

STATE OF NEW YORK

5369

2017-2018 Regular Sessions

IN SENATE

March 23, 2017

Introduced by Sen. TEDISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to repossession of motor vehicle or motorcycle

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

1 Section 1. Subdivision 1 of section 425 of the vehicle and traffic
2 law, as amended by chapter 81 of the laws of 1968, is amended to read as
3 follows:

4 1. Any person, firm or corporation, or agent, employee or represen-
5 tative thereof, repossessing or retaking a motor vehicle or motorcycle
6 pursuant to the provisions of article nine of the uniform commercial
7 code, or other authority of law, or any contract or agreement, shall,
8 immediately following such repossession or retaking, personally appear
9 at a station house or other office of the police department, or agency
10 or officer performing like functions, in the locality wherein such
11 repossession or retaking occurred, give notice to such department, agen-
12 cy or officer of such repossession or retaking and thereafter and [~~with-~~
13 ~~in twenty-four hours~~] after the first ten days personally deliver or
14 mail by [~~special delivery~~] first class mail to the nearest motor vehicle
15 [~~district~~] office, (a) notice of such repossession or retaking in such
16 form as the commissioner may require and (b) the number plates of such
17 motor vehicle or motorcycle. Notice of such repossession or retaking,
18 including the name and address of the person, firm or corporation repos-
19 sessing or retaking the same, shall also be given within twenty-four
20 hours thereof to the owner of such motor vehicle or motorcycle, either
21 personally or by registered or certified mail directed to such owner at
22 his last-known address or by phone, e-mail or text message provided that
23 notice is also given by first class mail. Unless the motor vehicle or
24 motorcycle can be repossessed or retaken without breach of the peace, it
25 shall be repossessed or retaken by legal process, but nothing herein
26 contained shall be construed to authorize a violation of the criminal
27 law.

28 § 2. This act shall take effect immediately.

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

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