

STATE OF NEW YORK

8052--C

IN SENATE

March 22, 2018

Introduced by Sens. KAVANAGH, DILAN -- 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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, 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
17 such a significant closure and provide a plan to the public in a timely
18 manner. Such plan shall require the MTA to address timelines involved

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

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

15 § 2. The public authorities law is amended by adding a new section
16 1279-e to read as follows:

17 § 1279-e. L subway line closure mitigation plan. 1. The authority, in
18 consultation with the New York city department of transportation, the
19 New York city economic development corporation, the permanent citizens
20 advisory committee to the authority and any other entity the authority
21 deems relevant, shall develop a plan to mitigate the individual and
22 economic hardships due to the L subway line closure. Such plan shall
23 include but not be limited to the following:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (hh) offset bus lines 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 (ii) sidewalk expansion along the L-alternative transportation routes
5 to accommodate diverted L-riders as a result of the L subway line
6 closure;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

32 § 5. The vehicle and traffic law is amended by adding a new section
 33 235-a to read as follows:

34 § 235-a. Jurisdiction; Williamsburg bridge temporary high-occupancy
 35 vehicle program. Notwithstanding any inconsistent provisions of any
 36 general, special or local law or administrative code to the contrary, in
 37 any city which heretofore or hereafter is authorized to establish an
 38 administrative tribunal having jurisdiction to hear and determine
 39 complaints of traffic infractions constituting parking, standing or
 40 stopping violations in accordance with this article, such tribunal shall
 41 be authorized to adjudicate the liability of owners for violations of
 42 subdivision (f) of section eleven hundred ten in accordance with section
 43 eleven hundred ten-a of this chapter and such tribunal and the rules and
 44 regulations pertaining thereto shall be constituted in substantial
 45 conformance with the following sections.

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

48 1-a. A parking violations bureau created pursuant to subdivision one
 49 of this section shall have jurisdiction as provided in this section and
 50 shall adjudicate liability of owners for violations of subdivision (f)
 51 of section eleven hundred ten in accordance with section eleven hundred
 52 ten-a of this chapter.

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

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

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

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

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

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

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

19 1-b. Notice of hearing. Whenever a person alleged to be liable in
20 accordance with section eleven hundred ten-a of this chapter contests
21 such allegation, the bureau shall advise such person personally by such
22 form of first class mail as the director may direct of the date on which
23 he or she must appear to answer the charge at a hearing. The form and
24 content of such notice of hearing shall be prescribed by the director,
25 and shall contain a warning to advise the person so pleading or contest-
26 ing that failure to appear on the date designated, or on any subsequent
27 adjourned date, shall be deemed an admission of liability, and that a
28 default judgment may be entered thereon.

29 1-c. Fines and penalties. Whenever a plea of not guilty has been
30 entered, or the bureau has been notified that an allegation of liability
31 in accordance with section eleven hundred ten-a of this chapter is being
32 contested, by a person in a timely fashion and a hearing on the merits
33 has been demanded, but has not yet been held, the bureau shall not issue
34 any notice of fine or penalty to that person prior to the date of the
35 hearing.

36 2-a. Conduct of hearings. a. Every hearing for an adjudication of an
37 allegation of liability in accordance with section eleven hundred ten-a
38 of this chapter shall be held before a hearing examiner in accordance
39 with rules and regulations promulgated by the bureau.

40 b. No charge may be established except upon proof by substantial
41 evidence.

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

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

52 e. In the case of a refusal to obey a subpoena, the bureau may make
53 application to the Supreme Court pursuant to section twenty-three
54 hundred eight of the civil practice law and rules, for an order requir-
55 ing such appearance, testimony or production of evidence.

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

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

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

9 1-a. The hearing examiner shall make a determination on the charges,
10 either sustaining or dismissing them. Where the hearing examiner deter-
11 mines that the charges have been sustained he or she may examine the
12 record of liabilities incurred in accordance with section eleven hundred
13 ten-a of this chapter of the person charged prior to rendering a final
14 determination. Final determinations sustaining or dismissing charges
15 shall be entered on a final determination roll maintained by the bureau
16 together with records showing payment and nonpayment of penalties.

17 2-a. Where an operator or owner fails to contest an allegation of
18 liability in accordance with section eleven hundred ten-a of this chap-
19 ter or fails to appear on a designated hearing date or subsequent
20 adjourned date or fails after a hearing to comply with the determination
21 of a hearing examiner, as prescribed by this article or by rule or regu-
22 lation of the bureau, such failure to contest, appear or comply shall be
23 deemed, for all purposes, an admission of liability and shall be grounds
24 for rendering and entering a default judgment in an amount provided by
25 the rules and regulations of the bureau. However, after the expiration
26 of the original date prescribed for contesting an allegation of liabil-
27 ity and before a default judgment may be rendered, in such case the
28 bureau shall pursuant to the applicable provisions of law notify such
29 operator or owner, by such form of first class mail as the commission
30 may direct: (1) of the liability in accordance with section eleven
31 hundred ten-a of this chapter alleged, (2) of the impending default
32 judgment, (3) that such judgment will be entered in the Civil Court of
33 the city in which the bureau has been established, or other court of
34 civil jurisdiction or any other place provided for the entry of civil
35 judgments within the state of New York, and (4) that a default may be
36 avoided by contesting an allegation of liability in accordance with
37 section eleven hundred ten-a of this chapter or making an appearance
38 within thirty days of the sending of such notice. Allegations of liabil-
39 ity contested within that period shall be in the manner prescribed in
40 the notice and not subject to additional penalty or fee. Such notice of
41 impending default judgment shall not be required prior to the rendering
42 and entry thereof in the case of operators or owners who are non-resi-
43 dents of the state of New York. In no case shall a default judgment be
44 rendered or, where required, a notice of impending default judgment be
45 sent, more than two years after the expiration of the time prescribed
46 for contesting an allegation of liability. When a person has demanded a
47 hearing, no fine or penalty shall be imposed for any reason prior to the
48 holding of the hearing. If the hearing examiner shall make a determi-
49 nation on the charges, sustaining them, he or she shall impose no great-
50 er penalty or fine than those upon which the person was originally
51 charged.

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

54 a-1. If at the time of application for a registration or renewal ther-
55 eof there is a certification from a court or administrative tribunal of
56 appropriate jurisdiction that the registrant or his or her represen-

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

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

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

34 § 14. The vehicle and traffic law is amended by adding a new section
35 1110-a to read as follows:

36 § 1110-a. Owner liability for failure of operator to comply with
37 temporary high-occupancy vehicle program restrictions. (a) 1. Notwith-
38 standing any other provision of law, the city of New York in consulta-
39 tion with the metropolitan transportation authority is hereby authorized
40 and empowered to establish a temporary high-occupancy vehicle (HOV)
41 program on the Williamsburg bridge imposing monetary liability on the
42 owner of a vehicle for failure of an operator thereof to comply with HOV
43 restrictions on such bridge in such city in accordance with the
44 provisions of this section. The New York city department of transporta-
45 tion, for purposes of the implementation of such program, shall operate
46 HOV photo devices only within designated HOV areas on the Williamsburg
47 bridge in such city. Such HOV photo devices may be stationary or mobile
48 and shall be activated at locations determined by such department of
49 transportation.

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

54 3. The city of New York shall adopt and enforce measures to protect
55 the privacy of drivers, passengers, pedestrians and cyclists whose iden-
56 tity and identifying information may be captured by an HOV photo device,

1 provided, however, that no notice of liability issued pursuant to this
2 section shall be dismissed solely because an image produced by an HOV
3 photo device allows for the identification of the driver, the passen-
4 gers, or the contents of a vehicle, provided that the city has made a
5 reasonable effort to comply with the provisions of this paragraph. Such
6 protective measures shall include:

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

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

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

20 (iv) oversight procedures to ensure compliance with the aforementioned
21 privacy protection measures.

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

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

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

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

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

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

51 4. "HOV restrictions" shall mean restrictions, within the temporary
52 HOV program, on the use of designated areas of the Williamsburg bridge,
53 during time periods to be defined by the New York city department of
54 transportation, by a vehicle other than: (i) an HOV; (ii) a vehicle
55 registered as a commercial vehicle pursuant to part one hundred six of
56 title fifteen of the New York codes, rules and regulations; (iii) an

1 authorized emergency vehicle; (iv) an access-a-ride vehicle as defined
2 in chapter five of title thirty-four of the rules of the city of New
3 York; or (v) a bus.

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

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

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

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

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

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

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

54 4. The notice of liability shall be prepared and mailed by the agency
55 or agencies designated by the city of New York, or any other entity

1 authorized by such city to prepare and mail such notification of
2 violation.

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

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

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

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

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

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

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

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

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

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

50 Whenever proceedings in an administrative tribunal or a court of this
51 state result in a conviction for an offense under this chapter or a
52 traffic infraction under this chapter, or a local law, ordinance, rule
53 or regulation adopted pursuant to this chapter, other than a traffic
54 infraction involving standing, stopping, or parking or violations by
55 pedestrians or bicyclists, or other than an adjudication of liability of
56 an owner for a violation of subdivision (d) of section eleven hundred

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

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

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

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

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

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

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

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

14 § 15-c. Subdivision 1 of section 1809 of the vehicle and traffic law,
15 as amended by section 10-c of chapter 222 of the laws of 2015, is
16 amended to read as follows:

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

39 § 15-d. Subdivision 1 of section 1809 of the vehicle and traffic law,
40 as amended by section 10-d of chapter 222 of the laws of 2015, is
41 amended to read as follows:

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

1 eleven hundred ten of this chapter in accordance with section eleven
2 hundred ten-a of this chapter, there shall be levied a mandatory
3 surcharge, in addition to any sentence required or permitted by law, in
4 the amount of seventeen dollars.

5 § 15-e. Subdivision 1 of section 1809 of the vehicle and traffic law,
6 as amended by section 10-e of chapter 222 of the laws of 2015, is
7 amended to read as follows:

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

24 § 15-f. Subdivision 1 of section 1809 of the vehicle and traffic law,
25 as amended by section 10-f of chapter 222 of the laws of 2015, is
26 amended to read as follows:

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

40 § 15-g. Subdivision 1 of section 1809 of the vehicle and traffic law,
41 as separately amended by chapter 16 of the laws of 1983 and chapter 62
42 of the laws of 1989, is amended to read as follows:

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

53 § 16. Paragraph a of subdivision 1 of section 1809-e of the vehicle
54 and traffic law, as amended by section 11 of chapter 222 of the laws of
55 2015, is amended to read as follows:

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

35 § 16-a. Paragraph a of subdivision 1 of section 1809-e of the vehicle
36 and traffic law, as amended by section 11-a of chapter 222 of the laws
37 of 2015, is amended to read as follows:

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

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

13 § 16-b. Paragraph a of subdivision 1 of section 1809-e of the vehicle
14 and traffic law, as amended by section 11-b of chapter 222 of the laws
15 of 2015, is amended to read as follows:

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

44 § 16-c. Paragraph a of subdivision 1 of section 1809-e of the vehicle
45 and traffic law, as amended by section 11-c 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 eleven-d of this chap-
2 ter or in accordance with section eleven hundred eleven-e of this chap-
3 ter, and except an adjudication of liability of an owner for a violation
4 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred
5 eighty of this chapter in accordance with section eleven hundred eight-
6 y-c of this chapter, and except an adjudication of liability of an owner
7 for a violation of toll collection regulations pursuant to section two
8 thousand nine hundred eighty-five of the public authorities law or
9 sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred
10 seventy-four of the laws of nineteen hundred fifty, and except an adju-
11 dication of liability of an owner for a violation of subdivision (f) of
12 section eleven hundred ten of this chapter in accordance with section
13 eleven hundred ten-a of this chapter, there shall be levied in addition
14 to any sentence, penalty or other surcharge required or permitted by
15 law, an additional surcharge of twenty-eight dollars.

16 § 16-d. Paragraph a of subdivision 1 of section 1809-e of the vehicle
17 and traffic law, as amended by section 11-d 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 toll collection regulations pursuant to section two thousand nine
33 hundred eighty-five of the public authorities law or sections sixteen-a,
34 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the
35 laws of nineteen hundred fifty, and except an adjudication of liability
36 of an owner for a violation of subdivision (f) of section eleven hundred
37 ten of this chapter in accordance with section eleven hundred ten-a of
38 this chapter, there shall be levied in addition to any sentence, penalty
39 or other surcharge required or permitted by law, an additional surcharge
40 of twenty-eight dollars.

41 § 16-e. Paragraph a of subdivision 1 of section 1809-e of the vehicle
42 and traffic law, as amended by section 11-e of chapter 222 of the laws
43 of 2015, is amended to read as follows:

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

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

9 § 16-f. Paragraph a of subdivision 1 of section 1809-e of the vehicle
10 and traffic law, as amended by section 5 of part C of chapter 55 of the
11 laws of 2013, is amended to read as follows:

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

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

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

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

1 Failure to comply with the provisions of this section shall not affect
2 the validity or implementation of the temporary HOV program authorized
3 by section 1110-a of the vehicle and traffic law, as added by section
4 fourteen of this act.

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

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

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

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

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

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

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

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

1 (h) the amendments to subdivision 1 of section 1809 of the vehicle and
2 traffic law made by section fifteen-e 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 fifteen-f of this act
5 shall take effect;

6 (i) the amendments to subdivision 1 of section 1809 of the vehicle and
7 traffic law made by section fifteen-f 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 fifteen-g of this act
10 shall take effect;

11 (j) the amendments to paragraph a of subdivision 1 of section 1809-e
12 of the vehicle and traffic law made by section sixteen of this act shall
13 not affect the expiration of such paragraph and shall be deemed to
14 expire therewith, when upon such date the provisions of section
15 sixteen-a of this act shall 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 sixteen-a of this act
18 shall not affect the expiration of such paragraph and shall be deemed to
19 expire therewith, when upon such date the provisions of section
20 sixteen-b 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 sixteen-b of this act
23 shall not affect the expiration of such paragraph and shall be deemed to
24 expire therewith, when upon such date the provisions of section
25 sixteen-c 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 sixteen-c of this act
28 shall not affect the expiration of such paragraph and shall be deemed to
29 expire therewith, when upon such date the provisions of section
30 sixteen-d 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 sixteen-d of this act
33 shall not affect the expiration of such paragraph and shall be deemed to
34 expire therewith, when upon such date the provisions of section
35 sixteen-e of this act shall take effect; and

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