STATE OF NEW YORK

8825

IN SENATE

May 23, 2018

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

AN ACT to amend the vehicle and traffic law, in relation to liability for violations imposed through the use of traffic-control signal photo-monitoring systems and photo speed violation monitoring systems

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

Section 1. Section 510 of the vehicle and traffic law is amended by adding a new subdivision 2-b to read as follows:

2-b. Mandatory suspension of registration of a vehicle with six or more findings of liability under sections eleven hundred eleven-a and eleven hundred eighty-b of this chapter. Within seven days of the receipt of notification from a parking violations bureau of a vehicle, other than a rental vehicle as defined in one hundred thirty-seven-a of this chapter, with six or more findings of liability within an eighteen month period under local laws adopted pursuant to sections eleven hundred eleven-a and/or eleven hundred eighty-b of this chapter, the registration of such vehicle shall be suspended for six months.

§ 2. Subdivision (f) of section 1111-a of the vehicle and traffic law, as added by chapter 746 of the laws of 1988, is amended to read as follows:

(f) An imposition of liability under a local law or ordinance adopted pursuant to this section shall not be deemed a conviction as an operator and shall not be made part of the operating record of the person upon whom such liability is imposed [~~nor shall it~~] **but may** be used for insurance purposes in the provision of motor vehicle insurance coverage **in accordance with this subdivision. Upon a fifth or subsequent finding of liability within a two-year period, the parking violations bureau shall notify the department of such findings of liability and the department shall notify the vehicle owner's insurance carrier**.

§ 3. Subdivision (f) of section 1180-b of the vehicle and traffic law, as added by chapter 189 of the laws of 2013, is amended to read as follows:

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

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(f) An imposition of liability under the demonstration program established pursuant to this section shall not be deemed a conviction as an operator and shall not be made part of the operating record of the person upon whom such liability is imposed [~~**nor shall it**~~] **but may** be used for insurance purposes in the provision of motor vehicle insurance coverage **in accordance with this subdivision. Upon a fifth or subsequent finding of liability within a two-year period, the parking violations bureau shall notify the department of such findings of liability and the department shall notify the vehicle owner's insurance carrier**.

§ 4. This act shall take effect on the ninetieth day after it shall have become a law; provided, however, that:

(a) the amendments to subdivision (f) of section 1111-a of the vehicle and traffic law made by section two of this act shall not affect the repeal of such section and shall be deemed repealed therewith; and

(b) the amendments to subdivision (f) of section 1180-b of the vehicle and traffic law made by section three of this act shall not affect the repeal of such section and shall be deemed repealed therewith.