

STATE OF NEW YORK

5545

2017-2018 Regular Sessions

IN SENATE

April 10, 2017

Introduced by Sen. LARKIN -- 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 relevant market areas

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

1 Section 1. Subdivision 15 of section 462 of the vehicle and traffic
2 law, as added by chapter 490 of the laws of 2008, is amended to read as
3 follows:

4 15. "Relevant market area" means:

5 (a) if the proposed additional or relocated motor vehicle dealer is to
6 be located in a county having a population in excess of one hundred
7 thousand, the area within the radius of six miles of the intended site
8 of the proposed or relocated dealer. Such six mile distance shall be
9 determined by measuring the distance between the nearest surveyed bound-
10 ary of the existing new motor vehicle dealer's principal place of busi-
11 ness and the nearest surveyed boundary line of the proposed or relocated
12 new motor vehicle dealer's place of business. In the event this radius
13 crosses the Hudson river, then the distance shall be determined by meas-
14 uring the driving distance between the nearest surveyed boundary of the
15 existing new motor vehicle dealer's principal place of business and the
16 nearest surveyed boundary line of the proposed or relocated new motor
17 vehicle dealer's place of business; or

18 (b) if the proposed additional or relocated motor vehicle dealer is to
19 be within a county having a population of less than one hundred thou-
20 sand, the area within the radius of ten miles of the intended site of
21 the proposed or relocated dealer. Such ten mile distance shall be deter-
22 mined by measuring the distance between the nearest surveyed boundary
23 line of the existing new motor vehicle dealer's principal place of busi-
24 ness and the nearest surveyed boundary line of the proposed or relocated
25 new motor vehicle dealer's principal place of business. In the event

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

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1 this radius crosses the Hudson river, then the distance shall be deter-
2 mined by measuring the driving distance between the nearest surveyed
3 boundary of the existing new motor vehicle dealer's principal place of
4 business and the nearest surveyed boundary line of the proposed or relo-
5 cated new motor vehicle dealer's place of business.

6 In determining the population of a county, the most recent census by
7 the U.S. Bureau of Census or the most recent population update, either
8 from the National Planning Data Corporation or other similar recognized
9 source, shall be used.

10 § 2. This act shall take effect immediately.