law made by section three-f of this act shall not affect the  
13 expiration of such subdivision and shall be deemed to expire therewith,  
14 when upon such date the provisions of section three-g of this act shall  
15 take effect;

16 (k) the amendments to paragraph a of subdivision 1 of section 1809-e  
17 of the vehicle and traffic law made by section four of this act shall  
18 not affect the expiration of such paragraph and shall be deemed to  
19 expire therewith, when upon such date the provisions of section four-a  
20 of this act shall take effect;

21 (l) the amendments to paragraph a of subdivision 1 of section 1809-e  
22 of the vehicle and traffic law made by section four-a of this act shall  
23 not affect the expiration of such paragraph and shall be deemed to  
24 expire therewith, when upon such date the provisions of section four-b  
25 of this act shall take effect;

26 (m) the amendments to paragraph a of subdivision 1 of section 1809-e  
27 of the vehicle and traffic law made by section four-b of this act shall  
28 not affect the expiration of such paragraph and shall be deemed to  
29 expire therewith, when upon such date the provisions of section four-c  
30 of this act shall take effect;

31 (n) the amendments to paragraph a of subdivision 1 of section 1809-e  
32 of the vehicle and traffic law made by section four-c of this act shall  
33 not affect the expiration of such paragraph and shall be deemed to  
34 expire therewith, when upon such date the provisions of section four-d  
35 of this act shall take effect;

36 (o) the amendments to paragraph a of subdivision 1 of section 1809-e  
37 of the vehicle and traffic law made by section four-d of this act shall  
38 not affect the expiration of such paragraph and shall be deemed to  
39 expire therewith, when upon such date the provisions of section four-e  
40 of this act shall take effect;

41 (o-1) the amendments to paragraph a of subdivision 1 of section 1809-e  
42 of the vehicle and traffic law made by section four-e of this act shall  
43 not affect the expiration of such paragraph and shall be deemed to  
44 expire therewith, when upon such date the provisions of section four-f  
45 of this act shall take effect;

46 (p) the amendments to subdivision 1 of section 371 of the general  
47 municipal law made by section five of this act shall not affect the  
48 expiration of such subdivision and shall be deemed to expire therewith,  
49 when upon such date the provisions of section five-a of this act shall  
50 take effect;

51 (q) the amendments to section 371 of the general municipal law made by  
52 section five-a of this act shall not affect the expiration of such  
53 section and shall be deemed to expire therewith, when upon such date the  
54 provisions of section five-b of this act shall take effect; and

55 (r) the amendments to section 371 of the general municipal law made by  
56 section five-b of this act shall not affect the expiration of such



1 section and shall be deemed to expire therewith, when upon such date the  
2 provisions of section five-c of this act shall take effect;  
3 (s) the amendments to section 371 of the general municipal law made by  
4 section five-c of this act shall not affect the expiration of such  
5 section and shall be deemed to expire therewith, when upon such date the  
6 provisions of section five-d of this act shall take effect.