STATE OF NEW YORK

2584--B

2017-2018 Regular Sessions

IN SENATE

January 13, 2017

Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to registration information

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

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

(b) [~~The commissioner shall notify each vehicle registrant that the registration information specified in paragraph (a) of this subdivision has been or will be furnished to the contracting party. The commissioner shall inform each vehicle registrant when such registrant first makes application for a vehicle registration or when such registrant applies to renew an existing vehicle registration how to achieve the deletion of such information from the contracting party's file.~~] The contract between the commissioner and the contracting party shall provide that, [~~upon the request of the registrant made in such manner and in such form as shall be prescribed by the commissioner, such~~] the registration information specified in paragraph (a) of this subdivision shall be deleted from the contracting party's file for all purposes, except: [~~(i) issuance of manufacturer's warranty, safety recall or similar notices, or (ii) statistical complications.~~]

(i) issuance of manufacturer's warranty, safety recall or similar notices; or

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

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(ii) for use in research activities, so long as personal information is not published, redisclosed, or used to contact individuals; or

(iii) for use in producing statistical reports, so long as personal information is not published, redisclosed, or used to contact individuals; or

(iv) to remove non-owner records from the original records of motor vehicle manufacturers; or

(v) for use by any government agency, including any court or law enforcement agency in carrying out its functions, or any private person or entity acting on behalf of a federal, state, or local agency in carrying out its functions; or

(vi) for use in the normal course of business by a legitimate business or its agents, employees, or contractors, but only: (A) to verify the accuracy of personal information submitted by the individual to the business or its agents, employees, or contractors; and (B) if such information as so submitted is not correct or is no longer correct, to obtain the correct information but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against the individual; or

(vii) for use by any insurer or by a self-insured entity, or by an insurance support organization on behalf of any insurer or by a self-insured entity, or its agents, employees, or contractors, in connection with motor vehicle claims investigation activities, antifraud activities, rating or underwriting.

§ 2. This act shall take effect immediately and shall only apply to contracts executed on or after such effective date.