

STATE OF NEW YORK

9861--C

IN ASSEMBLY

February 14, 2018

Introduced by M. of A. LENTOL, DAVILA, BARRON, MOSLEY -- Multi-Sponsored by -- M. of A. NIOU -- read once and referred to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law and the vehicle and traffic law, in relation to mitigating the closure of the L subway line in the city of New York; and to amend the public authorities law, the vehicle and traffic law and the public officers law, in relation to establishing a temporary high-occupancy vehicle program on the Williamsburg bridge by means of mobile or stationary photo devices; 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. Legislative intent. The L subway line is of vital impor-
2 tance to commuters, the local community, and businesses within the
3 service area of the line. Hundreds of thousands of New Yorkers ride the
4 line on a daily basis, and such ridership volume is essential to the
5 economic vitality of nearby businesses. Officials from the metropolitan
6 transportation authority (MTA) have indicated that portions of the L
7 subway line will be temporarily closed for repair work beginning in
8 April of 2019. The closure is anticipated to last fifteen months and
9 affect all L subway line stations west of the Bedford Avenue Station.
10 The temporary closure of the L subway line will cause individual and
11 economic hardships for those who rely on the line for transportation and
12 economic opportunities. Currently, there is no statutory requirement
13 that would mandate the MTA to develop a plan to address the impacts of
14 such a closure, allow for public feedback, and provide the plan to the
15 community. It is the intent of the legislature that there be a legal
16 requirement for the MTA to consider and address all of the impacts of

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

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1 such a significant closure and provide a plan to the public in a timely
2 manner. Such plan shall require the MTA to address timelines involved
3 with the proposed closure, transportation alternatives to accommodate
4 diverted riders, transportation facility improvements and expansion, the
5 authority to utilize bus lane cameras to facilitate alternative forms of
6 transportation, and provide for public input throughout the planning
7 process and the L subway line closure. Public notice and involvement
8 throughout the process is essential so that everyday riders are able to
9 adjust their commuting habits and businesses are able to adapt to such a
10 change as a result of the closure. The legislature hereby finds and
11 declares that the L subway line closure and its impacts are a signif-
12 icant concern. The legislature further finds and declares that the MTA
13 shall be required to have a plan, prior to the L subway line closure,
14 that would mitigate the effects of, and accommodate those affected by,
15 the closure. Finally, the legislature finds and declares that such plan
16 shall provide for public input and be provided to the community.

17 § 2. The public authorities law is amended by adding a new section
18 1279-e to read as follows:

19 § 1279-e. L subway line closure mitigation plan. 1. The authority, in
20 consultation with the New York city department of transportation, the
21 New York city economic development corporation, the permanent citizens
22 advisory committee to the authority and any other entity the authority
23 deems relevant, shall develop a plan to mitigate the individual and
24 economic hardships due to the L subway line closure. Such plan shall
25 include but not be limited to the following:

26 (a) an anticipated timeline for the L subway line closure, including
27 the anticipated start time and date for the closure and the anticipated
28 end time and date for the closure;

29 (b) an analysis of the anticipated increase in ridership on alterna-
30 tive routes, including but not limited to, alternative bus routes,
31 alternative subway routes and all other forms of alternative transporta-
32 tion utilized to accommodate diverted L-riders as a result of the L
33 subway line closure;

34 (c) identification of the specific corridors and related transporta-
35 tion modes that will be impacted and disrupted by the L subway line
36 closure;

37 (d) identification of the specific impacts and disruptions caused by
38 the L subway line closure at alternative routes, corridors and related
39 transportation modes to accommodate diverted L-riders;

40 (e) identification of specific mitigation measures to lessen the iden-
41 tified and anticipated impacts and disruptions at alternative routes,
42 corridors and related transportation modes;

43 (f) identification of surface and subway transportation improvements
44 and restrictions to prepare for the disruption and impacts of the L
45 subway line closure;

46 (g) a determination of the timing and scope of each individual
47 improvement and restriction to surface and subway transportation;

48 (h) commencement, advertisement and publication of public hearings
49 before, during and after the closure of the L subway line;

50 (i) an extensive community outreach process before, during and after
51 the L subway line closure;

52 (j) additional station turnstile, stair and control area capacity and
53 service at the numerous stations on the alternative subway lines to
54 accommodate diverted L-riders as a result of the L subway line closure;

55 (k) additional L-alternative subway line service and capacity on week-
56 ends and overnights;

1 (l) shuttle bus service to accommodate diverted L-riders as a result
2 of the L subway line closure in the L subway line closure area;

3 (m) free transfers for ferry, bus and subway lines to accommodate
4 diverted passengers as a result of the L subway line closure;

5 (n) increased ferry capacity and service connecting Brooklyn and
6 Manhattan to accommodate diverted L-riders as a result of the L subway
7 line closure;

8 (o) increased bus service and capacity to accommodate diverted L-rid-
9 ers as a result of the L subway line closure within the L subway line
10 closure area;

11 (p) increased subway service and capacity on L alternative route
12 subway lines to accommodate diverted L-riders as a result of the L
13 subway line closure;

14 (q) identification of subway station improvements at L-alternative
15 route subway lines to accommodate diverted L-riders as a result of the L
16 subway line closure;

17 (r) fare parity between ferry, bus and subway lines for diverted
18 L-riders as a result of the L subway line closure;

19 (s) contract incentives and penalties for the contractors to encourage
20 the completion of the L subway line closure project within fifteen
21 months;

22 (t) the implementation of bus lanes in order to move buses quickly and
23 not add to congestion and to accommodate diverted L-riders as a result
24 of the L subway line closure;

25 (u) the implementation of high occupancy vehicle(HOV) lane
26 restrictions in order to move high occupancy vehicles quickly and not
27 add to congestion and to accommodate diverted L-riders as a result of
28 the L subway line closure;

29 (v) the identification of appropriate placement of HOV lanes through-
30 out the impacted area to accommodate diverted L-riders as a result of
31 the L subway line closure;

32 (w) determination and evaluation enforcement measures of HOV lanes;

33 (x) the periodic review of the effectiveness of HOV lanes;

34 (y) analysis of the impact of the Williamsburg Bridge restrictions on
35 the other East River crossings;

36 (z) mitigation of an outsized shift of diverted L-riders to for-hire
37 vehicles that could lead to massive congestion at East River crossings;

38 (aa) development of robust plans for bicycle use to accommodate
39 diverted L-riders as a result of the L subway line closure;

40 (bb) expanded access to pedestrians, bus riders and cyclists along
41 L-alternative route transportation corridors to ensure quick and effi-
42 cient movement for diverted L-riders as a result of the L subway line
43 closure;

44 (cc) peak hour restrictions to assist buses in traveling along L-al-
45 ternative transportation routes to accommodate diverted L-riders as a
46 result of the L subway line closure;

47 (dd) bus lanes to assist buses in traveling along L-alternative trans-
48 portation routes to accommodate diverted L-riders as a result of the L
49 subway line closure;

50 (ee) select bus service to assist buses in traveling along L-alterna-
51 tive transportation routes to accommodate diverted L-riders as a result
52 of the L subway line closure;

53 (ff) upgrading of select bus service to assist buses traveling along
54 L-alternative transportation routes to accommodate diverted L-riders as
55 a result of the L subway line closure;

1 (gg) temporary bus bulbs to assist buses traveling along L-alternative
2 transportation routes to accommodate diverted L-riders as a result of
3 the L subway line closure;

4 (hh) offset bus lines to assist buses traveling along L-alternative
5 transportation routes to accommodate diverted L-riders as a result of
6 the L subway line closure;

7 (ii) sidewalk expansion along the L-alternative transportation routes
8 to accommodate diverted L-riders as a result of the L subway line
9 closure;

10 (jj) new pedestrian space along the L-alternative transportation
11 routes to accommodate diverted L-riders as a result of the L subway line
12 closure;

13 (kk) an analysis and determination of the impact on daily cycling
14 volume along the L-alternative transportation routes to accommodate
15 diverted L-riders as a result of the L subway line closure;

16 (ll) two-way protected crosstown bike lane to accommodate diverted
17 L-riders as a result of the L subway line closure;

18 (mm) pedestrianized street features along the L-alternative transpor-
19 tation routes to accommodate diverted L-riders as a result of the L
20 subway line closure;

21 (nn) new bike parking hubs along the L-alternative transportation
22 routes to accommodate diverted L-riders as a result of the L subway line
23 closure;

24 (oo) new ferry routes along the L-alternative transportation routes to
25 accommodate diverted L-riders as a result of the L subway line closure;

26 (pp) increased services and capacity for community bicycle-sharing
27 programs to accommodate diverted L-riders as a result of the L subway
28 line closure;

29 (qq) identification and implementation of the placement of additional
30 crosswalks along the L-alternative transportation routes to accommodate
31 diverted L-riders as a result of the L subway line closure;

32 (rr) additional bicycle parking along the L-alternative transportation
33 routes to accommodate diverted L-riders as a result of the L subway line
34 closure; and

35 (ss) the periodic briefing of elected officials on the status of the
36 subway line closure before, during and after the closure.

37 2. In developing the plan referenced in subdivision one of this
38 section, the authority shall consider but not be limited to the follow-
39 ing actions and measures for inclusion in said plan:

40 (a) discounted advertising on all authority advertising mediums within
41 the L subway line closure area;

42 (b) signage within the L subway line closure area in the vicinity of
43 above-ground work sites which state that nearby businesses are open;

44 (c) the commissioning of public art to be installed within the L
45 subway line closure area for the purpose of drawing visitors to neigh-
46 borhoods in the L subway line closure area;

47 (d) methods to encourage the patronage of businesses within the L
48 subway line closure area;

49 (e) in consultation with the urban development corporation, providing
50 financial assistance to businesses within the L subway line closure
51 area, including grants and rental and utility assistance; and

52 (f) in consultation with the New York city economic development corpo-
53 ration, identifying state owned property in Manhattan which may be used
54 as temporary showrooms for businesses within the L subway line project
55 area.

1 3. For purposes of this section "L subway line closure area" shall
 2 mean an area approved by the board of the authority that is adjacent to
 3 or affected by the temporary closure of portions of the L subway line
 4 for repairs.

5 4. The L subway line closure mitigation plan required pursuant to this
 6 section shall, no later than sixty days before the commencement of the L
 7 subway line closure, be submitted to the governor, the temporary presi-
 8 dent of the senate and the speaker of the assembly, be posted on the
 9 authority's website and also be made readily available to the public.

10 5. The authority shall not charge an additional or extra fare or fee
 11 for any shuttle bus service to accommodate diverted L-riders as a result
 12 of the L subway line closure in the L subway line closure area.

13 § 3. Paragraph 5 of subdivision (c) of section 1111-c of the vehicle
 14 and traffic law, as amended by section 6 of part NNN of chapter 59 of
 15 the laws of 2018, is amended to read as follows:

16 5. "bus rapid transit program" shall mean up to ten routes designated
 17 by the New York city department of transportation in consultation with
 18 the applicable mass transit agency, a route designated by the New York
 19 city department of transportation on Grand Street, Delancey Street and
 20 the Williamsburg Bridge from the Grand Street station to the Delancey
 21 Street station, and a route designated by the New York city department
 22 of transportation on Fourteenth Street between Third and Ninth Avenues
 23 eastbound and Third and Eighth Avenues westbound, in addition to the Bus
 24 Rapid Transit Phase I plan routes, that operate on designated bus lanes
 25 and that may include upgraded signage, enhanced road markings, minimum
 26 bus stop spacing, off-board fare payment, traffic signal priority for
 27 buses, and any other enhancement that increases bus speed or reliabil-
 28 ity.

29 § 4. Section 1268 of the public authorities law is amended by adding a
 30 new subdivision 4 to read as follows:

31 4. The authority and the New York city transit authority or any of its
 32 subsidiary corporations shall consult with and assist the city of New
 33 York in implementing a temporary high-occupancy vehicle (HOV) program on
 34 the Williamsburg bridge pursuant to section eleven hundred ten-a of the
 35 vehicle and traffic law.

36 § 5. The vehicle and traffic law is amended by adding a new section
 37 235-a to read as follows:

38 § 235-a. Jurisdiction; Williamsburg bridge temporary high-occupancy
 39 vehicle program. Notwithstanding any inconsistent provisions of any
 40 general, special or local law or administrative code to the contrary, in
 41 any city which heretofore or hereafter is authorized to establish an
 42 administrative tribunal having jurisdiction to hear and determine
 43 complaints of traffic infractions constituting parking, standing or
 44 stopping violations in accordance with this article, such tribunal shall
 45 be authorized to adjudicate the liability of owners for violations of
 46 subdivision (f) of section eleven hundred ten in accordance with section
 47 eleven hundred ten-a of this chapter and such tribunal and the rules and
 48 regulations pertaining thereto shall be constituted in substantial
 49 conformance with the following sections.

50 § 6. Section 236 of the vehicle and traffic law is amended by adding a
 51 new subdivision 1-a to read as follows:

52 1-a. A parking violations bureau created pursuant to subdivision one
 53 of this section shall have jurisdiction as provided in this section and
 54 shall adjudicate liability of owners for violations of subdivision (f)
 55 of section eleven hundred ten in accordance with section eleven hundred
 56 ten-a of this chapter.

1 § 7. Section 237 of the vehicle and traffic law is amended by adding a
2 new subdivision 16 to read as follows:

3 16. To adjudicate the liability of owners for violations of subdivi-
4 sion (f) of section eleven hundred ten in accordance with section eleven
5 hundred ten-a of this chapter.

6 § 8. Subdivision 1 of section 239 of the vehicle and traffic law is
7 amended by adding a new paragraph f-1 to read as follows:

8 f-1. "Notice of violation" means a notice of violation as defined in
9 subdivision nine of section two hundred thirty-seven of this article,
10 but shall not be deemed to include a notice of liability issued pursuant
11 to authorization set forth in section eleven hundred ten-a of this chap-
12 ter.

13 § 9. Section 239 of the vehicle and traffic law is amended by adding a
14 new subdivision 5 to read as follows:

15 5. Applicability. The provisions of paragraph b of subdivision two and
16 subdivision three of this section shall not be applicable to determi-
17 nations of owner liability for the failure of an operator to comply with
18 subdivision (f) of section eleven hundred ten of this chapter.

19 § 10. Section 240 of the vehicle and traffic law is amended by adding
20 three new subdivisions 1-b, 1-c and 2-a to read as follows:

21 1-b. Notice of hearing. Whenever a person alleged to be liable in
22 accordance with section eleven hundred ten-a of this chapter contests
23 such allegation, the bureau shall advise such person personally by such
24 form of first class mail as the director may direct of the date on which
25 he or she must appear to answer the charge at a hearing. The form and
26 content of such notice of hearing shall be prescribed by the director,
27 and shall contain a warning to advise the person so pleading or contest-
28 ing that failure to appear on the date designated, or on any subsequent
29 adjourned date, shall be deemed an admission of liability, and that a
30 default judgment may be entered thereon.

31 1-c. Fines and penalties. Whenever a plea of not guilty has been
32 entered, or the bureau has been notified that an allegation of liability
33 in accordance with section eleven hundred ten-a of this chapter is being
34 contested, by a person in a timely fashion and a hearing on the merits
35 has been demanded, but has not yet been held, the bureau shall not issue
36 any notice of fine or penalty to that person prior to the date of the
37 hearing.

38 2-a. Conduct of hearings. a. Every hearing for an adjudication of an
39 allegation of liability in accordance with section eleven hundred ten-a
40 of this chapter shall be held before a hearing examiner in accordance
41 with rules and regulations promulgated by the bureau.

42 b. No charge may be established except upon proof by substantial
43 evidence.

44 c. The hearing examiner shall not be bound by the rules of evidence in
45 the conduct of the hearing, except rules relating to privileged communi-
46 cations.

47 d. The hearing examiner shall at the request of the person charged on
48 a showing of good cause and need therefor, or in his or her own
49 discretion, issue a subpoena to compel the appearance at a hearing of
50 the officer who served the notice of violation or of other persons to
51 give testimony, and may issue a subpoena duces tecum to compel the
52 production for examination or introduction into evidence, of any book,
53 paper or other thing relevant to the charges.

54 e. In the case of a refusal to obey a subpoena, the bureau may make
55 application to the Supreme Court pursuant to section twenty-three

1 hundred eight of the civil practice law and rules, for an order requir-
2 ing such appearance, testimony or production of evidence.

3 f. The hearing examiner shall not examine the prior violation record
4 of a person charged before making a determination.

5 g. A record shall be made of a hearing on a plea of not guilty or of a
6 hearing at which liability in accordance with section eleven hundred
7 ten-a of this chapter is contested. Recording devices may be used for
8 the making of the record.

9 § 11. Section 241 of the vehicle and traffic law is amended by adding
10 two new subdivisions 1-a and 2-a to read as follows:

11 1-a. The hearing examiner shall make a determination on the charges,
12 either sustaining or dismissing them. Where the hearing examiner deter-
13 mines that the charges have been sustained he or she may examine the
14 record of liabilities incurred in accordance with section eleven hundred
15 ten-a of this chapter of the person charged prior to rendering a final
16 determination. Final determinations sustaining or dismissing charges
17 shall be entered on a final determination roll maintained by the bureau
18 together with records showing payment and nonpayment of penalties.

19 2-a. Where an operator or owner fails to contest an allegation of
20 liability in accordance with section eleven hundred ten-a of this chap-
21 ter or fails to appear on a designated hearing date or subsequent
22 adjourned date or fails after a hearing to comply with the determination
23 of a hearing examiner, as prescribed by this article or by rule or regu-
24 lation of the bureau, such failure to contest, appear or comply shall be
25 deemed, for all purposes, an admission of liability and shall be grounds
26 for rendering and entering a default judgment in an amount provided by
27 the rules and regulations of the bureau. However, after the expiration
28 of the original date prescribed for contesting an allegation of liabil-
29 ity and before a default judgment may be rendered, in such case the
30 bureau shall pursuant to the applicable provisions of law notify such
31 operator or owner, by such form of first class mail as the commission
32 may direct: (1) of the liability in accordance with section eleven
33 hundred ten-a of this chapter alleged, (2) of the impending default
34 judgment, (3) that such judgment will be entered in the Civil Court of
35 the city in which the bureau has been established, or other court of
36 civil jurisdiction or any other place provided for the entry of civil
37 judgments within the state of New York, and (4) that a default may be
38 avoided by contesting an allegation of liability in accordance with
39 section eleven hundred ten-a of this chapter or making an appearance
40 within thirty days of the sending of such notice. Allegations of liabil-
41 ity contested within that period shall be in the manner prescribed in
42 the notice and not subject to additional penalty or fee. Such notice of
43 impending default judgment shall not be required prior to the rendering
44 and entry thereof in the case of operators or owners who are non-resi-
45 dents of the state of New York. In no case shall a default judgment be
46 rendered or, where required, a notice of impending default judgment be
47 sent, more than two years after the expiration of the time prescribed
48 for contesting an allegation of liability. When a person has demanded a
49 hearing, no fine or penalty shall be imposed for any reason prior to the
50 holding of the hearing. If the hearing examiner shall make a determi-
51 nation on the charges, sustaining them, he or she shall impose no great-
52 er penalty or fine than those upon which the person was originally
53 charged.

54 § 12. Subdivision 5-a of section 401 of the vehicle and traffic law is
55 amended by adding a new paragraph a-1 to read as follows:

1 a-1. If at the time of application for a registration or renewal ther-
2 eof there is a certification from a court or administrative tribunal of
3 appropriate jurisdiction that the registrant or his or her represen-
4 tative failed to appear on the return date or any subsequent adjourned
5 date or failed to comply with the rules and regulations of an adminis-
6 trative tribunal following entry of a final decision in response to a
7 total of three or more summonses or other process in the aggregate,
8 issued within an eighteen-month period, charging that the registrant was
9 liable in accordance with section eleven hundred ten-a of this chapter
10 for a violation of subdivision (f) of section eleven hundred ten of this
11 chapter, the commissioner or his or her agent shall deny the registra-
12 tion or renewal application until the applicant provides proof from the
13 court or administrative tribunal wherein the charges are pending that an
14 appearance or answer has been made or in the case of an administrative
15 tribunal that he or she has complied with the rules and regulations of
16 said tribunal following entry of a final decision. Where an application
17 is denied pursuant to this section, the commissioner may, in his or her
18 discretion, deny a registration or renewal application to any other
19 person for the same vehicle and may deny a registration or renewal
20 application for any other motor vehicle registered in the name of the
21 applicant where the commissioner has determined that such registrant's
22 intent has been to evade the purposes of this subdivision and where the
23 commissioner has reasonable grounds to believe that such registration or
24 renewal will have the effect of defeating the purposes of this subdivi-
25 sion. Such denial shall only remain in effect as long as the summonses
26 remain unanswered, or in the case of an administrative tribunal, the
27 registrant fails to comply with the rules and regulations following
28 entry of a final decision.

29 § 13. Section 1110 of the vehicle and traffic law is amended by adding
30 a new subdivision (f) to read as follows:

31 (f) Every person shall obey the instructions of any official traffic-
32 control device placed to delineate high-occupancy vehicle lane
33 restrictions under the temporary HOV program established pursuant to
34 section eleven hundred ten-a of this chapter, unless otherwise directed
35 by a traffic or police officer, subject to the exceptions granted the
36 driver of an authorized emergency vehicle in this title.

37 § 14. The vehicle and traffic law is amended by adding a new section
38 1110-a to read as follows:

39 § 1110-a. Owner liability for failure of operator to comply with
40 temporary high-occupancy vehicle program restrictions. (a) 1. Notwith-
41 standing any other provision of law, the city of New York in consulta-
42 tion with the metropolitan transportation authority is hereby authorized
43 and empowered to establish a temporary high-occupancy vehicle (HOV)
44 program on the Williamsburg bridge imposing monetary liability on the
45 owner of a vehicle for failure of an operator thereof to comply with HOV
46 restrictions on such bridge in such city in accordance with the
47 provisions of this section. The New York city department of transporta-
48 tion, for purposes of the implementation of such program, shall operate
49 HOV photo devices only within designated HOV areas on the Williamsburg
50 bridge in such city. Such HOV photo devices may be stationary or mobile
51 and shall be activated at locations determined by such department of
52 transportation.

53 2. Any image or images captured or produced by an HOV photo device
54 shall not be used for any purpose other than as specified in this
55 section in the absence of a court order requiring such image to be
56 produced.

1 3. The city of New York shall adopt and enforce measures to protect
2 the privacy of drivers, passengers, pedestrians and cyclists whose iden-
3 tity and identifying information may be captured by an HOV photo device,
4 provided, however, that no notice of liability issued pursuant to this
5 section shall be dismissed solely because an image produced by an HOV
6 photo device allows for the identification of the driver, the passen-
7 gers, or the contents of a vehicle, provided that the city has made a
8 reasonable effort to comply with the provisions of this paragraph. Such
9 protective measures shall include:

10 (i) the utilization of necessary technologies to ensure that images
11 produced by such HOV photo devices shall not include images that identi-
12 fy the driver, the passengers, or the contents of the vehicle;

13 (ii) a prohibition on the use or dissemination of vehicles' license
14 plate information and other information and images captured by HOV photo
15 devices except: (A) as required to establish liability under this
16 section or collect payment of penalties; (B) as required by court order;
17 (C) as required pursuant to a search warrant issued in accordance with
18 the criminal procedure law or a subpoena; or (D) as otherwise required
19 by law;

20 (iii) the installation of signage in advance of entry points to desig-
21 ated HOV areas stating that HOV photo devices are used to enforce HOV
22 restrictions; and

23 (iv) oversight procedures to ensure compliance with the aforementioned
24 privacy protection measures.

25 4. Within the city of New York, such HOV photo devices used in accord-
26 ance with the temporary HOV program shall only be operated within desig-
27 ated HOV areas on the Williamsburg bridge during periods to be deter-
28 mined by the New York city department of transportation in consultation
29 with the metropolitan transportation authority in order to facilitate
30 traffic management. Determination of such periods shall be made based on
31 factors that include, but are not limited to, empirical traffic analyses
32 conducted by such department, input from the public, and guidance from
33 appropriate government entities regarding mitigation strategies.

34 (b) If the city of New York has established a temporary HOV program
35 pursuant to subdivision (a) of this section, the owner of a vehicle
36 shall be liable for a penalty imposed pursuant to this section if such
37 vehicle was used or operated with the permission of the owner, express
38 or implied, in violation of any HOV restrictions that apply, and such
39 violation is evidenced by information obtained from an HOV photo device;
40 provided, however that no owner of a vehicle shall be liable for a
41 penalty imposed pursuant to this section where the operator of such
42 vehicle has been convicted of the underlying violation of any HOV
43 restrictions.

44 (c) For purposes of this section, the following terms shall have the
45 following meanings:

46 1. "Owner" shall have the meaning provided in article two-B of this
47 chapter.

48 2. "High-occupancy vehicle" or "HOV" shall mean vehicles with a high
49 number of occupants as determined in rules promulgated by the New York
50 city department of transportation.

51 3. "HOV photo device" shall mean a device that is capable of operating
52 independently of an enforcement officer and produces one or more images
53 of each vehicle at the time it is in violation of HOV restrictions.

54 4. "HOV restrictions" shall mean restrictions, within the temporary
55 HOV program, on the use of designated areas of the Williamsburg bridge,
56 during time periods to be defined by the New York city department of

1 transportation, by a vehicle other than: (i) an HOV; (ii) a vehicle
2 registered as a commercial vehicle pursuant to part one hundred six of
3 title fifteen of the New York codes, rules and regulations; (iii) an
4 authorized emergency vehicle; (iv) an access-a-ride vehicle as defined
5 in chapter five of title thirty-four of the rules of the city of New
6 York; or (v) a bus.

7 5. "Temporary HOV program" shall mean a temporary program that oper-
8 ates exclusively within designated HOV areas on the Williamsburg bridge
9 during periods of high-traffic volume to be determined by the New York
10 city department of transportation. Determination of such periods shall
11 be made based on factors that include, but are not limited to, empirical
12 traffic analyses conducted by such department, input from the public,
13 and guidance from appropriate government entities regarding mitigation
14 strategies.

15 (d) A certificate, sworn to or affirmed by a technician employed by
16 the city of New York, or a facsimile thereof, based upon inspection of
17 photographs, microphotographs, videotape or other recorded images
18 produced by an HOV photo device, shall be prima facie evidence of the
19 facts contained therein. Any photographs, microphotographs, videotape or
20 other recorded images evidencing such a violation shall be available for
21 inspection in any proceeding to adjudicate the liability for such
22 violation pursuant to this section.

23 (e) An owner liable for a violation of subdivision (f) of section
24 eleven hundred ten of this article shall be liable for monetary penal-
25 ties in accordance with a schedule of fines and penalties promulgated by
26 the parking violations bureau of the city of New York. The liability of
27 the owner pursuant to this section shall not exceed thirty-five dollars;
28 provided, further, that an owner shall be liable for an additional
29 penalty not to exceed twenty-five dollars for each violation for the
30 failure to respond to a notice of liability within the prescribed time
31 period.

32 (f) An imposition of liability pursuant to this section shall not be
33 deemed a conviction of an operator and shall not be made part of the
34 operating record of the person upon whom such liability is imposed, nor
35 shall it be used for insurance purposes in the provision of motor vehi-
36 cle insurance coverage.

37 (g) 1. A notice of liability shall be sent by first class mail to each
38 person alleged to be liable as an owner for a violation of subdivision
39 (f) of section eleven hundred ten of this article pursuant to this
40 section. Personal delivery to the owner shall not be required. A manual
41 or automatic record of mailing prepared in the ordinary course of busi-
42 ness shall be prima facie evidence of the facts contained therein.

43 2. A notice of liability shall contain the name and address of the
44 person alleged to be liable as an owner for a violation of subdivision
45 (f) of section eleven hundred ten of this article pursuant to this
46 section, the registration number of the vehicle involved in such
47 violation, the location where such violation took place, one or more
48 images identifying the violation, the date and time of such violation
49 and the identification number of the HOV photo device which recorded the
50 violation or other document locator number.

51 3. The notice of liability shall contain information advising the
52 person charged of the manner and the time in which he or she may contest
53 the liability alleged in the notice. Such notice of liability shall also
54 contain a warning to advise the person charged that failure to contest
55 in the manner and time provided shall be deemed an admission of liabil-
56 ity and that a default judgment may be entered thereon.

1 4. The notice of liability shall be prepared and mailed by the agency
2 or agencies designated by the city of New York, or any other entity
3 authorized by such city to prepare and mail such notification of
4 violation.

5 5. Adjudication of the liability imposed upon owners by this section
6 shall be by the New York city parking violations bureau.

7 (h) If an owner of a vehicle receives a notice of liability pursuant
8 to this section for any time period during which such vehicle was
9 reported to the police department as having been stolen, it shall be a
10 valid defense to an allegation of liability for a violation of subdivi-
11 sion (f) of section eleven hundred ten of this article pursuant to this
12 section that the vehicle had been reported to the police as stolen prior
13 to the time the violation occurred and had not been recovered by such
14 time. For purposes of asserting the defense provided by this subdivision
15 it shall be sufficient that a certified copy of the police report on the
16 stolen vehicle be sent by first class mail to the parking violations
17 bureau of such city.

18 (i) 1. An owner who is a lessor of a vehicle to which a notice of
19 liability was issued pursuant to subdivision (g) of this section shall
20 not be liable for the violation of subdivision (f) of section eleven
21 hundred ten of this article, provided that:

22 (i) prior to the violation, the lessor has filed with such parking
23 violations bureau in accordance with the provisions of section two
24 hundred thirty-nine of this chapter; and

25 (ii) within thirty-seven days after receiving notice from such bureau
26 of the date and time of a liability, together with the other information
27 contained in the original notice of liability, the lessor submits to
28 such bureau the correct name and address of the lessee of the vehicle
29 identified in the notice of liability at the time of such violation,
30 together with such other additional information contained in the rental,
31 lease or other contract document, as may be reasonably required by such
32 bureau pursuant to regulations that may be promulgated for such purpose.

33 2. Failure to comply with subparagraph (ii) of paragraph one of this
34 subdivision shall render the lessor liable for the penalty prescribed in
35 this section.

36 3. Where the lessor complies with the provisions of paragraph one of
37 this subdivision, the lessee of such vehicle on the date of such
38 violation shall be deemed to be the owner of such vehicle for purposes
39 of this section, shall be subject to liability for such violation pursu-
40 ant to this section, and shall be sent a notice of liability pursuant to
41 subdivision (g) of this section.

42 (j) If the owner liable for a violation of subdivision (f) of section
43 eleven hundred ten of this article was not the operator of the vehicle
44 at the time of the violation, the owner may maintain an action for
45 indemnification against the operator.

46 (k) Nothing in this section shall be construed to limit the liability
47 of an operator of a vehicle for any violation of subdivision (f) of
48 section eleven hundred ten of this article.

49 § 15. The opening paragraph and paragraph (c) of subdivision 1 of
50 section 1809 of the vehicle and traffic law, as amended by section 10 of
51 chapter 222 of the laws of 2015, are amended to read as follows:

52 Whenever proceedings in an administrative tribunal or a court of this
53 state result in a conviction for an offense under this chapter or a
54 traffic infraction under this chapter, or a local law, ordinance, rule
55 or regulation adopted pursuant to this chapter, other than a traffic
56 infraction involving standing, stopping, or parking or violations by

1 pedestrians or bicyclists, or other than an adjudication of liability of
2 an owner for a violation of subdivision (d) of section eleven hundred
3 eleven of this chapter in accordance with section eleven hundred
4 eleven-a of this chapter, or other than an adjudication of liability of
5 an owner for a violation of subdivision (d) of section eleven hundred
6 eleven of this chapter in accordance with section eleven hundred
7 eleven-b of this chapter, or other than an adjudication in accordance
8 with section eleven hundred eleven-c of this chapter for a violation of
9 a bus lane restriction as defined in such section, or other than an
10 adjudication of liability of an owner for a violation of subdivision (d)
11 of section eleven hundred eleven of this chapter in accordance with
12 section eleven hundred eleven-d of this chapter, or other than an adju-
13 dication of liability of an owner for a violation of subdivision (b),
14 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in
15 accordance with section eleven hundred eighty-b of this chapter, or
16 other than an adjudication of liability of an owner for a violation of
17 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
18 of this chapter in accordance with section eleven hundred eighty-c of
19 this chapter, or other than an adjudication of liability of an owner for
20 a violation of subdivision (d) of section eleven hundred eleven of this
21 chapter in accordance with section eleven hundred eleven-e of this chap-
22 ter, or other than an adjudication of liability of an owner for a
23 violation of subdivision (f) of section eleven hundred ten of this chap-
24 ter in accordance with section eleven hundred ten-a of this chapter,
25 there shall be levied a crime victim assistance fee and a mandatory
26 surcharge, in addition to any sentence required or permitted by law, in
27 accordance with the following schedule:

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

1 eleven hundred eighty-c of this chapter, or other than an adjudication
2 of liability of an owner for a violation of subdivision (d) of section
3 eleven hundred eleven of this chapter in accordance with section eleven
4 hundred eleven-e of this chapter, or other than an adjudication of
5 liability of an owner for a violation of subdivision (f) of section
6 eleven hundred ten of this chapter in accordance with section eleven
7 hundred ten-a 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 fifty-five dollars.

11 § 15-a. Subdivision 1 of section 1809 of the vehicle and traffic law,
12 as amended by section 10-a of chapter 222 of the laws of 2015, is
13 amended to read as follows:

14 1. Whenever proceedings in an administrative tribunal or a court of
15 this state result in a conviction for a crime under this chapter or a
16 traffic infraction under this chapter, or a local law, ordinance, rule
17 or regulation adopted pursuant to this chapter, other than a traffic
18 infraction involving standing, stopping, parking or motor vehicle equip-
19 ment or violations by pedestrians or bicyclists, or other than an adju-
20 dication of liability of an owner for a violation of subdivision (d) of
21 section eleven hundred eleven of this chapter in accordance with section
22 eleven hundred eleven-a of this chapter, or other than an adjudication
23 of liability of an owner for a violation of subdivision (d) of section
24 eleven hundred eleven of this chapter in accordance with section eleven
25 hundred eleven-b of this chapter, or other than an adjudication in
26 accordance with section eleven hundred eleven-c of this chapter for a
27 violation of a bus lane restriction as defined in such section, or other
28 than an adjudication of liability of an owner for a violation of subdi-
29 vision (d) of section eleven hundred eleven of this chapter in accord-
30 ance with section eleven hundred eleven-d of this chapter, or other than
31 an adjudication of liability of an owner for a violation of subdivision
32 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
33 ter in accordance with section eleven hundred eighty-b of this chapter,
34 or other than an adjudication of liability of an owner for a violation
35 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred
36 eighty of this chapter in accordance with section eleven hundred eight-
37 y-c of this chapter, or other than an adjudication of liability of an
38 owner for a violation of subdivision (d) of section eleven hundred elev-
39 en of this chapter in accordance with section eleven hundred eleven-e of
40 this chapter, or other than an adjudication of liability of an owner for
41 a violation of subdivision (f) of section eleven hundred ten of this
42 chapter in accordance with section eleven hundred ten-a of this chapter,
43 there shall be levied a mandatory surcharge, in addition to any sentence
44 required or permitted by law, in the amount of twenty-five dollars.

45 § 15-b. Subdivision 1 of section 1809 of the vehicle and traffic law,
46 as amended by section 10-b of chapter 222 of the laws of 2015, is
47 amended to read as follows:

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

1 ance with section eleven hundred eleven-d of this chapter, or other than
2 an adjudication of liability of an owner for a violation of subdivision
3 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
4 ter in accordance with section eleven hundred eighty-b of this chapter,
5 or other than an adjudication of liability of an owner for a violation
6 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred
7 eighty of this chapter in accordance with section eleven hundred eight-
8 y-c of this chapter, or other than an adjudication of liability of an
9 owner for a violation of subdivision (d) of section eleven hundred elev-
10 en of this chapter in accordance with section eleven hundred eleven-e of
11 this chapter, or other than an adjudication of liability of an owner for
12 a violation of subdivision (f) of section eleven hundred ten of this
13 chapter in accordance with section eleven hundred ten-a of this chapter,
14 there shall be levied a mandatory surcharge, in addition to any sentence
15 required or permitted by law, in the amount of seventeen dollars.

16 § 15-c. Subdivision 1 of section 1809 of the vehicle and traffic law,
17 as amended by section 10-c of chapter 222 of the laws of 2015, is
18 amended to read as follows:

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

41 § 15-d. Subdivision 1 of section 1809 of the vehicle and traffic law,
42 as amended by section 10-d of chapter 222 of the laws of 2015, is
43 amended to read as follows:

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

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

7 § 15-e. Subdivision 1 of section 1809 of the vehicle and traffic law,
8 as amended by section 10-e of chapter 222 of the laws of 2015, is
9 amended to read as follows:

10 1. Whenever proceedings in an administrative tribunal or a court of
11 this state result in a conviction for a crime under this chapter or a
12 traffic infraction under this chapter other than a traffic infraction
13 involving standing, stopping, parking or motor vehicle equipment or
14 violations by pedestrians or bicyclists, or other than an adjudication
15 of liability of an owner for a violation of subdivision (d) of section
16 eleven hundred eleven of this chapter in accordance with section eleven
17 hundred eleven-d of this chapter, or other than an adjudication of
18 liability of an owner for a violation of subdivision (d) of section
19 eleven hundred eleven of this chapter in accordance with section eleven
20 hundred eleven-e of this chapter, or other than an adjudication of
21 liability of an owner for a violation of subdivision (f) of section
22 eleven hundred ten of this chapter in accordance with section eleven
23 hundred ten-a 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 § 15-f. Subdivision 1 of section 1809 of the vehicle and traffic law,
27 as amended by section 10-f 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 (d) of section
35 eleven hundred eleven of this chapter in accordance with section eleven
36 hundred eleven-e of this chapter, or other than an adjudication of
37 liability of an owner for a violation of subdivision (f) of section
38 eleven hundred ten of this chapter in accordance with section eleven
39 hundred ten-a of this chapter, there shall be levied a mandatory
40 surcharge, in addition to any sentence required or permitted by law, in
41 the amount of seventeen dollars.

42 § 15-g. Subdivision 1 of section 1809 of the vehicle and traffic law,
43 as separately amended by chapter 16 of the laws of 1983 and chapter 62
44 of the laws of 1989, is amended to read as follows:

45 1. Whenever proceedings in an administrative tribunal or a court of
46 this state result in a conviction for a crime under this chapter or a
47 traffic infraction under this chapter other than a traffic infraction
48 involving standing, stopping, parking or motor vehicle equipment or
49 violations by pedestrians or bicyclists, or other than an adjudication
50 of liability of an owner for a violation of subdivision (f) of section
51 eleven hundred ten of this chapter in accordance with section eleven
52 hundred ten-a of this chapter, there shall be levied a mandatory
53 surcharge, in addition to any sentence required or permitted by law, in
54 the amount of seventeen dollars.

1 § 16. Paragraph a of subdivision 1 of section 1809-e of the vehicle
2 and traffic law, as amended by section 11 of chapter 222 of the laws of
3 2015, is amended to read as follows:

4 a. Notwithstanding any other provision of law, whenever proceedings in
5 a court or an administrative tribunal of this state result in a
6 conviction for an offense under this chapter, except a conviction pursu-
7 ant to section eleven hundred ninety-two of this chapter, or for a traf-
8 fic infraction under this chapter, or a local law, ordinance, rule or
9 regulation adopted pursuant to this chapter, except a traffic infraction
10 involving standing, stopping, or parking or violations by pedestrians or
11 bicyclists, and except an adjudication of liability of an owner for a
12 violation of subdivision (d) of section eleven hundred eleven of this
13 chapter in accordance with section eleven hundred eleven-a of this chap-
14 ter or in accordance with section eleven hundred eleven-d of this chap-
15 ter, or in accordance with section eleven hundred eleven-e of this chap-
16 ter, and except an adjudication of liability of an owner for a violation
17 of subdivision (d) of section eleven hundred eleven of this chapter in
18 accordance with section eleven hundred eleven-b of this chapter, and
19 except an adjudication in accordance with section eleven hundred
20 eleven-c of this chapter of a violation of a bus lane restriction as
21 defined in such section, and except an adjudication of liability of an
22 owner for a violation of subdivision (b), (c), (d), (f) or (g) of
23 section eleven hundred eighty of this chapter in accordance with section
24 eleven hundred eighty-b of this chapter, and except an adjudication of
25 liability of an owner for a violation of subdivision (b), (c), (d), (f)
26 or (g) of section eleven hundred eighty of this chapter in accordance
27 with section eleven hundred eighty-c of this chapter, and except an
28 adjudication of liability of an owner for a violation of toll collection
29 regulations pursuant to section two thousand nine hundred eighty-five of
30 the public authorities law or sections sixteen-a, sixteen-b and
31 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
32 hundred fifty, and except an adjudication of liability of an owner for a
33 violation of subdivision (f) of section eleven hundred ten of this chap-
34 ter in accordance with section eleven hundred ten-a of this chapter,
35 there shall be levied in addition to any sentence, penalty or other
36 surcharge required or permitted by law, an additional surcharge of twen-
37 ty-eight dollars.

38 § 16-a. Paragraph a of subdivision 1 of section 1809-e of the vehicle
39 and traffic law, as amended by section 11-a of chapter 222 of the laws
40 of 2015, is amended to read as follows:

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

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

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

19 a. Notwithstanding any other provision of law, whenever proceedings in
20 a court or an administrative tribunal of this state result in a
21 conviction for an offense under this chapter, except a conviction pursu-
22 ant to section eleven hundred ninety-two of this chapter, or for a traf-
23 fic infraction under this chapter, or a local law, ordinance, rule or
24 regulation adopted pursuant to this chapter, except a traffic infraction
25 involving standing, stopping, or parking or violations by pedestrians or
26 bicyclists, and except an adjudication of liability of an owner for a
27 violation of subdivision (d) of section eleven hundred eleven of this
28 chapter in accordance with section eleven hundred eleven-a of this chap-
29 ter or in accordance with section eleven hundred eleven-d of this chap-
30 ter or in accordance with section eleven hundred eleven-e of this chap-
31 ter, and except an adjudication of liability of an owner for a violation
32 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred
33 eighty of this chapter in accordance with section eleven hundred eight-
34 y-b of this chapter, and except an adjudication of liability of an owner
35 for a violation of subdivision (b), (c), (d), (f) or (g) of section
36 eleven hundred eighty of this chapter in accordance with section eleven
37 hundred eighty-c of this chapter, and except 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, and except
42 an adjudication of liability of an owner for a violation of subdivision
43 (f) of section eleven hundred ten of this chapter in accordance with
44 section eleven hundred ten-a of this chapter, there shall be levied in
45 addition to any sentence, penalty or other surcharge required or permit-
46 ted by law, an additional surcharge of twenty-eight dollars.

47 § 16-c. Paragraph a of subdivision 1 of section 1809-e of the vehicle
48 and traffic law, as amended by section 11-c of chapter 222 of the laws
49 of 2015, is amended to read as follows:

50 a. Notwithstanding any other provision of law, whenever proceedings in
51 a court or an administrative tribunal of this state result in a
52 conviction for an offense under this chapter, except a conviction pursu-
53 ant to section eleven hundred ninety-two of this chapter, or for a traf-
54 fic infraction under this chapter, or a local law, ordinance, rule or
55 regulation adopted pursuant to this chapter, except a traffic infraction
56 involving standing, stopping, or parking or violations by pedestrians or

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

19 § 16-d. Paragraph a of subdivision 1 of section 1809-e of the vehicle
20 and traffic law, as amended by section 11-d of chapter 222 of the laws
21 of 2015, is amended to read as follows:

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

44 § 16-e. Paragraph a of subdivision 1 of section 1809-e of the vehicle
45 and traffic law, as amended by section 11-e of chapter 222 of the laws
46 of 2015, is amended to read as follows:

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

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

12 § 16-f. Paragraph a of subdivision 1 of section 1809-e of the vehicle
13 and traffic law, as amended by section 5 of part C of chapter 55 of the
14 laws of 2013, is amended to read as follows:

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

35 § 17. Subdivision 2 of section 87 of the public officers law is
36 amended by adding a new paragraph (p) to read as follows:

37 (p) are photographs, microphotographs, videotape or other recorded
38 images prepared under authority of section eleven hundred ten-a of the
39 vehicle and traffic law.

40 § 18. The New York city department of transportation shall: (i) prior
41 to implementing a temporary high-occupancy vehicle (HOV) program on the
42 Williamsburg bridge as authorized by section 1110-a of the vehicle and
43 traffic law, as added by section fourteen of this act, and in consulta-
44 tion with the metropolitan transportation authority, in accordance with
45 subdivision 4 of section 1268 of the public authorities law, as added by
46 section four of this act, communicate to the public, including the
47 affected communities in New York and Kings counties, the plan for HOV
48 restrictions so as to maximize awareness of such temporary HOV program;
49 (ii) for at least 40 days prior to implementing such temporary HOV
50 program, send by first class mail notice of such upcoming implementation
51 to the owner of any vehicle that is not a bus, a commercial vehicle, an
52 authorized emergency vehicle, or an access-a-ride vehicle, identified as
53 having been driven on the Williamsburg bridge with fewer than three
54 occupants during time periods defined by the New York city department of
55 transportation in accordance with the provisions of section 1110-a of
56 the vehicle and traffic law, as added by section fourteen of this act;

1 and (iii) take such measures as are necessary to implement such tempo-
2 rary HOV program prior to its implementation, including promulgating any
3 rules and regulations necessary for the implementation of this act.
4 Failure to comply with the provisions of this section shall not affect
5 the validity or implementation of the temporary HOV program authorized
6 by section 1110-a of the vehicle and traffic law, as added by section
7 fourteen of this act.

8 § 19. The purchase or lease of equipment for a program established
9 pursuant to section 1110-a of the vehicle and traffic law shall be
10 subject to the provisions of section 103 of the general municipal law.

11 § 20. (a) This act shall take effect immediately provided, however,
12 that sections one through three of this act shall expire and be deemed
13 repealed September 1, 2020; provided, however, that the amendments to
14 paragraph 5 of subdivision (c) of section 1111-c of the vehicle and
15 traffic law, made by section three of this act, shall not affect the
16 repeal of such section and shall be deemed repealed therewith provided,
17 further, that sections four through seventeen and section nineteen of
18 this act shall take effect April 1, 2019, and sections four through
19 nineteen of this act shall expire and be deemed repealed July 1, 2020,
20 except that if the metropolitan transportation authority completes
21 repairs on the Canarsie tunnel prior to July 1, 2020, sections four
22 through nineteen of this act shall expire and be deemed repealed on such
23 prior date; provided that the metropolitan transportation authority
24 shall notify the legislative bill drafting commission upon the occur-
25 rence of such completion of the Canarsie tunnel occurring prior to July
26 1, 2020 in order that the commission may maintain an accurate and timely
27 effective database of the official text of the laws of the state of New
28 York in furtherance of effectuating the provisions of section 44 of the
29 legislative law and section 70-b of the public officers law;

30 (b) notwithstanding the expiration and repeal of certain provisions of
31 this act, any violations issued prior to July 1, 2020 or the prior date
32 upon which sections four through nineteen of this act expires and is
33 deemed repealed pursuant to subdivision (a) of this section, whichever
34 occurs first, may be adjudicated after such date;

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

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

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

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

55 (g) the amendments to subdivision 1 of section 1809 of the vehicle and
56 traffic law made by section fifteen-d of this act shall not affect the

1 expiration of such subdivision and shall be deemed to expire therewith,
2 when upon such date the provisions of section fifteen-e of this act
3 shall take effect;

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

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

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

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

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

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

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

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