

STATE OF NEW YORK

9097

IN SENATE

June 16, 2018

Introduced by COMMITTEE ON RULES -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the education law, in relation to state assessments and teacher evaluations; and to amend chapter 56 of the laws of 2014, amending the education law relating to providing that standardized test scores shall not be included on a student's permanent record, in relation to making certain provisions permanent; to amend the transportation law and the highway law, in relation to authorizing an airport mass transit project at LaGuardia airport; and providing for the repeal of such provisions upon expiration thereof; to amend the education law, in relation to the charters issued; in relation to the quality of instruction; to amend the executive law, in relation to expanding the scope of unlawful discriminatory practices to include public educational institutions; to amend the penal law and the criminal procedure law, in relation to sealing records for certain proceedings; to amend the vehicle and traffic law, in relation to photo speed violation monitoring systems in school speed zones in the city of New York; to amend chapter 43 of the laws of 2014, amending the vehicle and traffic law, the public officers law and the general municipal law relating to photo speed violation monitoring systems in school speed zones in the city of New York, in relation to making technical corrections thereto; to amend chapter 189 of the laws of 2013, amending the vehicle and traffic law and the public officers law relating to establishing in a city with a population of one million or more a demonstration program implementing speed violation monitoring systems in school speed zones by means of photo devices, in relation to the effectiveness thereof; to amend the vehicle and traffic law and the public officers law, in relation to establishing in the city of Buffalo a demonstration program implementing speed violation monitoring systems in school speed zones by means of photo devices; and providing for the repeal of certain provisions upon expiration thereof; to amend the vehicle and traffic law, the public officers law, the general municipal law, the state finance law, and the judiciary law, in relation to establishing the adjudication process and owner liability for failure of an operator to comply with traffic-control indications and establishing a traffic and parking violations agency in the county of Westchester; and providing for the repeal of such

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

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provisions upon expiration thereof; to authorize, for certain public works undertaken pursuant to project labor agreements, use of the alternative delivery method known as design-build contracts; to amend the criminal procedure law, in relation to the issuance of securing orders and in relation to making conforming changes; 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. Section 3012-d of the education law is amended by adding a
2 new subdivision 16 to read as follows:

3 16. a. Notwithstanding any other provision of law, rule or regulation
4 to the contrary, the grades three through eight English language arts
5 and mathematics state assessments and all other state-created or admin-
6 istered tests shall not be required to be utilized in any manner to
7 determine a teacher or principal evaluation required by this section.

8 b. The commissioner shall promulgate rules and regulations providing
9 alternative assessments that may be used in grades three through eight
10 instead of all other state-created or administered tests, which shall
11 include all of the assessments that have been approved by the commis-
12 sioner for use in determining transition scores and ratings.

13 c. The selection and use of an assessment in a teacher or principal's
14 evaluation pursuant to paragraphs a and b of this subdivision and subdivi-
15 sion four of this section shall be subject to collective bargaining
16 pursuant to article fourteen of the civil service law.

17 d. Notwithstanding any provision of subdivision twelve of this section
18 to the contrary, nothing in this section shall be construed to abrogate
19 any conflicting provisions of any collective bargaining agreement in
20 effect on the date this subdivision takes effect and until the entry
21 into a successor collective bargaining agreement, provided that notwith-
22 standing any other provision of law to the contrary, upon expiration of
23 such term and the entry into a successor collective bargaining agreement
24 the provisions of this subdivision shall apply; and, provided further,
25 however, that any assessments used in determining transition scores and
26 ratings shall be used in determining scores and ratings pursuant to this
27 section instead of the grades three through eight English language arts
28 and mathematics state assessments until the entry into a successor
29 collective bargaining agreement.

30 § 2. Subparagraphs 1 and 2 of paragraph a of subdivision 4 of section
31 3012-d of the education law, subparagraph 1 as amended by section 3 of
32 subpart C of part B of chapter 20 of the laws of 2015 and subparagraph 2
33 as added by section 2 of subpart E of part EE of chapter 56 of the laws
34 of 2015, are amended to read as follows:

35 (1) For the first subcomponent, [~~(A) for a teacher whose course ends~~
36 ~~in a state-created or administered test for which there is a state-pro-~~
37 ~~vided growth model, such teacher shall have a state-provided growth~~
38 ~~score based on such model, which shall take into consideration certain~~
39 ~~student characteristics, as determined by the commissioner, including~~
40 ~~but not limited to students with disabilities, poverty, English language~~
41 ~~learner status and prior academic history and which shall identify~~
42 ~~educators whose students' growth is well above or well below average~~
43 ~~compared to similar students for a teacher's or principal's students~~
44 ~~after the certain student characteristics above are taken into account,~~
45 ~~and (B) for a teacher whose course does not end in a state-created or~~

1 ~~administered test such teacher~~ a teacher shall have a student learning
2 objective (SLO) consistent with a goal-setting process determined or
3 developed by the commissioner, that results in a student growth score;
4 provided that, for any teacher whose course ends in a state-created or
5 administered assessment [~~for which there is no state provided growth~~
6 ~~model~~], such assessment [~~must~~] may be used as the underlying assessment
7 for such SLO;

8 (2) For the optional second subcomponent, a district may locally
9 select a second measure in accordance with this subparagraph. Such
10 second measure shall apply in a consistent manner, to the extent practi-
11 cable, across the district and be either: (A) [~~a second state provided~~
12 ~~growth score~~] based on a state-created or administered test [~~under~~
13 ~~clause (A) of subparagraph one of this paragraph~~], or (B) [~~a growth~~
14 ~~score~~] based on a state-designed supplemental assessment[~~, calculated~~
15 ~~using a state provided or approved growth model~~]. The optional second
16 subcomponent shall provide options for multiple assessment measures that
17 are aligned to existing classroom and school best practices and take
18 into consideration the recommendations in the testing reduction report
19 as required by section one of subpart F of [~~the chapter~~] part EE of
20 chapter fifty-six of the laws of two thousand fifteen which added this
21 section regarding the reduction of unnecessary additional testing.

22 § 3. Subdivision 5 of section 3012-d of the education law, as added by
23 section 2 of subpart E of part EE of chapter 56 of the laws of 2015, is
24 amended to read as follows:

25 5. Rating determination. The overall rating determination shall be
26 determined [~~according to a methodology~~] as follows:

27 a. [~~The following rules shall apply: a teacher or principal who is (1)~~
28 ~~rated using two subcomponents in the student performance category and~~
29 ~~receives a rating of ineffective in such category shall be rated inef-~~
30 ~~fective overall; provided, however, that if the measure used in the~~
31 ~~second subcomponent is a state provided growth score on a state created~~
32 ~~or administered test pursuant to clause (A) of subparagraph one of para-~~
33 ~~graph a of subdivision four of this section, a teacher or principal who~~
34 ~~receives a rating of ineffective in such category shall not be eligible~~
35 ~~to receive a rating of effective or highly effective overall; (2) rated~~
36 ~~using only the state measure subcomponent in the student performance~~
37 ~~category and receives a rating of ineffective in such category shall not~~
38 ~~be eligible to receive a rating of effective or highly effective over-~~
39 ~~all; and (3) rated ineffective in the teacher observations category~~
40 ~~shall not be eligible to receive a rating of effective or highly effec-~~
41 ~~tive overall.~~

42 b. [~~Except as otherwise provided in paragraph a of this subdivision, a~~
43 ~~teacher's composite score shall be determined as follows:~~

44 ~~(1)~~] If a teacher receives an H in the teacher observation category,
45 and an H in the student performance category, the teacher's composite
46 score shall be H;

47 [~~(2)~~] b. If a teacher receives an H in the teacher observation catego-
48 ry, and an E in the student performance category, the teacher's compos-
49 ite score shall be H;

50 [~~(3)~~] c. If a teacher receives an H in the teacher observation catego-
51 ry, and a D in the student performance category, the teacher's composite
52 score shall be E;

53 [~~(4)~~] d. If a teacher receives an H in the teacher observation catego-
54 ry, and an I in the student performance category, the teacher's compos-
55 ite score shall be D;

1 [~~(5)~~] e. If a teacher receives an E in the teacher observation category,
2 and an H in the student performance category, the teacher's composite
3 score shall be H;

4 [~~(6)~~] f. If a teacher receives an E in the teacher observation category,
5 and an E in the student performance category, the teacher's composite
6 score shall be E;

7 [~~(7)~~] g. If a teacher receives an E in the teacher observation category,
8 and a D in the student performance category, the teacher's composite
9 score shall be E;

10 [~~(8)~~] h. If a teacher receives an E in the teacher observation category,
11 and an I in the student performance category, the teacher's composite
12 score shall be D;

13 [~~(9)~~] i. If a teacher receives a D in the teacher observation category,
14 and an H in the student performance category, the teacher's composite
15 score shall be E;

16 [~~(10)~~] j. If a teacher receives a D in the teacher observation category,
17 and an E in the student performance category, the teacher's composite
18 score shall be E;

19 [~~(11)~~] k. If a teacher receives a D in the teacher observation category,
20 and a D in the student performance category, the teacher's composite
21 score shall be D;

22 [~~(12)~~] l. If a teacher receives a D in the teacher observation category,
23 and an I in the student performance category, the teacher's composite
24 score shall be I;

25 [~~(13)~~] m. If a teacher receives an I in the teacher observation category,
26 and an H in the student performance category, the teacher's composite
27 score shall be D;

28 [~~(14)~~] n. If a teacher receives an I in the teacher observation category,
29 and an E in the student performance category, the teacher's composite
30 score shall be D;

31 [~~(15)~~] o. If a teacher receives an I in the teacher observation category,
32 and a D in the student performance category, the teacher's composite
33 score shall be I;

34 [~~(16)~~] p. If a teacher receives an I in the teacher observation category,
35 and an I in the student performance category, the teacher's composite
36 score shall be I.

37 § 4. Subdivision 7 of section 3012-d of the education law, as added by
38 section 2 of subpart E of part EE of chapter 56 of the laws of 2015, is
39 amended to read as follows:

40 7. The commissioner shall ensure that the process by which weights and
41 scoring ranges are assigned to subcomponents and categories is transparent
42 and available to those being rated before the beginning of each
43 school year. Such process must ensure that it is possible for a teacher
44 or principal to obtain any number of points in the applicable scoring
45 ranges, including zero, in each subcomponent. The superintendent,
46 district superintendent or chancellor and the representative of the
47 collective bargaining unit (where one exists) shall certify in the
48 district's plan that the evaluation process shall use the standards for
49 the scoring ranges provided by the commissioner. [~~Provided, however,~~
50 ~~that in any event, the following rules shall apply: a teacher or principal~~
51 ~~who is:~~

52 ~~a. rated using two subcomponents in the student performance category~~
53 ~~and receives a rating of ineffective in such category shall be rated~~
54 ~~ineffective overall, except that if the measure used in the second~~
55 ~~subcomponent is a second state provided growth score on a state-adminis-~~
56 ~~tered or sponsored test pursuant to clause (A) of subparagraph one of~~

~~paragraph a of subdivision four of this section, a teacher or principal that receives a rating of ineffective in such category shall not be eligible to receive a rating of effective or highly effective overall,~~

~~b. rated using only the state measure subcomponent in the student performance category and receives a rating of ineffective in such category shall not be eligible to receive a rating of effective or highly effective overall; and~~

~~c. rated ineffective in the observations category shall not be eligible to receive a rating of effective or highly effective overall.]~~

§ 5. Subdivision 10 of section 3012-d of the education law, as added by section 2 of subpart E of part EE of chapter 56 of the laws of 2015, is amended to read as follows:

10. The local collective bargaining representative shall negotiate with the district:

a. whether to use a second measure, and, in the event that a second measure is used, which measure to use, pursuant to subparagraph two of paragraph a of subdivision four of this section **[and];**

b. how to implement the provisions of paragraph b of subdivision four of this section, and associated regulations as established by the commissioner, in accordance with article fourteen of the civil service law; **and**

c. the selection and use of an assessment in a teacher or principal's evaluation pursuant to subdivision four of this section and paragraphs a and b of subdivision sixteen of this section.

§ 6. Section 2 of subpart B of part AA of chapter 56 of the laws of 2014 amending the education law relating to providing that standardized test scores shall not be included on a student's permanent record, as amended by section 35 of part CCC of chapter 59 of the laws of 2018, is amended to read as follows:

§ 2. This act shall take effect immediately ~~[and shall expire and be deemed repealed on December 31, 2019].~~

§ 7. Legislative findings. LaGuardia airport is a pillar of New York state's transportation network and a key driver of economic growth throughout the state and the country. However, LaGuardia airport remains the only major regional airport without a direct rail link. The lack of public transit options forces passengers to rely heavily on private cars, for-hire-vehicles and taxis to reach the airport, which in turn results in higher levels of regional traffic congestion, unpredictable travel time to LaGuardia airport and potential adverse environmental effects. To support this important airport access mass transit project, this act would authorize the acquisition of property interests necessary for the landing of guideway support columns and siting of ancillary facilities for airport access mass transit equipment maintenance, parking for persons using the airport access mass transit facility and additional limited purposes directly related to the operation of an airport access mass transit project, temporary laydown and construction areas, and air rights related to an elevated guideway and related entry, exit and crossing points for pedestrians and vehicles, and utilization by the New York state department of transportation or the transfer to the Port Authority of New York and New Jersey and certain other parties, in either case to permit construction, use, occupancy, operation and maintenance of the airport access mass transit facility; provided however, this legislation does not authorize acquisition of property interests for a self-standing facility constructed to house premises for automobile rental operations. The legislature finds and declares that it is a substantial state concern, with an impact well beyond a single munici-

1 pality, to ensure access to safe and reliable mass transit to LaGuardia
2 airport, a major transportation hub relied upon by people throughout the
3 state.

4 § 8. Subdivision 1 of section 14-d of the transportation law is
5 amended by adding a new paragraph d to read as follows:

6 d. to acquire by eminent domain, pursuant to the eminent domain proce-
7 dure law and section thirty of the highway law, any property, property
8 rights or property interests, including easements, air rights and
9 subsurface rights, whether or not now or previously designated as park-
10 land, or otherwise dedicated to a public use as parkland, (hereinafter
11 "property interests"), and, provided with respect to real property now
12 or previously designated as parkland, just compensation therefor shall
13 be calculated as an amount equal to the appraised fair market value of
14 the parkland being discontinued, and further provided only to the extent
15 that such property interests are, in the judgement of the commissioner,
16 necessary for the construction, use, occupancy, operation, and mainte-
17 nance of an airport access mass transit facility for LaGuardia airport
18 via elevated guideway, and related ancillary facilities for airport
19 access mass transit maintenance, parking for persons using the airport
20 access mass transit facility and additional limited purposes directly
21 related to operation of an airport access mass transit project, tempo-
22 rary laydown and construction areas, and air rights and subsurface
23 rights related to an elevated guideway, including appropriate entry and
24 exit points for users of the airport access mass transit facility and
25 any property interests necessary for an adjustment of the piers support-
26 ing the pedestrian bridges crossing the Grand Central Parkway to main-
27 tain accessibility, and any vehicle entry and exit points to the Grand
28 Central Parkway located along either side of the corridor, in all cases
29 running along a route from LaGuardia airport on or near the Grand
30 Central Parkway, thence along the edge of the Citi Field parking lot
31 previously alienated for stadium use, next alongside the existing
32 elevated track for the No. 7 subway and terminating at subway rail yards
33 and other transportation staging and storage areas within a corridor
34 more specifically defined pursuant to section three hundred forty-nine-g
35 of the highway law; and to utilize, or sell, lease, contract, or other-
36 wise transfer the acquired property interests together with property
37 interests it otherwise holds and/or grant easements, licenses, permits,
38 concessions or other authorizations, to the Port Authority of New York
39 and New Jersey to facilitate the construction (including temporary
40 laydown), and permanent use, occupancy, operation, and maintenance of
41 the airport access mass transit facility, related ancillary facilities
42 for airport access mass transit maintenance, parking for persons using
43 the airport access mass transit facility and additional limited purposes
44 directly related to operation of an airport access mass transit project;
45 provided however, this subdivision does not authorize acquisition of
46 property interests for a self-standing facility constructed to house
47 premises for automobile rental operations.

48 § 9. The highway law is amended by adding a new section 349-g to read
49 as follows:

50 § 349-g. Airport access mass transit for LaGuardia airport. (a)
51 Notwithstanding any other provision of law, general, special, charter or
52 local, and consistent with section fourteen-d of the transportation law,
53 if a property acquisition pursuant to this section occurs by eminent
54 domain, the commissioner of transportation shall have the authority to
55 acquire any property, property rights, or property interests, including
56 easements, air rights and subsurface rights whether or not now or previ-

1 ously designated as parkland or otherwise dedicated to a public use as
2 parkland (hereinafter referred to as "property interests"), but only to
3 the extent that such property interests are, in the judgment of the
4 commissioner, necessary for the construction, use, occupancy, operation,
5 and maintenance of an airport access mass transit facility via an
6 elevated guideway for LaGuardia airport and related ancillary facilities
7 for airport access mass transit maintenance, parking for persons using
8 the airport access mass transit facility and additional limited purposes
9 directly related to operation of an airport access mass transit project
10 and additional limited purposes directly related to the operation of an
11 airport access mass transit project, temporary laydown and construction
12 areas and air rights and subsurface rights related to an elevated guide-
13 way, including appropriate entry and exit points for users of the
14 airport access mass transit facility and any property interests neces-
15 sary for an adjustment of the piers supporting the pedestrian bridges
16 crossing the Grand Central Parkway to maintain accessibility, and any
17 vehicle entry and exit points to the Grand Central Parkway located along
18 either side of the corridor, running along a route from LaGuardia
19 airport on or near the Grand Central Parkway, thence along the edge of
20 the Citi Field parking lot previously alienated for stadium use, next
21 alongside the existing elevated track for the No. 7 subway and terminat-
22 ing at subway rail yards and other transportation staging and storage
23 areas within a corridor more specifically defined pursuant to subdivi-
24 sion (b) of this section; and to utilize or sell, lease, contract, or
25 otherwise transfer the acquired property interests together with proper-
26 ty interests the commissioner otherwise holds and/or grant easements,
27 licenses, permits, concessions or other authorizations, to the Port
28 Authority of New York and New Jersey, to facilitate the construction
29 (including temporary laydown), and permanent use, occupancy, operation,
30 and maintenance of the airport access mass transit facility and related
31 ancillary facilities for airport access transit maintenance, parking for
32 persons using the airport access transit facility and additional limited
33 purposes directly related to operation of an airport access mass transit
34 project, and additional limited purposes directly related to operation
35 of an airport access mass transit project including appropriate entry
36 and exit points for users of the mass transit facility and any property
37 interests necessary for an adjustment of the piers supporting the pedes-
38 trian bridges crossing the Grand Central Parkway to maintain accessibil-
39 ity, and any vehicle entry and exit points to the Grand Central Parkway
40 located along either side of the corridor, and temporary use for laydown
41 and construction purposes; provided however, this section does not
42 authorize acquisition of property interests for a self-standing facility
43 constructed to house premises for automobile rental operations.

44 (b) The corridor defined in subdivision (a) of this section, where the
45 acquisition of such property, property rights, or property interests
46 referred to in this section may occur, is more particularly described as
47 follows:

48 (i) The following parcels shall be included within a corridor within
49 which acquisition of permanent property interests may be acquired for
50 purposes of this section and paragraph d of subdivision one of section
51 fourteen-d of the transportation law:

52 (A) Parcel A

53 All that certain tracts or parcels of land located in the Borough of
54 Queens, State of New York, bounded and described as follows:

55 Tract 1 - Grand Central Parkway

1 Beginning at a point in the easterly right of way line of Ditmars Boule-
2 vard at the southwest corner of Tax Map Lot 50 Block 1641, thence along
3 a line North 15°-10'-31" East, a distance of 493.53' to a point within
4 the westerly line of Tax Map Lot 1 Block 926, and from said point of
5 beginning running thence;

6 1. Within the westbound lanes of the Grand Central Parkway South
7 07°-53'-31" East, a distance of 114.46' to a point within the westbound
8 lanes of the Grand Central Parkway

9 2. Within the westbound lanes of the Grand Central Parkway South
10 39°-25'-56" East, a distance of 338.44' to a point in the westbound
11 lanes of the Grand Central Parkway, thence;

12 3. Within said lands the following six courses; South 34°-46'-30"
13 East, a distance of 596.00' to a point in the westbound lanes of the
14 Grand Central Parkway, thence;

15 4. South 32°-52'-42" East, a distance of 284.58' to a point in the
16 westbound lanes of the Grand Central Parkway, thence;

17 5. South 31°-22'-20" East, a distance of 270.24' to a point in the
18 westbound lanes of the Grand Central Parkway, thence;

19 6. South 31°-20'-42" East, a distance of 561.27' to a point in the
20 westbound lanes of the Grand Central Parkway, thence;

21 7. South 31°-24'-15" East, a distance of 479.68' to a point in the
22 westbound lanes of the Grand Central Parkway, thence;

23 8. South 34°-12'-57" East, a distance of 122.82' to a point in the
24 westbound lanes of the Grand Central Parkway, thence;

25 9. Within said lands and through the westbound lanes of the Grand
26 Central Parkway South 47°-22'-46" West, a distance of 81.54' to a point
27 in the eastbound lanes of the Grand Central Parkway, thence;

28 10. Within the eastbound lanes of the Grand Central Parkway on a curve
29 to the left, having a radius of 1795.88', an arc length of 814.04', a
30 central angle of 25°-58'-16", and whose chord bears South 49°-41'-11"
31 East, a distance of 807.08' to a point in the eastbound lanes of the
32 Grand Central Parkway, thence;

33 11. Within the eastbound lanes of the Grand Central Parkway on a curve
34 to the right, having a radius of 4175.45', an arc length of 369.28', a
35 central angle of 05°-04'-02", and whose chord bears South 60°-46'-11"
36 East, a distance of 369.16' to a point in the eastbound lanes of the
37 Grand Central Parkway, thence;

38 12. Through the westbound lanes of Grand Central Parkway and waters of
39 Flushing Bay North 18°-38'-40" East, a distance of 1016.75' to a point
40 in the waters of Flushing Bay, thence;

41 13. Within the waters of Flushing Bay North 45°-38'-00" West, a
42 distance of 2406.73' to a point in the waters of Flushing Bay said point
43 also being in the southerly line of Tax Map Lot 1 Block 926, thence;

44 14. Along the southerly line of Tax Map Lot 1 Block 926 South
45 40°-14'-47" West, a distance of 458.89' to a point in the westerly line
46 of Tax Map Lot 1 Block 926, thence;

47 15. Along the westerly line of Tax Map Lot 1 Block 926 North
48 39°-47'-03" West, a distance of 685.00' to a point in the westerly line
49 of Tax Map Lot 1 Block 926, thence;

50 16. Along the westerly line of Tax Map Lot 1 Block 926 on a curve to
51 the left, having a radius of 9711.30', an arc length of 342.94', a
52 central angle of 02°-01'-24", and whose chord bears North 40°-47'-45"
53 West, a distance of 342.93' to a point in the westerly line of Tax Map
54 Lot 1 Block 926 also the point and place of beginning and containing a
55 calculated areas of 2,388,737.04 SF or 54.837 acres.

56 (B) Parcel B

1 All that certain tracts or parcels of land located in the Grand Central
2 Parkway, Borough of Queens, State of New York, bounded and described as
3 follows:

4 Beginning at a point at the intersection formed by the easterly right of
5 way line of 114th Street and the northerly right of way line of Roose-
6 velt Avenue, thence along a line North 23°-03'-48" East, a distance of
7 575.33' to a point within the westerly line of Tax Map Lot 20 Block
8 1787, and from said point of beginning running thence:

9 1. Through the westbound lanes of the Grand Central Parkway on a curve
10 to the right, having a radius of 1200', an arc length of 472.65', a
11 central angle of 22°-34'-02", and whose chord bears North 46°-30'-24"
12 West, a distance of 469.60' to a point in the median of the Grand
13 Central Parkway, thence;

14 2. Within said lands the following three courses, North 07°-32'-34"
15 West, a distance of 806.64' to a point in the median of the Grand
16 Central Parkway, thence;

17 3. On a curve to the left, having a radius of 956.60', an arc length
18 of 1069.45', a central angle of 64°-03'-18", and whose chord bears North
19 33°-04'-05" West, a distance of 1014.62' to a point in the median of the
20 Grand Central Parkway, thence;

21 4. North 61°-01'-46" West, a distance of 279.45' to a point in the
22 median of the Grand Central Parkway, said point also being the easterly
23 line of lands owned by the New York State Department of Transportation,
24 thence;

25 5. Along the easterly line of same, North 18°-38'-40" East, a distance
26 of 1016.75' to a point in the waters of Flushing Bay, thence;

27 6. Within the waters of Flushing Bay South 45°-38'-00" East, a
28 distance of 1092.05' to a point in the waters of Flushing Bay, said
29 point also being the westerly line of Tax Map Lot 65 Block 789, thence;

30 7. Along the westerly line of same South 05°-02'-52" East, a distance
31 of 456.35' to a point in the westerly line of Tax Map Lot 65 Block 789,
32 thence;

33 8. Within the Grand Central Parkway South 04°-53'-32" West, a distance
34 of 1348.61' to a point in the median of the Grand Central Parkway,
35 thence;

36 9. Through the westbound lanes of the Grand Central Parkway South
37 28°-11'-29" East, a distance of 427.88' to a point within the westerly
38 line of Tax Map Lot 20 Block 1787, thence;

39 10. Along the westerly line of same, South 05°-00'-28" East, a
40 distance of 133.39 to the point and place of beginning and containing a
41 calculated areas of 1,375,044.58 SF or 31.566 acres.

42 (C) Parcel C

43 All that certain tracts or parcels of land located in the Borough of
44 Queens, State of New York, bounded and described as follows:

45 Beginning at a point at the intersection formed by the easterly right of
46 way line of 114th Street and the northerly right of way line of Roose-
47 velt Avenue, thence along a line North 23°-03'-48" East, a distance of
48 575.33' to a point within the westerly line of Tax Map Lot 20 Block
49 1787, and from said point of beginning running thence:

50 1. Along the westerly line of same, North 05°-00'-28" West, a distance
51 of 133.39 to a point within the westerly line of Tax Map Lot 20 Block
52 1787, thence;

53 2. Within Tax Map Lot 20 Block 1787, South 59°-56'-38" East, a
54 distance of 584.20' to a point in Lot 20 Block 1787, thence;

1 3. Through Tax Map Lot 20 Block 1787 and Roosevelt Avenue, South
2 86°-10'-42" East, a distance of 420.78' to a point in Tax Map Lot 1500
3 Block 2018, thence;

4 4. Within said lands, North 68°-23'-55" East, a distance of 607.27' to
5 a point in Tax Map Lot 1500 Block 2018, thence;

6 5. Within said lands, North 21°-35'-11" West, a distance of 16.75' to
7 a point in the southerly right of way line of Roosevelt Avenue, thence;

8 6. Along the southerly line of same, North 68°-25'-28" East, a
9 distance of 1025.26' to a point formed by the intersection of the east-
10 erly right of way line of 126th Street and the southerly right of way
11 line of Roosevelt Avenue, thence;

12 7. Along the easterly right of way line of 126th Street, South
13 21°-35'-11" East, a distance of 259.05' to a point in the easterly right
14 of way line of 126th Street, thence;

15 8. Along the northerly line of Tax Map Lot 1000 Block 2018, South
16 68°-25'-28" West, a distance of 610.51' to a point in the northerly line
17 of Tax Map Lot 1000 Block 2018, thence;

18 9. Along the northerly line of same, South 68°-30'-37" West, a
19 distance of 230.61' to a point in the northerly line of Tax Map Lot 1000
20 Block 2018, thence;

21 10. Within Tax Map Lot 1500 Block 2018, North 72°-41'-52" West, a
22 distance of 207.77' to a point in Tax Map Lot 1500 Block 2018, thence;

23 11. Within Tax Map Lot 1500 Block 2018, South 68°-23'-55" West, a
24 distance of 917.78' to a point in Tax Map Lot 1500 Block 2018, thence;

25 12. Through Tax Map Lot 1500 Block 2018 and Roosevelt Avenue and Tax
26 Map Lot 20 Block 1787, North 59°-56'-38" West, a distance of 793.76' to
27 the point and place of beginning and containing a calculated areas of
28 458,276.64 SF or 10.520 acres.

29 (D) Parcel D

30 All that certain tracts or parcels of land located in the Borough of
31 Queens, State of New York, bounded and described as follows:
32 Beginning at a point at the intersection formed by the intersection of
33 the easterly right of way line of 126th Street and the southerly right
34 of way line of Roosevelt Avenue, and from said point of beginning
35 running thence:

36 1. Along the southerly right of way line of Roosevelt Avenue, North
37 68°-30'-18" East, a distance of 420.90' to a point in the southerly
38 right of way line of Roosevelt Avenue, thence;

39 2. Along the southerly right of way line of Roosevelt Avenue, North
40 62°-00'-28" East, a distance of 263.59' to a point in the southerly
41 right of way line of Roosevelt Avenue, thence;

42 3. Within Tax Map Lot 300 Block 2018 South 21°-35'-11" East, a
43 distance of 244.87' to a point in Lot 300 Block 2018, thence;

44 4. Through Tax Map Lot 300 Block 2018 and Tax Map Lot 75 Block 2018
45 South 68°-30'-18" West, a distance of 682.85' to a point in the easterly
46 right of way line of 126th Street, thence;

47 5. Along the easterly right of way line of 126th Street, North
48 21°-35'-11" West, a distance of 215.05' to a point in the easterly right
49 of way line of 126th Street to the point and place of beginning and
50 containing a calculated areas of 150,750.81 SF or 3.46 acres.

51 (E) Parcel E

52 All that certain tracts or parcels of land located in the Borough of
53 Queens, State of New York, bounded and described as follows:
54 Beginning at a point at the intersection formed by the intersection of
55 the westerly right of way line of 126th Street and the southerly right
56 of way line of Roosevelt Avenue, thence along the westerly right of way

1 line of 126th Street South 21°-35'-11" East, a distance of 259.05' to a
 2 point within the northerly line of Tax Map Lot 1000 Block 2018, thence
 3 along the northerly line of Tax Map Lot 1000 Block 2018 South
 4 68°-25'-28" West, a distance of 610.51' to a point within the northerly
 5 line of Lot 1000 Block 2018, and from said point of beginning running
 6 thence;

7 1. Within Tax Map Lot 1000 Block 2018, South 05°-44'-59" West, a
 8 distance of 37.85' to a point in Tax Map Lot 1000 Block 2018, thence;

9 2. Within said lands the following two courses, South 21°-02'-11"
 10 East, a distance of 96.44' to a point in Tax Map Lot 1000 Block 2018,
 11 thence;

12 3. South 47°-44'-48" East, a distance of 127.09' to a point in Tax Map
 13 Lot 1000 Block 2018, thence;

14 4. Through Tax Map Lot 1000 Block 2018 and Tax Map Lot 350R Block 2018
 15 South 38°-51'-17" East, a distance of 330.15' to a point in the norther-
 16 ly line of Tax Map Lot 300R Block 2018, thence;

17 5. Along the northerly line of Tax Map Lot 300R Block 2018 South
 18 65°-11'-49" West, a distance of 182.95' to a point in the northerly line
 19 of Tax Map Lot 300R Block 2018, thence;

20 6. Through Tax Map Lot 350R Block 2018 and Tax Map Lot 1000 Block 2018
 21 North 38°-51'-17" West, a distance of 556.87' to a point within Tax Map
 22 Lot 1000 Block 2018, thence;

23 7. Within Tax Map Lot 1000 Block 2018 North 47°-13'-34" West, a
 24 distance of 42.46' to a point along the southerly line of Tax Map Lot
 25 1500 Block 2018, thence;

26 8. Along the southerly line of Tax Map Lot 1500 Block 2018 North
 27 68°-30'-37" East, a distance of 230.61' to the point and place of begin-
 28 ning and containing a calculated areas of 104,235.19 SF or 2.392 acres.

29 (ii) The following parcels shall be included within a corridor within
 30 which acquisition of temporary property interests may be acquired for
 31 purposes of this section three hundred forty-nine-g and paragraph d of
 32 subdivision one of section fourteen-d of the transportation law:

33 (A) Parcel A

34 All that certain tracts or parcels of land located in the Borough of
 35 Queens, State of New York, bounded and described as follows:
 36 Beginning at a point in the easterly right of way line of Ditmars Boule-
 37 vard at the southwest corner of Tax Map Lot 50 Block 1641, thence along
 38 a line North 12°-36'-04" East, a distance of 509.49' to a point within
 39 the westerly line of Tax Map Lot 1 Block 926, and from said point of
 40 beginning running thence;

41 1. Within the westbound lanes of the Grand Central Parkway South
 42 07°-53'-31" East, a distance of 141.88' to a point in the westbound
 43 lanes of the Grand Central Parkway, thence;

44 2. Within the westbound lanes of the Grand Central Parkway South
 45 39°-25'-56" East, a distance of 342.06' to a point in the westbound
 46 lanes of the Grand Central Parkway, thence;

47 3. Within said lands the following six courses; South 34°-46'-30"
 48 East, a distance of 595.14' to a point in the westbound lanes of the
 49 Grand Central Parkway, thence;

50 4. South 32°-52'-42" East, a distance of 284.13' to a point in the
 51 westbound lanes of the Grand Central Parkway, thence;

52 5. South 31°-22'-20" East, a distance of 270.04' to a point in the
 53 westbound lanes of the Grand Central Parkway, thence;

54 6. South 31°-20'-42" East, a distance of 561.27' to a point in the
 55 westbound lanes of the Grand Central Parkway, thence;

1 7. South 31°-24'-15" East, a distance of 480.06' to a point in the
2 westbound lanes of the Grand Central Parkway, thence;

3 8. South 34°-13'-04" East, a distance of 110.24' to a point in the
4 westbound lanes of the Grand Central Parkway, thence;

5 9. Through the westbound lanes of the Grand Central Parkway South
6 47°-22'-46" West, a distance of 82.07", to a point in the eastbound
7 lanes of the Grand Central Parkway, thence;

8 10. Within the eastbound lanes of the Grand Central Parkway on a curve
9 to the left, having a radius of 1778.30', an arc length of 834.73', a
10 central angle of 26°-53'-40", and whose chord bears South 49°-28'-25"
11 East, a distance of 827.08' to a point in the eastbound lanes of the
12 Grand Central Parkway, thence;

13 11. Within the eastbound lanes of the Grand Central Parkway on a curve
14 to the right, having a radius of 4238.74", an arc length of 371.50', a
15 central angle of 05°-01'-18", and whose chord bears South 60°-46'-13"
16 East, a distance of 371.38' to a point in the eastbound lanes of the
17 Grand Central Parkway, thence;

18 12. Through the westbound lanes of Grand Central Parkway and waters of
19 Flushing Bay North 18°-38'-40" East, a distance of 1054.19' to a point
20 in the waters of Flushing Bay, thence;

21 13. Within the waters of Flushing Bay North 45°-38'-00" West, a
22 distance of 2330.21' to a point in the waters of Flushing Bay said point
23 also being in the southerly line of Tax Map Lot 1 Block 926, thence;

24 14. Along the southerly line of Tax Map Lot 1 Block 926 North
25 62°-16'-56" West, a distance of 69.81' to a point in the southerly line
26 of Tax Map Lot 1 Block 926, thence;

27 15. Along the southerly line of Tax Map Lot 1 Block 926 South
28 40°-14'-47" West, a distance of 458.89' to a point in the westerly line
29 of Tax Map Lot 1 Block 926, thence;

30 16. Along the westerly line of Tax Map Lot 1 Block 926 North
31 39°-47'-03" West, a distance of 685.00' to a point in the westerly line
32 of Tax Map Lot 1 Block 926, thence;

33 17. Along the westerly line of Tax Map Lot 1 Block 926 on a curve to
34 the left, having a radius of 9711.30', an arc length of 342.94', a
35 central angle of 02°-01'-24", and whose chord bears North 40°-47'-45"
36 West, a distance of 342.93' to a point in the westerly line of Tax Map
37 Lot 1 Block 926, thence;

38 18. Along the westerly line of Tax Map Lot 1 Block 926 North
39 40°-47'-45" West, a distance of 27.61' to a point in the westerly line
40 of Tax Map Lot 1 Block 926, also the point and place of beginning and
41 containing a calculated areas of 2,497,386.76 SF or 57.332 acres.

42 (B) Parcel B

43 All that certain tracts or parcels of land located in the Grand Central
44 Parkway, Borough of Queens, State of New York, bounded and described as
45 follows:

46 Beginning at a point at the intersection formed by the easterly right of
47 way line of 114th Street and the northerly right of way line of Roose-
48 velt Avenue, thence along a line North 24°-39'-00" East, a distance of
49 547.13' to a point within the westerly line of Tax Map Lot 20 Block
50 1787, and from said point of beginning running thence:

51 1. Through the westbound lanes of the Grand Central Parkway South
52 77°-38'-22" West, a distance of 287.24', to a point within the median of
53 the Grand Central Parkway, thence;

54 2. Within the median of the Grand Central Parkway the following two
55 courses; North 10°35'14" West, a distance of 1045.10', to a point in the
56 median of the Grand Central Parkway, thence;

1 3. Within the Grand Central Parkway on a curve to the left, having a
2 radius of 1993.67', an arc length of 1428.31', a central angle of
3 41°02'53", and whose chord bears North 33°54'06" West, a distance of
4 1397.96', to a point in the eastbound lanes of the Grand Central Park-
5 way, said point also being the easterly line of lands owned by the New
6 York State Department of Transportation, thence;

7 4. Along the easterly line of lands owned by the New York State
8 Department of Transportation, North 18°-38'-40" East, a distance of
9 1054.19' to a point within the waters of Flushing Bay, thence;

10 5. Within the waters of Flushing Bay South 45°-38'-00" East, a
11 distance of 1109.08', to a point in the waters of Flushing Bay, said
12 point also being within Tax Map Lot 65 Block 1789, thence;

13 6. Within the waters of Flushing Bay South 05°-02'-53" East, a
14 distance of 465.40', to a point within Tax Map Lot 65 Block 1789,
15 thence;

16 7. Within the Grand Central Parkway South 04°-53'-30" West, a distance
17 of 1336.32', to a point in the median of the Grand Central Parkway,
18 thence;

19 8. Through the westbound lanes of the Grand Central Parkway, South
20 76°-53'-58" East, a distance of 198.10', to a point in the westerly line
21 of Tax Map Lot 20 Block 1787, thence;

22 9. Along the westerly line of same, the following three courses; South
23 03°-28'-07" West, a distance of 240.75', to a point in the westerly line
24 of Tax Map Lot 20 Block 1787, thence;

25 10. South 01°-26'-38" East, a distance of 104.30', to a point in the
26 westerly line of Tax Map Lot 20 Block 1787, thence;

27 11. South 05°-00'-28" East, a distance of 165.58', to the point and
28 place of beginning and containing a calculated areas of 1,699,154.25 SF
29 or 39.007 acres.

30 (C) Parcel C

31 All that certain tracts or parcels of land located in the Borough of
32 Queens, State of New York, bounded and described as follows:
33 Beginning at a point at the intersection formed by the easterly right of
34 way line of 114th Street and the northerly right of way line of Roose-
35 velt Avenue, thence along a line North 24°-39'-00" East, a distance of
36 547.13' to a point within the westerly line of Tax Map Lot 20 Block
37 1787, and from said point of beginning running thence:

38 1. Along the westerly line of same the following two course; North
39 05°-00'-28" West, a distance of 165.58', to a point within the westerly
40 line of Tax Map Lot 20 Block 1787, thence;

41 2. North 01°-26'-38" West, a distance of 104.30', to a point within
42 the westerly line of Tax Map Lot 20 Block 1787, thence;

43 3. Within Tax Map Lot 20 Block 1787, South 59°-56'-38" East, a
44 distance of 163.06', to a point in Lot 20 Block 1787, thence;

45 4. Within Tax Map Lot 20 Block 1787, North 68°-47'-17" East, a
46 distance of 198.49', to a point in Lot 20 Block 1787, thence;

47 5. Within Tax Map Lot 20 Block 1787, South 22°-21'-18" East, a
48 distance of 381.93', to a point in Lot 20 Block 1787, thence;

49 6. Within Tax Map Lot 20 Block 1787, South 59°-56'-38" East, a
50 distance of 48.54', to a point in Lot 20 Block 1787, thence;

51 7. Through Tax Map Lot 20 Block 1787 and Roosevelt Avenue, South
52 86°-10'-42" East, a distance of 398.17', to a point in the northerly
53 line of Tax Map Lot 1500 Block 2018, said point also being in the south-
54 erly right of way line of Roosevelt Avenue, thence;

1 8. Along the southerly right of way line of Roosevelt Avenue North
2 68°-23'-55" East, a distance of 609.39', to a point in the southerly
3 right of way line of Roosevelt Avenue, thence;

4 9. Within Roosevelt Avenue, North 21°-35'-11" West, a distance of
5 10.14', to a point within Roosevelt Avenue, thence;

6 10. Within Roosevelt Avenue North 68°-25'-28" East, a distance of
7 1035.26', to a point within Roosevelt Avenue, thence;

8 11. Within Roosevelt Avenue and along the easterly right of way line
9 of 126th Street, South 21°-35'-11" East, a distance of 289.03', to a
10 point within Tax Map Lot 1000 Block 2018, thence;

11 12. Within Tax Map Lot 1000 Block 2018, South 68°-25'-28" West, a
12 distance of 620.84', to a point in Tax Map Lot 1000 Block 2018, thence;

13 13. Within Tax Map Lot 1000 Block 2018 North 05°-44'-59" East, a
14 distance of 22.49', to a point in the southerly line of Tax Map Lot 1500
15 Block 2018, thence;

16 14. Along the southerly line of same, South 68°-30'-37" West, a
17 distance of 241.71', to a point in the southerly line of Tax Map Lot
18 1500 Block 2018, thence;

19 15. Within Tax Map Lot 1500 Block 2018, North 72°-41'-52" West, a
20 distance of 175.88', to a point in Tax Map Lot 1500 Block 2018, thence;

21 16. Within Tax Map Lot 1500 Block 2018, South 68°-23'-55" West, a
22 distance of 949.27', to a point in Tax Map Lot 1500 Block 2018, thence;

23 17. Through Tax Map Lot 1500 Block 2018 and Roosevelt Avenue and Tax
24 Map Lot 20 Block 1787, North 59°-56'-38" West, a distance of 779.92', to
25 the point and place of beginning and containing a calculated areas of
26 607,660.66 SF or 13.949 acres.

27 (D) Parcel D

28 All that certain tracts or parcels of land located in the Borough of
29 Queens, State of New York, bounded and described as follows:

30 Beginning at a point at the intersection formed by the intersection of
31 the easterly right of way line of 126th Street and the southerly right
32 of way line of Roosevelt Avenue, thence along a line North 21°-35'-11"
33 West, a distance of 10.00' to a point within Roosevelt Avenue and from
34 said point of beginning running thence:

35 1. Within the right of way of Roosevelt Avenue, North 68°-30'-18"
36 East, a distance of 420.35' to a point in the right of way of Roosevelt
37 Avenue, thence;

38 2. Within the right of way of Roosevelt Avenue, North 62°-00'-28"
39 East, a distance of 264.15' to a point in the right of way of Roosevelt
40 Avenue, thence;

41 3. Through Roosevelt Avenue and Tax Map Lot 300 Block 2018 South
42 21°-35'-11" East, a distance of 254.94' to a point in Lot 300 Block
43 2018, thence;

44 4. Through Tax Map Lot 300 Block 2018 South 58°-00'-57" West, a
45 distance of 386.69', to a point in the southeasterly line of Tax Map Lot
46 75 Block 2018, thence;

47 5. Within Tax Map Lot 75 Block 2018 South 77°-57'-39" West, a distance
48 of 162.28' to a point in Tax Map Lot 75 Block 2018, thence;

49 6. Within Tax Map Lot 75 Block 2018 South 68°-23'-55" West, a distance
50 of 142.47' to a point in Tax Map Lot 75 Block 2018, said point also
51 being along the easterly line of 126th Street, thence;

52 7. Along the easterly right of way line of 126th Street, North
53 21°-35'-11" West, a distance of 269.04' to the point and place of begin-
54 ning and containing a calculated areas of 186,365.46 SF or 4.278 acres.

55 (E) Parcel E

1 All that certain tracts or parcels of land located in the Borough of
2 Queens, State of New York, bounded and described as follows:
3 Beginning at a point at the intersection formed by the intersection of
4 the westerly right of way line of 126th Street and the southerly right
5 of way line of Roosevelt Avenue, thence along the westerly right of way
6 line of 126th Street South 21°-35'-11" East, a distance of 259.05' to a
7 point within the northerly line of Tax Map Lot 1000 Block 2018, thence
8 along the northerly line of Tax Map Lot 1000 Block 2018 South
9 68°-25'-28" West, a distance of 610.51' to a point within the northerly
10 line of Lot 1000 Block 2018, and from said point of beginning running
11 thence:

12 1. Within Tax Map Lot 1000 Block 2018, South 05°-44'-59" West, a
13 distance of 37.84', to a point in Tax Map Lot 1000 Block 2018, thence;

14 2. Within said lands the following three courses, South 21°-02'-11"
15 East, a distance of 96.44', to a point in Tax Map Lot 1000 Block 2018,
16 thence;

17 3. South 47°-44'-48" East, a distance of 71.01', to a point in Tax Map
18 Lot 1000 Block 2018, thence;

19 4. North 68°-23'-55" East, a distance of 489.48', to a point in the
20 northerly line of Tax Map Lot 350R Block 2018, thence

21 5. Within Tax Map Lot 350R Block 2018 the following two courses, South
22 43°-22'-54" East, a distance of 39.27', to a point in Lot 350R Block
23 2018, thence;

24 6. South 42°-24'-34" West, a distance of 391.74', to a point in the
25 northerly line of Lot 350R Block 2018, thence;

26 7. Through Tax Map Lot 350R Block 2018, South 46°-00'-42" East, a
27 distance of 166.93', to a point in the southerly line of Lot 350R Block
28 2018, said point also being in the northerly line of Lot 300R Block
29 2018, thence;

30 8. Along the northerly line of Tax Map Lot 300R Block 2018 South
31 65°-11'-49" West, a distance of 556.87', to a point in the northerly
32 line of Tax Map Lot 300R Block 2018, thence;

33 9. Through Tax Map Lot 350R Block 2018 and Tax Map Lot 1000 Block
34 2018, North 24°-48'-11" West, a distance of 164.72', to a point within
35 Tax Map Lot 1000 Block 2018, thence;

36 10. Within Tax Map Lot 1000 Block 2018 the following three courses;
37 North 51°-08'-46" East, a distance of 217.28', to a point within Tax Map
38 Lot 1000 Block 2018, thence;

39 11. North 38°-51'-17" West, a distance of 329.46', to a point within
40 Tax Map Lot 1000 Block 2018, thence;

41 12. North 47°-13'-34" West, a distance of 46.55' to a point along the
42 southerly line of Tax Map Lot 1500 Block 2018, thence;

43 13. Along the southerly line of Tax Map Lot 1500 Block 2018 North
44 68°-30'-37" East, a distance of 241.71' to the point and place of begin-
45 ning and containing a calculated areas of 236,272.08 SF or 5.424 acres.

46 (F) Any property interests necessary for an adjustment of the piers
47 supporting the pedestrian bridges crossing the Grand Central Parkway to
48 maintain accessibility, and any vehicle entry and exit points to the
49 Grand Central Parkway located along either side of the above described
50 corridor.

51 (c) Notwithstanding any other provision of law, general, special,
52 charter or local, following acquisition, the commissioner of transporta-
53 tion may use such property interests together with property interests
54 already owned or held within the corridor described in subdivision (b)
55 of this section or enter into contracts to sell, or lease to, contract
56 with or otherwise transfer to, and/or exchange with, and/or grant ease-

1 ments, licenses, permits, concessions, or other authorizations to, the
2 Port Authority of New York and New Jersey, to construct (including
3 utilizing temporary laydown areas), and permanently use, occupy, oper-
4 ate, and maintain the airport access mass transit facility, related
5 ancillary facilities for airport access mass transit maintenance, park-
6 ing for persons using the airport access mass transit facility and addi-
7 tional limited purposes directly related to operation of an airport
8 access mass transit project; provided however, this section does not
9 authorize use of property interests for a self-standing facility
10 constructed to house premises for automobile rental operations; and
11 provided further that, the Port Authority of New York and New Jersey
12 may, notwithstanding any other provision of law, general, special, char-
13 ter or local, transfer any property interests to the city of New York,
14 in accordance with the terms and conditions for the lease of airport
15 premises by the city of New York to the Port Authority of New York and
16 New Jersey and the city of New York may, following such transfer, lease-
17 back the property interests under those terms and conditions.

18 (d) Upon completion of any modifications to the Grand Central Parkway,
19 the commissioner of transportation shall by official order transfer
20 jurisdiction over the central express artery and adjacent landscape
21 areas and over adjacent service roads to the city of New York as set
22 forth in subdivision 3.4 of section three hundred forty-nine-c of this
23 article.

24 (e) Authorization is hereby given to the commissioner of transporta-
25 tion to do all things necessary, within the judgment of the commission-
26 er, to carry out the purposes of this section.

27 (f) During the construction of any airport access mass transit facili-
28 ty for LaGuardia airport and related ancillary facilities on any proper-
29 ty interests acquired pursuant to this section, section fourteen-d of
30 the transportation law, or pursuant to any other section of law, the
31 constructing party shall provide for the on-going monitoring of
32 vibrations, noise and air quality during construction.

33 (g) The constructing party shall ensure the provision of just compen-
34 sation to a property owner of any property or building within the vicin-
35 ity of the construction of any airport access mass transit facility for
36 LaGuardia airport and related ancillary facilities that has been phys-
37 ically damaged as a result of action taken by the constructing party or
38 its agent during such construction, however, nothing herein shall estab-
39 lish a cause of action for such damages.

40 § 10. (A) The use of any property, property rights, or property inter-
41 ests including easements, air rights and subsurface rights, acquired
42 pursuant to paragraph d of subdivision 1 of section 14-d of the trans-
43 portation law, as added by section eight of this act, for any essential
44 facilities necessary for the construction, operation, and maintenance of
45 an airport access mass transit facility for LaGuardia airport including:
46 temporary and permanent stairways; pedestrian walkways/bridges other
47 than the Passerelle; and vertical movement (i.e. elevators, escala-
48 tors); guideway superstructure, columns, and foundations; guideway and
49 station equipment such as track, third rail, walkways, handrails, noise
50 wall, lighting, blue light stations, CCTV, fare collection systems and
51 security equipment and provisions; facility ingress and egress installa-
52 tions; all utilities necessary for an airport access mass transit facil-
53 ity such as high and low voltage electric, grounding, natural gas,
54 water, sewer, drainage, cable, fiber, communication towers, antennae,
55 temporary utilities and miscellaneous utilities and services; utilities
56 facilities including, but not limited to, substations, transformers,

1 mechanical, and pumping facilities; temporary and permanent public
2 access roads, pedestrian bridges other than the Passerelle, sidewalks,
3 pathways, and traffic facilities; temporary and permanent security fenc-
4 ing, guard booths, CCTV systems, security equipment/provisions as well
5 as bollards and walls of various materials; landscaping features,
6 sustainable design installations, and mitigation elements required
7 through the environmental or regulatory approval process(es), or as a
8 result of recommendations from local community outreach; temporary and
9 permanent lighting fixtures including any aviation warning lights;
10 temporary infrastructure to support construction; temporary and perma-
11 nent signage and signage structures; temporary and permanent facilities
12 and buildings such as operations, storage and maintenance facilities,
13 passenger stations, as well as other miscellaneous support facilities
14 and buildings, which include all equipment required to provide a fully
15 functional installation including elements such as oil separation, fuel
16 storage, vehicle cleaning, backup power systems, and other associated
17 equipment; corrosion and erosion control monitoring and mitigating
18 installations; temporary parking during construction and parking for
19 employees of an access mass transit facility; concessions and small
20 business facilities; temporary construction equipment and facilities;
21 public announcement and other annunciating equipment and facilities;
22 temporary storage facilities; temporary and permanent systems support
23 installations (i.e. communications and train control); lightning
24 protection installation; storage facilities to support the airport
25 access mass transit facility and airport operations; all interfaces with
26 the NYCT 7 line and MTA/LIRR; all rearrangements related to MTA bus and
27 rail operations at Willets Point; alternative/sustainable energy systems
28 (i.e. solar panels, electric vehicle charging stations, energy storage,
29 etc.); waste/refuse storage and processing associated with airport
30 access mass transit facility operations (i.e. trash compactors and dump-
31 sters); storm water treatment and storage facilities (above and/or
32 underground); and flood mitigation installations shall be authorized.

33 (B) The use of any property, property rights, or property interests
34 including easements, air rights and subsurface rights acquired pursuant
35 to paragraph d of subdivision 1 of section 14-d of the transportation
36 law, as added by section eight of this act, for any nonessential facili-
37 ties including: permanent parking facilities; and other nonessential
38 facilities not directly related to the construction, operation, and
39 maintenance of an airport access mass transit facility for LaGuardia
40 airport and not necessary for such facility's operation shall be author-
41 ized only upon the condition that a memorandum of understanding is
42 executed between the Mayor of the City of New York and the port authori-
43 ty of New York and New Jersey.

44 (C) The acquisition of any property, property rights, or property
45 interests including easements, air rights and subsurface rights author-
46 ized pursuant to paragraph d of subdivision 1 of section 14-d of the
47 transportation law, as added by section eight of this act, shall take
48 effect only upon the condition that a memorandum of understanding is
49 executed between the mayor of the city of New York and the port authori-
50 ty of New York and New Jersey for the renovation of the Passerelle
51 bridge and the interfaces with the Passerelle structures.

52 § 11. If property interests acquired on real property currently desig-
53 nated as parkland or that is currently used for park purposes pursuant
54 to the authorization contained in this act are not used within fifteen
55 years of their acquisition or shall ever be used for a purpose other
56 than for the use authorized pursuant to this act, such property shall

1 revert back to the city of New York department of parks and recreation
2 to be used for park and recreational purposes or for the purposes that
3 are consistent with those provided by chapter 729 of the laws of 1961.

4 § 12. New York City shall dedicate an amount equal to or greater than
5 the fair market value received from the department of transportation's
6 acquisition of parklands pursuant to the authorization in paragraph d of
7 subdivision 1 of section 14-d of the transportation law, as added by
8 section eight of this act, toward the acquisition of new parkland and/or
9 capital improvements to existing parkland and recreational facilities
10 provided, however, that if any such parkland is waterfront parkland the
11 fair market value may only be used for the acquisition of new waterfront
12 parklands and/or capital improvements to existing waterfront parkland
13 and recreational facilities.

14 § 13. Subdivision 9 of section 2852 of the education law, as amended
15 by section 2 of subpart A of part B of chapter 20 of the laws of 2015,
16 is amended to read as follows:

17 9. The total number of charters issued pursuant to this article state-
18 wide shall not exceed four hundred sixty. (a) All charters issued on or
19 after July first, two thousand fifteen and counted toward the numerical
20 limits established by this subdivision shall be issued by the board of
21 regents upon application directly to the board of regents or on the
22 recommendation of the board of trustees of the state university of New
23 York pursuant to a competitive process in accordance with subdivision
24 nine-a of this section. [~~Fifty of such charters issued on or after July~~
25 ~~first, two thousand fifteen, and no more, shall be granted to a charter~~
26 ~~for a school to be located in a city having a population of one million~~
27 ~~or more.~~] The failure of any body to issue the regulations authorized
28 pursuant to this article shall not affect the authority of a charter
29 entity to propose a charter to the board of regents or the board of
30 regents' authority to grant such charter. A conversion of an existing
31 public school to a charter school, or the renewal or extension of a
32 charter approved by any charter entity, shall not be counted toward the
33 numerical limits established by this subdivision.

34 (b) A charter that has been surrendered, revoked or terminated [~~on or~~
35 ~~before July first, two thousand fifteen~~], including a charter that has
36 not been renewed by action of its charter entity, may be reissued pursu-
37 ant to paragraph (a) of this subdivision by the board of regents either
38 upon application directly to the board of regents or on the recommenda-
39 tion of the board of trustees of the state university of New York pursu-
40 ant to a competitive process in accordance with subdivision nine-a of
41 this section. Provided that such reissuance shall not be counted toward
42 the statewide numerical limit established by this subdivision[, ~~and~~
43 ~~provided further that no more than twenty two charters may be reissued~~
44 ~~pursuant to this paragraph~~].

45 (c) For purposes of determining the total number of charters issued
46 within the numerical limits established by this subdivision, the
47 approval date of the charter entity shall be the determining factor.

48 (d) Notwithstanding any provision of this article to the contrary, any
49 charter authorized to be issued by chapter fifty-seven of the laws of
50 two thousand seven effective July first, two thousand seven, and that
51 remains unissued as of July first, two thousand fifteen, may be issued
52 pursuant to the provisions of law applicable to a charter authorized to
53 be issued by such chapter in effect as of June fifteenth, two thousand
54 fifteen[, ~~provided however that nothing in this paragraph shall be~~
55 ~~construed to increase the numerical limit applicable to a city having a~~
56 ~~population of one million or more as provided in paragraph (a) of this~~

1 ~~subdivision, as amended by a chapter of the laws of two thousand fifteen~~
2 ~~which added this paragraph~~].

3 § 14. Subdivision 2 of section 3204 of the education law, as amended
4 by section 1 of part SSS of chapter 59 of the laws of 2018, is amended
5 to read as follows:

6 2. Quality and language of instruction; text-books. (i) Instruction
7 may be given only by a competent teacher. In the teaching of the
8 subjects of instruction prescribed by this section, English shall be the
9 language of instruction, and text-books used shall be written in
10 English, except that for a period of three years, which period may be
11 extended by the commissioner with respect to individual pupils, upon
12 application therefor by the appropriate school authorities, to a period
13 not in excess of six years, from the date of enrollment in school,
14 pupils who, by reason of foreign birth or ancestry have limited English
15 proficiency, shall be provided with instructional programs as specified
16 in subdivision two-a of this section and the regulations of the commis-
17 sioner. The purpose of providing such pupils with instruction shall be
18 to enable them to develop academically while achieving competence in the
19 English language. Instruction given to a minor elsewhere than at a
20 public school shall be at least substantially equivalent to the instruc-
21 tion given to minors of like age and attainments at the public schools
22 of the city or district where the minor resides.

23 (ii) For purposes of considering substantial equivalence pursuant to
24 this subdivision for nonpublic elementary and middle schools that are:
25 (1) non-profit corporations, (2) have a bi-lingual program, and (3) have
26 an educational program that extends from no later than nine a.m. until
27 no earlier than four p.m. for grades one through ~~three, and no earlier~~
28 ~~than five thirty p.m. for grades four through~~ eight, on the majority of
29 weekdays to meet the requirements of this section, the department shall
30 consider the following, but not limited to: if the curriculum provides
31 academically rigorous instruction that develops critical thinking skills
32 in the school's students, taking into account the entirety of the
33 curriculum, over the course of elementary and middle school, including
34 instruction in English ~~that will~~ to prepare pupils to read fiction and
35 nonfiction text for information and to use that information to construct
36 written essays that state a point of view or support an argument;
37 instruction in mathematics ~~that will~~ to prepare pupils to solve real
38 world problems using both number sense and fluency with mathematical
39 functions and operations; instruction in history ~~by being able~~ to
40 prepare pupils to interpret and analyze primary text to identify and
41 explore important events in history, to construct written arguments
42 using the supporting information they get from primary source material,
43 demonstrate an ~~understating~~ understanding of the role of geography and
44 economics in the actions of world civilizations, and an understanding of
45 civics and the responsibilities of citizens in world communities; and
46 instruction in science ~~by learning~~ to teach pupils how to gather,
47 analyze and interpret observable data to make informed decisions and
48 solve problems mathematically, using deductive and inductive reasoning
49 to support a hypothesis, and how to differentiate between correlational
50 and causal relationships.

51 (iii) For purposes of considering substantial equivalence pursuant to
52 this subdivision for nonpublic high schools that: (1) are established
53 for pupils in high school who have graduated from an elementary school
54 that provides instruction as described in this section, (2) are a non-
55 profit corporation, (3) have a bi-lingual program, and (4) have an
56 educational program that extends from no later than nine a.m. until no

1 earlier than [~~six~~] four-thirty p.m. on the majority of weekdays to meet
 2 the requirements of this section the department shall consider the
 3 following but not limited to: if the curriculum provides academically
 4 rigorous instruction that develops critical thinking skills in the
 5 school's students, the outcomes of which, taking into account the
 6 entirety of the curriculum, result in a sound basic education.

7 (iv) Nothing herein shall be construed to entitle or permit any school
 8 to receive an increase in mandated services aid pursuant to 8 NYCRR 176
 9 on account of providing a longer school day.

10 (v) [~~The commissioner shall be the entity that determines whether~~
 11 ~~nonpublic elementary and secondary schools are in compliance with the~~
 12 ~~academic requirements set forth in paragraphs (ii) and (iii) of this~~
 13 ~~subdivision.~~] In determining compliance with the academic requirements
 14 set forth in paragraphs (ii) and (iii) of this subdivision, the commis-
 15 sioner shall designate an entity or entities with expertise in the
 16 curriculum of the schools described in paragraphs (ii) and (iii) of this
 17 subdivision to evaluate the schools' compliance with said requirements,
 18 and shall defer to such entity's expertise in making such evaluation.

19 (vi) For purposes of determining compliance with the academic require-
 20 ments set forth in paragraphs (ii) and (iii) of this subdivision, the
 21 determination shall be based solely on teaching the enumerated require-
 22 ments contained therein; provided, however, that nothing in this para-
 23 graph shall prohibit schools from providing instruction in areas not
 24 enumerated within paragraphs (ii) and (iii) of this subdivision.

25 (vii) Upon a finding of non-compliance the following steps may be
 26 taken:

27 (a) The commissioner may issue a report recommending corrective
 28 actions to satisfy the academic requirements established herein.

29 (b) Such school may accept and implement the recommended corrective
 30 actions or establish its own plan for resolving the stated deficiencies,
 31 and be afforded adequate time to implement such corrective actions. Upon
 32 failure of a school to remedy the non-compliance, the commissioner may
 33 deem the school's curriculum to be deficient and place the school on
 34 probation for a period of one year. During such probationary period the
 35 school shall be required to retain and work with a curriculum specialist
 36 to further address and resolve the deficiencies and shall be subject to
 37 further and periodic monitoring by the commissioner until the deficien-
 38 cies are resolved pursuant to this subdivision.

39 (c) If a school is deemed not to be in compliance after the probation-
 40 ary period described above, the commissioner shall inform parents of
 41 students enrolled in such school that the instruction provided by the
 42 school was determined not to be in compliance.

43 § 15. Section 292 of the executive law is amended by adding a new
 44 subdivision 35 to read as follows:

45 35. The term "educational institution" shall mean:

46 (a) any education corporation or association which holds itself out to
 47 the public to be non-secretarian and exempt from taxation pursuant to
 48 the provisions of article four of the real property tax law; or

49 (b) any public school, including any school district, board of cooper-
 50 ative education services, public college or public university.

51 § 16. Subdivision 4 of section 296 of the executive law, as amended by
 52 chapter 106 of the laws of 2003, is amended to read as follows:

53 4. It shall be an unlawful discriminatory practice for an [~~education~~
 54 ~~corporation or association which holds itself out to the public to be~~
 55 ~~non-sectarian and exempt from taxation pursuant to the provisions of~~
 56 ~~article four of the real property tax law~~] educational institution to

1 deny the use of its facilities to any person otherwise qualified, or to
2 permit the harassment of any student or applicant, by reason of his
3 race, color, religion, disability, national origin, sexual orientation,
4 military status, sex, age or marital status, except that any such insti-
5 tution which establishes or maintains a policy of educating persons of
6 one sex exclusively may admit students of only one sex.

7 § 17. Section 221.05 of the penal law, as added by chapter 360 of the
8 laws of 1977, is amended to read as follows:

9 § 221.05 Unlawful possession of marihuana.

10 A person is guilty of unlawful possession of marihuana when he know-
11 ingly and unlawfully possesses marihuana.

12 Unlawful possession of marihuana is a violation punishable only by a
13 fine of not more than one hundred dollars. However, where the defendant
14 has previously been convicted of [~~an offense~~] a crime defined in this
15 article, except a crime defined in section 221.10 of this article
16 provided, however, that the record of such conviction does not demon-
17 strate a conviction under subdivision two of such section 221.10, or
18 article 220 of this chapter, committed within the three years immedi-
19 ately preceding such violation, it shall be punishable (a) only by a fine
20 of not more than two hundred dollars, if the defendant was previously
21 convicted of one such offense committed during such period, and (b) by a
22 fine of not more than two hundred fifty dollars or a term of imprison-
23 ment not in excess of fifteen days or both, if the defendant was previ-
24 ously convicted of two such offenses committed during such period.

25 § 18. Paragraph (k) of subdivision 3 of section 160.50 of the criminal
26 procedure law, as added by chapter 835 of the laws of 1977 and as relet-
27 tered by chapter 192 of the laws of 1980, is amended to read as follows:

28 (k) (i) The accusatory instrument alleged a violation of article two
29 hundred twenty or section 240.36 of the penal law, prior to the taking
30 effect of article two hundred twenty-one of the penal law, or a
31 violation of article two hundred twenty-one of the penal law; (ii) the
32 sole controlled substance involved is marijuana; and (iii) the
33 conviction was only for a violation or violations[~~, and (iv) at least~~
34 ~~three years have passed since the offense occurred~~] of section 221.10 of
35 the penal law provided, however, that the record of such conviction does
36 not demonstrate a conviction under subdivision two of such section
37 221.10, or for a petty offense or offenses. No defendant shall be
38 required or permitted to waive eligibility for sealing pursuant to this
39 paragraph as part of a plea of guilty, sentence or any agreement related
40 to a conviction for a violation of section 221.05 or section 221.10 of
41 the penal law and any such waiver shall be deemed void and wholly unen-
42 forceable.

43 § 19. Section 160.50 of the criminal procedure law is amended by
44 adding three new subdivisions 5, 6 and 7 to read as follows:

45 5. A person convicted of a violation of section 221.10 of the penal
46 law, other than a conviction after trial of, or plea of guilty to,
47 subdivision two of such section 221.10, prior to the effective date of
48 this subdivision may upon motion apply to the court in which such termi-
49 nation occurred, upon not less than twenty days notice to the district
50 attorney, for an order granting to such person the relief set forth in
51 subdivision one of this section, and such order shall be granted unless
52 the district attorney demonstrates that the interests of justice require
53 otherwise.

54 6. (a) Notwithstanding any other provision of law except as provided
55 in paragraph (d) of subdivision one of this section and paragraph (e) of
56 subdivision four of section eight hundred thirty-seven of the executive

1 law: (i) when the division of criminal justice services conducts a
2 search of its criminal history records, maintained pursuant to subdivi-
3 sion six of section eight hundred thirty-seven of the executive law, and
4 returns a report thereon, all references to a conviction for a violation
5 of section 221.10 of the penal law, other than a conviction after trial
6 of, or plea of guilty to, subdivision two of such section 221.10, shall
7 be excluded from such report; and (ii) the chief administrator of the
8 courts shall develop and promulgate rules as may be necessary to ensure
9 that no written or electronic report of a criminal history record search
10 conducted by the office of court administration contains information
11 relating to a conviction for a violation of section 221.10 of the penal
12 law, other than a conviction after trial of, or plea of guilty to,
13 subdivision two of such section 221.10, unless such search is conducted
14 solely for a bona fide research purpose, provided that such information,
15 if so disseminated, shall be disseminated in accordance with procedures
16 established by the chief administrator of the courts to assure the secu-
17 rity and privacy of identification and information data, which shall
18 include the execution of an agreement which protects the confidentiality
19 of the information and reasonably protects against data linkage to indi-
20 viduals.

21 (b) Nothing contained in this subdivision shall be deemed to permit or
22 require the release, disclosure or other dissemination by the division
23 of criminal justice services or the office of court administration of
24 criminal history record information that has been sealed in accordance
25 with law.

26 7. A person convicted of a violation of section 221.05 of the penal
27 law shall, on the effective date of this subdivision, have such
28 conviction immediately sealed pursuant to subdivision one of this
29 section if such conviction occurred less than three years prior to such
30 effective date.

31 § 20. Paragraph 1 of subdivision (a) of section 1180-b of the vehicle
32 and traffic law, as amended by chapter 43 of the laws of 2014, is
33 amended to read as follows:

34 1. Notwithstanding any other provision of law, the city of New York is
35 hereby authorized to establish a demonstration program imposing monetary
36 liability on the owner of a vehicle for failure of an operator thereof
37 to comply with posted maximum speed limits in a school speed zone within
38 [~~the~~] such city (i) when a school speed limit is in effect as provided
39 in paragraphs one and two of subdivision (c) of section eleven hundred
40 eighty of this article or (ii) when other speed limits are in effect as
41 provided in subdivision (b), (d), (f) or (g) of section eleven hundred
42 eighty of this article during the following times: (A) on school days
43 during school hours and one hour before and one hour after the school
44 day, and (B) a period during student activities at the school and up to
45 thirty minutes immediately before and up to thirty minutes immediately
46 after such student activities. Such demonstration program shall empower
47 the city of New York to install photo speed violation monitoring systems
48 within no more than [~~one hundred forty~~] two hundred ninety school speed
49 zones within [~~the~~] such city at any one time and to operate such systems
50 within such zones (iii) when a school speed limit is in effect as
51 provided in paragraphs one and two of subdivision (c) of section eleven
52 hundred eighty of this article or (iv) when other speed limits are in
53 effect as provided in subdivision (b), (d), (f) or (g) of section eleven
54 hundred eighty of this article during the following times: (A) on school
55 days during school hours and one hour before and one hour after the
56 school day, and (B) a period during student activities at the school and

1 up to thirty minutes immediately before and up to thirty minutes imme-
 2 diately after such student activities. In selecting a school speed zone
 3 in which to install and operate a photo speed violation monitoring
 4 system, the city of New York shall consider criteria including, but not
 5 limited to, the speed data, crash history, and the roadway geometry
 6 applicable to such school speed zone. Such city shall prioritize the
 7 placement of photo speed violation monitoring systems in school speed
 8 zones based upon speed data or the crash history of a school speed zone.
 9 A photo speed violation monitoring system shall not be installed or
 10 operated on a controlled-access highway exit ramp or within three
 11 hundred feet along a highway that continues from the end of a cont-
 12 rolled-access highway exit ramp.

13 § 21. Paragraph 2 of subdivision (a) of section 1180-b of the vehicle
 14 and traffic law, as added by chapter 189 of the laws of 2013, is amended
 15 to read as follows:

16 2. No photo speed violation monitoring system shall be used in a
 17 school speed zone unless (i) on the day it is to be used it has success-
 18 fully passed a self-test of its functions; and (ii) it has undergone an
 19 annual calibration check performed pursuant to paragraph four of this
 20 subdivision. The city [may] shall install signs giving notice that a
 21 photo speed violation monitoring system is in use to be mounted on
 22 advance warning signs notifying approaching motor vehicle operators of
 23 such upcoming school speed zone and/or on speed limit signs applicable
 24 within such school speed zone, in conformance with standards established
 25 in the MUTCD. Such advance warning signs shall also, to the extent
 26 authorized by the MUTCD, contain the words "speed camera ahead" and be
 27 no more than three hundred feet from such photo speed violation monitor-
 28 ing system.

29 § 22. Paragraph 4 of subdivision (c) of section 1180-b of the vehicle
 30 and traffic law, as added by chapter 189 of the laws of 2013, is amended
 31 to read as follows:

32 4. "school speed zone" shall mean a radial distance not to exceed one
 33 thousand three hundred twenty feet [~~on a highway passing~~] from a school
 34 building, entrance, or exit [~~of a school abutting on the highway~~].

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

38 (n) If the city adopts a demonstration program pursuant to subdivision
 39 [~~one~~] (a) of this section it shall conduct a study and submit [~~a~~] an
 40 annual report on the results of the use of photo devices to the gover-
 41 nor, the temporary president of the senate and the speaker of the assem-
 42 bly on or before June first, two thousand nineteen and on the same date
 43 in each succeeding year in which the demonstration program is operable.

44 Such report shall include:

45 1. the locations where and dates when photo speed violation monitoring
 46 systems were used;

47 2. the aggregate number, type and severity of crashes, fatalities,
 48 injuries and property damage reported within all school speed zones
 49 within the city, to the extent the information is maintained by the
 50 department of motor vehicles of this state;

51 3. the aggregate number, type and severity of crashes, fatalities,
 52 injuries and property damage reported within school speed zones where
 53 photo speed violation monitoring systems were used, to the extent the
 54 information is maintained by the department of motor vehicles of this
 55 state;

1 4. the number of violations recorded within all school speed zones
2 within the city, in the aggregate on a daily, weekly and monthly basis;

3 5. the number of violations recorded within each school speed zone
4 where a photo speed violation monitoring system is used, in the aggregate
5 on a daily, weekly and monthly basis;

6 6. the number of violations recorded within all school speed zones
7 within the city that were:

8 (i) more than ten but not more than twenty miles per hour over the
9 posted speed limit;

10 (ii) more than twenty but not more than thirty miles per hour over the
11 posted speed limit;

12 (iii) more than thirty but not more than forty miles per hour over the
13 posted speed limit; and

14 (iv) more than forty miles per hour over the posted speed limit;

15 7. the number of violations recorded within each school speed zone
16 where a photo speed violation monitoring system is used that were:

17 (i) more than ten but not more than twenty miles per hour over the
18 posted speed limit;

19 (ii) more than twenty but not more than thirty miles per hour over the
20 posted speed limit;

21 (iii) more than thirty but not more than forty miles per hour over the
22 posted speed limit; and

23 (iv) more than forty miles per hour over the posted speed limit;

24 8. the total number of notices of liability issued for violations
25 recorded by such systems;

26 9. the number of fines and total amount of fines paid after the first
27 notice of liability issued for violations recorded by such systems;

28 10. the number of violations adjudicated and the results of such adjudications
29 including breakdowns of dispositions made for violations
30 recorded by such systems;

31 11. the total amount of revenue realized by the city in connection
32 with the program;

33 12. the expenses incurred by the city in connection with the program;
34 [~~and~~]

35 13. the quality of the adjudication process and its results; and

36 14. the effectiveness and adequacy of the hours of operation for such
37 program to determine the impact on speeding violations and prevention of
38 crashes.

39 § 24. The opening paragraph of section 12 of chapter 43 of the laws of
40 2014, amending the vehicle and traffic law, the public officers law and
41 the general municipal law relating to photo speed violation monitoring
42 systems in school speed zones in the city of New York, is amended to
43 read as follows:

44 This act shall take effect on the thirtieth day after it shall have
45 become a law [~~and~~]; provided that sections one through ten of this act
46 shall expire 4 years after such effective date when upon such date the
47 provisions of such sections of this act shall be deemed repealed; and
48 provided further that any rules necessary for the implementation of this
49 act on its effective date shall be promulgated on or before such effective
50 date, provided that:

51 § 25. The opening paragraph of section 15 of chapter 189 of the laws
52 of 2013, amending the vehicle and traffic law and the public officers
53 law relating to establishing in a city with a population of one million
54 or more a demonstration program implementing speed violation monitoring
55 systems in school speed zones by means of photo devices, is amended to
56 read as follows:

1 This act shall take effect on the thirtieth day after it shall have
2 become a law and shall expire [~~5 years after such effective date when~~
3 ~~upon such date the provisions of this act shall~~] and be deemed repealed
4 July 1, 2022; and provided further that any rules necessary for the
5 implementation of this act on its effective date shall be promulgated on
6 or before such effective date, provided that:

7 § 26. Photo speed violation monitoring systems within the additional
8 150 school speed zones authorized for the city of New York by paragraph
9 1 of subdivision (a) of section 1180-b of the vehicle and traffic law,
10 as amended by section one of this act, shall be authorized to be
11 installed over the 3 year period following the effective date of this
12 act as follows:

13 (a) in no more than 50 school speed zones during the first such year;

14 (b) in no more than 50 additional school speed zones during the second
15 such year; and

16 (c) in no more than 50 additional school speed zones during the third
17 such year.

18 § 27. Subdivision 1 of section 235 of the vehicle and traffic law, as
19 amended by section 1 of chapter 222 of the laws of 2015, is amended to
20 read as follows:

21 1. Notwithstanding any inconsistent provision of any general, special
22 or local law or administrative code to the contrary, in any city which
23 heretofore or hereafter is authorized to establish an administrative
24 tribunal to hear and determine complaints of traffic infractions consti-
25 tuting parking, standing or stopping violations, or to adjudicate the
26 liability of owners for violations of subdivision (d) of section eleven
27 hundred eleven of this chapter in accordance with section eleven hundred
28 eleven-a of this chapter, or to adjudicate the liability of owners for
29 violations of subdivision (d) of section eleven hundred eleven of this
30 chapter in accordance with sections eleven hundred eleven-b of this
31 chapter as added by sections sixteen of chapters twenty, twenty-one, and
32 twenty-two of the laws of two thousand nine, or to adjudicate the
33 liability of owners for violations of subdivision (d) of section eleven
34 hundred eleven of this chapter in accordance with section eleven hundred
35 eleven-d of this chapter, or to adjudicate the liability of owners for
36 violations of subdivision (d) of section eleven hundred eleven of this
37 chapter in accordance with section eleven hundred eleven-e of this chap-
38 ter, or to adjudicate the liability of owners for violations of toll
39 collection regulations as defined in and in accordance with the
40 provisions of section two thousand nine hundred eighty-five of the
41 public authorities law and sections sixteen-a, sixteen-b and sixteen-c
42 of chapter seven hundred seventy-four of the laws of nineteen hundred
43 fifty, or to adjudicate liability of owners in accordance with section
44 eleven hundred eleven-c of this chapter for violations of bus lane
45 restrictions as defined in subdivision (b), (c), (d), (f) or (g) of such
46 section, or to adjudicate the liability of owners for violations of
47 section eleven hundred eighty of this chapter in accordance with section
48 eleven hundred eighty-b of this chapter, or to adjudicate the liability
49 of owners for violations of section eleven hundred eighty of this chap-
50 ter in accordance with section eleven hundred eighty-d of this chapter,
51 such tribunal and the rules and regulations pertaining thereto shall be
52 constituted in substantial conformance with the following sections.

53 § 28. Section 235 of the vehicle and traffic law, as amended by
54 section 1-a of chapter 222 of the laws of 2015, is amended to read as
55 follows:

1 § 235. Jurisdiction. Notwithstanding any inconsistent provision of any
2 general, special or local law or administrative code to the contrary, in
3 any city which heretofore or hereafter is authorized to establish an
4 administrative tribunal to hear and determine complaints of traffic
5 infractions constituting parking, standing or stopping violations, or to
6 adjudicate the liability of owners for violations of subdivision (d) of
7 section eleven hundred eleven of this chapter in accordance with section
8 eleven hundred eleven-a of this chapter, or to adjudicate the liability
9 of owners for violations of subdivision (d) of section eleven hundred
10 eleven of this chapter in accordance with sections eleven hundred
11 eleven-b of this chapter as added by sections sixteen of chapters twen-
12 ty, twenty-one, and twenty-two of the laws of two thousand nine, or to
13 adjudicate the liability of owners for violations of subdivision (d) of
14 section eleven hundred eleven of this chapter in accordance with section
15 eleven hundred eleven-d of this chapter, or to adjudicate the liability
16 of owners for violations of subdivision (d) of section eleven hundred
17 eleven of this chapter in accordance with section eleven hundred
18 eleven-e of this chapter, or to adjudicate the liability of owners for
19 violations of toll collection regulations as defined in and in accord-
20 ance with the provisions of section two thousand nine hundred eighty-
21 five of the public authorities law and sections sixteen-a, sixteen-b and
22 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
23 hundred fifty, or to adjudicate liability of owners in accordance with
24 section eleven hundred eleven-c of this chapter for violations of bus
25 lane restrictions as defined in such section, or to adjudicate the
26 liability of owners for violations of subdivision (b), (c), (d), (f) or
27 (g) of section eleven hundred eighty of this chapter in accordance with
28 section eleven hundred eighty-b of this chapter, or to adjudicate the
29 liability of owners for violations of subdivision (b), (c), (d), (f) or
30 (g) of section eleven hundred eighty of this chapter in accordance with
31 section eleven hundred eighty-d of this chapter, such tribunal and the
32 rules and regulations pertaining thereto shall be constituted in
33 substantial conformance with the following sections.

34 § 28-a. Section 235 of the vehicle and traffic law, as amended by
35 section 1-b of chapter 222 of the laws of 2015, is amended to read as
36 follows:

37 § 235. Jurisdiction. Notwithstanding any inconsistent provision of any
38 general, special or local law or administrative code to the contrary, in
39 any city which heretofore or hereafter is authorized to establish an
40 administrative tribunal to hear and determine complaints of traffic
41 infractions constituting parking, standing or stopping violations, or to
42 adjudicate the liability of owners for violations of subdivision (d) of
43 section eleven hundred eleven of this chapter in accordance with
44 sections eleven hundred eleven-b of this chapter as added by sections
45 sixteen of chapters twenty, twenty-one, and twenty-two of the laws of
46 two thousand nine, or to adjudicate the liability of owners for
47 violations of subdivision (d) of section eleven hundred eleven of this
48 chapter in accordance with section eleven hundred eleven-d of this chap-
49 ter, or to adjudicate the liability of owners for violations of subdivi-
50 sion (d) of section eleven hundred eleven of this chapter in accordance
51 with section eleven hundred eleven-e of this chapter, or to adjudicate
52 the liability of owners for violations of toll collection regulations as
53 defined in and in accordance with the provisions of section two thousand
54 nine hundred eighty-five of the public authorities law and sections
55 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four
56 of the laws of nineteen hundred fifty, or to adjudicate liability of

1 owners in accordance with section eleven hundred eleven-c of this chap-
2 ter for violations of bus lane restrictions as defined in such section,
3 or to adjudicate the liability of owners for violations of subdivision
4 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
5 ter in accordance with section eleven hundred eighty-b of this chapter,
6 or to adjudicate the liability of owners for violations of subdivision
7 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
8 ter in accordance with section eleven hundred eighty-d of this chapter,
9 such tribunal and the rules and regulations pertaining thereto shall be
10 constituted in substantial conformance with the following sections.

11 § 28-b. Section 235 of the vehicle and traffic law, as amended by
12 section 1-c of chapter 222 of the laws of 2015, is amended to read as
13 follows:

14 § 235. Jurisdiction. Notwithstanding any inconsistent provision of any
15 general, special or local law or administrative code to the contrary, in
16 any city which heretofore or hereafter is authorized to establish an
17 administrative tribunal to hear and determine complaints of traffic
18 infractions constituting parking, standing or stopping violations, or to
19 adjudicate the liability of owners for violations of subdivision (d) of
20 section eleven hundred eleven of this chapter in accordance with section
21 eleven hundred eleven-d of this chapter, or to adjudicate the liability
22 of owners for violations of subdivision (d) of section eleven hundred
23 eleven of this chapter in accordance with section eleven hundred
24 eleven-e of this chapter, or to adjudicate the liability of owners for
25 violations of toll collection regulations as defined in and in accord-
26 ance with the provisions of section two thousand nine hundred eighty-
27 five of the public authorities law and sections sixteen-a, sixteen-b and
28 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
29 hundred fifty, or to adjudicate liability of owners in accordance with
30 section eleven hundred eleven-c of this chapter for violations of bus
31 lane restrictions as defined in such section, or to adjudicate the
32 liability of owners for violations of subdivision (b), (c), (d), (f) or
33 (g) of section eleven hundred eighty of this chapter in accordance with
34 section eleven hundred eighty-b of this chapter, or to adjudicate the
35 liability of owners for violations of subdivision (b), (c), (d), (f) or
36 (g) of section eleven hundred eighty of this chapter in accordance with
37 section eleven hundred eighty-d of this chapter, such tribunal and the
38 rules and regulations pertaining thereto shall be constituted in
39 substantial conformance with the following sections.

40 § 28-c. Section 235 of the vehicle and traffic law, as amended by
41 section 1-d of chapter 222 of the laws of 2015, is amended to read as
42 follows:

43 § 235. Jurisdiction. Notwithstanding any inconsistent provision of any
44 general, special or local law or administrative code to the contrary, in
45 any city which heretofore or hereafter is authorized to establish an
46 administrative tribunal to hear and determine complaints of traffic
47 infractions constituting parking, standing or stopping violations, or to
48 adjudicate the liability of owners for violations of subdivision (d) of
49 section eleven hundred eleven of this chapter in accordance with section
50 eleven hundred eleven-d of this chapter, or to adjudicate the liability
51 of owners for violations of subdivision (d) of section eleven hundred
52 eleven of this chapter in accordance with section eleven hundred
53 eleven-e of this chapter, or to adjudicate the liability of owners for
54 violations of toll collection regulations as defined in and in accord-
55 ance with the provisions of section two thousand nine hundred eighty-
56 five of the public authorities law and sections sixteen-a, sixteen-b and

1 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
2 hundred fifty, or to adjudicate liability of owners for violations of
3 subdivisions (c) and (d) of section eleven hundred eighty of this chap-
4 ter in accordance with section eleven hundred eighty-b of this chapter,
5 or to adjudicate the liability of owners for violations of subdivision
6 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
7 ter in accordance with section eleven hundred eighty-d of this chapter,
8 such tribunal and the rules and regulations pertaining thereto shall be
9 constituted in substantial conformance with the following sections.

10 § 28-d. Section 235 of the vehicle and traffic law, as amended by
11 section 1-e of chapter 222 of the laws of 2015, is amended to read as
12 follows:

13 § 235. Jurisdiction. Notwithstanding any inconsistent provision of any
14 general, special or local law or administrative code to the contrary, in
15 any city which heretofore or hereafter is authorized to establish an
16 administrative tribunal to hear and determine complaints of traffic
17 infractions constituting parking, standing or stopping violations, or to
18 adjudicate the liability of owners for violations of subdivision (d) of
19 section eleven hundred eleven of this chapter in accordance with section
20 eleven hundred eleven-d of this chapter, or to adjudicate the liability
21 of owners for violations of subdivision (d) of section eleven hundred
22 eleven of this chapter in accordance with section eleven hundred
23 eleven-e of this chapter, or to adjudicate the liability of owners for
24 violations of toll collection regulations as defined in and in accord-
25 ance with the provisions of section two thousand nine hundred eighty-
26 five of the public authorities law and sections sixteen-a, sixteen-b and
27 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
28 hundred fifty, or to adjudicate the liability of owners for violations
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-d of this chapter, such tribunal and the rules and regulations
32 pertaining thereto shall be constituted in substantial conformance with
33 the following sections.

34 § 28-e. Section 235 of the vehicle and traffic law, as amended by
35 section 1-f of chapter 222 of the laws of 2015, is amended to read as
36 follows:

37 § 235. Jurisdiction. Notwithstanding any inconsistent provision of any
38 general, special or local law or administrative code to the contrary, in
39 any city which heretofore or hereafter is authorized to establish an
40 administrative tribunal to hear and determine complaints of traffic
41 infractions constituting parking, standing or stopping violations, or to
42 adjudicate the liability of owners for violations of subdivision (d) of
43 section eleven hundred eleven of this chapter in accordance with section
44 eleven hundred eleven-e of this chapter, or to adjudicate the liability
45 of owners for violations of toll collection regulations as defined in
46 and in accordance with the provisions of section two thousand nine
47 hundred eighty-five of the public authorities law and sections
48 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four
49 of the laws of nineteen hundred fifty, or to adjudicate the liability of
50 owners for violations of subdivision (b), (c), (d), (f) or (g) of
51 section eleven hundred eighty of this chapter in accordance with section
52 eleven hundred eighty-d of this chapter, such tribunal and the rules and
53 regulations pertaining thereto shall be constituted in substantial
54 conformance with the following sections.

1 § 28-f. Section 235 of the vehicle and traffic law, as separately
2 amended by chapter 715 of the laws of 1972 and chapter 379 of the laws
3 of 1992, is amended to read as follows:

4 § 235. Jurisdiction. Notwithstanding any inconsistent provision of any
5 general, special or local law or administrative code to the contrary, in
6 any city which heretofore or hereafter is authorized to establish an
7 administrative tribunal to hear and determine complaints of traffic
8 infractions constituting parking, standing or stopping violations, or to
9 adjudicate the liability of owners for violations of toll collection
10 regulations as defined in and in accordance with the provisions of
11 section two thousand nine hundred eighty-five of the public authorities
12 law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven
13 hundred seventy-four of the laws of nineteen hundred fifty, or to adju-
14 dicating the liability of owners for violations of subdivision (b), (c),
15 (d), (f) or (g) of section eleven hundred eighty of this chapter in
16 accordance with section eleven hundred eighty-d of this chapter, such
17 tribunal and the rules and regulations pertaining thereto shall be
18 constituted in substantial conformance with the following sections.

19 § 29. Subdivision 1 of section 236 of the vehicle and traffic law, as
20 amended by section 2 of chapter 222 of the laws of 2015, is amended to
21 read as follows:

22 1. Creation. In any city as hereinbefore or hereafter authorized such
23 tribunal when created shall be known as the parking violations bureau
24 and shall have jurisdiction of traffic infractions which constitute a
25 parking violation and, where authorized by local law adopted pursuant to
26 subdivision (a) of section eleven hundred eleven-a of this chapter or
27 subdivisions (a) of sections eleven hundred eleven-b of this chapter as
28 added by sections sixteen of chapters twenty, twenty-one, and twenty-two
29 of the laws of two thousand nine, or subdivision (a) of section eleven
30 hundred eleven-d of this chapter, or subdivision (a) of section eleven
31 hundred eleven-e of this chapter, shall adjudicate the liability of
32 owners for violations of subdivision (d) of section eleven hundred elev-
33 en of this chapter in accordance with such section eleven hundred
34 eleven-a, sections eleven hundred eleven-b as added by sections sixteen
35 of chapters twenty, twenty-one, and twenty-two of the laws of two thou-
36 sand nine, or section eleven hundred eleven-d or section eleven hundred
37 eleven-e and shall adjudicate the liability of owners for violations of
38 toll collection regulations as defined in and in accordance with the
39 provisions of section two thousand nine hundred eighty-five of the
40 public authorities law and sections sixteen-a, sixteen-b and sixteen-c
41 of chapter seven hundred seventy-four of the laws of nineteen hundred
42 fifty and shall adjudicate liability of owners in accordance with
43 section eleven hundred eleven-c of this chapter for violations of bus
44 lane restrictions as defined in such section and shall adjudicate the
45 liability of owners for violations of subdivision (b), (c), (d), (f) or
46 (g) of section eleven hundred eighty of this chapter in accordance with
47 section eleven hundred eighty-b of this chapter and shall adjudicate the
48 liability of owners for violations of subdivision (b), (c), (d), (f) or
49 (g) of section eleven hundred eighty of this chapter in accordance with
50 section eleven hundred eighty-d of this chapter. Such tribunal, except
51 in a city with a population of one million or more, shall also have
52 jurisdiction of abandoned vehicle violations. For the purposes of this
53 article, a parking violation is the violation of any law, rule or regu-
54 lation providing for or regulating the parking, stopping or standing of
55 a vehicle. In addition for purposes of this article, "commissioner"

1 shall mean and include the commissioner of traffic of the city or an
2 official possessing authority as such a commissioner.

3 § 29-a. Subdivision 1 of section 236 of the vehicle and traffic law,
4 as amended by section 2-a of chapter 222 of the laws of 2015, is amended
5 to read as follows:

6 1. Creation. In any city as hereinbefore or hereafter authorized such
7 tribunal when created shall be known as the parking violations bureau
8 and shall have jurisdiction of traffic infractions which constitute a
9 parking violation and, where authorized by local law adopted pursuant to
10 subdivisions (a) of sections eleven hundred eleven-b of this chapter as
11 added by sections sixteen of chapters twenty, twenty-one, and twenty-two
12 of the laws of two thousand nine, or subdivision (a) of section eleven
13 hundred eleven-d of this chapter, or subdivision (a) of section eleven
14 hundred eleven-e of this chapter, shall adjudicate the liability of
15 owners for violations of subdivision (d) of section eleven hundred elev-
16 en of this chapter in accordance with such sections eleven hundred
17 eleven-b as added by sections sixteen of chapters twenty, twenty-one,
18 and twenty-two of the laws of two thousand nine or section eleven
19 hundred eleven-d or section eleven hundred eleven-e; and shall adjudi-
20 cate liability of owners in accordance with section eleven hundred
21 eleven-c of this chapter for violations of bus lane restrictions as
22 defined in such section and shall adjudicate liability of owners for
23 violations of subdivisions (c) and (d) of section eleven hundred eighty
24 of this chapter in accordance with section eleven hundred eighty-b of
25 this chapter and shall adjudicate the liability of owners for violations
26 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred
27 eighty of this chapter in accordance with section eleven hundred eight-
28 y-d of this chapter. For the purposes of this article, a parking
29 violation is the violation of any law, rule or regulation providing for
30 or regulating the parking, stopping or standing of a vehicle. In addi-
31 tion for purposes of this article, "commissioner" shall mean and include
32 the commissioner of traffic of the city or an official possessing
33 authority as such a commissioner.

34 § 29-b. Subdivision 1 of section 236 of the vehicle and traffic law,
35 as amended by section 2-b of chapter 222 of the laws of 2015, is amended
36 to read as follows:

37 1. Creation. In any city as hereinbefore or hereafter authorized such
38 tribunal when created shall be known as the parking violations bureau
39 and shall have jurisdiction of traffic infractions which constitute a
40 parking violation and, where authorized by local law adopted pursuant to
41 subdivision (a) of section eleven hundred eleven-d or subdivision (a) of
42 section eleven hundred eleven-e of this chapter, shall adjudicate
43 liability of owners in accordance with section eleven hundred eleven-c
44 of this chapter for violations of bus lane restrictions as defined in
45 such section; and shall adjudicate the liability of owners for
46 violations of subdivision (b), (c), (d), (f) or (g) of section eleven
47 hundred eighty of this chapter in accordance with section eleven hundred
48 eighty-b of this chapter; and shall adjudicate the liability of owners
49 for violations of subdivision (b), (c), (d), (f) or (g) of section elev-
50 en hundred eighty of this chapter in accordance with section eleven
51 hundred eighty-d of this chapter. For the purposes of this article, a
52 parking violation is the violation of any law, rule or regulation
53 providing for or regulating the parking, stopping or standing of a vehi-
54 cle. In addition for purposes of this article, "commissioner" shall mean
55 and include the commissioner of traffic of the city or an official
56 possessing authority as such a commissioner.

1 § 29-c. Subdivision 1 of section 236 of the vehicle and traffic law,
2 as amended by section 2-c of chapter 222 of the laws of 2015, is amended
3 to read as follows:

4 1. Creation. In any city as hereinbefore or hereafter authorized such
5 tribunal when created shall be known as the parking violations bureau
6 and, where authorized by local law adopted pursuant to subdivision (a)
7 of section eleven hundred eleven-d of this chapter or subdivision (a) of
8 section eleven hundred eleven-e of this chapter, shall have jurisdiction
9 of traffic infractions which constitute a parking violation and shall
10 adjudicate the liability of owners for violations of subdivision (b),
11 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in
12 accordance with section eleven hundred eighty-b of this chapter and
13 shall adjudicate the liability of owners for violations of subdivision
14 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
15 ter in accordance with section eleven hundred eighty-d of this chapter.

16 For the purposes of this article, a parking violation is the violation
17 of any law, rule or regulation providing for or regulating the parking,
18 stopping or standing of a vehicle. In addition for purposes of this
19 article, "commissioner" shall mean and include the commissioner of traf-
20 fic of the city or an official possessing authority as such a commis-
21 sioner.

22 § 29-d. Subdivision 1 of section 236 of the vehicle and traffic law,
23 as amended by section 2-d of chapter 222 of the laws of 2015, is amended
24 to read as follows:

25 1. Creation. In any city as hereinbefore or hereafter authorized such
26 tribunal when created shall be known as the parking violations bureau
27 and, where authorized by local law adopted pursuant to subdivision (a)
28 of section eleven hundred eleven-d of this chapter or subdivision (a) of
29 section eleven hundred eleven-e of this chapter, shall have jurisdiction
30 of traffic infractions which constitute a parking violation and shall
31 adjudicate the liability of owners for violations of subdivision (b),
32 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in
33 accordance with section eleven hundred eighty-d of this chapter. For

34 the purposes of this article, a parking violation is the violation of
35 any law, rule or regulation providing for or regulating the parking,
36 stopping or standing of a vehicle. In addition for purposes of this
37 article, "commissioner" shall mean and include the commissioner of traf-
38 fic of the city or an official possessing authority as such a commis-
39 sioner.

40 § 29-e. Subdivision 1 of section 236 of the vehicle and traffic law,
41 as amended by section 2-e of chapter 222 of the laws of 2015, is amended
42 to read as follows:

43 1. Creation. In any city as hereinbefore or hereafter authorized such
44 tribunal when created shall be known as the parking violations bureau
45 and where authorized by local law adopted pursuant to subdivision (a) of
46 section eleven hundred eleven-e of this chapter, shall have jurisdiction
47 of traffic infractions which constitute a parking violation and shall
48 adjudicate the liability of owners for violations of subdivision (b),
49 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in
50 accordance with section eleven hundred eighty-d of this chapter. For the
51 purposes of this article, a parking violation is the violation of any
52 law, rule or regulation providing for or regulating the parking, stop-
53 ping or standing of a vehicle. In addition for purposes of this article,
54 "commissioner" shall mean and include the commissioner of traffic of the
55 city or an official possessing authority as such a commissioner.

1 § 29-f. Subdivision 1 of section 236 of the vehicle and traffic law,
2 as added by chapter 715 of the laws of 1972, is amended to read as
3 follows:

4 1. Creation. In any city as hereinbefore or hereafter authorized such
5 tribunal when created shall be known as the parking violations bureau
6 and shall have jurisdiction of traffic infractions which constitute a
7 parking violation and shall adjudicate the liability of owners for
8 violations of subdivision (b), (c), (d), (f) or (g) of section eleven
9 hundred eighty of this chapter in accordance with section eleven hundred
10 eighty-d of this chapter. For the purposes of this article, a parking
11 violation is the violation of any law, rule or regulation providing for
12 or regulating the parking, stopping or standing of a vehicle. In addi-
13 tion for purposes of this article, "commissioner" shall mean and include
14 the commissioner of traffic of the city or an official possessing
15 authority as such a commissioner.

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

18 16. To adjudicate the liability of owners for violations of subdivi-
19 sion (b), (c), (d), (f) or (g) of section eleven hundred eighty of this
20 chapter in accordance with section eleven hundred eighty-d of this chap-
21 ter.

22 § 31. Paragraph f of subdivision 1 of section 239 of the vehicle and
23 traffic law, as amended by section 4 of chapter 222 of the laws of 2015,
24 is amended to read as follows:

25 f. "Notice of violation" means a notice of violation as defined in
26 subdivision nine of section two hundred thirty-seven of this article,
27 but shall not be deemed to include a notice of liability issued pursuant
28 to authorization set forth in section eleven hundred eleven-a of this
29 chapter, or sections eleven hundred eleven-b of this chapter as added by
30 sections sixteen of chapters twenty, twenty-one, and twenty-two of the
31 laws of two thousand nine, or section eleven hundred eleven-d of this
32 chapter, or section eleven hundred eleven-e of this chapter, and shall
33 not be deemed to include a notice of liability issued pursuant to
34 section two thousand nine hundred eighty-five of the public authorities
35 law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven
36 hundred seventy-four of the laws of nineteen hundred fifty and shall not
37 be deemed to include a notice of liability issued pursuant to section
38 eleven hundred eleven-c of this chapter and shall not be deemed to
39 include a notice of liability issued pursuant to section eleven hundred
40 eighty-b of this chapter and shall not be deemed to include a notice of
41 liability issued pursuant to section eleven hundred eighty-d of this
42 chapter.

43 § 31-a. Paragraph f of subdivision 1 of section 239 of the vehicle and
44 traffic law, as amended by section 4-a of chapter 222 of the laws of
45 2015, is amended to read as follows:

46 f. "Notice of violation" means a notice of violation as defined in
47 subdivision nine of section two hundred thirty-seven of this article but
48 shall not be deemed to include a notice of liability issued pursuant to
49 authorization set forth in sections eleven hundred eleven-b of this
50 chapter as added by sections sixteen of chapters twenty, twenty-one, and
51 twenty-two of the laws of two thousand nine or section eleven hundred
52 eleven-d of this chapter or section eleven hundred eleven-e of this
53 chapter and shall not be deemed to include a notice of liability issued
54 pursuant to section eleven hundred eleven-c of this chapter and shall
55 not be deemed to include a notice of liability issued pursuant to
56 section eleven hundred eighty-b of this chapter and shall not be deemed

1 to include a notice of liability issued pursuant to section eleven
2 hundred eighty-d of this chapter.

3 § 31-b. Paragraph f of subdivision 1 of section 239 of the vehicle and
4 traffic law, as amended by section 4-b of chapter 222 of the laws of
5 2015, is amended to read as follows:

6 f. "Notice of violation" means a notice of violation as defined in
7 subdivision nine of section two hundred thirty-seven of this article and
8 shall not be deemed to include a notice of liability issued pursuant to
9 authorization set forth in section eleven hundred eleven-d of this chap-
10 ter or to a notice of liability issued pursuant to authorization set
11 forth in section eleven hundred eleven-e of this chapter and shall not
12 be deemed to include a notice of liability issued pursuant to section
13 eleven hundred eleven-c of this chapter and shall not be deemed to
14 include a notice of liability issued pursuant to section eleven hundred
15 eighty-b of this chapter and shall not be deemed to include a notice of
16 liability issued pursuant to section eleven hundred eighty-d of this
17 chapter.

18 § 31-c. Paragraph f of subdivision 1 of section 239 of the vehicle and
19 traffic law, as amended by section 4-c of chapter 222 of the laws of
20 2015, is amended to read as follows:

21 f. "Notice of violation" means a notice of violation as defined in
22 subdivision nine of section two hundred thirty-seven of this article and
23 shall not be deemed to include a notice of liability issued pursuant to
24 authorization set forth in section eleven hundred eleven-d of this chap-
25 ter or to a notice of liability issued pursuant to authorization set
26 forth in section eleven hundred eleven-e of this chapter and shall not
27 be deemed to include a notice of liability issued pursuant to section
28 eleven hundred eighty-b of this chapter and shall not be deemed to
29 include a notice of liability issued pursuant to section eleven hundred
30 eighty-d of this chapter.

31 § 31-d. Paragraph f of subdivision 1 of section 239 of the vehicle and
32 traffic law, as amended by section 4-d of chapter 222 of the laws of
33 2015, is amended to read as follows:

34 f. "Notice of violation" means a notice of violation as defined in
35 subdivision nine of section two hundred thirty-seven of this article and
36 shall not be deemed to include a notice of liability issued pursuant to
37 authorization set forth in section eleven hundred eleven-d of this chap-
38 ter or to a notice of liability issued pursuant to authorization set
39 forth in section eleven hundred eleven-e of this chapter and shall not
40 be deemed to include a notice of liability issued pursuant to section
41 eleven hundred eighty-d of this chapter.

42 § 31-e. Paragraph f of subdivision 1 of section 239 of the vehicle and
43 traffic law, as amended by section 4-e of chapter 222 of the laws of
44 2015, is amended to read as follows:

45 f. "Notice of violation" means a notice of violation as defined in
46 subdivision nine of section two hundred thirty-seven of this article and
47 shall not be deemed to include a notice of liability issued pursuant to
48 authorization set forth in section eleven hundred eleven-e of this chap-
49 ter and shall not be deemed to include a notice of liability issued
50 pursuant to section eleven hundred eighty-d of this chapter.

51 § 31-f. Paragraph f of subdivision 1 of section 239 of the vehicle and
52 traffic law, as added by chapter 180 of the laws of 1980, is amended to
53 read as follows:

54 f. "Notice of violation" means a notice of violation as defined in
55 subdivision nine of section two hundred thirty-seven of this article and

1 shall not be deemed to include a notice of liability issued pursuant to
2 section eleven hundred eighty-d of this chapter.

3 § 32. Subdivisions 1 and 1-a of section 240 of the vehicle and traffic
4 law, as amended by section 5 of chapter 222 of the laws of 2015, are
5 amended to read as follows:

6 1. Notice of hearing. Whenever a person charged with a parking
7 violation enters a plea of not guilty or a person alleged to be liable
8 in accordance with section eleven hundred eleven-a of this chapter or
9 sections eleven hundred eleven-b of this chapter as added by sections
10 sixteen of chapters twenty, twenty-one, and twenty-two of the laws of
11 two thousand nine or section eleven hundred eleven-d of this chapter, or
12 section eleven hundred eleven-e of this chapter, for a violation of
13 subdivision (d) of section eleven hundred eleven of this chapter
14 contests such allegation, or a person alleged to be liable in accordance
15 with the provisions of section two thousand nine hundred eighty-five of
16 the public authorities law or sections sixteen-a, sixteen-b and
17 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
18 hundred fifty, or a person alleged to be liable in accordance with the
19 provisions of section eleven hundred eleven-c of this chapter for a
20 violation of a bus lane restriction as defined in such section contests
21 such allegation, or a person alleged to be liable in accordance with the
22 provisions of section eleven hundred eighty-b of this chapter for a
23 violation of subdivision (b), (c), (d), (f) or (g) of section eleven
24 hundred eighty of this chapter contests such allegation, or a person
25 alleged to be liable in accordance with the provisions of section eleven
26 hundred eighty-d of this chapter for a violation of subdivision (b),
27 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter
28 contests such allegation, the bureau shall advise such person personally
29 by such form of first class mail as the director may direct of the date
30 on which he or she must appear to answer the charge at a hearing. The
31 form and content of such notice of hearing shall be prescribed by the
32 director, and shall contain a warning to advise the person so pleading
33 or contesting that failure to appear on the date designated, or on any
34 subsequent adjourned date, shall be deemed an admission of liability,
35 and that a default judgment may be entered thereon.

36 1-a. Fines and penalties. Whenever a plea of not guilty has been
37 entered, or the bureau has been notified that an allegation of liability
38 in accordance with section eleven hundred eleven-a of this chapter or
39 sections eleven hundred eleven-b of this chapter as added by sections
40 sixteen of chapters twenty, twenty-one, and twenty-two of the laws of
41 two thousand nine or section eleven hundred eleven-d of this chapter or
42 section eleven hundred eleven-e of this chapter or an allegation of
43 liability in accordance with section two thousand nine hundred eighty-
44 five of the public authorities law or sections sixteen-a, sixteen-b and
45 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
46 hundred fifty or an allegation of liability in accordance with section
47 eleven hundred eleven-c of this chapter or an allegation of liability in
48 accordance with section eleven hundred eighty-b of this chapter or an
49 allegation of liability in accordance with section eleven hundred eight-
50 y-d of this chapter, is being contested, by a person in a timely fashion
51 and a hearing upon the merits has been demanded, but has not yet been
52 held, the bureau shall not issue any notice of fine or penalty to that
53 person prior to the date of the hearing.

54 § 32-a. Subdivisions 1 and 1-a of section 240 of the vehicle and traf-
55 fic law, as amended by section 5-a of chapter 222 of the laws of 2015,
56 are amended to read as follows:

1 1. Notice of hearing. Whenever a person charged with a parking
2 violation enters a plea of not guilty or a person alleged to be liable
3 in accordance with sections eleven hundred eleven-b of this chapter as
4 added by sections sixteen of chapters twenty, twenty-one, and twenty-two
5 of the laws of two thousand nine or section eleven hundred eleven-d of
6 this chapter or section eleven hundred eleven-e of this chapter for a
7 violation of subdivision (d) of section eleven hundred eleven of this
8 chapter, or a person alleged to be liable in accordance with the
9 provisions of section eleven hundred eleven-c of this chapter for a
10 violation of a bus lane restriction as defined in such section contests
11 such allegation, or a person alleged to be liable in accordance with the
12 provisions of section eleven hundred eighty-b of this chapter for
13 violations of subdivision (b), (c), (d), (f) or (g) of section eleven
14 hundred eighty of this chapter contests such allegation, or a person
15 alleged to be liable in accordance with the provisions of section eleven
16 hundred eighty-d of this chapter for a violation of subdivision (b),
17 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter
18 contests such allegation, the bureau shall advise such person personally
19 by such form of first class mail as the director may direct of the date
20 on which he or she must appear to answer the charge at a hearing. The
21 form and content of such notice of hearing shall be prescribed by the
22 director, and shall contain a warning to advise the person so pleading
23 or contesting that failure to appear on the date designated, or on any
24 subsequent adjourned date, shall be deemed an admission of liability,
25 and that a default judgment may be entered thereon.

26 1-a. Fines and penalties. Whenever a plea of not guilty has been
27 entered, or the bureau has been notified that an allegation of liability
28 in accordance with sections eleven hundred eleven-b of this chapter, as
29 added by sections sixteen of chapters twenty, twenty-one, and twenty-two
30 of the laws of two thousand nine or in accordance with section eleven
31 hundred eleven-d of this chapter, or in accordance with section eleven
32 hundred eleven-e of this chapter or an allegation of liability in
33 accordance with section eleven hundred eleven-c of this chapter or an
34 allegation of liability in accordance with section eleven hundred eight-
35 y-b of this chapter or an allegation of liability in accordance with
36 section eleven hundred eighty-d of this chapter is being contested, by a
37 person in a timely fashion and a hearing upon the merits has been
38 demanded, but has not yet been held, the bureau shall not issue any
39 notice of fine or penalty to that person prior to the date of the hear-
40 ing.

41 § 32-b. Subdivisions 1 and 1-a of section 240 of the vehicle and traf-
42 fic law, as amended by section 5-b of chapter 222 of the laws of 2015,
43 are amended to read as follows:

44 1. Notice of hearing. Whenever a person charged with a parking
45 violation enters a plea of not guilty or a person alleged to be liable
46 in accordance with section eleven hundred eleven-d of this chapter or in
47 accordance with section eleven hundred eleven-e of this chapter or in
48 accordance with the provisions of section eleven hundred eleven-c of
49 this chapter for a violation of a bus lane restriction as defined in
50 such section, contests such allegation, or a person alleged to be liable
51 in accordance with the provisions of section eleven hundred eighty-b of
52 this chapter for violations of subdivision (b), (c), (d), (f) or (g) of
53 section eleven hundred eighty of this chapter contests such allegation,
54 or a person alleged to be liable in accordance with the provisions of
55 section eleven hundred eighty-d of this chapter for a violation of
56 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty

1 of this chapter contests such allegation, the bureau shall advise such
2 person personally by such form of first class mail as the director may
3 direct of the date on which he or she must appear to answer the charge
4 at a hearing. The form and content of such notice of hearing shall be
5 prescribed by the director, and shall contain a warning to advise the
6 person so pleading that failure to appear on the date designated, or on
7 any subsequent adjourned date, shall be deemed an admission of liabil-
8 ity, and that a default judgment may be entered thereon.

9 1-a. Fines and penalties. Whenever a plea of not guilty has been
10 entered, or the bureau has been notified that an allegation of liability
11 in accordance with section eleven hundred eleven-d of this chapter or in
12 accordance with section eleven hundred eleven-e of this chapter or in
13 accordance with section eleven hundred eleven-c of this chapter or an
14 allegation of liability in accordance with section eleven hundred eight-
15 y-b of this chapter or an allegation of liability in accordance with
16 section eleven hundred eighty-d of this chapter is being contested, by a
17 person in a timely fashion and a hearing upon the merits has been
18 demanded, but has not yet been held, the bureau shall not issue any
19 notice of fine or penalty to that person prior to the date of the hear-
20 ing.

21 § 32-c. Subdivisions 1 and 1-a of section 240 of the vehicle and traf-
22 fic law, as amended by section 5-c of chapter 222 of the laws of 2015,
23 are amended to read as follows:

24 1. Notice of hearing. Whenever a person charged with a parking
25 violation enters a plea of not guilty, or a person alleged to be liable
26 in accordance with section eleven hundred eleven-d of this chapter, or a
27 person alleged to be liable in accordance with section eleven hundred
28 eleven-e of this chapter, or a person alleged to be liable in accordance
29 with the provisions of section eleven hundred eighty-b of this chapter
30 for violations of subdivision (b), (c), (d), (f) or (g) of section elev-
31 en hundred eighty of this chapter contests such allegation, or a person
32 alleged to be liable in accordance with the provisions of section eleven
33 hundred eighty-d of this chapter for a violation of subdivision (b),
34 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter
35 contests such allegation, the bureau shall advise such person personally
36 by such form of first class mail as the director may direct of the date
37 on which he or she must appear to answer the charge at a hearing. The
38 form and content of such notice of hearing shall be prescribed by the
39 director, and shall contain a warning to advise the person so pleading
40 that failure to appear on the date designated, or on any subsequent
41 adjourned date, shall be deemed an admission of liability, and that a
42 default judgment may be entered thereon.

43 1-a. Fines and penalties. Whenever a plea of not guilty has been
44 entered, or the bureau has been notified that an allegation of liability
45 in accordance with section eleven hundred eleven-d of this chapter, or
46 the bureau has been notified that an allegation of liability in accord-
47 ance with section eleven hundred eleven-e of this chapter, or the bureau
48 has been notified that an allegation of liability in accordance with
49 section eleven hundred eighty-b of this chapter, or an allegation of
50 liability in accordance with section eleven hundred eighty-d of this
51 chapter, is being contested, by a person in a timely fashion and a hear-
52 ing upon the merits has been demanded, but has not yet been held, the
53 bureau shall not issue any notice of fine or penalty to that person
54 prior to the date of the hearing.

1 § 32-d. Subdivisions 1 and 1-a of section 240 of the vehicle and traf-
2 fic law, as amended by section 5-d of chapter 222 of the laws of 2015,
3 are amended to read as follows:

4 1. Notice of hearing. Whenever a person charged with a parking
5 violation enters a plea of not guilty, or a person alleged to be liable
6 in accordance with section eleven hundred eleven-d of this chapter
7 contests such allegation, or a person alleged to be liable in accordance
8 with section eleven hundred eleven-e of this chapter contests such alle-
9 gation, or a person alleged to be liable in accordance with the
10 provisions of section eleven hundred eighty-d of this chapter for a
11 violation of subdivision (b), (c), (d), (f) or (g) of section eleven
12 hundred eighty of this chapter contests such allegation, the bureau
13 shall advise such person personally by such form of first class mail as
14 the director may direct of the date on which he or she must appear to
15 answer the charge at a hearing. The form and content of such notice of
16 hearing shall be prescribed by the director, and shall contain a warning
17 to advise the person so pleading that failure to appear on the date
18 designated, or on any subsequent adjourned date, shall be deemed an
19 admission of liability, and that a default judgment may be entered ther-
20 eon.

21 1-a. Fines and penalties. Whenever a plea of not guilty has been
22 entered, or the bureau has been notified that an allegation of liability
23 in accordance with section eleven hundred eleven-d of this chapter, is
24 being contested, or the bureau has been notified that an allegation of
25 liability in accordance with section eleven hundred eleven-e of this
26 chapter, or an allegation of liability in accordance with section eleven
27 hundred eighty-d of this chapter, is being contested, by a person in a
28 timely fashion and a hearing upon the merits has been demanded, but has
29 not yet been held, the bureau shall not issue any notice of fine or
30 penalty to that person prior to the date of the hearing.

31 § 32-e. Subdivisions 1 and 1-a of section 240 of the vehicle and traf-
32 fic law, as amended by section 5-e of chapter 222 of the laws of 2015,
33 are amended to read as follows:

34 1. Notice of hearing. Whenever a person charged with a parking
35 violation enters a plea of not guilty, or a person alleged to be liable
36 in accordance with section eleven hundred eleven-e of this chapter
37 contests such allegation, or a person alleged to be liable in accordance
38 with the provisions of section eleven hundred eighty-d of this chapter
39 for a violation of subdivision (b), (c), (d), (f) or (g) of section
40 eleven hundred eighty of this chapter contests such allegation, the
41 bureau shall advise such person personally by such form of first class
42 mail as the director may direct of the date on which he or she must
43 appear to answer the charge at a hearing. The form and content of such
44 notice of hearing shall be prescribed by the director, and shall contain
45 a warning to advise the person so pleading that failure to appear on the
46 date designated, or on any subsequent adjourned date, shall be deemed an
47 admission of liability, and that a default judgment may be entered ther-
48 eon.

49 1-a. Fines and penalties. Whenever a plea of not guilty has been
50 entered, or the bureau has been notified that an allegation of liability
51 in accordance with section eleven hundred eleven-e of this chapter, or
52 an allegation of liability in accordance with section eleven hundred
53 eighty-d of this chapter, is being contested, by a person in a timely
54 fashion and a hearing upon the merits has been demanded, but has not yet
55 been held, the bureau shall not issue any notice of fine or penalty to
56 that person prior to the date of the hearing.

1 § 32-f. Subdivisions 1 and 1-a of section 240 of the vehicle and traf-
2 fic law, subdivision 1 as added by chapter 715 of the laws of 1972, and
3 subdivision 1-a as added by chapter 365 of the laws of 1978, are amended
4 to read as follows:

5 1. Notice of hearing. Whenever a person charged with a parking
6 violation enters a plea of not guilty, or a person alleged to be liable
7 in accordance with the provisions of section eleven hundred eighty-d of
8 this chapter for a violation of subdivision (b), (c), (d), (f) or (g) of
9 section eleven hundred eighty of this chapter contests such allegation,
10 the bureau shall advise such person personally by such form of first
11 class mail as the director may direct of the date on which he must
12 appear to answer the charge at a hearing. The form and content of such
13 notice of hearing shall be prescribed by the director, and shall contain
14 a warning to advise the person so pleading that failure to appear on the
15 date designated, or on any subsequent adjourned date, shall be deemed an
16 admission of liability, and that a default judgment may be entered ther-
17 eon.

18 1-a. Fines and penalties. Whenever a plea of not guilty has been
19 entered, or the bureau has been notified that an allegation of liability
20 in accordance with section eleven hundred eighty-d of this chapter is
21 being contested, by a person in a timely fashion and a hearing upon the
22 merits has been demanded, but has not yet been held, the bureau shall
23 not issue any notice of fine or penalty to that person prior to the date
24 of the hearing.

25 § 33. Paragraphs a and g of subdivision 2 of section 240 of the vehi-
26 cle and traffic law, as amended by section 6 of chapter 222 of the laws
27 of 2015, are amended to read as follows:

28 a. Every hearing for the adjudication of a charge of parking violation
29 or an allegation of liability in accordance with section eleven hundred
30 eleven-a of this chapter or in accordance with sections eleven hundred
31 eleven-b of this chapter as added by sections sixteen of chapters twen-
32 ty, twenty-one, and twenty-two of the laws of two thousand nine or in
33 accordance with section eleven hundred eleven-d of this chapter or in
34 accordance with section eleven hundred eleven-e of this chapter or an
35 allegation of liability in accordance with section two thousand nine
36 hundred eighty-five of the public authorities law or sections sixteen-a,
37 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the
38 laws of nineteen hundred fifty or an allegation of liability in accord-
39 ance with section eleven hundred eleven-c of this chapter or an allega-
40 tion of liability in accordance with section eleven hundred eighty-b of
41 this chapter, or an allegation of liability in accordance with section
42 eleven hundred eighty-d of this chapter, shall be held before a hearing
43 examiner in accordance with rules and regulations promulgated by the
44 bureau.

45 g. A record shall be made of a hearing on a plea of not guilty or of a
46 hearing at which liability in accordance with section eleven hundred
47 eleven-a of this chapter or in accordance with sections eleven hundred
48 eleven-b of this chapter as added by sections sixteen of chapters twen-
49 ty, twenty-one, and twenty-two of the laws of two thousand nine or in
50 accordance with section eleven hundred eleven-d of this chapter is
51 contested or in accordance with section eleven hundred eleven-e of this
52 chapter is contested or of a hearing at which liability in accordance
53 with section two thousand nine hundred eighty-five of the public author-
54 ities law or sections sixteen-a, sixteen-b and sixteen-c of chapter
55 seven hundred seventy-four of the laws of nineteen hundred fifty is
56 contested or of a hearing at which liability in accordance with section

1 eleven hundred eleven-c of this chapter or of a hearing at which liability
2 in accordance with section eleven hundred eighty-b of this chapter
3 or of a hearing at which liability in accordance with section eleven
4 hundred eighty-d of this chapter is contested. Recording devices may be
5 used for the making of the record.

6 § 33-a. Paragraphs a and g of subdivision 2 of section 240 of the
7 vehicle and traffic law, as amended by section 6-a of chapter 222 of the
8 laws of 2015, are amended to read as follows:

9 a. Every hearing for the adjudication of a charge of parking violation
10 or an allegation of liability in accordance with sections eleven hundred
11 eleven-b of this chapter, as added by sections sixteen of chapters twenty,
12 twenty-one, and twenty-two of the laws of two thousand nine or in
13 accordance with section eleven hundred eleven-d of this chapter or in
14 accordance with section eleven hundred eleven-e of this chapter or an
15 allegation of liability in accordance with section eleven hundred
16 eleven-c of this chapter or an allegation of liability in accordance
17 with section eleven hundred eighty-b of this chapter or an allegation of
18 liability in accordance with section eleven hundred eighty-d of this
19 chapter, shall be held before a hearing examiner in accordance with
20 rules and regulations promulgated by the bureau.

21 g. A record shall be made of a hearing on a plea of not guilty or of a
22 hearing at which liability in accordance with sections eleven hundred
23 eleven-b of this chapter, as added by sections sixteen of chapters twenty,
24 twenty-one, and twenty-two of the laws of two thousand nine or in
25 accordance with section eleven hundred eleven-d of this chapter or in
26 accordance with section eleven hundred eleven-e of this chapter or of a
27 hearing at which liability in accordance with section eleven hundred
28 eleven-c of this chapter or of a hearing at which liability in accord-
29 ance with section eleven hundred eighty-b of this chapter or of a hear-
30 ing at which liability in accordance with section eleven hundred eight-
31 y-d of this chapter is contested. Recording devices may be used for the
32 making of the record.

33 § 33-b. Paragraphs a and g of subdivision 2 of section 240 of the
34 vehicle and traffic law, as amended by section 6-b of chapter 222 of the
35 laws of 2015, are amended to read as follows:

36 a. Every hearing for the adjudication of a charge of parking violation
37 or an allegation of liability in accordance with section eleven hundred
38 eleven-e of this chapter or an allegation of liability in accordance
39 with section eleven hundred eleven-d of this chapter or an allegation of
40 liability in accordance with section eleven hundred eleven-c of this
41 chapter or an allegation of liability in accordance with section eleven
42 hundred eighty-b of this chapter or an allegation of liability in
43 accordance with section eleven hundred eighty-d of this chapter shall be
44 held before a hearing examiner in accordance with rules and regulations
45 promulgated by the bureau.

46 g. A record shall be made of a hearing on a plea of not guilty or of a
47 hearing at which liability in accordance with section eleven hundred
48 eleven-e of this chapter or of a hearing at which liability in accord-
49 ance with section eleven hundred eleven-d of this chapter or of a hear-
50 ing at which liability in accordance with section eleven hundred
51 eleven-c of this chapter or of a hearing at which liability in accord-
52 ance with section eleven hundred eighty-b of this chapter or of a hear-
53 ing at which liability in accordance with section eleven hundred eight-
54 y-d of this chapter is contested. Recording devices may be used for the
55 making of the record.

1 § 33-c. Paragraphs a and g of subdivision 2 of section 240 of the
2 vehicle and traffic law, as amended by section 6-c of chapter 222 of the
3 laws of 2015, are amended to read as follows:

4 a. Every hearing for the adjudication of a charge of parking violation
5 or an allegation of liability in accordance with section eleven hundred
6 eleven-e of this chapter or an allegation of liability in accordance
7 with section eleven hundred eleven-d of this chapter or an allegation of
8 liability in accordance with section eleven hundred eighty-b of this
9 chapter or an allegation of liability in accordance with section eleven
10 hundred eighty-d of this chapter shall be held before a hearing examiner
11 in accordance with rules and regulations promulgated by the bureau.

12 g. A record shall be made of a hearing on a plea of not guilty or of a
13 hearing at which liability in accordance with section eleven hundred
14 eleven-e of this chapter or of a hearing at which liability in accord-
15 ance with section eleven hundred eleven-d of this chapter or of a hear-
16 ing at which liability in accordance with section eleven hundred eight-
17 y-b of this chapter or of a hearing at which liability in accordance
18 with section eleven hundred eighty-d of this chapter is contested.
19 Recording devices may be used for the making of the record.

20 § 33-d. Paragraphs a and g of subdivision 2 of section 240 of the
21 vehicle and traffic law, as amended by section 6-d of chapter 222 of the
22 laws of 2015, are amended to read as follows:

23 a. Every hearing for the adjudication of a charge of parking violation
24 or an allegation of liability in accordance with section eleven hundred
25 eleven-e of this chapter or an allegation of liability in accordance
26 with section eleven hundred eleven-d of this chapter or an allegation of
27 liability in accordance with section eleven hundred eighty-d of this
28 chapter shall be held before a hearing examiner in accordance with rules
29 and regulations promulgated by the bureau.

30 g. A record shall be made of a hearing on a plea of not guilty or a
31 hearing at which liability in accordance with section eleven hundred
32 eleven-d of this chapter is contested or a hearing at which liability in
33 accordance with section eleven hundred eleven-e of this chapter or a
34 hearing at which liability in accordance with section eleven hundred
35 eighty-d of this chapter is contested. Recording devices may be used for
36 the making of the record.

37 § 33-e. Paragraphs a and g of subdivision 2 of section 240 of the
38 vehicle and traffic law, as amended by section 6-e of chapter 222 of the
39 laws of 2015, are amended to read as follows:

40 a. Every hearing for the adjudication of a charge of parking violation
41 or an allegation of liability in accordance with section eleven hundred
42 eleven-e of this chapter or an allegation of liability in accordance
43 with section eleven hundred eighty-d of this chapter shall be held
44 before a hearing examiner in accordance with rules and regulations
45 promulgated by the bureau.

46 g. A record shall be made of a hearing on a plea of not guilty or a
47 hearing at which liability in accordance with section eleven hundred
48 eleven-e of this chapter or a hearing at which liability in accordance
49 with section eleven hundred eighty-d of this chapter is contested.
50 Recording devices may be used for the making of the record.

51 § 33-f. Paragraphs a and g of subdivision 2 of section 240 of the
52 vehicle and traffic law, as added by chapter 715 of the laws of 1972,
53 are amended to read as follows:

54 a. Every hearing for the adjudication of a charge of parking violation
55 or an allegation of liability in accordance with section eleven hundred

1 eighty-d of this chapter shall be held before a hearing examiner in
2 accordance with rules and regulations promulgated by the bureau.

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

7 § 34. Subdivisions 1 and 2 of section 241 of the vehicle and traffic
8 law, as amended by section 7 of chapter 222 of the laws of 2015, are
9 amended to read as follows:

10 1. The hearing examiner shall make a determination on the charges,
11 either sustaining or dismissing them. Where the hearing examiner deter-
12 mines that the charges have been sustained he or she may examine either
13 the prior parking violations record or the record of liabilities
14 incurred in accordance with section eleven hundred eleven-a of this
15 chapter or in accordance with sections eleven hundred eleven-b of this
16 chapter as added by sections sixteen of chapters twenty, twenty-one, and
17 twenty-two of the laws of two thousand nine or in accordance with
18 section eleven hundred eleven-d of this chapter or in accordance with
19 section eleven hundred eleven-e of this chapter or the record of liabil-
20 ities incurred in accordance with section two thousand nine hundred
21 eighty-five of the public authorities law or sections sixteen-a,
22 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the
23 laws of nineteen hundred fifty of the person charged, or the record of
24 liabilities incurred in accordance with section eleven hundred eleven-c
25 of this chapter, or the record of liabilities incurred in accordance
26 with section eleven hundred eighty-b of this chapter, or in the record
27 of liabilities incurred in accordance with section eleven hundred eight-
28 y-d of this chapter of the person charged, as applicable prior to
29 rendering a final determination. Final determinations sustaining or
30 dismissing charges shall be entered on a final determination roll main-
31 tained by the bureau together with records showing payment and nonpay-
32 ment of penalties.

33 2. Where an operator or owner fails to enter a plea to a charge of a
34 parking violation or contest an allegation of liability in accordance
35 with section eleven hundred eleven-a of this chapter or in accordance
36 with sections eleven hundred eleven-b of this chapter as added by
37 sections sixteen of chapters twenty, twenty-one, and twenty-two of the
38 laws of two thousand nine or in accordance with section eleven hundred
39 eleven-d of this chapter or in accordance with section eleven hundred
40 eleven-e of this chapter or fails to contest an allegation of liability
41 in accordance with section two thousand nine hundred eighty-five of the
42 public authorities law or sections sixteen-a, sixteen-b and sixteen-c of
43 chapter seven hundred seventy-four of the laws of nineteen hundred
44 fifty, or fails to contest an allegation of liability in accordance with
45 section eleven hundred eleven-c of this chapter or fails to contest an
46 allegation of liability in accordance with section eleven hundred eight-
47 y-b of this chapter or fails to contest an allegation of liability in
48 accordance with section eleven hundred eighty-d of this chapter or fails
49 to appear on a designated hearing date or subsequent adjourned date or
50 fails after a hearing to comply with the determination of a hearing
51 examiner, as prescribed by this article or by rule or regulation of the
52 bureau, such failure to plead or contest, appear or comply shall be
53 deemed, for all purposes, an admission of liability and shall be grounds
54 for rendering and entering a default judgment in an amount provided by
55 the rules and regulations of the bureau. However, after the expiration
56 of the original date prescribed for entering a plea and before a default

1 judgment may be rendered, in such case the bureau shall pursuant to the
2 applicable provisions of law notify such operator or owner, by such form
3 of first class mail as the commission may direct; (1) of the violation
4 charged, or liability in accordance with section eleven hundred eleven-a
5 of this chapter or in accordance with sections eleven hundred eleven-b
6 of this chapter as added by sections sixteen of chapters twenty, twen-
7 ty-one, and twenty-two of the laws of two thousand nine or in accordance
8 with section eleven hundred eleven-d of this chapter or in accordance
9 with section eleven hundred eleven-e of this chapter alleged or liabil-
10 ity in accordance with section two thousand nine hundred eighty-five of
11 the public authorities law or sections sixteen-a, sixteen-b and
12 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
13 hundred fifty alleged or liability in accordance with section eleven
14 hundred eleven-c of this chapter or liability in accordance with section
15 eleven hundred eighty-b of this chapter alleged, or liability in accord-
16 ance with section eleven hundred eighty-d of this chapter alleged, (2)
17 of the impending default judgment, (3) that such judgment will be
18 entered in the Civil Court of the city in which the bureau has been
19 established, or other court of civil jurisdiction or any other place
20 provided for the entry of civil judgments within the state of New York,
21 and (4) that a default may be avoided by entering a plea or contesting
22 an allegation of liability in accordance with section eleven hundred
23 eleven-a of this chapter or in accordance with sections eleven hundred
24 eleven-b of this chapter as added by sections sixteen of chapters twen-
25 ty, twenty-one, and twenty-two of the laws of two thousand nine or in
26 accordance with section eleven hundred eleven-d of this chapter or in
27 accordance with section eleven hundred eleven-e of this chapter or
28 contesting an allegation of liability in accordance with section two
29 thousand nine hundred eighty-five of the public authorities law or
30 sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred
31 seventy-four of the laws of nineteen hundred fifty or contesting an
32 allegation of liability in accordance with section eleven hundred
33 eleven-c of this chapter or contesting an allegation of liability in
34 accordance with section eleven hundred eighty-b of this chapter or
35 contesting an allegation of liability in accordance with section eleven
36 hundred eighty-d of this chapter, as appropriate, or making an appear-
37 ance within thirty days of the sending of such notice. Pleas entered and
38 allegations contested within that period shall be in the manner
39 prescribed in the notice and not subject to additional penalty or fee.
40 Such notice of impending default judgment shall not be required prior to
41 the rendering and entry thereof in the case of operators or owners who
42 are non-residents of the state of New York. In no case shall a default
43 judgment be rendered or, where required, a notice of impending default
44 judgment be sent, more than two years after the expiration of the time
45 prescribed for entering a plea or contesting an allegation. When a
46 person has demanded a hearing, no fine or penalty shall be imposed for
47 any reason, prior to the holding of the hearing. If the hearing examiner
48 shall make a determination on the charges, sustaining them, he or she
49 shall impose no greater penalty or fine than those upon which the person
50 was originally charged.

51 § 34-a. Subdivisions 1 and 2 of section 241 of the vehicle and traffic
52 law, as amended by section 7-a of chapter 222 of the laws of 2015, are
53 amended to read as follows:

54 1. The hearing examiner shall make a determination on the charges,
55 either sustaining or dismissing them. Where the hearing examiner deter-
56 mines that the charges have been sustained he or she may examine either

1 the prior parking violations record or the record of liabilities
2 incurred in accordance with sections eleven hundred eleven-b of this
3 chapter as added by sections sixteen of chapters twenty, twenty-one, and
4 twenty-two of the laws of two thousand nine or in accordance with
5 section eleven hundred eleven-d of this chapter or in accordance with
6 section eleven hundred eleven-e of this chapter of the person charged,
7 or the record of liabilities incurred in accordance with section eleven
8 hundred eleven-c of this chapter, or the record of liabilities incurred
9 in accordance with section eleven hundred eighty-b of this chapter, or
10 the record of liabilities incurred in accordance with section eleven
11 hundred eighty-d of this chapter of the person charged, as applicable
12 prior to rendering a final determination. Final determinations sustain-
13 ing or dismissing charges shall be entered on a final determination roll
14 maintained by the bureau together with records showing payment and
15 nonpayment of penalties.

16 2. Where an operator or owner fails to enter a plea to a charge of a
17 parking violation or contest an allegation of liability in accordance
18 with sections eleven hundred eleven-b of this chapter as added by
19 sections sixteen of chapters twenty, twenty-one, and twenty-two of the
20 laws of two thousand nine or in accordance with section eleven hundred
21 eleven-d of this chapter, or in accordance with section eleven hundred
22 eleven-e of this chapter, or fails to contest an allegation of liability
23 in accordance with section eleven hundred eleven-c of this chapter, or
24 fails to contest an allegation of liability incurred in accordance with
25 section eleven hundred eighty-b of this chapter, or fails to contest an
26 allegation of liability incurred in accordance with section eleven
27 hundred eighty-d of this chapter, or fails to appear on a designated
28 hearing date or subsequent adjourned date or fails after a hearing to
29 comply with the determination of a hearing examiner, as prescribed by
30 this article or by rule or regulation of the bureau, such failure to
31 plead, contest, appear or comply shall be deemed, for all purposes, an
32 admission of liability and shall be grounds for rendering and entering a
33 default judgment in an amount provided by the rules and regulations of
34 the bureau. However, after the expiration of the original date
35 prescribed for entering a plea and before a default judgment may be
36 rendered, in such case the bureau shall pursuant to the applicable
37 provisions of law notify such operator or owner, by such form of first
38 class mail as the commission may direct; (1) of the violation charged,
39 or liability in accordance with sections eleven hundred eleven-b of this
40 chapter, as added by sections sixteen of chapters twenty, twenty-one,
41 and twenty-two of the laws of two thousand nine or in accordance with
42 section eleven hundred eleven-d of this chapter, or in accordance with
43 section eleven hundred eleven-e of this chapter, or liability in accord-
44 ance with section eleven hundred eleven-c of this chapter or liability
45 in accordance with section eleven hundred eighty-b of this chapter
46 alleged, or liability in accordance with section eleven hundred eighty-d
47 of this chapter alleged, (2) of the impending default judgment, (3) that
48 such judgment will be entered in the Civil Court of the city in which
49 the bureau has been established, or other court of civil jurisdiction or
50 any other place provided for the entry of civil judgments within the
51 state of New York, and (4) that a default may be avoided by entering a
52 plea or contesting an allegation of liability in accordance with
53 sections eleven hundred eleven-b of this chapter as added by sections
54 sixteen of chapters twenty, twenty-one, and twenty-two of the laws of
55 two thousand nine or in accordance with section eleven hundred eleven-d
56 of this chapter or in accordance with section eleven hundred eleven-e of

1 this chapter, or contesting an allegation of liability in accordance
2 with section eleven hundred eleven-c of this chapter or contesting an
3 allegation of liability in accordance with section eleven hundred eight-
4 y-b of this chapter or contesting an allegation of liability in accord-
5 ance with section eleven hundred eighty-d of this chapter, as appropri-
6 ate, or making an appearance within thirty days of the sending of such
7 notice. Pleas entered and allegations contested within that period shall
8 be in the manner prescribed in the notice and not subject to additional
9 penalty or fee. Such notice of impending default judgment shall not be
10 required prior to the rendering and entry thereof in the case of opera-
11 tors or owners who are non-residents of the state of New York. In no
12 case shall a default judgment be rendered or, where required, a notice
13 of impending default judgment be sent, more than two years after the
14 expiration of the time prescribed for entering a plea or contesting an
15 allegation. When a person has demanded a hearing, no fine or penalty
16 shall be imposed for any reason, prior to the holding of the hearing. If
17 the hearing examiner shall make a determination on the charges, sustain-
18 ing them, he or she shall impose no greater penalty or fine than those
19 upon which the person was originally charged.

20 § 34-b. Subdivisions 1 and 2 of section 241 of the vehicle and traffic
21 law, as amended by section 7-b of chapter 222 of the laws of 2015, are
22 amended to read as follows:

23 1. The hearing examiner shall make a determination on the charges,
24 either sustaining or dismissing them. Where the hearing examiner deter-
25 mines that the charges have been sustained he or she may examine the
26 prior parking violations record or the record of liabilities incurred in
27 accordance with section eleven hundred eleven-e of this chapter of the
28 person charged, or the record of liabilities incurred in accordance with
29 section eleven hundred eleven-d of this chapter of the person charged,
30 or the record of liabilities incurred in accordance with section eleven
31 hundred eleven-c of this chapter, or the record of liabilities incurred
32 in accordance with section eleven hundred eighty-b of this chapter, or
33 the record of liabilities incurred in accordance with section eleven
34 hundred eighty-d of this chapter of the person charged, as applicable,
35 prior to rendering a final determination. Final determinations sustain-
36 ing or dismissing charges shall be entered on a final determination roll
37 maintained by the bureau together with records showing payment and
38 nonpayment of penalties.

39 2. Where an operator or owner fails to enter a plea to a charge of a
40 parking violation or contest an allegation of liability in accordance
41 with section eleven hundred eleven-e of this chapter, or contest an
42 allegation of liability in accordance with section eleven hundred
43 eleven-d of this chapter, or fails to contest an allegation of liability
44 in accordance with section eleven hundred eleven-c of this chapter, or
45 fails to contest an allegation of liability incurred in accordance with
46 section eleven hundred eighty-b of this chapter, or fails to contest an
47 allegation of liability incurred in accordance with section eleven
48 hundred eighty-d of this chapter, or fails to appear on a designated
49 hearing date or subsequent adjourned date or fails after a hearing to
50 comply with the determination of a hearing examiner, as prescribed by
51 this article or by rule or regulation of the bureau, such failure to
52 plead, appear or comply shall be deemed, for all purposes, an admission
53 of liability and shall be grounds for rendering and entering a default
54 judgment in an amount provided by the rules and regulations of the
55 bureau. However, after the expiration of the original date prescribed
56 for entering a plea and before a default judgment may be rendered, in

1 such case the bureau shall pursuant to the applicable provisions of law
2 notify such operator or owner, by such form of first class mail as the
3 commission may direct; (1) of the violation charged, or liability in
4 accordance with section eleven hundred eleven-e of this chapter, or
5 liability in accordance with section eleven hundred eleven-d of this
6 chapter, or alleged liability in accordance with section eleven hundred
7 eleven-c of this chapter or alleged liability in accordance with section
8 eleven hundred eighty-b of this chapter, or alleged liability in accord-
9 ance with section eleven hundred eighty-d of this chapter, (2) of the
10 impending default judgment, (3) that such judgment will be entered in
11 the Civil Court of the city in which the bureau has been established, or
12 other court of civil jurisdiction or any other place provided for the
13 entry of civil judgments within the state of New York, and (4) that a
14 default may be avoided by entering a plea or contesting an allegation of
15 liability in accordance with section eleven hundred eleven-e of this
16 chapter or contesting an allegation of liability in accordance with
17 section eleven hundred eleven-d of this chapter or contesting an allega-
18 tion of liability in accordance with section eleven hundred eleven-c of
19 this chapter or contesting an allegation of liability in accordance with
20 section eleven hundred eighty-b of this chapter or contesting an allega-
21 tion of liability in accordance with section eleven hundred eighty-d of
22 this chapter or making an appearance within thirty days of the sending
23 of such notice. Pleas entered within that period shall be in the manner
24 prescribed in the notice and not subject to additional penalty or fee.
25 Such notice of impending default judgment shall not be required prior to
26 the rendering and entry thereof in the case of operators or owners who
27 are non-residents of the state of New York. In no case shall a default
28 judgment be rendered or, where required, a notice of impending default
29 judgment be sent, more than two years after the expiration of the time
30 prescribed for entering a plea. When a person has demanded a hearing,
31 no fine or penalty shall be imposed for any reason, prior to the holding
32 of the hearing. If the hearing examiner shall make a determination on
33 the charges, sustaining them, he or she shall impose no greater penalty
34 or fine than those upon which the person was originally charged.

35 § 34-c. Subdivisions 1 and 2 of section 241 of the vehicle and traffic
36 law, as amended by section 7-c of chapter 222 of the laws of 2015, are
37 amended to read as follows:

38 1. The hearing examiner shall make a determination on the charges,
39 either sustaining or dismissing them. Where the hearing examiner deter-
40 mines that the charges have been sustained he or she may examine either
41 the prior parking violations record or the record of liabilities
42 incurred in accordance with section eleven hundred eleven-d of this
43 chapter of the person charged, or the record of liabilities incurred in
44 accordance with section eleven hundred eleven-e of this chapter of the
45 person charged or the record of liabilities incurred in accordance with
46 section eleven hundred eighty-b of this chapter, or the record of
47 liabilities incurred in accordance with section eleven hundred eighty-d
48 of this chapter of the person charged, as applicable, prior to rendering
49 a final determination. Final determinations sustaining or dismissing
50 charges shall be entered on a final determination roll maintained by the
51 bureau together with records showing payment and nonpayment of penal-
52 ties.

53 2. Where an operator or owner fails to enter a plea to a charge of a
54 parking violation or contest an allegation of liability in accordance
55 with section eleven hundred eleven-e of this chapter or contest an alle-
56 gation of liability in accordance with section eleven hundred eleven-d

1 of this chapter or fails to contest an allegation of liability incurred
2 in accordance with section eleven hundred eighty-b of this chapter or
3 fails to contest an allegation of liability incurred in accordance with
4 section eleven hundred eighty-d of this chapter or fails to appear on a
5 designated hearing date or subsequent adjourned date or fails after a
6 hearing to comply with the determination of a hearing examiner, as
7 prescribed by this article or by rule or regulation of the bureau, such
8 failure to plead, appear or comply shall be deemed, for all purposes, an
9 admission of liability and shall be grounds for rendering and entering a
10 default judgment in an amount provided by the rules and regulations of
11 the bureau. However, after the expiration of the original date
12 prescribed for entering a plea and before a default judgment may be
13 rendered, in such case the bureau shall pursuant to the applicable
14 provisions of law notify such operator or owner, by such form of first
15 class mail as the commission may direct; (1) of the violation charged or
16 liability in accordance with section eleven hundred eleven-e of this
17 chapter or liability in accordance with section eleven hundred eleven-d
18 of this chapter or liability in accordance with section eleven hundred
19 eighty-b of this chapter alleged, or liability in accordance with
20 section eleven hundred eighty-d of this chapter alleged, (2) of the
21 impending default judgment, (3) that such judgment will be entered in
22 the Civil Court of the city in which the bureau has been established, or
23 other court of civil jurisdiction or any other place provided for the
24 entry of civil judgments within the state of New York, and (4) that a
25 default may be avoided by entering a plea or contesting an allegation of
26 liability in accordance with section eleven hundred eleven-e of this
27 chapter or contesting an allegation of liability in accordance with
28 section eleven hundred eleven-d of this chapter or contesting an allega-
29 tion of liability in accordance with section eleven hundred eighty-b of
30 this chapter or contesting an allegation of liability in accordance with
31 section eleven hundred eighty-d of this chapter or making an appearance
32 within thirty days of the sending of such notice. Pleas entered within
33 that period shall be in the manner prescribed in the notice and not
34 subject to additional penalty or fee. Such notice of impending default
35 judgment shall not be required prior to the rendering and entry thereof
36 in the case of operators or owners who are non-residents of the state of
37 New York. In no case shall a default judgment be rendered or, where
38 required, a notice of impending default judgment be sent, more than two
39 years after the expiration of the time prescribed for entering a plea.
40 When a person has demanded a hearing, no fine or penalty shall be
41 imposed for any reason, prior to the holding of the hearing. If the
42 hearing examiner shall make a determination on the charges, sustaining
43 them, he shall impose no greater penalty or fine than those upon which
44 the person was originally charged.

45 § 34-d. Subdivisions 1 and 2 of section 241 of the vehicle and traffic
46 law, as amended by section 7-d of chapter 222 of the laws of 2015, are
47 amended to read as follows:

48 1. The hearing examiner shall make a determination on the charges,
49 either sustaining or dismissing them. Where the hearing examiner deter-
50 mines that the charges have been sustained he or she may examine either
51 the prior parking violations record or the record of liabilities
52 incurred in accordance with section eleven hundred eleven-e of this
53 chapter of the person charged or the record of liabilities incurred in
54 accordance with section eleven hundred eleven-d of this chapter of the
55 person charged or the record of liabilities incurred in accordance with
56 section eleven hundred eighty-d of this chapter of the person charged,

1 as applicable, prior to rendering a final determination. Final determi-
2 nations sustaining or dismissing charges shall be entered on a final
3 determination roll maintained by the bureau together with records show-
4 ing payment and nonpayment of penalties.

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

48 § 34-e. Subdivisions 1 and 2 of section 241 of the vehicle and traffic
49 law, as amended by section 7-e of chapter 222 of the laws of 2015, are
50 amended to read as follows:

51 1. The hearing examiner shall make a determination on the charges,
52 either sustaining or dismissing them. Where the hearing examiner deter-
53 mines that the charges have been sustained he or she may examine the
54 prior parking violations record or the record of liabilities incurred in
55 accordance with section eleven hundred eleven-e of this chapter of the
56 person charged or the record of liabilities incurred in accordance with

1 section eleven hundred eighty-d of this chapter of the person charged,
2 as applicable, prior to rendering a final determination. Final determi-
3 nations sustaining or dismissing charges shall be entered on a final
4 determination roll maintained by the bureau together with records show-
5 ing payment and nonpayment of penalties.

6 2. Where an operator or owner fails to enter a plea to a charge of a
7 parking violation or contest an allegation of liability in accordance
8 with section eleven hundred eleven-e of this chapter or contest an alle-
9 gation of liability incurred in accordance with section eleven hundred

10 eighty-d of this chapter or fails to appear on a designated hearing date
11 or subsequent adjourned date or fails after a hearing to comply with the
12 determination of a hearing examiner, as prescribed by this article or by
13 rule or regulation of the bureau, such failure to plead, appear or
14 comply shall be deemed, for all purposes, an admission of liability and
15 shall be grounds for rendering and entering a default judgment in an
16 amount provided by the rules and regulations of the bureau. However,
17 after the expiration of the original date prescribed for entering a plea
18 and before a default judgment may be rendered, in such case the bureau
19 shall pursuant to the applicable provisions of law notify such operator
20 or owner, by such form of first class mail as the commission may direct;
21 (1) of the violation charged or liability in accordance with section
22 eleven hundred eleven-e of this chapter alleged or liability in accord-
23 ance with section eleven hundred eighty-d of this chapter alleged, (2)

24 of the impending default judgment, (3) that such judgment will be
25 entered in the Civil Court of the city in which the bureau has been
26 established, or other court of civil jurisdiction or any other place
27 provided for the entry of civil judgments within the state of New York,
28 and (4) that a default may be avoided by entering a plea or contesting
29 an allegation of liability in accordance with section eleven hundred
30 eleven-e of this chapter or contesting an allegation of liability in
31 accordance with section eleven hundred eighty-d of this chapter or
32 making an appearance within thirty days of the sending of such notice.
33 Pleas entered within that period shall be in the manner prescribed in
34 the notice and not subject to additional penalty or fee. Such notice of
35 impending default judgment shall not be required prior to the rendering
36 and entry thereof in the case of operators or owners who are non-resi-
37 dents of the state of New York. In no case shall a default judgment be
38 rendered or, where required, a notice of impending default judgment be
39 sent, more than two years after the expiration of the time prescribed
40 for entering a plea. When a person has demanded a hearing, no fine or
41 penalty shall be imposed for any reason, prior to the holding of the
42 hearing. If the hearing examiner shall make a determination on the
43 charges, sustaining them, he shall impose no greater penalty or fine
44 than those upon which the person was originally charged.

45 § 34-f. Subdivisions 1 and 2 of section 241 of the vehicle and traffic
46 law, subdivision 1 as added by chapter 715 of the laws of 1972, and
47 subdivision 2 as amended by chapter 365 of the laws of 1978, are amended
48 to read as follows:

49 1. The hearing examiner shall make a determination on the charges,
50 either sustaining or dismissing them. Where the hearing examiner deter-
51 mines that the charges have been sustained he may examine the prior
52 parking violations record or the record of liabilities incurred in
53 accordance with section eleven hundred eighty-d of this chapter of the
54 person charged, as applicable, prior to rendering a final determination.
55 Final determinations sustaining or dismissing charges shall be entered

1 on a final determination roll maintained by the bureau together with
2 records showing payment and nonpayment of penalties.

3 2. Where an operator or owner fails to enter a plea to a charge of a
4 parking violation or contest an allegation of liability incurred in
5 accordance with section eleven hundred eighty-d of this chapter or fails
6 to appear on a designated hearing date or subsequent adjourned date or
7 fails after a hearing to comply with the determination of a hearing
8 examiner, as prescribed by this article or by rule or regulation of the
9 bureau, such failure to plead, appear or comply shall be deemed, for all
10 purposes, an admission of liability and shall be grounds for rendering
11 and entering a default judgment in an amount provided by the rules and
12 regulations of the bureau. However, after the expiration of the original
13 date prescribed for entering a plea and before a default judgment may be
14 rendered, in such case the bureau shall pursuant to the applicable
15 provisions of law notify such operator or owner, by such form of first
16 class mail as the commission may direct; (1) of the violation charged or
17 liability in accordance with section eleven hundred eighty-d of this
18 chapter alleged, (2) of the impending default judgment, (3) that such
19 judgment will be entered in the Civil Court of the city in which the
20 bureau has been established, or other court of civil jurisdiction or any
21 other place provided for the entry of civil judgments within the state
22 of New York, and (4) that a default may be avoided by entering a plea or
23 contesting an allegation of liability in accordance with section eleven
24 hundred eighty-d of this chapter or making an appearance within thirty
25 days of the sending of such notice. Pleas entered within that period
26 shall be in the manner prescribed in the notice and not subject to addi-
27 tional penalty or fee. Such notice of impending default judgment shall
28 not be required prior to the rendering and entry thereof in the case of
29 operators or owners who are non-residents of the state of New York. In
30 no case shall a default judgment be rendered or, where required, a
31 notice of impending default judgment be sent, more than two years after
32 the expiration of the time prescribed for entering a plea. When a person
33 has demanded a hearing, no fine or penalty shall be imposed for any
34 reason, prior to the holding of the hearing. If the hearing examiner
35 shall make a determination on the charges, sustaining them, he shall
36 impose no greater penalty or fine than those upon which the person was
37 originally charged.

38 § 35. The vehicle and traffic law is amended by adding a new section
39 1180-d to read as follows:

40 § 1180-d. Owner liability for failure of operator to comply with
41 certain posted maximum speed limits. (a) 1. Notwithstanding any other
42 provision of law, the city of Buffalo is hereby authorized to establish
43 a demonstration program imposing monetary liability on the owner of a
44 vehicle for failure of an operator thereof to comply with posted maximum
45 speed limits in a school speed zone within the city (i) when a school
46 speed limit is in effect as provided in paragraphs one and two of subdi-
47 vision (c) of section eleven hundred eighty of this article or (ii) when
48 other speed limits are in effect as provided in subdivision (b), (d),
49 (f) or (g) of section eleven hundred eighty of this article during the
50 following times: (A) on school days during school hours and one hour
51 before and one hour after the school day, and (B) a period during
52 student activities at the school and up to thirty minutes immediately
53 before and up to thirty minutes immediately after such student activ-
54 ities. Such demonstration program shall empower the city to install
55 photo speed violation monitoring systems within no more than twenty
56 school speed zones within the city at any one time and to operate such

1 systems within such zones (iii) when a school speed limit is in effect
2 as provided in paragraphs one and two of subdivision (c) of section
3 eleven hundred eighty of this article or (iv) when other speed limits
4 are in effect as provided in subdivision (b), (d), (f) or (g) of section
5 eleven hundred eighty of this article during the following times: (A) on
6 school days during school hours and one hour before and one hour after
7 the school day, and (B) a period during student activities at the school
8 and up to thirty minutes immediately before and up to thirty minutes
9 immediately after such student activities. In selecting a school speed
10 zone in which to install and operate a photo speed violation monitoring
11 system, the city shall consider criteria including, but not limited to
12 the speed data, crash history, and the roadway geometry applicable to
13 such school speed zone.

14 2. No photo speed violation monitoring system shall be used in a
15 school speed zone unless (i) on the day it is to be used it has success-
16 fully passed a self-test of its functions; and (ii) it has undergone an
17 annual calibration check performed pursuant to paragraph four of this
18 subdivision. The city shall install signs giving notice that a photo
19 speed violation monitoring system is in use to be mounted on advance
20 warning signs notifying motor vehicle operators of such upcoming school
21 speed zone and/or on speed limit signs applicable within such school
22 speed zone, in conformance with standards established in the MUTCD.

23 3. Operators of photo speed violation monitoring systems shall have
24 completed training in the procedures for setting up, testing, and oper-
25 ating such systems. Each such operator shall complete and sign a daily
26 set-up log for each such system that he or she operates that (i) states
27 the date and time when, and the location where, the system was set up
28 that day, and (ii) states that such operator successfully performed, and
29 the system passed, the self-tests of such system before producing a
30 recorded image that day. The city shall retain each such daily log
31 until the later of the date on which the photo speed violation monitor-
32 ing system to which it applies has been permanently removed from use or
33 the final resolution of all cases involving notices of liability issued
34 based on photographs, microphotographs, video or other recorded images
35 produced by such system.

36 4. Each photo speed violation monitoring system shall undergo an annu-
37 al calibration check performed by an independent calibration laboratory
38 which shall issue a signed certificate of calibration. The city shall
39 keep each such annual certificate of calibration on file until the final
40 resolution of all cases involving a notice of liability issued during
41 such year which were based on photographs, microphotographs, videotape
42 or other recorded images produced by such photo speed violation monitor-
43 ing system.

44 5. (i) Such demonstration program shall utilize necessary technologies
45 to ensure, to the extent practicable, that photographs, microphoto-
46 graphs, videotape or other recorded images produced by such photo speed
47 violation monitoring systems shall not include images that identify the
48 driver, the passengers, or the contents of the vehicle. Provided, howev-
49 er, that no notice of liability issued pursuant to this section shall be
50 dismissed solely because such a photograph, microphotograph, videotape
51 or other recorded image allows for the identification of the driver, the
52 passengers, or the contents of vehicles where the city shows that it
53 made reasonable efforts to comply with the provisions of this paragraph
54 in such case.

55 (ii) Photographs, microphotographs, videotape or any other recorded
56 image from a photo speed violation monitoring system shall be for the

1 exclusive use of the city for the purpose of the adjudication of liabil-
2 ity imposed pursuant to this section and of the owner receiving a notice
3 of liability pursuant to this section, and shall be destroyed by the
4 city upon the final resolution of the notice of liability to which such
5 photographs, microphotographs, videotape or other recorded images
6 relate, or one year following the date of issuance of such notice of
7 liability, whichever is later. Notwithstanding the provisions of any
8 other law, rule or regulation to the contrary, photographs, microphoto-
9 graphs, videotape or any other recorded image from a photo speed
10 violation monitoring system shall not be open to the public, nor subject
11 to civil or criminal process or discovery, nor used by any court or
12 administrative or adjudicatory body in any action or proceeding therein
13 except that which is necessary for the adjudication of a notice of
14 liability issued pursuant to this section, and no public entity or
15 employee, officer or agent thereof shall disclose such information,
16 except that such photographs, microphotographs, videotape or any other
17 recorded images from such systems:

18 (A) shall be available for inspection and copying and use by the motor
19 vehicle owner and operator for so long as such photographs, microphoto-
20 graphs, videotape or other recorded images are required to be maintained
21 or are maintained by such public entity, employee, officer or agent; and

22 (B) (1) shall be furnished when described in a search warrant issued
23 by a court authorized to issue such a search warrant pursuant to article
24 six hundred ninety of the criminal procedure law or a federal court
25 authorized to issue such a search warrant under federal law, where such
26 search warrant states that there is reasonable cause to believe such
27 information constitutes evidence of, or tends to demonstrate that, a
28 misdemeanor or felony offense was committed in this state or another
29 state, or that a particular person participated in the commission of a
30 misdemeanor or felony offense in this state or another state, provided,
31 however, that if such offense was against the laws of another state, the
32 court shall only issue a warrant if the conduct comprising such offense
33 would, if occurring in this state, constitute a misdemeanor or felony
34 against the laws of this state; and

35 (2) shall be furnished in response to a subpoena duces tecum signed by
36 a judge of competent jurisdiction and issued pursuant to article six
37 hundred ten of the criminal procedure law or a judge or magistrate of a
38 federal court authorized to issue such a subpoena duces tecum under
39 federal law, where the judge finds and the subpoena states that there is
40 reasonable cause to believe such information is relevant and material to
41 the prosecution, or the defense, or the investigation by an authorized
42 law enforcement official, of the alleged commission of a misdemeanor or
43 felony in this state or another state, provided, however, that if such
44 offense was against the laws of another state, such judge or magistrate
45 shall only issue such subpoena if the conduct comprising such offense
46 would, if occurring in this state, constitute a misdemeanor or felony in
47 this state; and

48 (3) may, if lawfully obtained pursuant to this clause and clause (A)
49 of this subparagraph and otherwise admissible, be used in such criminal
50 action or proceeding.

51 (b) If the city of Buffalo establishes a demonstration program pursu-
52 ant to subdivision (a) of this section, the owner of a vehicle shall be
53 liable for a penalty imposed pursuant to this section if such vehicle
54 was used or operated with the permission of the owner, express or
55 implied, within a school speed zone in violation of subdivision (c) or
56 during the times authorized pursuant to subdivision (a) of this section

1 in violation of subdivision (b), (d), (f) or (g) of section eleven
2 hundred eighty of this article, such vehicle was traveling at a speed of
3 more than ten miles per hour above the posted speed limit in effect
4 within such school speed zone, and such violation is evidenced by infor-
5 mation obtained from a photo speed violation monitoring system; provided
6 however that no owner of a vehicle shall be liable for a penalty imposed
7 pursuant to this section where the operator of such vehicle has been
8 convicted of the underlying violation of subdivision (b), (c), (d), (f)
9 or (g) of section eleven hundred eighty of this article.

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

12 1. "manual on uniform traffic control devices" or "MUTCD" shall mean
13 the manual and specifications for a uniform system of traffic control
14 devices maintained by the commissioner of transportation pursuant to
15 section sixteen hundred eighty of this chapter;

16 2. "owner" shall have the meaning provided in article two-B of this
17 chapter;

18 3. "photo speed violation monitoring system" shall mean a vehicle
19 sensor installed to work in conjunction with a speed measuring device
20 which automatically produces two or more photographs, two or more micro-
21 photographs, a videotape or other recorded images of each vehicle at the
22 time it is used or operated in a school speed zone in violation of
23 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
24 of this article in accordance with the provisions of this section; and

25 4. "school speed zone" shall mean a distance not to exceed one thou-
26 sand three hundred twenty feet on a highway passing a school building,
27 entrance or exit of a school abutting on the highway.

28 (d) A certificate, sworn to or affirmed by a technician employed by
29 the city of Buffalo, or a facsimile thereof, based upon inspection of
30 photographs, microphotographs, videotape or other recorded images
31 produced by a photo speed violation monitoring system, shall be prima
32 facie evidence of the facts contained therein. Any photographs, micro-
33 photographs, videotape or other recorded images evidencing such a
34 violation shall include at least two date and time stamped images of the
35 rear of the motor vehicle that include the same stationary object near
36 the motor vehicle and shall be available for inspection reasonably in
37 advance of and at any proceeding to adjudicate the liability for such
38 violation pursuant to this section.

39 (e) An owner liable for a violation of subdivision (b), (c), (d), (f)
40 or (g) of section eleven hundred eighty of this article pursuant to a
41 demonstration program established pursuant to this section shall be
42 liable for monetary penalties in accordance with a schedule of fines and
43 penalties to be promulgated by the parking violations bureau of the city
44 of Buffalo. The liability of the owner pursuant to this section shall
45 not exceed fifty dollars for each violation; provided, however, that
46 such parking violations bureau may provide for an additional penalty not
47 in excess of twenty-five dollars for each violation for the failure to
48 respond to a notice of liability within the prescribed time period.

49 (f) An imposition of liability under the demonstration program estab-
50 lished pursuant to this section shall not be deemed a conviction as an
51 operator and shall not be made part of the operating record of the
52 person upon whom such liability is imposed nor shall it be used for
53 insurance purposes in the provision of motor vehicle insurance coverage.

54 (g) 1. A notice of liability shall be sent by first class mail to each
55 person alleged to be liable as an owner for a violation of subdivision
56 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this arti-

1 cle pursuant to this section, within fourteen business days if such
2 owner is a resident of this state and within forty-five business days if
3 such owner is a non-resident. Personal delivery on the owner shall not
4 be required. A manual or automatic record of mailing prepared in the
5 ordinary course of business shall be prima facie evidence of the facts
6 contained therein.

7 2. A notice of liability shall contain the name and address of the
8 person alleged to be liable as an owner for a violation of subdivision
9 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this arti-
10 cle pursuant to this section, the registration number of the vehicle
11 involved in such violation, the location where such violation took
12 place, the date and time of such violation, the identification number of
13 the camera which recorded the violation or other document locator
14 number, at least two date and time stamped images of the rear of the
15 motor vehicle that include the same stationary object near the motor
16 vehicle, and the certificate charging the liability.

17 3. The notice of liability shall contain information advising the
18 person charged of the manner and the time in which he or she may contest
19 the liability alleged in the notice. Such notice of liability shall also
20 contain a prominent warning to advise the person charged that failure to
21 contest in the manner and time provided shall be deemed an admission of
22 liability and that a default judgment may be entered thereon.

23 4. The notice of liability shall be prepared and mailed by the city of
24 Buffalo, or by any other entity authorized by the city to prepare and
25 mail such notice of liability.

26 (h) Adjudication of the liability imposed upon owners of this section
27 shall be by the city of Buffalo parking violations bureau.

28 (i) If an owner receives a notice of liability pursuant to this
29 section for any time period during which the vehicle or the number plate
30 or plates of such vehicle was reported to the police department as
31 having been stolen, it shall be a valid defense to an allegation of
32 liability for a violation of subdivision (b), (c), (d), (f) or (g) of
33 section eleven hundred eighty of this article pursuant to this section
34 that the vehicle or the number plate or plates of such vehicle had been
35 reported to the police as stolen prior to the time the violation
36 occurred and had not been recovered by such time. For purposes of
37 asserting the defense provided by this subdivision, it shall be suffi-
38 cient that a certified copy of the police report on the stolen vehicle
39 or number plate or plates of such vehicle be sent by first class mail to
40 the city of Buffalo parking violations bureau or by any other entity
41 authorized by the city to prepare and mail such notice of liability.

42 (j) Adjudication of the liability imposed upon owners of this section
43 shall be by the city of Buffalo parking violations bureau.

44 (k) 1. An owner who is a lessor of a vehicle to which a notice of
45 liability was issued pursuant to subdivision (g) of this section shall
46 not be liable for the violation of subdivision (b), (c), (d), (f) or (g)
47 of section eleven hundred eighty of this article pursuant to this
48 section, provided that:

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

52 (ii) within thirty-seven days after receiving notice from such divi-
53 sion of the date and time of a liability, together with the other infor-
54 mation contained in the original notice of liability, the lessor submits
55 to such division the correct name and address of the lessee of the vehi-
56 cle identified in the notice of liability at the time of such violation,

1 together with such other additional information contained in the rental,
2 lease or other contract document, as may be reasonably required by such
3 division pursuant to regulations that may be promulgated for such
4 purpose.

5 2. Failure to comply with subparagraph (ii) of paragraph one of this
6 subdivision shall render the owner liable for the penalty prescribed in
7 this section.

8 3. Where the lessor complies with the provisions of paragraph one of
9 this subdivision, the lessee of such vehicle on the date of such
10 violation shall be deemed to be the owner of such vehicle for purposes
11 of this section, shall be subject to liability for such violation pursu-
12 ant to this section and shall be sent a notice of liability pursuant to
13 subdivision (i) of this section.

14 (1) 1. If the owner liable for a violation of subdivision (c) or (d)
15 of section eleven hundred eighty of this article pursuant to this
16 section was not the operator of the vehicle at the time of the
17 violation, the owner may maintain an action for indemnification against
18 the operator.

19 2. Notwithstanding any other provision of this section, no owner of a
20 vehicle shall be subject to a monetary fine imposed pursuant to this
21 section if the operator of such vehicle was operating such vehicle with-
22 out the consent of the owner at the time such operator operated such
23 vehicle in violation of subdivision (b), (c), (d), (f) or (g) of section
24 eleven hundred eighty of this article. For purposes of this subdivision
25 there shall be a presumption that the operator of such vehicle was oper-
26 ating such vehicle with the consent of the owner at the time of such
27 operator operated such vehicle in violation of subdivision (b), (c),
28 (d), (f) or (g) of section eleven hundred eighty of this article.

29 (m) Nothing in this section shall be construed to limit the liability
30 of an operator of a vehicle for any violation of subdivision (c) or (d)
31 of section eleven hundred eighty of this article.

32 (n) If the city adopts a demonstration program pursuant to subdivision
33 (a) of this section it shall conduct a study and submit a report on the
34 results of the use of photo devices to the governor, the temporary pres-
35 ident of the senate and the speaker of the assembly. Such report shall
36 include:

37 1. the locations where and dates when photo speed violation monitoring
38 systems were used;

39 2. the aggregate number, type and severity of crashes, fatalities,
40 injuries and property damage reported within all school speed zones
41 within the city, to the extent the information is maintained by the
42 department of motor vehicles of this state;

43 3. the aggregate number, type and severity of crashes, fatalities,
44 injuries and property damage reported within school speed zones where
45 photo speed violation monitoring systems were used, to the extent the
46 information is maintained by the department of motor vehicles of this
47 state;

48 4. the number of violations recorded within all school speed zones
49 within the city, in the aggregate on a daily, weekly and monthly basis;

50 5. the number of violations recorded within each school speed zone
51 where a photo speed violation monitoring system is used, in the aggre-
52 gate on a daily, weekly and monthly basis;

53 6. the number of violations recorded within all school speed zones
54 within the city that were:

55 (i) more than ten but not more than twenty miles per hour over the
56 posted speed limit;

1 (ii) more than twenty but not more than thirty miles per hour over the
 2 posted speed limit;

3 (iii) more than thirty but not more than forty miles per hour over the
 4 posted speed limit; and

5 (iv) more than forty miles per hour over the posted speed limit;

6 7. the number of violations recorded within each school speed zone
 7 where a photo speed violation monitoring system is used that were:

8 (i) more than ten but not more than twenty miles per hour over the
 9 posted speed limit;

10 (ii) more than twenty but not more than thirty miles per hour over the
 11 posted speed limit;

12 (iii) more than thirty but not more than forty miles per hour over the
 13 posted speed limit; and

14 (iv) more than forty miles per hour over the posted speed limit;

15 8. the total number of notices of liability issued for violations
 16 recorded by such systems;

17 9. the number of fines and total amount of fines paid after the first
 18 notice of liability issued for violations recorded by such systems;

19 10. the number of violations adjudicated and the results of such adju-
 20 dications including breakdowns of dispositions made for violations
 21 recorded by such systems;

22 11. the total amount of revenue realized by the city in connection
 23 with the program;

24 12. the expenses incurred by the city in connection with the program;
 25 and

26 13. the quality of the adjudication process and its results.

27 (o) It shall be a defense to any prosecution for a violation of subdivi-
 28 vision (b), (c), (d), (f) or (g) of section eleven hundred eighty of
 29 this article pursuant to this section that such photo speed violation
 30 monitoring system was malfunctioning at the time of the alleged
 31 violation.

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

35 Whenever proceedings in an administrative tribunal or a court of this
 36 state result in a conviction for an offense under this chapter or a
 37 traffic infraction under this chapter, or a local law, ordinance, rule
 38 or regulation adopted pursuant to this chapter, other than a traffic
 39 infraction involving standing, stopping, or parking or violations by
 40 pedestrians or bicyclists, or other than an adjudication of liability of
 41 an owner for a violation of subdivision (d) of section eleven hundred
 42 eleven of this chapter in accordance with section eleven hundred
 43 eleven-a of this chapter, or other than an adjudication of liability of
 44 an owner for a violation of subdivision (d) of section eleven hundred
 45 eleven of this chapter in accordance with section eleven hundred
 46 eleven-b of this chapter, or other than an adjudication in accordance
 47 with section eleven hundred eleven-c of this chapter for a violation of
 48 a bus lane restriction as defined in such section, or other than an
 49 adjudication of liability of an owner for a violation of subdivision (d)
 50 of section eleven hundred eleven of this chapter in accordance with
 51 section eleven hundred eleven-d of this chapter, or other than an adju-
 52 dication of liability of an owner for a violation of subdivision (b),
 53 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in
 54 accordance with section eleven hundred eighty-b of this chapter, or
 55 other than an adjudication of liability of an owner for a violation of
 56 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty

1 of this chapter in accordance with section eleven hundred eighty-c of
2 this chapter, or other than an adjudication of liability of an owner for
3 a violation of subdivision (d) of section eleven hundred eleven of this
4 chapter in accordance with section eleven hundred eleven-e of this chap-
5 ter, or other than an adjudication of liability of an owner for a
6 violation of subdivision (b), (c), (d), (f) or (g) of section eleven
7 hundred eighty of this chapter in accordance with section eleven hundred
8 eighty-d of this chapter, there shall be levied a crime victim assist-
9 ance fee and a mandatory surcharge, in addition to any sentence required
10 or permitted by law, in accordance with the following schedule:

11 (c) Whenever proceedings in an administrative tribunal or a court of
12 this state result in a conviction for an offense under this chapter
13 other than a crime pursuant to section eleven hundred ninety-two of this
14 chapter, or a traffic infraction under this chapter, or a local law,
15 ordinance, rule or regulation adopted pursuant to this chapter, other
16 than a traffic infraction involving standing, stopping, or parking or
17 violations by pedestrians or bicyclists, or other than an adjudication
18 of liability of an owner for a violation of subdivision (d) of section
19 eleven hundred eleven of this chapter in accordance with section eleven
20 hundred eleven-a of this chapter, or other than an adjudication of
21 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 of
24 liability of an owner for a violation of subdivision (d) of section
25 eleven hundred eleven of this chapter in accordance with section eleven
26 hundred eleven-d of this chapter, or other than an infraction pursuant
27 to article nine of this chapter or other than an adjudication of liabil-
28 ity of an owner for a violation of toll collection regulations pursuant
29 to section two thousand nine hundred eighty-five of the public authori-
30 ties law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven
31 hundred seventy-four of the laws of nineteen hundred fifty or other than
32 an adjudication in accordance with section eleven hundred eleven-c of
33 this chapter for a violation of a bus lane restriction as defined in
34 such section, or other than an adjudication of liability of an owner for
35 a violation of subdivision (b), (c), (d), (f) or (g) of section eleven
36 hundred eighty of this chapter in accordance with section eleven hundred
37 eighty-b of this chapter, or other than an adjudication of liability of
38 an owner for a violation of subdivision (b), (c), (d), (f) or (g) of
39 section eleven hundred eighty of this chapter in accordance with section
40 eleven hundred eighty-c of this chapter, or other than an adjudication
41 of liability of an owner for a violation of subdivision (d) of section
42 eleven hundred eleven of this chapter in accordance with section eleven
43 hundred eleven-e of this chapter, or other than an adjudication of
44 liability of an owner for a violation of subdivision (b), (c), (d), (f)
45 or (g) of section eleven hundred eighty of this chapter in accordance
46 with section eleven hundred eighty-d of this chapter, there shall be
47 levied a crime victim assistance fee in the amount of five dollars and a
48 mandatory surcharge, in addition to any sentence required or permitted
49 by law, in the amount of fifty-five dollars.

50 § 36-a. Subdivision 1 of section 1809 of the vehicle and traffic law,
51 as amended by section 10-a of chapter 222 of the laws of 2015, is
52 amended to read as follows:

53 1. Whenever proceedings in an administrative tribunal or a court of
54 this state result in a conviction for a crime under this chapter or a
55 traffic infraction under this chapter, or a local law, ordinance, rule
56 or regulation adopted pursuant to this chapter, other than a traffic

1 infraction involving standing, stopping, parking or motor vehicle equip-
2 ment or violations by pedestrians or bicyclists, or other than an adju-
3 dication of liability of an owner for a violation of subdivision (d) of
4 section eleven hundred eleven of this chapter in accordance with section
5 eleven hundred eleven-a of this chapter, or other than an adjudication
6 of liability of an owner for a violation of subdivision (d) of section
7 eleven hundred eleven of this chapter in accordance with section eleven
8 hundred eleven-b of this chapter, or other than an adjudication in
9 accordance with section eleven hundred eleven-c of this chapter for a
10 violation of a bus lane restriction as defined in such section, or other
11 than an adjudication of liability of an owner for a violation of subdivi-
12 sion (d) of section eleven hundred eleven of this chapter in accord-
13 ance with section eleven hundred eleven-d of this chapter, or other than
14 an adjudication of liability of an owner for a violation of subdivision
15 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
16 ter in accordance with section eleven hundred eighty-b of this chapter,
17 or other than an adjudication of liability of an owner for a violation
18 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred
19 eighty of this chapter in accordance with section eleven hundred eight-
20 y-c of this chapter, or other than an adjudication of liability of an
21 owner for a violation of subdivision (b), (c), (d), (f) or (g) of
22 section eleven hundred eighty of this chapter in accordance with section
23 eleven hundred eighty-d of this chapter, or other than an adjudication
24 of liability of an owner for a violation of subdivision (d) of section
25 eleven hundred eleven of this chapter in accordance with section eleven
26 hundred eleven-e of this chapter, there shall be levied a mandatory
27 surcharge, in addition to any sentence required or permitted by law, in
28 the amount of twenty-five dollars.

29 § 36-b. Subdivision 1 of section 1809 of the vehicle and traffic law,
30 as amended by section 10-b of chapter 222 of the laws of 2015, is
31 amended to read as follows:

32 1. Whenever proceedings in an administrative tribunal or a court of
33 this state result in a conviction for a crime under this chapter or a
34 traffic infraction under this chapter other than a traffic infraction
35 involving standing, stopping, parking or motor vehicle equipment or
36 violations by pedestrians or bicyclists, or other than an adjudication
37 in accordance with section eleven hundred eleven-c of this chapter for a
38 violation of a bus lane restriction as defined in such section, or other
39 than an adjudication of liability of an owner for a violation of subdivi-
40 sion (d) of section eleven hundred eleven of this chapter in accord-
41 ance with section eleven hundred eleven-d of this chapter, or other than
42 an adjudication of liability of an owner for a violation of subdivision
43 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
44 ter in accordance with section eleven hundred eighty-b of this chapter,
45 or other than an adjudication of liability of an owner for a violation
46 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred
47 eighty of this chapter in accordance with section eleven hundred eight-
48 y-c of this chapter, or other than an adjudication of liability of an
49 owner for a violation of subdivision (b), (c), (d), (f) or (g) of
50 section eleven hundred eighty of this chapter in accordance with section
51 eleven hundred eighty-d of this chapter, or other than an adjudication
52 of liability of an owner for a violation of subdivision (d) of section
53 eleven hundred eleven of this chapter in accordance with section eleven
54 hundred eleven-e of this chapter, there shall be levied a mandatory
55 surcharge, in addition to any sentence required or permitted by law, in
56 the amount of seventeen dollars.

1 § 36-c. Subdivision 1 of section 1809 of the vehicle and traffic law,
2 as amended by section 10-c of chapter 222 of the laws of 2015, is
3 amended to read as follows:

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

27 § 36-d. Subdivision 1 of section 1809 of the vehicle and traffic law,
28 as amended by section 10-d of chapter 222 of the laws of 2015, is
29 amended to read as follows:

30 1. Whenever proceedings in an administrative tribunal or a court of
31 this state result in a conviction for a crime under this chapter or a
32 traffic infraction under this chapter other than a traffic infraction
33 involving standing, stopping, parking or motor vehicle equipment or
34 violations by pedestrians or bicyclists, or other than an adjudication
35 of liability of an owner for a violation of subdivision (b), (c), (d),
36 (f) or (g) of section eleven hundred eighty of this chapter in accord-
37 ance with section eleven hundred eighty-c of this chapter, or other than
38 an adjudication of liability of an owner for a violation of subdivision
39 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
40 ter in accordance with section eleven hundred eighty-d of this chapter,
41 or other than an adjudication of liability of an owner for a violation
42 of subdivision (d) of section eleven hundred eleven of this chapter in
43 accordance with section eleven hundred eleven-d of this chapter, or
44 other than an adjudication of liability of an owner for a violation of
45 subdivision (d) of section eleven hundred eleven of this chapter in
46 accordance with section eleven hundred eleven-e of this chapter, there
47 shall be levied a mandatory surcharge, in addition to any sentence
48 required or permitted by law, in the amount of seventeen dollars.

49 § 36-e. Subdivision 1 of section 1809 of the vehicle and traffic law,
50 as amended by section 10-e of chapter 222 of the laws of 2015, is
51 amended to read as follows:

52 1. Whenever proceedings in an administrative tribunal or a court of
53 this state result in a conviction for a crime under this chapter or a
54 traffic infraction under this chapter other than a traffic infraction
55 involving standing, stopping, parking or motor vehicle equipment or
56 violations by pedestrians or bicyclists, or other than an adjudication

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

12 § 36-f. Subdivision 1 of section 1809 of the vehicle and traffic law,
13 as amended by section 10-f of chapter 222 of the laws of 2015, is
14 amended to read as follows:

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

28 § 36-g. Subdivision 1 of section 1809 of the vehicle and traffic law,
29 as separately amended by chapter 16 of the laws of 1983 and chapter 62
30 of the laws of 1989, is amended to read as follows:

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

41 § 37. Paragraph a of subdivision 1 of section 1809-e of the vehicle
42 and traffic law, as amended by section 11 of chapter 222 of the laws of
43 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 eleven-d of this chap-
55 ter, or in accordance with section eleven hundred eleven-e of this chap-
56 ter, and except an adjudication of liability of an owner for a violation

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

22 § 37-a. Paragraph a of subdivision 1 of section 1809-e of the vehicle
23 and traffic law, as amended by section 11-a of chapter 222 of the laws
24 of 2015, is amended to read as follows:

25 a. Notwithstanding any other provision of law, whenever proceedings in
26 a court or an administrative tribunal of this state result in a
27 conviction for an offense under this chapter, except a conviction pursu-
28 ant to section eleven hundred ninety-two of this chapter, or for a traf-
29 fic infraction under this chapter, or a local law, ordinance, rule or
30 regulation adopted pursuant to this chapter, except a traffic infraction
31 involving standing, stopping, or parking or violations by pedestrians or
32 bicyclists, and except an adjudication of liability of an owner for a
33 violation of subdivision (d) of section eleven hundred eleven of this
34 chapter in accordance with section eleven hundred eleven-a of this chap-
35 ter or in accordance with section eleven hundred eleven-d of this chap-
36 ter or in accordance with section eleven hundred eleven-e of this chap-
37 ter, and except an adjudication in accordance with section eleven
38 hundred eleven-c of this chapter of a violation of a bus lane
39 restriction as defined in such section, and except an adjudication of
40 liability of an owner for a violation of subdivision (b), (c), (d), (f)
41 or (g) of section eleven hundred eighty of this chapter in accordance
42 with section eleven hundred eighty-b of this chapter, and except an
43 adjudication of liability of an owner for a violation of subdivision
44 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
45 ter in accordance with section eleven hundred eighty-c of this chapter,
46 and except an adjudication of liability of an owner for a violation of
47 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
48 of this chapter in accordance with section eleven hundred eighty-d of
49 this chapter, and except an adjudication of liability of an owner for a
50 violation of toll collection regulations pursuant to section two thou-
51 sand nine hundred eighty-five of the public authorities law or sections
52 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four
53 of the laws of nineteen hundred fifty, there shall be levied in addition
54 to any sentence, penalty or other surcharge required or permitted by
55 law, an additional surcharge of twenty-eight dollars.

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

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

33 § 37-c. Paragraph a of subdivision 1 of section 1809-e of the vehicle
34 and traffic law, as amended by section 11-c of chapter 222 of the laws
35 of 2015, is amended to read as follows:

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

1 ties law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven
2 hundred seventy-four of the laws of nineteen hundred fifty, there shall
3 be levied in addition to any sentence, penalty or other surcharge
4 required or permitted by law, an additional surcharge of twenty-eight
5 dollars.

6 § 37-d. Paragraph a of subdivision 1 of section 1809-e of the vehicle
7 and traffic law, as amended by section 11-d of chapter 222 of the laws
8 of 2015, is amended to read as follows:

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

31 § 37-e. Paragraph a of subdivision 1 of section 1809-e of the vehicle
32 and traffic law, as amended by section 11-e of chapter 222 of the laws
33 of 2015, is amended to read as follows:

34 a. Notwithstanding any other provision of law, whenever proceedings in
35 a court or an administrative tribunal of this state result in a
36 conviction for an offense under this chapter, except a conviction pursu-
37 ant to section eleven hundred ninety-two of this chapter, or for a traf-
38 fic infraction under this chapter, or a local law, ordinance, rule or
39 regulation adopted pursuant to this chapter, except a traffic infraction
40 involving standing, stopping, or parking or violations by pedestrians or
41 bicyclists, and except an adjudication of liability of an owner for a
42 violation of subdivision (d) of section eleven hundred eleven of this
43 chapter in accordance with section eleven hundred eleven-a of this chap-
44 ter or in accordance with section eleven hundred eleven-e of this chap-
45 ter, and except an adjudication of liability of an owner for a violation
46 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred
47 eighty of this chapter in accordance with section eleven hundred eight-
48 y-d of this chapter, and except an adjudication of liability of an owner
49 for a violation of toll collection regulations pursuant to section two
50 thousand nine hundred eighty-five of the public authorities law or
51 sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred
52 seventy-four of the laws of nineteen hundred fifty, there shall be
53 levied in addition to any sentence, penalty or other surcharge required
54 or permitted by law, an additional surcharge of twenty-eight dollars.

1 § 37-f. Paragraph a of subdivision 1 of section 1809-e of the vehicle
2 and traffic law, as amended by section 5 of part C of chapter 55 of the
3 laws of 2013, is amended to read as follows:

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

24 § 38. Subparagraph (i) of paragraph a of subdivision 5-a of section
25 401 of the vehicle and traffic law, as amended by section 8 of chapter
26 222 of the laws of 2015, is amended to read as follows:

27 (i) If at the time of application for a registration or renewal there-
28 of there is a certification from a court, parking violations bureau,
29 traffic and parking violations agency or administrative tribunal of
30 appropriate jurisdiction that the registrant or his or her represen-
31 tative failed to appear on the return date or any subsequent adjourned
32 date or failed to comply with the rules and regulations of an adminis-
33 trative tribunal following entry of a final decision in response to a
34 total of three or more summonses or other process in the aggregate,
35 issued within an eighteen month period, charging either that: (i) such
36 motor vehicle was parked, stopped or standing, or that such motor vehi-
37 cle was operated for hire by the registrant or his or her agent without
38 being licensed as a motor vehicle for hire by the appropriate local
39 authority, in violation of any of the provisions of this chapter or of
40 any law, ordinance, rule or regulation made by a local authority; or
41 (ii) the registrant was liable in accordance with section eleven hundred
42 eleven-a, section eleven hundred eleven-b or section eleven hundred
43 eleven-d of this chapter for a violation of subdivision (d) of section
44 eleven hundred eleven of this chapter; or (iii) the registrant was
45 liable in accordance with section eleven hundred eleven-c of this chap-
46 ter for a violation of a bus lane restriction as defined in such
47 section, or (iv) the registrant was liable in accordance with section
48 eleven hundred eighty-b of this chapter for a violation of subdivision
49 (c) or (d) of section eleven hundred eighty of this chapter, or (v) the
50 registrant was liable in accordance with section eleven hundred eighty-c
51 of this chapter for a violation of subdivision (c) or (d) of section
52 eleven hundred eighty of this chapter; or (vi) the registrant was liable
53 in accordance with section eleven hundred eleven-e of this chapter for a
54 violation of subdivision (d) of section eleven hundred eleven of this
55 chapter, or (vii) the registrant was liable in accordance with section
56 eleven hundred eighty-d of this chapter for a violation of subdivision

1 (c) or (d) of section eleven hundred eighty of this chapter, the commis-
2 sioner or his or her agent shall deny the registration or renewal appli-
3 cation until the applicant provides proof from the court, traffic and
4 parking violations agency or administrative tribunal wherein the charges
5 are pending that an appearance or answer has been made or in the case of
6 an administrative tribunal that he or she has complied with the rules
7 and regulations of said tribunal following entry of a final decision.
8 Where an application is denied pursuant to this section, the commission-
9 er may, in his or her discretion, deny a registration or renewal appli-
10 cation to any other person for the same vehicle and may deny a registra-
11 tion or renewal application for any other motor vehicle registered in
12 the name of the applicant where the commissioner has determined that
13 such registrant's intent has been to evade the purposes of this subdivi-
14 sion and where the commissioner has reasonable grounds to believe that
15 such registration or renewal will have the effect of defeating the
16 purposes of this subdivision. Such denial shall only remain in effect as
17 long as the summonses remain unanswered, or in the case of an adminis-
18 trative tribunal, the registrant fails to comply with the rules and
19 regulations following entry of a final decision.

20 § 38-a. Paragraph a of subdivision 5-a of section 401 of the vehicle
21 and traffic law, as amended by section 8-a of chapter 222 of the laws of
22 2015, is amended to read as follows:

23 a. If at the time of application for a registration or renewal thereof
24 there is a certification from a court or administrative tribunal of
25 appropriate jurisdiction that the registrant or his or her represen-
26 tative failed to appear on the return date or any subsequent adjourned
27 date or failed to comply with the rules and regulations of an adminis-
28 trative tribunal following entry of a final decision in response to a
29 total of three or more summonses or other process in the aggregate,
30 issued within an eighteen month period, charging either that: (i) such
31 motor vehicle was parked, stopped or standing, or that such motor vehi-
32 cle was operated for hire by the registrant or his or her agent without
33 being licensed as a motor vehicle for hire by the appropriate local
34 authority, in violation of any of the provisions of this chapter or of
35 any law, ordinance, rule or regulation made by a local authority; or
36 (ii) the registrant was liable in accordance with section eleven hundred
37 eleven-b of this chapter for a violation of subdivision (d) of section
38 eleven hundred eleven of this chapter; or (iii) the registrant was
39 liable in accordance with section eleven hundred eleven-c of this chap-
40 ter for a violation of a bus lane restriction as defined in such
41 section; or (iv) the registrant was liable in accordance with section
42 eleven hundred eleven-d of this chapter for a violation of subdivision
43 (d) of section eleven hundred eleven of this chapter or (v) the regis-
44 trant was liable in accordance with section eleven hundred eighty-b of
45 this chapter for a violation of subdivision (b), (c), (d), (f) or (g) of
46 section eleven hundred eighty of this chapter; or (v) the registrant was
47 liable in accordance with section eleven hundred eighty-c of this chap-
48 ter for a violation of subdivision (b), (c), (d), (f) or (g) of section
49 eleven hundred eighty of this chapter; or (vi) the registrant was liable
50 in accordance with section eleven hundred eleven-e of this chapter for a
51 violation of subdivision (d) of section eleven hundred eleven of this
52 chapter; or (vii) the registrant was liable in accordance with section
53 eleven hundred eighty-d of this chapter for a violation of subdivision
54 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
55 ter, the commissioner or his or her agent shall deny the registration or
56 renewal application until the applicant provides proof from the court or

1 administrative tribunal wherein the charges are pending that an appear-
2 ance or answer has been made or in the case of an administrative tribu-
3 nal that he or she has complied with the rules and regulations of said
4 tribunal following entry of a final decision. Where an application is
5 denied pursuant to this section, the commissioner may, in his or her
6 discretion, deny a registration or renewal application to any other
7 person for the same vehicle and may deny a registration or renewal
8 application for any other motor vehicle registered in the name of the
9 applicant where the commissioner has determined that such registrant's
10 intent has been to evade the purposes of this subdivision and where the
11 commissioner has reasonable grounds to believe that such registration or
12 renewal will have the effect of defeating the purposes of this subdivi-
13 sion. Such denial shall only remain in effect as long as the summonses
14 remain unanswered, or in the case of an administrative tribunal, the
15 registrant fails to comply with the rules and regulations following
16 entry of a final decision.

17 § 38-b. Paragraph a of subdivision 5-a of section 401 of the vehicle
18 and traffic law, as amended by section 8-b of chapter 222 of the laws of
19 2015, is amended to read as follows:

20 a. If at the time of application for a registration or renewal thereof
21 there is a certification from a court or administrative tribunal of
22 appropriate jurisdiction that the registrant or his or her represen-
23 tative failed to appear on the return date or any subsequent adjourned
24 date or failed to comply with the rules and regulations of an adminis-
25 trative tribunal following entry of a final decision in response to
26 three or more summonses or other process, issued within an eighteen
27 month period, charging that: (i) such motor vehicle was parked, stopped
28 or standing, or that such motor vehicle was operated for hire by the
29 registrant or his or her agent without being licensed as a motor vehicle
30 for hire by the appropriate local authority, in violation of any of the
31 provisions of this chapter or of any law, ordinance, rule or regulation
32 made by a local authority; or (ii) the registrant was liable in accord-
33 ance with section eleven hundred eleven-c of this chapter for a
34 violation of a bus lane restriction as defined in such section; or (iii)
35 the registrant was liable in accordance with section eleven hundred
36 eleven-d of this chapter for a violation of subdivision (d) of section
37 eleven hundred eleven of this chapter; or (iv) the registrant was liable
38 in accordance with section eleven hundred eighty-b of this chapter for a
39 violation of subdivision (b), (c), (d), (f) or (g) of section eleven
40 hundred eighty of this chapter, or the registrant was liable in accord-
41 ance with section eleven hundred eighty-c of this chapter for a
42 violation of subdivision (b), (c), (d), (f) or (g) of section eleven
43 hundred eighty of this chapter, or the registrant was liable in accord-
44 ance with section eleven hundred eighty-d of this chapter for a
45 violation of subdivision (b), (c), (d), (f) or (g) of section eleven
46 hundred eighty of this chapter; or (v) the registrant was liable in
47 accordance with section eleven hundred eleven-e of this chapter for a
48 violation of subdivision (d) of section eleven hundred eleven of this
49 chapter, the commissioner or his or her agent shall deny the registra-
50 tion or renewal application until the applicant provides proof from the
51 court or administrative tribunal wherein the charges are pending that an
52 appearance or answer has been made or in the case of an administrative
53 tribunal that he or she has complied with the rules and regulations of
54 said tribunal following entry of a final decision. Where an application
55 is denied pursuant to this section, the commissioner may, in his or her
56 discretion, deny a registration or renewal application to any other

1 person for the same vehicle and may deny a registration or renewal
2 application for any other motor vehicle registered in the name of the
3 applicant where the commissioner has determined that such registrant's
4 intent has been to evade the purposes of this subdivision and where the
5 commissioner has reasonable grounds to believe that such registration or
6 renewal will have the effect of defeating the purposes of this subdivi-
7 sion. Such denial shall only remain in effect as long as the summonses
8 remain unanswered, or in the case of an administrative tribunal, the
9 registrant fails to comply with the rules and regulations following
10 entry of a final decision.

11 § 38-c. Paragraph a of subdivision 5-a of section 401 of the vehicle
12 and traffic law, as amended by section 8-c of chapter 222 of the laws of
13 2015, is amended to read as follows:

14 a. If at the time of application for a registration or renewal thereof
15 there is a certification from a court or administrative tribunal of
16 appropriate jurisdiction that the registrant or his or her represen-
17 tative failed to appear on the return date or any subsequent adjourned
18 date or failed to comply with the rules and regulations of an adminis-
19 trative tribunal following entry of a final decision in response to
20 three or more summonses or other process, issued within an eighteen
21 month period, charging that: (i) such motor vehicle was parked, stopped
22 or standing, or that such motor vehicle was operated for hire by the
23 registrant or his or her agent without being licensed as a motor vehicle
24 for hire by the appropriate local authority, in violation of any of the
25 provisions of this chapter or of any law, ordinance, rule or regulation
26 made by a local authority; or (ii) the registrant was liable in accord-
27 ance with section eleven hundred eleven-d of this chapter for a
28 violation of subdivision (d) of section eleven hundred eleven of this
29 chapter; or (iii) the registrant was liable in accordance with section
30 eleven hundred eighty-b of this chapter for violations of subdivision
31 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
32 ter, or the registrant was liable in accordance with section eleven
33 hundred eighty-c of this chapter for violations of subdivision (b), (c),
34 (d), (f) or (g) of section eleven hundred eighty of this chapter, or the
35 registrant was liable in accordance with section eleven hundred eighty-d
36 of this chapter for violations of subdivision (b), (c), (d), (f) or (g)
37 of section eleven hundred eighty of this chapter; or (iv) the registrant
38 was liable in accordance with section eleven hundred eleven-e of this
39 chapter for a violation of subdivision (d) of section eleven hundred
40 eleven of this chapter, the commissioner or his or her agent shall deny
41 the registration or renewal application until the applicant provides
42 proof from the court or administrative tribunal wherein the charges are
43 pending that an appearance or answer has been made or in the case of an
44 administrative tribunal that he has complied with the rules and regu-
45 lations of said tribunal following entry of a final decision. Where an
46 application is denied pursuant to this section, the commissioner may, in
47 his or her discretion, deny a registration or renewal application to any
48 other person for the same vehicle and may deny a registration or renewal
49 application for any other motor vehicle registered in the name of the
50 applicant where the commissioner has determined that such registrant's
51 intent has been to evade the purposes of this subdivision and where the
52 commissioner has reasonable grounds to believe that such registration or
53 renewal will have the effect of defeating the purposes of this subdivi-
54 sion. Such denial shall only remain in effect as long as the summonses
55 remain unanswered, or in the case of an administrative tribunal, the

1 registrant fails to comply with the rules and regulations following
2 entry of a final decision.

3 § 38-d. Paragraph a of subdivision 5-a of section 401 of the vehicle
4 and traffic law, as amended by section 8-d of chapter 222 of the laws of
5 2015, is amended to read as follows:

6 a. If at the time of application for a registration or renewal thereof
7 there is a certification from a court or administrative tribunal of
8 appropriate jurisdiction that the registrant or his or her represen-
9 tative failed to appear on the return date or any subsequent adjourned
10 date or failed to comply with the rules and regulations of an adminis-
11 trative tribunal following entry of a final decision in response to
12 three or more summonses or other process, issued within an eighteen
13 month period, charging that such motor vehicle was parked, stopped or
14 standing, or that such motor vehicle was operated for hire by the regis-
15 trant or his agent without being licensed as a motor vehicle for hire by
16 the appropriate local authority, in violation of any of the provisions
17 of this chapter or of any law, ordinance, rule or regulation made by a
18 local authority, or the registrant was liable in accordance with section
19 eleven hundred eighty-c of this chapter for violations of subdivision
20 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
21 ter, or the registrant was liable in accordance with section eleven

22 hundred eighty-d of this chapter for violations of subdivision (b), (c),
23 (d), (f) or (g) of section eleven hundred eighty of this chapter, or the

24 registrant was liable in accordance with section eleven hundred eleven-d
25 of this chapter for a violation of subdivision (d) of section eleven
26 hundred eleven of this chapter, or the registrant was liable in accord-
27 ance with section eleven hundred eleven-e of this chapter for a
28 violation of subdivision (d) of section eleven hundred eleven of this
29 chapter, the commissioner or his or her agent shall deny the registra-
30 tion or renewal application until the applicant provides proof from the
31 court or administrative tribunal wherein the charges are pending that an
32 appearance or answer has been made or in the case of an administrative
33 tribunal that he or she has complied with the rules and regulations of
34 said tribunal following entry of a final decision. Where an application
35 is denied pursuant to this section, the commissioner may, in his or her
36 discretion, deny a registration or renewal application to any other
37 person for the same vehicle and may deny a registration or renewal
38 application for any other motor vehicle registered in the name of the
39 applicant where the commissioner has determined that such registrant's
40 intent has been to evade the purposes of this subdivision and where the
41 commissioner has reasonable grounds to believe that such registration or
42 renewal will have the effect of defeating the purposes of this subdivi-
43 sion. Such denial shall only remain in effect as long as the summonses
44 remain unanswered, or in the case of an administrative tribunal, the
45 registrant fails to comply with the rules and regulations following
46 entry of a final decision.

47 § 38-e. Paragraph a of subdivision 5-a of section 401 of the vehicle
48 and traffic law, as amended by section 8-e of chapter 222 of the laws of
49 2015, is amended to read as follows:

50 a. If at the time of application for a registration or renewal thereof
51 there is a certification from a court or administrative tribunal of
52 appropriate jurisdiction that the registrant or his or her represen-
53 tative failed to appear on the return date or any subsequent adjourned
54 date or failed to comply with the rules and regulations of an adminis-
55 trative tribunal following entry of a final decision in response to
56 three or more summonses or other process, issued within an eighteen

1 month period, charging that such motor vehicle was parked, stopped or
2 standing, or that such motor vehicle was operated for hire by the regis-
3 trant or his or her agent without being licensed as a motor vehicle for
4 hire by the appropriate local authority, in violation of any of the
5 provisions of this chapter or of any law, ordinance, rule or regulation
6 made by a local authority, or the registrant was liable in accordance
7 with section eleven hundred eighty-d of this chapter for violations of
8 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
9 of this chapter, or the registrant was liable in accordance with section
10 eleven hundred eleven-d of this chapter for a violation of subdivision
11 (d) of section eleven hundred eleven of this chapter, or the registrant
12 was liable in accordance with section eleven hundred eleven-e of this
13 chapter for a violation of subdivision (d) of section eleven hundred
14 eleven of this chapter, the commissioner or his or her agent shall deny
15 the registration or renewal application until the applicant provides
16 proof from the court or administrative tribunal wherein the charges are
17 pending that an appearance or answer has been made or in the case of an
18 administrative tribunal that he has complied with the rules and regu-
19 lations of said tribunal following entry of a final decision. Where an
20 application is denied pursuant to this section, the commissioner may, in
21 his or her discretion, deny a registration or renewal application to any
22 other person for the same vehicle and may deny a registration or renewal
23 application for any other motor vehicle registered in the name of the
24 applicant where the commissioner has determined that such registrant's
25 intent has been to evade the purposes of this subdivision and where the
26 commissioner has reasonable grounds to believe that such registration or
27 renewal will have the effect of defeating the purposes of this subdivi-
28 sion. Such denial shall only remain in effect as long as the summonses
29 remain unanswered, or in the case of an administrative tribunal, the
30 registrant fails to comply with the rules and regulations following
31 entry of a final decision.

32 § 38-f. Paragraph a of subdivision 5-a of section 401 of the vehicle
33 and traffic law, as amended by section 8-f of chapter 222 of the laws of
34 2015, is amended to read as follows:

35 a. If at the time of application for a registration or renewal thereof
36 there is a certification from a court or administrative tribunal of
37 appropriate jurisdiction that the registrant or his or her represen-
38 tative failed to appear on the return date or any subsequent adjourned
39 date or failed to comply with the rules and regulations of an adminis-
40 trative tribunal following entry of a final decision in response to
41 three or more summonses or other process, issued within an eighteen
42 month period, charging that such motor vehicle was parked, stopped or
43 standing, or that such motor vehicle was operated for hire by the regis-
44 trant or his or her agent without being licensed as a motor vehicle for
45 hire by the appropriate local authority, in violation of any of the
46 provisions of this chapter or of any law, ordinance, rule or regulation
47 made by a local authority, or the registrant was liable in accordance
48 with section eleven hundred eighty-d of this chapter for violations of
49 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
50 of this chapter, or the registrant was liable in accordance with section
51 eleven hundred eleven-e of this chapter for a violation of subdivision
52 (d) of section eleven hundred eleven of this chapter, the commissioner
53 or his or her agent shall deny the registration or renewal application
54 until the applicant provides proof from the court or administrative
55 tribunal wherein the charges are pending that an appearance or answer
56 has been made or in the case of an administrative tribunal that he has

1 complied with the rules and regulations of said tribunal following entry
2 of a final decision. Where an application is denied pursuant to this
3 section, the commissioner may, in his or her discretion, deny a regis-
4 tration or renewal application to any other person for the same vehicle
5 and may deny a registration or renewal application for any other motor
6 vehicle registered in the name of the applicant where the commissioner
7 has determined that such registrant's intent has been to evade the
8 purposes of this subdivision and where the commissioner has reasonable
9 grounds to believe that such registration or renewal will have the
10 effect of defeating the purposes of this subdivision. Such denial shall
11 only remain in effect as long as the summonses remain unanswered, or in
12 the case of an administrative tribunal, the registrant fails to comply
13 with the rules and regulations following entry of a final decision.

14 § 38-g. Paragraph a of subdivision 5-a of section 401 of the vehicle
15 and traffic law, as separately amended by chapters 339 and 592 of the
16 laws of 1987, is amended to read as follows:

17 a. If at the time of application for a registration or renewal thereof
18 there is a certification from a court or administrative tribunal of
19 appropriate jurisdiction that the registrant or his representative
20 failed to appear on the return date or any subsequent adjourned date or
21 failed to comply with the rules and regulations of an administrative
22 tribunal following entry of a final decision in response to three or
23 more summonses or other process, issued within an eighteen month period,
24 charging that such motor vehicle was parked, stopped or standing, or
25 that such motor vehicle was operated for hire by the registrant or his
26 agent without being licensed as a motor vehicle for hire by the appro-
27 priate local authority, in violation of any of the provisions of this
28 chapter or of any law, ordinance, rule or regulation made by a local
29 authority, or the registrant was liable in accordance with section eleven
30 hundred eighty-d of this chapter for violations of subdivision (b),
31 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter,
32 the commissioner or his agent shall deny the registration or renewal
33 application until the applicant provides proof from the court or admin-
34 istrative tribunal wherein the charges are pending that an appearance or
35 answer has been made or in the case of an administrative tribunal that
36 he has complied with the rules and regulations of said tribunal follow-
37 ing entry of a final decision. Where an application is denied pursuant
38 to this section, the commissioner may, in his discretion, deny a regis-
39 tration or renewal application to any other person for the same vehicle
40 and may deny a registration or renewal application for any other motor
41 vehicle registered in the name of the applicant where the commissioner
42 has determined that such registrant's intent has been to evade the
43 purposes of this subdivision and where the commissioner has reasonable
44 grounds to believe that such registration or renewal will have the
45 effect of defeating the purposes of this subdivision. Such denial shall
46 only remain in effect as long as the summonses remain unanswered, or in
47 the case of an administrative tribunal, the registrant fails to comply
48 with the rules and regulations following entry of a final decision.

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

51 (p) are photographs, microphotographs, videotape or other recorded
52 images prepared under the authority of section eleven hundred eighty-d
53 of the vehicle and traffic law.

54 § 40. The purchase or lease of equipment for a demonstration program
55 pursuant to section 1180-d of the vehicle and traffic law shall be
56 subject to the provisions of section 103 of the general municipal law.

1 § 41. Subparagraph (i) of paragraph a of subdivision 5-a of section
2 401 of the vehicle and traffic law, as amended by section 8 of chapter
3 222 of the laws of 2015, is amended to read as follows:

4 (i) If at the time of application for a registration or renewal there-
5 of there is a certification from a court, parking violations bureau,
6 traffic and parking violations agency or administrative tribunal of
7 appropriate jurisdiction that the registrant or his or her represen-
8 tative failed to appear on the return date or any subsequent adjourned
9 date or failed to comply with the rules and regulations of an adminis-
10 trative tribunal following entry of a final decision in response to a
11 total of three or more summonses or other process in the aggregate,
12 issued within an eighteen month period, charging either that: (i) such
13 motor vehicle was parked, stopped or standing, or that such motor vehi-
14 cle was operated for hire by the registrant or his or her agent without
15 being licensed as a motor vehicle for hire by the appropriate local
16 authority, in violation of any of the provisions of this chapter or of
17 any law, ordinance, rule or regulation made by a local authority; or
18 (ii) the registrant was liable in accordance with section eleven hundred
19 eleven-a, section eleven hundred eleven-b or section eleven hundred
20 eleven-d of this chapter for a violation of subdivision (d) of section
21 eleven hundred eleven of this chapter; or (iii) the registrant was
22 liable in accordance with section eleven hundred eleven-c of this chap-
23 ter for a violation of a bus lane restriction as defined in such
24 section[7]; or (iv) the registrant was liable in accordance with section
25 eleven hundred eighty-b of this chapter for a violation of subdivision
26 (c) or (d) of section eleven hundred eighty of this chapter[7]; or (v)
27 the registrant was liable in accordance with section eleven hundred
28 eighty-c of this chapter for a violation of subdivision (c) or (d) of
29 section eleven hundred eighty of this chapter; or (vi) the registrant
30 was liable in accordance with section eleven hundred eleven-e of this
31 chapter for a violation of subdivision (d) of section eleven hundred
32 eleven of this chapter; or (vii) the registrant was liable in accordance
33 with section eleven hundred eleven-f of this chapter for a violation of
34 subdivision (d) of section eleven hundred eleven of this chapter, the
35 commissioner or his or her agent shall deny the registration or renewal
36 application until the applicant provides proof from the court, traffic
37 and parking violations agency or administrative tribunal wherein the
38 charges are pending that an appearance or answer has been made or in the
39 case of an administrative tribunal that he or she has complied with the
40 rules and regulations of said tribunal following entry of a final deci-
41 sion. Where an application is denied pursuant to this section, the
42 commissioner may, in his or her discretion, deny a registration or
43 renewal application to any other person for the same vehicle and may
44 deny a registration or renewal application for any other motor vehicle
45 registered in the name of the applicant where the commissioner has
46 determined that such registrant's intent has been to evade the purposes
47 of this subdivision and where the commissioner has reasonable grounds to
48 believe that such registration or renewal will have the effect of
49 defeating the purposes of this subdivision. Such denial shall only
50 remain in effect as long as the summonses remain unanswered, or in the
51 case of an administrative tribunal, the registrant fails to comply with
52 the rules and regulations following entry of a final decision.

53 § 41-a. Paragraph a of subdivision 5-a of section 401 of the vehicle
54 and traffic law, as amended by section 8-a of chapter 222 of the laws of
55 2015, is amended to read as follows:

1 a. If at the time of application for a registration or renewal thereof
2 there is a certification from a court or administrative tribunal of
3 appropriate jurisdiction that the registrant or his or her represen-
4 tative failed to appear on the return date or any subsequent adjourned
5 date or failed to comply with the rules and regulations of an adminis-
6 trative tribunal following entry of a final decision in response to a
7 total of three or more summonses or other process in the aggregate,
8 issued within an eighteen month period, charging either that: (i) such
9 motor vehicle was parked, stopped or standing, or that such motor vehi-
10 cle was operated for hire by the registrant or his or her agent without
11 being licensed as a motor vehicle for hire by the appropriate local
12 authority, in violation of any of the provisions of this chapter or of
13 any law, ordinance, rule or regulation made by a local authority; or
14 (ii) the registrant was liable in accordance with section eleven hundred
15 eleven-b of this chapter for a violation of subdivision (d) of section
16 eleven hundred eleven of this chapter; or (iii) the registrant was
17 liable in accordance with section eleven hundred eleven-c of this chap-
18 ter for a violation of a bus lane restriction as defined in such
19 section; or (iv) the registrant was liable in accordance with section
20 eleven hundred eleven-d of this chapter for a violation of subdivision
21 (d) of section eleven hundred eleven of this chapter or (v) the regis-
22 trant was liable in accordance with section eleven hundred eighty-b of
23 this chapter for a violation of subdivision (b), (c), (d), (f) or (g) of
24 section eleven hundred eighty of this chapter; or (v) the registrant was
25 liable in accordance with section eleven hundred eighty-c of this chap-
26 ter for a violation of subdivision (b), (c), (d), (f) or (g) of section
27 eleven hundred eighty of this chapter; or (vi) the registrant was liable
28 in accordance with section eleven hundred eleven-e of this chapter for a
29 violation of subdivision (d) of section eleven hundred eleven of this
30 chapter; or (vii) the registrant was liable in accordance with section
31 eleven hundred eleven-f of this chapter for a violation of subdivision
32 (d) of section eleven hundred eleven of this chapter, the commissioner
33 or his or her agent shall deny the registration or renewal application
34 until the applicant provides proof from the court or administrative
35 tribunal wherein the charges are pending that an appearance or answer
36 has been made or in the case of an administrative tribunal that he or
37 she has complied with the rules and regulations of said tribunal follow-
38 ing entry of a final decision. Where an application is denied pursuant
39 to this section, the commissioner may, in his or her discretion, deny a
40 registration or renewal application to any other person for the same
41 vehicle and may deny a registration or renewal application for any other
42 motor vehicle registered in the name of the applicant where the commis-
43 sioner has determined that such registrant's intent has been to evade
44 the purposes of this subdivision and where the commissioner has reason-
45 able grounds to believe that such registration or renewal will have the
46 effect of defeating the purposes of this subdivision. Such denial shall
47 only remain in effect as long as the summonses remain unanswered, or in
48 the case of an administrative tribunal, the registrant fails to comply
49 with the rules and regulations following entry of a final decision.

50 § 41-b. Paragraph a of subdivision 5-a of section 401 of the vehicle
51 and traffic law, as amended by section 8-b of chapter 222 of the laws of
52 2015, is amended to read as follows:

53 a. If at the time of application for a registration or renewal thereof
54 there is a certification from a court or administrative tribunal of
55 appropriate jurisdiction that the registrant or his or her represen-
56 tative failed to appear on the return date or any subsequent adjourned

1 date or failed to comply with the rules and regulations of an adminis-
2 trative tribunal following entry of a final decision in response to
3 three or more summonses or other process, issued within an eighteen
4 month period, charging that: (i) such motor vehicle was parked, stopped
5 or standing, or that such motor vehicle was operated for hire by the
6 registrant or his or her agent without being licensed as a motor vehicle
7 for hire by the appropriate local authority, in violation of any of the
8 provisions of this chapter or of any law, ordinance, rule or regulation
9 made by a local authority; or (ii) the registrant was liable in accord-
10 ance with section eleven hundred eleven-c of this chapter for a
11 violation of a bus lane restriction as defined in such section; or (iii)
12 the registrant was liable in accordance with section eleven hundred
13 eleven-d of this chapter for a violation of subdivision (d) of section
14 eleven hundred eleven of this chapter; or (iv) the registrant was liable
15 in accordance with section eleven hundred eighty-b of this chapter for a
16 violation of subdivision (b), (c), (d), (f) or (g) of section eleven
17 hundred eighty of this chapter, or the registrant was liable in accord-
18 ance with section eleven hundred eighty-c of this chapter for a
19 violation of subdivision (b), (c), (d), (f) or (g) of section eleven
20 hundred eighty of this chapter; or (v) the registrant was liable in
21 accordance with section eleven hundred eleven-e of this chapter for a
22 violation of subdivision (d) of section eleven hundred eleven of this
23 chapter; or (vi) the registrant was liable in accordance with section
24 eleven hundred eleven-f of this chapter for a violation of subdivision
25 (d) of section eleven hundred eleven of this chapter, the commissioner
26 or his or her agent shall deny the registration or renewal application
27 until the applicant provides proof from the court or administrative
28 tribunal wherein the charges are pending that an appearance or answer
29 has been made or in the case of an administrative tribunal that he or
30 she has complied with the rules and regulations of said tribunal follow-
31 ing entry of a final decision. Where an application is denied pursuant
32 to this section, the commissioner may, in his or her discretion, deny a
33 registration or renewal application to any other person for the same
34 vehicle and may deny a registration or renewal application for any other
35 motor vehicle registered in the name of the applicant where the commis-
36 sioner has determined that such registrant's intent has been to evade
37 the purposes of this subdivision and where the commissioner has reason-
38 able grounds to believe that such registration or renewal will have the
39 effect of defeating the purposes of this subdivision. Such denial shall
40 only remain in effect as long as the summonses remain unanswered, or in
41 the case of an administrative tribunal, the registrant fails to comply
42 with the rules and regulations following entry of a final decision.

43 § 41-c. Paragraph a of subdivision 5-a of section 401 of the vehicle
44 and traffic law, as amended by section 8-c of chapter 222 of the laws of
45 2015, is amended to read as follows:

46 a. If at the time of application for a registration or renewal thereof
47 there is a certification from a court or administrative tribunal of
48 appropriate jurisdiction that the registrant or his or her represen-
49 tative failed to appear on the return date or any subsequent adjourned
50 date or failed to comply with the rules and regulations of an adminis-
51 trative tribunal following entry of a final decision in response to
52 three or more summonses or other process, issued within an eighteen
53 month period, charging that: (i) such motor vehicle was parked, stopped
54 or standing, or that such motor vehicle was operated for hire by the
55 registrant or his or her agent without being licensed as a motor vehicle
56 for hire by the appropriate local authority, in violation of any of the

1 provisions of this chapter or of any law, ordinance, rule or regulation
2 made by a local authority; or (ii) the registrant was liable in accord-
3 ance with section eleven hundred eleven-d of this chapter for a
4 violation of subdivision (d) of section eleven hundred eleven of this
5 chapter; or (iii) the registrant was liable in accordance with section
6 eleven hundred eighty-b of this chapter for violations of subdivision
7 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
8 ter, or the registrant was liable in accordance with section eleven
9 hundred eighty-c of this chapter for violations of subdivision (b), (c),
10 (d), (f) or (g) of section eleven hundred eighty of this chapter; or
11 (iv) the registrant was liable in accordance with section eleven hundred
12 eleven-e of this chapter for a violation of subdivision (d) of section
13 eleven hundred eleven of this chapter; or (v) the registrant was liable
14 in accordance with section eleven hundred eleven-f of this chapter for a
15 violation of subdivision (d) of section eleven hundred eleven of this
16 chapter, the commissioner or his or her agent shall deny the registra-
17 tion or renewal application until the applicant provides proof from the
18 court or administrative tribunal wherein the charges are pending that an
19 appearance or answer has been made or in the case of an administrative
20 tribunal that he has complied with the rules and regulations of said
21 tribunal following entry of a final decision. Where an application is
22 denied pursuant to this section, the commissioner may, in his or her
23 discretion, deny a registration or renewal application to any other
24 person for the same vehicle and may deny a registration or renewal
25 application for any other motor vehicle registered in the name of the
26 applicant where the commissioner has determined that such registrant's
27 intent has been to evade the purposes of this subdivision and where the
28 commissioner has reasonable grounds to believe that such registration or
29 renewal will have the effect of defeating the purposes of this subdivi-
30 sion. Such denial shall only remain in effect as long as the summonses
31 remain unanswered, or in the case of an administrative tribunal, the
32 registrant fails to comply with the rules and regulations following
33 entry of a final decision.

34 § 41-d. Paragraph a of subdivision 5-a of section 401 of the vehicle
35 and traffic law, as amended by section 8-d of chapter 222 of the laws of
36 2015, is amended to read as follows:

37 a. If at the time of application for a registration or renewal thereof
38 there is a certification from a court or administrative tribunal of
39 appropriate jurisdiction that the registrant or his or her represen-
40 tative failed to appear on the return date or any subsequent adjourned
41 date or failed to comply with the rules and regulations of an adminis-
42 trative tribunal following entry of a final decision in response to
43 three or more summonses or other process, issued within an eighteen
44 month period, charging that such motor vehicle was parked, stopped or
45 standing, or that such motor vehicle was operated for hire by the regis-
46 trant or his agent without being licensed as a motor vehicle for hire by
47 the appropriate local authority, in violation of any of the provisions
48 of this chapter or of any law, ordinance, rule or regulation made by a
49 local authority, or the registrant was liable in accordance with section
50 eleven hundred eighty-c of this chapter for violations of subdivision
51 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
52 ter, or the registrant was liable in accordance with section eleven
53 hundred eleven-d of this chapter for a violation of subdivision (d) of
54 section eleven hundred eleven of this chapter, or the registrant was
55 liable in accordance with section eleven hundred eleven-e of this chap-
56 ter for a violation of subdivision (d) of section eleven hundred eleven

1 of this chapter, or the registrant was liable in accordance with section
2 eleven hundred eleven-f of this chapter for a violation of subdivision
3 (d) of section eleven hundred eleven of this chapter, the commissioner
4 or his or her agent shall deny the registration or renewal application
5 until the applicant provides proof from the court or administrative
6 tribunal wherein the charges are pending that an appearance or answer
7 has been made or in the case of an administrative tribunal that he or
8 she has complied with the rules and regulations of said tribunal follow-
9 ing entry of a final decision. Where an application is denied pursuant
10 to this section, the commissioner may, in his or her discretion, deny a
11 registration or renewal application to any other person for the same
12 vehicle and may deny a registration or renewal application for any other
13 motor vehicle registered in the name of the applicant where the commis-
14 sioner has determined that such registrant's intent has been to evade
15 the purposes of this subdivision and where the commissioner has reason-
16 able grounds to believe that such registration or renewal will have the
17 effect of defeating the purposes of this subdivision. Such denial shall
18 only remain in effect as long as the summonses remain unanswered, or in
19 the case of an administrative tribunal, the registrant fails to comply
20 with the rules and regulations following entry of a final decision.

21 § 41-e. Paragraph a of subdivision 5-a of section 401 of the vehicle
22 and traffic law, as amended by section 8-e of chapter 222 of the laws of
23 2015, is amended to read as follows:

24 a. If at the time of application for a registration or renewal thereof
25 there is a certification from a court or administrative tribunal of
26 appropriate jurisdiction that the registrant or his or her represen-
27 tative failed to appear on the return date or any subsequent adjourned
28 date or failed to comply with the rules and regulations of an adminis-
29 trative tribunal following entry of a final decision in response to
30 three or more summonses or other process, issued within an eighteen
31 month period, charging that such motor vehicle was parked, stopped or
32 standing, or that such motor vehicle was operated for hire by the regis-
33 trant or his or her agent without being licensed as a motor vehicle for
34 hire by the appropriate local authority, in violation of any of the
35 provisions of this chapter or of any law, ordinance, rule or regulation
36 made by a local authority, or the registrant was liable in accordance
37 with section eleven hundred eleven-d of this chapter for a violation of
38 subdivision (d) of section eleven hundred eleven of this chapter, or the
39 registrant was liable in accordance with section eleven hundred eleven-e
40 of this chapter for a violation of subdivision (d) of section eleven
41 hundred eleven of this chapter, or the registrant was liable in accord-
42 ance with section eleven hundred eleven-f of this chapter for a
43 violation of subdivision (d) of section eleven hundred eleven of this
44 chapter, the commissioner or his or her agent shall deny the registra-
45 tion or renewal application until the applicant provides proof from the
46 court or administrative tribunal wherein the charges are pending that an
47 appearance or answer has been made or in the case of an administrative
48 tribunal that he has complied with the rules and regulations of said
49 tribunal following entry of a final decision. Where an application is
50 denied pursuant to this section, the commissioner may, in his or her
51 discretion, deny a registration or renewal application to any other
52 person for the same vehicle and may deny a registration or renewal
53 application for any other motor vehicle registered in the name of the
54 applicant where the commissioner has determined that such registrant's
55 intent has been to evade the purposes of this subdivision and where the
56 commissioner has reasonable grounds to believe that such registration or

1 renewal will have the effect of defeating the purposes of this subdivi-
2 sion. Such denial shall only remain in effect as long as the summonses
3 remain unanswered, or in the case of an administrative tribunal, the
4 registrant fails to comply with the rules and regulations following
5 entry of a final decision.

6 § 41-f. Paragraph a of subdivision 5-a of section 401 of the vehicle
7 and traffic law, as amended by section 8-f of chapter 222 of the laws of
8 2015, is amended to read as follows:

9 a. If at the time of application for a registration or renewal thereof
10 there is a certification from a court or administrative tribunal of
11 appropriate jurisdiction that the registrant or his or her represen-
12 tative failed to appear on the return date or any subsequent adjourned
13 date or failed to comply with the rules and regulations of an adminis-
14 trative tribunal following entry of a final decision in response to
15 three or more summonses or other process, issued within an eighteen
16 month period, charging that such motor vehicle was parked, stopped or
17 standing, or that such motor vehicle was operated for hire by the regis-
18 trant or his or her agent without being licensed as a motor vehicle for
19 hire by the appropriate local authority, in violation of any of the
20 provisions of this chapter or of any law, ordinance, rule or regulation
21 made by a local authority, or the registrant was liable in accordance
22 with section eleven hundred eleven-e of this chapter for a violation of
23 subdivision (d) of section eleven hundred eleven of this chapter, or the
24 registrant was liable in accordance with section eleven hundred eleven-f
25 of this chapter for a violation of subdivision (d) of section eleven
26 hundred eleven of this chapter, the commissioner or his or her agent
27 shall deny the registration or renewal application until the applicant
28 provides proof from the court or administrative tribunal wherein the
29 charges are pending that an appearance or answer has been made or in the
30 case of an administrative tribunal that he has complied with the rules
31 and regulations of said tribunal following entry of a final decision.
32 Where an application is denied pursuant to this section, the commission-
33 er may, in his or her discretion, deny a registration or renewal appli-
34 cation to any other person for the same vehicle and may deny a registra-
35 tion or renewal application for any other motor vehicle registered in
36 the name of the applicant where the commissioner has determined that
37 such registrant's intent has been to evade the purposes of this subdivi-
38 sion and where the commissioner has reasonable grounds to believe that
39 such registration or renewal will have the effect of defeating the
40 purposes of this subdivision. Such denial shall only remain in effect as
41 long as the summonses remain unanswered, or in the case of an adminis-
42 trative tribunal, the registrant fails to comply with the rules and
43 regulations following entry of a final decision.

44 § 41-g. Paragraph a of subdivision 5-a of section 401 of the vehicle
45 and traffic law, as separately amended by chapters 339 and 592 of the
46 laws of 1987, is amended to read as follows:

47 a. If at the time of application for a registration or renewal thereof
48 there is a certification from a court or administrative tribunal of
49 appropriate jurisdiction that the registrant or his representative
50 failed to appear on the return date or any subsequent adjourned date or
51 failed to comply with the rules and regulations of an administrative
52 tribunal following entry of a final decision in response to three or
53 more summonses or other process, issued within an eighteen month period,
54 charging that such motor vehicle was parked, stopped or standing, or
55 that such motor vehicle was operated for hire by the registrant or his
56 agent without being licensed as a motor vehicle for hire by the appro-

1 priate local authority, in violation of any of the provisions of this
2 chapter or of any law, ordinance, rule or regulation made by a local
3 authority, or the registrant was liable in accordance with section eleven
4 hundred eleven-f of this chapter for a violation of subdivision (d)
5 of section eleven hundred eleven of this chapter, the commissioner or
6 his agent shall deny the registration or renewal application until the
7 applicant provides proof from the court or administrative tribunal wher-
8 ein the charges are pending that an appearance or answer has been made
9 or in the case of an administrative tribunal that he has complied with
10 the rules and regulations of said tribunal following entry of a final
11 decision. Where an application is denied pursuant to this section, the
12 commissioner may, in his discretion, deny a registration or renewal
13 application to any other person for the same vehicle and may deny a
14 registration or renewal application for any other motor vehicle regis-
15 tered in the name of the applicant where the commissioner has determined
16 that such registrant's intent has been to evade the purposes of this
17 subdivision and where the commissioner has reasonable grounds to believe
18 that such registration or renewal will have the effect of defeating the
19 purposes of this subdivision. Such denial shall only remain in effect as
20 long as the summonses remain unanswered, or in the case of an adminis-
21 trative tribunal, the registrant fails to comply with the rules and
22 regulations following entry of a final decision.

23 § 42. The vehicle and traffic law is amended by adding a new section
24 1111-f to read as follows:

25 § 1111-f. Owner liability for failure of operator to comply with
26 traffic-control indications. (a) 1. Notwithstanding any other provision
27 of law, the county of Westchester is hereby authorized and empowered to
28 adopt and amend a local law or ordinance establishing a demonstration
29 program imposing monetary liability on the owner of a vehicle for fail-
30 ure of an operator thereof to comply with traffic-control indications in
31 such county in accordance with the provisions of this section. Such
32 demonstration program shall empower such county to install and operate
33 traffic-control signal photo violation-monitoring devices at no more
34 than one hundred intersections within and under the jurisdiction of such
35 county at any one time.

36 2. Such demonstration program shall utilize necessary technologies to
37 ensure, to the extent practicable, that photographs produced by such
38 traffic-control signal photo violation-monitoring systems shall not
39 include images that identify the driver, the passengers, or the contents
40 of the vehicle. Provided, however, that no notice of liability issued
41 pursuant to this section shall be dismissed solely because a photograph
42 or photographs allow for the identification of the contents of a vehi-
43 cle, provided that such county has made a reasonable effort to comply
44 with the provisions of this paragraph.

45 (b) In any such county which has adopted a local law or ordinance
46 pursuant to subdivision (a) of this section, the owner of a vehicle
47 shall be liable for a penalty imposed pursuant to this section if such
48 vehicle was used or operated with the permission of the owner, express
49 or implied, in violation of subdivision (d) of section eleven hundred
50 eleven of this article, and such violation is evidenced by information
51 obtained from a traffic-control signal photo violation-monitoring
52 system; provided however that no owner of a vehicle shall be liable for
53 a penalty imposed pursuant to this section where the operator of such
54 vehicle has been convicted of the underlying violation of subdivision
55 (d) of section eleven hundred eleven of this article.

1 (c) For purposes of this section, "owner" shall have the meaning
2 provided in article two-B of this chapter. For purposes of this section,
3 "traffic-control signal photo violation-monitoring system" shall mean a
4 vehicle sensor installed to work in conjunction with a traffic-control
5 signal which automatically produces two or more photographs, two or more
6 microphotographs, a videotape or other recorded images of each vehicle
7 at the time it is used or operated in violation of subdivision (d) of
8 section eleven hundred eleven of this article.

9 (d) A certificate, sworn to or affirmed by a technician employed by
10 Westchester county in which the charged violation occurred, or a facsim-
11 ile thereof, based upon inspection of photographs, microphotographs,
12 videotape or other recorded images produced by a traffic-control signal
13 photo violation-monitoring system, shall be prima facie evidence of the
14 facts contained therein. Any photographs, microphotographs, videotape or
15 other recorded images evidencing such a violation shall be available for
16 inspection in any proceeding to adjudicate the liability for such
17 violation pursuant to a local law or ordinance adopted pursuant to this
18 section.

19 (e) An owner liable for a violation of subdivision (d) of section
20 eleven hundred eleven of this article pursuant to a local law or ordi-
21 nance adopted pursuant to this section shall be liable for monetary
22 penalties in accordance with a schedule of fines and penalties to be set
23 forth in such local law or ordinance. The liability of the owner pursu-
24 ant to this section shall not exceed fifty dollars for each violation;
25 provided, however, that such local law or ordinance may provide for an
26 additional penalty not in excess of twenty-five dollars for each
27 violation for the failure to respond to a notice of liability within the
28 prescribed time period.

29 (f) An imposition of liability under a local law or ordinance adopted
30 pursuant to this section shall not be deemed a conviction as an operator
31 and shall not be made part of the operating record of the person upon
32 whom such liability is imposed nor shall it be used for insurance
33 purposes in the provision of motor vehicle 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 (d) of section eleven hundred eleven of this article pursuant to this
37 section. Personal delivery on 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 (d) of section eleven hundred eleven 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, the date and
45 time of such violation and the identification number of the camera which
46 recorded the violation or other document locator number.

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

53 4. The notice of liability shall be prepared and mailed by Westchester
54 county or by any other entity authorized by such county to prepare and
55 mail such notification of violation.

1 (h) Adjudication of the liability imposed upon owners by this section
2 shall be by the court having jurisdiction over traffic infractions.

3 (i) If an owner receives a notice of liability pursuant to this
4 section for any time period during which the vehicle was reported to the
5 police department as having been stolen, it shall be a valid defense to
6 an allegation of liability for a violation of subdivision (d) of section
7 eleven hundred eleven of this article pursuant to this section that the
8 vehicle had been reported to the police as stolen prior to the time the
9 violation occurred and had not been recovered by such time. For
10 purposes of asserting the defense provided by this subdivision it shall
11 be sufficient that a certified copy of the police report on the stolen
12 vehicle be sent by first class mail to the court having jurisdiction.

13 (j) An owner who is a lessor of a vehicle to which a notice of liabil-
14 ity was issued pursuant to subdivision (g) of this section shall not be
15 liable for the violation of subdivision (d) of section eleven hundred
16 eleven of this article, provided that he or she sends to the court
17 having jurisdiction a copy of the rental, lease or other such contract
18 document covering such vehicle on the date of the violation, with the
19 name and address of the lessee clearly legible, within thirty-seven days
20 after receiving notice from the court of the date and time of such
21 violation, together with the other information contained in the original
22 notice of liability. Failure to send such information within such thir-
23 ty-seven day time period shall render the owner liable for the penalty
24 prescribed by this section. Where the lessor complies with the
25 provisions of this paragraph, the lessee of such vehicle on the date of
26 such violation shall be deemed to be the owner of such vehicle for
27 purposes of this section, shall be subject to liability for the
28 violation of subdivision (d) of section eleven hundred eleven of this
29 article pursuant to this section and shall be sent a notice of liability
30 pursuant to subdivision (g) of this section.

31 (k) 1. If the owner liable for a violation of subdivision (d) of
32 section eleven hundred eleven of this article pursuant to this section
33 was not the operator of the vehicle at the time of the violation, the
34 owner may maintain an action for indemnification against the operator.

35 2. Notwithstanding any other provision of this section, no owner of a
36 vehicle shall be subject to a monetary fine imposed pursuant to this
37 section if the operator of such vehicle was operating such vehicle with-
38 out the consent of the owner at the time such operator failed to obey a
39 traffic-control indication. For purposes of this subdivision there shall
40 be a presumption that the operator of such vehicle was operating such
41 vehicle with the consent of the owner at the time such operator failed
42 to obey a traffic-control indication.

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

46 (m) When a county has established a demonstration program pursuant to
47 this section, all fines and penalties collected under such program shall
48 be made to the county commissioner of finance within the first ten days
49 of the month following collection.

50 (n) In any such county which adopts a demonstration program pursuant
51 to subdivision (a) of this section, such county shall submit an annual
52 report on the results of the use of a traffic-control signal photo
53 violation-monitoring system to the governor, the temporary president of
54 the senate and the speaker of the assembly on or before June first, two
55 thousand nineteen and on the same date in each succeeding year in which

1 the demonstration program is operable. Such report shall include, but
2 not be limited to:

3 1. a description of the locations where traffic-control signal photo
4 violation-monitoring systems were used;

5 2. the aggregate number, type and severity of accidents reported at
6 intersections where a traffic-control signal photo violation-monitoring
7 system is used for the year preceding the installation of such system,
8 to the extent the information is maintained by the department of motor
9 vehicles of this state;

10 3. the aggregate number, type and severity of accidents reported at
11 intersections where a traffic-control signal photo violation-monitoring
12 system is used, to the extent the information is maintained by the
13 department of motor vehicles of this state;

14 4. the number of violations recorded at each intersection where a
15 traffic-control signal photo violation-monitoring system is used and in
16 the aggregate on a daily, weekly and monthly basis;

17 5. the total number of notices of liability issued for violations
18 recorded by such systems;

19 6. the number of fines and total amount of fines paid after first
20 notice of liability;

21 7. the number of violations adjudicated and results of such adjudi-
22 cations including breakdowns of disposition made for violations recorded
23 by such systems;

24 8. the total amount of revenue realized by such county from such adju-
25 dications;

26 9. expenses incurred by such county in connection with the program;
27 and

28 10. quality of the adjudication process and its results.

29 (o) It shall be a defense to any prosecution for a violation of subdivi-
30 vision (d) of section eleven hundred eleven of this article pursuant to
31 a local law or ordinance adopted pursuant to this section that such
32 traffic-control indications were malfunctioning at the time of the
33 alleged violation.

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

37 Whenever proceedings in an administrative tribunal or a court of this
38 state result in a conviction for an offense under this chapter or a
39 traffic infraction under this chapter, or a local law, ordinance, rule
40 or regulation adopted pursuant to this chapter, other than a traffic
41 infraction involving standing, stopping, or parking or violations by
42 pedestrians or bicyclists, or other than an adjudication of liability of
43 an owner for a violation of subdivision (d) of section eleven hundred
44 eleven of this chapter in accordance with section eleven hundred
45 eleven-a of this chapter, or other than an adjudication of liability of
46 an owner for a violation of subdivision (d) of section eleven hundred
47 eleven of this chapter in accordance with section eleven hundred
48 eleven-b of this chapter, or other than an adjudication in accordance
49 with section eleven hundred eleven-c of this chapter for a violation of
50 a bus lane restriction as defined in such section, or other than an
51 adjudication of liability of an owner for a violation of subdivision (d)
52 of section eleven hundred eleven of this chapter in accordance with
53 section eleven hundred eleven-d of this chapter, or other than an adju-
54 dication of liability of an owner for a violation of subdivision (b),
55 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in
56 accordance with section eleven hundred eighty-b of this chapter, or

1 other than an adjudication of liability of an owner for a violation of
2 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
3 of this chapter in accordance with section eleven hundred eighty-c of
4 this chapter, or other than an adjudication of liability of an owner for
5 a violation of subdivision (d) of section eleven hundred eleven of this
6 chapter in accordance with section eleven hundred eleven-e of this chap-
7 ter, or other than an adjudication of liability of an owner for a
8 violation of subdivision (d) of section eleven hundred eleven of this
9 chapter in accordance with section eleven hundred eleven-f of this chap-
10 ter, there shall be levied a crime victim assistance fee and a mandatory
11 surcharge, in addition to any sentence required or permitted by law, in
12 accordance with the following schedule:

13 (c) Whenever proceedings in an administrative tribunal or a court of
14 this state result in a conviction for an offense under this chapter
15 other than a crime pursuant to section eleven hundred ninety-two of this
16 chapter, or a traffic infraction under this chapter, or a local law,
17 ordinance, rule or regulation adopted pursuant to this chapter, other
18 than a traffic infraction involving standing, stopping, or parking or
19 violations by pedestrians or bicyclists, or other than an adjudication
20 of liability of an owner for a violation of subdivision (d) of section
21 eleven hundred eleven of this chapter in accordance with section eleven
22 hundred eleven-a of this chapter, or other than an adjudication of
23 liability of an owner for a violation of subdivision (d) of section
24 eleven hundred eleven of this chapter in accordance with section eleven
25 hundred eleven-b of this chapter, or other than an adjudication of
26 liability of an owner for a violation of subdivision (d) of section
27 eleven hundred eleven of this chapter in accordance with section eleven
28 hundred eleven-d of this chapter, or other than an infraction pursuant
29 to article nine of this chapter or other than an adjudication of liabil-
30 ity of an owner for a violation of toll collection regulations pursuant
31 to section two thousand nine hundred eighty-five of the public authori-
32 ties law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven
33 hundred seventy-four of the laws of nineteen hundred fifty or other than
34 an adjudication in accordance with section eleven hundred eleven-c of
35 this chapter for a violation of a bus lane restriction as defined in
36 such section, or other than an adjudication of liability of an owner for
37 a violation of subdivision (b), (c), (d), (f) or (g) of section eleven
38 hundred eighty of this chapter in accordance with section eleven hundred
39 eighty-b of this chapter, or other than an adjudication of liability of
40 an owner for a violation of subdivision (b), (c), (d), (f) or (g) of
41 section eleven hundred eighty of this chapter in accordance with section
42 eleven hundred eighty-c of this chapter, or other than an adjudication
43 of liability of an owner for a violation of subdivision (d) of section
44 eleven hundred eleven of this chapter in accordance with section eleven
45 hundred eleven-e of this chapter, or other than an adjudication of
46 liability of an owner for a violation of subdivision (d) of section
47 eleven hundred eleven of this chapter in accordance with section eleven
48 hundred eleven-f of this chapter, there shall be levied a crime victim
49 assistance fee in the amount of five dollars and a mandatory surcharge,
50 in addition to any sentence required or permitted by law, in the amount
51 of fifty-five dollars.

52 § 43-a. Subdivision 1 of section 1809 of the vehicle and traffic law,
53 as amended by section 10-a of chapter 222 of the laws of 2015, is
54 amended to read as follows:

55 1. Whenever proceedings in an administrative tribunal or a court of
56 this state result in a conviction for a crime under this chapter or a

1 traffic infraction under this chapter, or a local law, ordinance, rule
2 or regulation adopted pursuant to this chapter, other than a traffic
3 infraction involving standing, stopping, parking or motor vehicle equip-
4 ment or violations by pedestrians or bicyclists, or other than an adju-
5 dication of liability of an owner for a violation of subdivision (d) of
6 section eleven hundred eleven of this chapter in accordance with section
7 eleven hundred eleven-a of this chapter, or other than an adjudication
8 of liability of an owner for a violation of subdivision (d) of section
9 eleven hundred eleven of this chapter in accordance with section eleven
10 hundred eleven-b of this chapter, or other than an adjudication in
11 accordance with section eleven hundred eleven-c of this chapter for a
12 violation of a bus lane restriction as defined in such section, or other
13 than an adjudication of liability of an owner for a violation of subdi-
14 vision (d) of section eleven hundred eleven of this chapter in accord-
15 ance with section eleven hundred eleven-d of this chapter, or other than
16 an adjudication of liability of an owner for a violation of subdivision
17 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
18 ter in accordance with section eleven hundred eighty-b of this chapter,
19 or other than an adjudication of liability of an owner for a violation
20 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred
21 eighty of this chapter in accordance with section eleven hundred eight-
22 y-c of this chapter, or other than an adjudication of liability of an
23 owner for a violation of subdivision (d) of section eleven hundred elev-
24 en of this chapter in accordance with section eleven hundred eleven-e of
25 this chapter, or other than an adjudication of liability of an owner for
26 a violation of subdivision (d) of section eleven hundred eleven of this
27 chapter in accordance with section eleven hundred eleven-f of this chap-
28 ter, there shall be levied a mandatory surcharge, in addition to any
29 sentence required or permitted by law, in the amount of twenty-five
30 dollars.

31 § 43-b. Subdivision 1 of section 1809 of the vehicle and traffic law,
32 as amended by section 10-b of chapter 222 of the laws of 2015, is
33 amended to read as follows:

34 1. Whenever proceedings in an administrative tribunal or a court of
35 this state result in a conviction for a crime under this chapter or a
36 traffic infraction under this chapter other than a traffic infraction
37 involving standing, stopping, parking or motor vehicle equipment or
38 violations by pedestrians or bicyclists, or other than an adjudication
39 in accordance with section eleven hundred eleven-c of this chapter for a
40 violation of a bus lane restriction as defined in such section, or other
41 than an adjudication of liability of an owner for a violation of subdi-
42 vision (d) of section eleven hundred eleven of this chapter in accord-
43 ance with section eleven hundred eleven-d of this chapter, or other than
44 an adjudication of liability of an owner for a violation of subdivision
45 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
46 ter in accordance with section eleven hundred eighty-b of this chapter,
47 or other than an adjudication of liability of an owner for a violation
48 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred
49 eighty of this chapter in accordance with section eleven hundred eight-
50 y-c of this chapter, or other than an adjudication of liability of an
51 owner for a violation of subdivision (d) of section eleven hundred elev-
52 en of this chapter in accordance with section eleven hundred eleven-e of
53 this chapter, or other than an adjudication of liability of an owner for
54 a violation of subdivision (d) of section eleven hundred eleven of this
55 chapter in accordance with section eleven hundred eleven-f of this chap-
56 ter, there shall be levied a mandatory surcharge, in addition to any

1 sentence required or permitted by law, in the amount of seventeen
2 dollars.

3 § 43-c. Subdivision 1 of section 1809 of the vehicle and traffic law,
4 as amended by section 10-c of chapter 222 of the laws of 2015, is
5 amended to read as follows:

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

28 § 43-d. Subdivision 1 of section 1809 of the vehicle and traffic law,
29 as amended by section 10-d of chapter 222 of the laws of 2015, is
30 amended to read as follows:

31 1. Whenever proceedings in an administrative tribunal or a court of
32 this state result in a conviction for a crime under this chapter or a
33 traffic infraction under this chapter other than a traffic infraction
34 involving standing, stopping, parking or motor vehicle equipment or
35 violations by pedestrians or bicyclists, or other than an adjudication
36 of liability of an owner for a violation of subdivision (b), (c), (d),
37 (f) or (g) of section eleven hundred eighty of this chapter in accord-
38 ance with section eleven hundred eighty-c of this chapter, or other than
39 an adjudication of liability of an owner for a violation of subdivision
40 (d) of section eleven hundred eleven of this chapter in accordance with
41 section eleven hundred eleven-d of this chapter, or other than an adju-
42 dication of liability of an owner for a violation of subdivision (d) of
43 section eleven hundred eleven of this chapter in accordance with section
44 eleven hundred eleven-e of this chapter, or other than an adjudication
45 of liability of an owner for a violation of subdivision (d) of section
46 eleven hundred eleven of this chapter in accordance with section eleven
47 hundred eleven-f of this chapter, there shall be levied a mandatory
48 surcharge, in addition to any sentence required or permitted by law, in
49 the amount of seventeen dollars.

50 § 43-e. Subdivision 1 of section 1809 of the vehicle and traffic law,
51 as amended by section 10-e of chapter 222 of the laws of 2015, is
52 amended to read as follows:

53 1. Whenever proceedings in an administrative tribunal or a court of
54 this state result in a conviction for a crime under this chapter or a
55 traffic infraction under this chapter other than a traffic infraction
56 involving standing, stopping, parking or motor vehicle equipment or

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

13 § 43-f. Subdivision 1 of section 1809 of the vehicle and traffic law,
14 as amended by section 10-f of chapter 222 of the laws of 2015, is
15 amended to read as follows:

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

29 § 43-g. Subdivision 1 of section 1809 of the vehicle and traffic law,
30 as separately amended by chapter 16 of the laws of 1983 and chapter 62
31 of the laws of 1989, is amended to read as follows:

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

42 § 44. Paragraph a of subdivision 1 of section 1809-e of the vehicle
43 and traffic law, as amended by section 11 of chapter 222 of the laws of
44 2015, is amended to read as follows:

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

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

21 § 44-a. Paragraph a of subdivision 1 of section 1809-e of the vehicle
22 and traffic law, as amended by section 11-a of chapter 222 of the laws
23 of 2015, is amended to read as follows:

24 a. Notwithstanding any other provision of law, whenever proceedings in
25 a court or an administrative tribunal of this state result in a
26 conviction for an offense under this chapter, except a conviction pursu-
27 ant to section eleven hundred ninety-two of this chapter, or for a traf-
28 fic infraction under this chapter, or a local law, ordinance, rule or
29 regulation adopted pursuant to this chapter, except a traffic infraction
30 involving standing, stopping, or parking or violations by pedestrians or
31 bicyclists, and except an adjudication of liability of an owner for a
32 violation of subdivision (d) of section eleven hundred eleven of this
33 chapter in accordance with section eleven hundred eleven-a of this chap-
34 ter or in accordance with section eleven hundred eleven-d of this chap-
35 ter or in accordance with section eleven hundred eleven-e of this chap-
36 ter or in accordance with section eleven hundred eleven-f of this
37 chapter, and except an adjudication in accordance with section eleven
38 hundred eleven-c of this chapter of a violation of a bus lane
39 restriction as defined in such section, and except an adjudication of
40 liability of an owner for a violation of subdivision (b), (c), (d), (f)
41 or (g) of section eleven hundred eighty of this chapter in accordance
42 with section eleven hundred eighty-b of this chapter, and except an
43 adjudication of liability of an owner for a violation of subdivision
44 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
45 ter in accordance with section eleven hundred eighty-c of this chapter,
46 and except an adjudication of liability of an owner for a violation of
47 toll collection regulations pursuant to section two thousand nine
48 hundred eighty-five of the public authorities law or sections sixteen-a,
49 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the
50 laws of nineteen hundred fifty, there shall be levied in addition to any
51 sentence, penalty or other surcharge required or permitted by law, an
52 additional surcharge of twenty-eight dollars.

53 § 44-b. Paragraph a of subdivision 1 of section 1809-e of the vehicle
54 and traffic law, as amended by section 11-b of chapter 222 of the laws
55 of 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 or in accordance with section eleven hundred eleven-f of this
14 chapter, and except an adjudication of liability of an owner for a
15 violation of subdivision (b), (c), (d), (f) or (g) of section eleven
16 hundred eighty of this chapter in accordance with section eleven hundred
17 eighty-b of this chapter, and except an adjudication of liability of an
18 owner for a violation of subdivision (b), (c), (d), (f) or (g) of
19 section eleven hundred eighty of this chapter in accordance with section
20 eleven hundred eighty-c of this chapter, and except an adjudication of
21 liability of an owner for a violation of toll collection regulations
22 pursuant to section two thousand nine hundred eighty-five of the public
23 authorities law or sections sixteen-a, sixteen-b and sixteen-c of chap-
24 ter seven hundred seventy-four of the laws of nineteen hundred fifty,
25 there shall be levied in addition to any sentence, penalty or other
26 surcharge required or permitted by law, an additional surcharge of twen-
27 ty-eight dollars.

28 § 44-c. Paragraph a of subdivision 1 of section 1809-e of the vehicle
29 and traffic law, as amended by section 11-c of chapter 222 of the laws
30 of 2015, is amended to read as follows:

31 a. Notwithstanding any other provision of law, whenever proceedings in
32 a court or an administrative tribunal of this state result in a
33 conviction for an offense under this chapter, except a conviction pursu-
34 ant to section eleven hundred ninety-two of this chapter, or for a traf-
35 fic infraction under this chapter, or a local law, ordinance, rule or
36 regulation adopted pursuant to this chapter, except a traffic infraction
37 involving standing, stopping, or parking or violations by pedestrians or
38 bicyclists, and except an adjudication of liability of an owner for a
39 violation of subdivision (d) of section eleven hundred eleven of this
40 chapter in accordance with section eleven hundred eleven-a of this chap-
41 ter or in accordance with section eleven hundred eleven-d of this chap-
42 ter or in accordance with section eleven hundred eleven-e of this chap-
43 ter or in accordance with section eleven hundred eleven-f of this
44 chapter, and except an adjudication of liability of an owner for a
45 violation of subdivision (b), (c), (d), (f) or (g) of section eleven
46 hundred eighty of this chapter in accordance with section eleven hundred
47 eighty-c of this chapter, and except an adjudication of liability of an
48 owner for a violation of toll collection regulations pursuant to section
49 two thousand nine hundred eighty-five of the public authorities law or
50 sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred
51 seventy-four of the laws of nineteen hundred fifty, there shall be
52 levied in addition to any sentence, penalty or other surcharge required
53 or permitted by law, an additional surcharge of twenty-eight dollars.

54 § 44-d. Paragraph a of subdivision 1 of section 1809-e of the vehicle
55 and traffic law, as amended by section 11-d of chapter 222 of the laws
56 of 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 or in accordance with section eleven hundred eleven-f of this
14 chapter, and except an adjudication of liability of an owner for a
15 violation of toll collection regulations pursuant to section two thou-
16 sand nine hundred eighty-five of the public authorities law or sections
17 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four
18 of the laws of nineteen hundred fifty, there shall be levied in addition
19 to any sentence, penalty or other surcharge required or permitted by
20 law, an additional surcharge of twenty-eight dollars.

21 § 44-e. Paragraph a of subdivision 1 of section 1809-e of the vehicle
22 and traffic law, as amended by section 11-e of chapter 222 of the laws
23 of 2015, is amended to read as follows:

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

43 § 44-f. Paragraph a of subdivision 1 of section 1809-e of the vehicle
44 and traffic law, as amended by section 5 of part C of chapter 55 of the
45 laws of 2013, is amended to read as follows:

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

1 ter, and except an adjudication of liability of an owner for a violation
2 of toll collection regulations pursuant to section two thousand nine
3 hundred eighty-five of the public authorities law or sections sixteen-a,
4 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the
5 laws of nineteen hundred fifty, there shall be levied in addition to any
6 sentence, penalty or other surcharge required or permitted by law, an
7 additional surcharge of twenty-eight dollars.

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

10 (p) are photographs, microphotographs, videotape or other recorded
11 images prepared under authority of section eleven hundred eleven-f of
12 the vehicle and traffic law.

13 § 46. Section 370 of the general municipal law is amended by adding a
14 new subdivision 6 to read as follows:

15 6. There shall be a department of the Westchester county government
16 known as the Westchester county traffic and parking violations agency,
17 which shall operate under the direction and control of the county execu-
18 tive.

19 § 47. Subdivision 1 of section 370-a of the general municipal law, as
20 amended by chapter 388 of the laws of 2012, is amended and a new subdi-
21 vision 2-b is added to read as follows:

22 1. "Traffic and parking violations agency" shall mean a department of
23 the Nassau county government established pursuant to subdivision two of
24 section three hundred seventy of this article or a department in the
25 Suffolk county government established pursuant to subdivision three of
26 such section or a department in the Westchester county government estab-
27 lished pursuant to subdivision six of such section to administer and
28 dispose of traffic and parking infractions.

29 2-b. "Traffic prosecutor" shall also mean an attorney duly admitted to
30 practice law in the state of New York who has the responsibility of
31 prosecuting any traffic infractions returnable before any of the local
32 courts in Westchester county having jurisdiction over parking and traf-
33 fic infractions which occur on roads or property owned by, or under the
34 control of Westchester county pursuant to the jurisdictional limitations
35 of section three hundred seventy-one-a of this article.

36 § 48. The general municipal law is amended by adding a new section
37 371-a to read as follows:

38 § 371-a. Jurisdiction and procedure; Westchester county. 1. The West-
39 chester county traffic and parking violations agency, as established
40 under subdivision six of section three hundred seventy of this article,
41 may be authorized to dispose of violations of traffic laws, ordinances,
42 rules and regulations when such offense shall not constitute the traffic
43 infraction known as speeding or a misdemeanor or felony, and, if author-
44 ized by local law, to adjudicate the liability of owners for violations
45 of subdivision (d) of section eleven hundred eleven of the vehicle and
46 traffic law in accordance with section eleven hundred eleven-f of such
47 law. The Westchester county traffic and parking violations agency may
48 also be authorized to assist the local courts in Westchester county
49 having jurisdiction over parking and traffic infractions which occur on
50 roads or property owned by, or under the control of Westchester county,
51 in the disposition and administration of infractions of traffic and
52 parking laws, ordinances, rules and regulations and the liability of
53 owners for violations of subdivision (d) of section eleven hundred elev-
54 en of the vehicle and traffic law in accordance with section eleven
55 hundred eleven-f of such law, except that such agencies shall not have
56 jurisdiction over (a) the traffic infraction defined under subdivision

1 one of section eleven hundred ninety-two of the vehicle and traffic law;
2 (b) the traffic infraction defined under subdivision five of section
3 eleven hundred ninety-two of the vehicle and traffic law; (c) the
4 violation defined under paragraph (b) of subdivision four of section
5 fourteen-f of the transportation law and the violation defined under
6 clause (b) of subparagraph (iii) of paragraph c of subdivision two of
7 section one hundred forty of the transportation law; (d) the traffic
8 infraction defined under section three hundred ninety-seven-a of the
9 vehicle and traffic law and the traffic infraction defined under subdivi-
10 vision (g) of section eleven hundred eighty of the vehicle and traffic
11 law; (e) any misdemeanor or felony; or (f) any offense that is part of
12 the same criminal transaction, as that term is defined in subdivision
13 two of section 40.10 of the criminal procedure law, as a violation of
14 subdivision one of section eleven hundred ninety-two of the vehicle and
15 traffic law, a violation of subdivision five of section eleven hundred
16 ninety-two of the vehicle and traffic law, a violation of paragraph (b)
17 of subdivision four of section fourteen-f of the transportation law, a
18 violation of clause (b) of subparagraph (iii) of paragraph c of subdivi-
19 sion two of section one hundred forty of the transportation law, a
20 violation of section three hundred ninety-seven-a of the vehicle and
21 traffic law, a violation of subdivision (g) of section eleven hundred
22 eighty of the vehicle and traffic law or any misdemeanor or felony.

23 2. A person charged with an infraction which shall be disposed of by
24 the Westchester county traffic and parking violations agency may be
25 permitted to answer, within a specified time, at the traffic and
26 violations agency either in person or by written power of attorney in
27 such form as may be prescribed in the local law creating the agency, by
28 paying a prescribed fine and, in writing, waiving a hearing in court,
29 pleading guilty to the charge or admitting liability as an owner for the
30 violation of subdivision (d) of section eleven hundred eleven of the
31 vehicle and traffic law, as the case may be, and authorizing the person
32 in charge of the agency to enter such a plea or admission and accept
33 payment of said fine. Acceptance of the prescribed fine and power of
34 attorney by the agency shall be deemed complete satisfaction for the
35 violation or of the liability, and the violator or owner liable for a
36 violation of subdivision (d) of section eleven hundred eleven of the
37 vehicle and traffic law shall be given a receipt which so states. If a
38 person charged with a traffic violation does not answer as hereinbefore
39 prescribed, within a designated time, the agency may cause a complaint
40 to be entered against him forthwith and a warrant to be issued for his
41 arrest and appearance before the court having jurisdiction over the
42 traffic infraction, such summons to be predicated upon the personal
43 service of said summons upon the person charged with the infraction. Any
44 person who shall have been, within the preceding twelve months, guilty
45 of a number of parking violations in excess of such maximum number as
46 may be designated by the court, or of three or more violations other
47 than parking violations, shall not be permitted to appear and answer to
48 a subsequent violation at the traffic and parking violations agency, but
49 must appear in court at a time specified by the agency. Such agency
50 shall not be authorized to deprive a person of his right to counsel or
51 to prevent him from exercising his right to appear in court to answer
52 to, explain, or defend any charge of a violation of any traffic law,
53 ordinance, rule or regulation.

54 3. Notwithstanding any inconsistent provision of law, fines, penalties
55 and forfeitures collected by the Westchester county traffic and parking
56 violations agency shall be distributed as provided in section eighteen

1 hundred three of the vehicle and traffic law. All fines, penalties and
2 forfeitures for violations adjudicated by the Westchester county traffic
3 and parking violations agency pursuant to subdivision one of this
4 section, with the exception of parking violations shall be paid by such
5 agency to the state comptroller within the first ten days of the month
6 following collection. Each such payment shall be accompanied by a true
7 and complete report in such form and detail as the comptroller shall
8 prescribe.

9 § 49. Section 99-1 of the general municipal law is amended by adding a
10 new subdivision 3 to read as follows:

11 3. The county of Westchester shall be entitled to receive the amounts
12 set forth in subdivision one of this section for the services of the
13 Westchester county traffic and parking violations agency and for all
14 other services instituted and triable in and by such agency wherein a
15 fine is imposed, a surcharge of ten dollars.

16 § 50. Subdivision 3 of section 99-a of the state finance law, as
17 amended by section 4 of part I of chapter 58 of the laws of 2018, is
18 amended to read as follows:

19 3. The comptroller is hereby authorized to implement alternative
20 procedures, including guidelines in conjunction therewith, relating to
21 the remittance of fines, penalties, forfeitures and other moneys by town
22 and village justice courts, and by the Nassau ~~and~~, Suffolk and West-
23 chester counties traffic and parking violations agencies, and by the
24 city of Buffalo traffic violations agency, and by the city of Rochester
25 traffic violations agency, to the justice court fund and for the
26 distribution of such moneys by the justice court fund. Notwithstanding
27 any law to the contrary, the alternative procedures utilized may
28 include:

29 a. electronic funds transfer;

30 b. remittance of funds by the justice court to the chief fiscal office
31 of the town or village, or, in the case of the Nassau ~~and~~, Suffolk and
32 Westchester counties traffic and parking violations agencies, to the
33 county treasurer, or, in the case of the Buffalo traffic violations
34 agency, to the city of Buffalo comptroller, or in the case of the
35 Rochester traffic violations agency, to the city of Rochester treasurer
36 for distribution in accordance with instructions by the comptroller;
37 and/or

38 c. monthly, rather than quarterly, distribution of funds.

39 The comptroller may require such reporting and record keeping as he or
40 she deems necessary to ensure the proper distribution of moneys in
41 accordance with applicable laws. A justice court or the Nassau ~~and~~,
42 Suffolk and Westchester counties traffic and parking violations agencies
43 or the city of Buffalo traffic violations agency or the city of Roches-
44 ter traffic violations agency may utilize these procedures only when
45 permitted by the comptroller, and such permission, once given, may
46 subsequently be withdrawn by the comptroller on due notice.

47 § 51. Subdivision 3 of section 99-a of the state finance law, as
48 amended by chapter 157 of the laws of 2017, is amended to read as
49 follows:

50 3. The comptroller is hereby authorized to implement alternative
51 procedures, including guidelines in conjunction therewith, relating to
52 the remittance of fines, penalties, forfeitures and other moneys by town
53 and village justice courts, and by the Nassau ~~and~~, Suffolk and West-
54 chester counties traffic and parking violations agencies, and by the
55 city of Buffalo traffic violations agency, and by the city of Rochester
56 traffic violations agency to the justice court fund and for the distrib-

1 ution of such moneys by the justice court fund. Notwithstanding any law
2 to the contrary, the alternative procedures utilized may include:

3 a. electronic funds transfer;

4 b. remittance of funds by the justice court to the chief fiscal office
5 of the town or village, or, in the case of the Nassau ~~and~~, Suffolk and
6 Westchester counties traffic and parking violations agencies, to the
7 county treasurer, or, in the case of the Buffalo traffic violations
8 agency, to the city of Buffalo comptroller, or in the case of the
9 Rochester traffic violations agency, to the city of Rochester treasurer,
10 for distribution in accordance with instructions by the comptroller;
11 and/or

12 c. monthly, rather than quarterly, distribution of funds.

13 The comptroller may require such reporting and record keeping as he or
14 she deems necessary to ensure the proper distribution of moneys in
15 accordance with applicable laws. A justice court or the Nassau ~~and~~,
16 Suffolk and Westchester counties traffic and parking violations agencies
17 or the city of Buffalo traffic violations agency or the city of Roches-
18 ter traffic violations agency may utilize these procedures only when
19 permitted by the comptroller, and such permission, once given, may
20 subsequently be withdrawn by the comptroller on due notice.

21 § 52. Paragraph (e) of subdivision 2 of section 39 of the judiciary
22 law, as amended by section 4 of part K of chapter 56 of the laws of
23 2010, is amended to read as follows:

24 (e) All fees collected pursuant to sections eighteen hundred three,
25 eighteen hundred three-A and nineteen hundred eleven of the New York
26 city civil court act, all fees collected pursuant to state law by the
27 county clerks in the city of New York, except as otherwise provided
28 herein with respect to fees collected pursuant to subdivision (a) of
29 section eight thousand eighteen of the civil practice law and rules and
30 except those fees collected by the clerk of Richmond county which in the
31 other counties of the city of New York are collected by the city regis-
32 ters, all fees collected pursuant to section eight thousand eighteen of
33 the civil practice law and rules except only to the extent of one
34 hundred sixty-five dollars of any fee collected pursuant to subparagraph
35 (i) of paragraph one of subdivision (a) of such section and except for
36 those collected pursuant to subparagraph (ii) of paragraph one ~~of para-~~
37 ~~graph three~~ of such subdivision (a), all fees collected pursuant to
38 section eight thousand twenty of the civil practice law and rules except
39 for those collected pursuant to subdivisions (f), (g) and (h) of said
40 section, all fees collected pursuant to section eight thousand twenty-
41 two of the civil practice law and rules, all fees collected pursuant to
42 section twenty-four hundred two of the surrogate's court procedure act,
43 all fees collected pursuant to section eighteen hundred three, eighteen
44 hundred three-A and subdivision (a) of section nineteen hundred eleven
45 of the uniform district court act, all fees collected pursuant to
46 section eighteen hundred three, eighteen hundred three-A and subdivision
47 (a) of section nineteen hundred eleven of the uniform city court act and
48 all fines, penalties and forfeitures collected pursuant to subdivision
49 eight of section eighteen hundred three of the vehicle and traffic law,
50 except such fines, penalties and forfeitures collected by the Nassau
51 county and Westchester county traffic and parking violations ~~agency~~
52 agencies, section 71-0211 of the environmental conservation law, section
53 two hundred one of the navigation law and subdivision one of section
54 27.13 of the parks, recreation and historic preservation law shall be
55 paid to the state commissioner of taxation and finance on a monthly
56 basis no later than ten days after the last day of each month. The

1 additional fee of five dollars collected by county clerks in New York
2 city pursuant to paragraph three of subdivision (a) of section eight
3 thousand eighteen of the civil practice law and rules shall be distrib-
4 uted monthly by the county clerks as follows: four dollars and seventy-
5 five cents to the commissioner of education for deposit into the local
6 government records management improvement funds; and twenty-five cents
7 to the city of New York.

8 § 53. The purchase or lease of equipment for a demonstration program
9 established pursuant to section 1111-f of the vehicle and traffic law
10 shall be subject to the provisions of section 103 of the general municip-
11 al law.

12 § 54. Notwithstanding any provision of law to the contrary no non-ju-
13 dicial employee of any local court located in the county of Westchester
14 shall suffer a diminution of salary, employment status or rights solely
15 by operation of this act provided that nothing herein shall limit the
16 legal authority of the chief administrator of the courts to supervise
17 the administration and operation of the unified court system.

18 § 55. The administrative judge of Westchester county shall issue on an
19 annual basis, beginning eighteen months following the creation of the
20 Westchester county traffic and parking violations agency pursuant to
21 Westchester county local law, a report detailing the progress, develop-
22 ment and operations of the traffic and parking violations agency. The
23 report shall be provided to the governor, the temporary president of the
24 senate, the speaker of the assembly, the Westchester county executive,
25 the legislature of the county of Westchester, the presiding judge of the
26 Westchester county district court and the Westchester county district
27 attorney.

28 § 56. 1. This section shall be known and may be cited as the "New
29 York city public works investment act".

30 2. For the purposes of this section:

31 (a) "Authorized entity" shall mean the New York city department of
32 design and construction, the New York city department of transportation
33 and the New York city health and hospitals corporation.

34 (b) "Best value" shall mean the basis for awarding contracts for
35 services to a proposer that optimizes quality, cost and efficiency,
36 price and performance criteria, which may include, but is not limited
37 to:

- 38 (1) The quality of the proposer's performance on previous projects;
- 39 (2) The timeliness of the proposer's performance on previous projects;
- 40 (3) The level of customer satisfaction with the proposer's performance
41 on previous projects;
- 42 (4) The proposer's record of performing previous projects on budget
43 and ability to minimize cost overruns;
- 44 (5) The proposer's ability to limit change orders;
- 45 (6) The proposer's ability to prepare appropriate project plans;
- 46 (7) The proposer's technical capacities;
- 47 (8) The individual qualifications of the proposer's key personnel;
- 48 (9) The proposer's ability to assess and manage risk and minimize risk
49 impact;

50 (10) The proposer's financial capability;

51 (11) The proposer's ability to comply with applicable requirements,
52 including the provisions of articles 145, 147 and 148 of the education
53 law;

54 (12) The proposer's past record of compliance with federal, state and
55 local laws, rules, licensing requirements, where applicable, and execu-
56 tive orders, including but not limited to compliance with the labor law

1 and other applicable labor and prevailing wage laws, article 15-A of the
2 executive law, and any other applicable laws concerning minority- and
3 women-owned business enterprise participation;

4 (13) The proposer's record of complying with existing labor standards,
5 maintaining harmonious labor relations, and protecting the health and
6 safety of workers and payment of wages above any locally-defined living
7 wage; and

8 (14) A quantitative factor to be used in evaluation of bids or offers
9 for awarding of contracts for bidders or offerers that are certified as
10 minority- or women-owned business enterprises as defined in subdivisions
11 1, 7, 15 and 20 of section 310 of the executive law, or certified pursu-
12 ant to local law as minority- or women-owned business enterprises.

13 Such basis shall reflect, wherever possible, objective and quantifi-
14 able analysis.

15 (c) "Cost plus" shall mean compensating a contractor for the cost to
16 complete a contract by reimbursing actual costs for labor, equipment and
17 materials plus an additional amount for overhead and profit.

18 (d) "Design-build contract" shall mean a contract for the design and
19 construction of a public work with a single entity, which may be a team
20 comprised of separate entities.

21 (e) "Project labor agreement" shall have the meaning set forth in
22 subdivision 1 of section 222 of the labor law. A project labor agreement
23 shall require participation in apprentice training programs in accord-
24 ance with paragraph (e) of subdivision 2 of such section.

25 (f) "Public work" shall mean a public work related to one of the
26 following, and shall refer to any of these public works:

27 (1) the Rodman's Neck firearms and tactical training facility;

28 (2) the Crossroads youth facility in the Brownsville section of Kings
29 county;

30 (3) the Horizons adolescent facility in the Mott Haven section of
31 Bronx county;

32 (4) a new police department precinct in Southeast Queens;

33 (5) the Staten Island ferry terminal and related facilities resiliency
34 efforts;

35 (6) the Elmhurst Hospital emergency room renovation in Queens county;

36 (7) Franklin D. Roosevelt East River Drive bridge northbound from the
37 vicinity of 42nd street to the vicinity of 49th street in New York coun-
38 ty,

39 (8) Bridges along the Belt parkway from the vicinity of Sheepshead Bay
40 to the vicinity of Nostrand avenue in Kings county,

41 (9) Property clerk storage and operations facility for the police
42 department of the city of New York in Queens county,

43 (10) Kensico-Eastview connection water tunnel from the Kensico Reser-
44 voir to the Catskill Delaware Ultraviolet Facility at Eastview in West-
45 chester county, or

46 (11) Hillview Central Distribution Facility at Hillview Reservoir in
47 Westchester county.

48 3. Any contract for a public work undertaken pursuant to a project
49 labor agreement in accordance with section 222 of the labor law may be a
50 design-build contract in accordance with this section.

51 4. Notwithstanding any general, special or local law, rule or regu-
52 lation to the contrary, including but not limited to article 5-A of the
53 general municipal law and section 8 of the New York city health and
54 hospitals corporation act, and in conformity with the requirements of
55 this section, for any public work that has an estimated total cost of
56 not less than ten million dollars and is undertaken pursuant to a

1 project labor agreement in accordance with section 222 of the labor law,
2 an authorized entity charged with awarding a contract for public work
3 may use the alternative delivery method referred to as design-build
4 contracts.

5 (a) A contractor selected by such authorized entity to enter into a
6 design-build contract shall be selected through a two-step method, as
7 follows:

8 (1) Step one. Generation of a list of responding entities that have
9 demonstrated the general capability to perform the design-build
10 contract. Such list shall consist of a specified number of responding
11 entities, as determined by an authorized entity, and shall be generated
12 based upon the authorized entity's review of responses to a publicly
13 advertised request for qualifications. The authorized entity's request
14 for qualifications shall include a general description of the public
15 work, the maximum number of responding entities to be included on the
16 list, the selection criteria to be used and the relative weight of each
17 criteria in generating the list. Such selection criteria shall include
18 the qualifications and experience of the design and construction team,
19 organization, demonstrated responsibility, ability of the team or of a
20 member or members of the team to comply with applicable requirements,
21 including the provisions of articles 145, 147 and 148 of the education
22 law, past record of compliance with the labor law, and such other quali-
23 fications the authorized entity deems appropriate, which may include but
24 are not limited to project understanding, financial capability and
25 record of past performance. The authorized entity shall evaluate and
26 rate all responding entities to the request for qualifications. Based
27 upon such ratings, the authorized entity shall list the responding enti-
28 ties that shall receive a request for proposals in accordance with
29 subparagraph two of this paragraph. To the extent consistent with appli-
30 cable federal law, the authorized entity shall consider, when awarding
31 any contract pursuant to this subdivision, the participation of (i)
32 responding entities that are certified as minority- or women-owned busi-
33 ness enterprises as defined in subdivisions 1, 7, 15 and 20 of section
34 310 of the executive law, or certified pursuant to local law as minori-
35 ty- or women-owned business enterprises; and (ii) small business
36 concerns identified pursuant to subdivision (b) of section 139-g of the
37 state finance law; and

38 (2) Step two. Selection of the proposal which is the best value to the
39 authorized entity. The authorized entity shall issue a request for
40 proposals to the responding entities listed pursuant to subparagraph one
41 of this paragraph. If such a responding entity consists of a team of
42 separate entities, the entities that comprise such a team must remain
43 unchanged from the responding entity as listed pursuant to subparagraph
44 one of this paragraph unless otherwise approved by the authorized enti-
45 ty. The request for proposals shall set forth the public work's scope of
46 work, and other requirements, as determined by the authorized entity,
47 which may include separate goals for work under the contract to be
48 performed by businesses certified as minority- or women-owned business
49 enterprises as defined in subdivisions 1, 7, 15 and 20 of section 310 of
50 the executive law, or certified pursuant to local law as minority- or
51 women-owned business enterprises. The request for proposals shall also
52 specify the criteria to be used to evaluate the responses and the rela-
53 tive weight of each of such criteria. Such criteria shall include the
54 proposal's cost, the quality of the proposal's solution, the qualifica-
55 tions and experience of the proposer, and other factors deemed pertinent
56 by the authorized entity, which may include, but shall not be limited

1 to, the proposal's manner and schedule of project implementation, the
2 proposer's ability to complete the work in a timely and satisfactory
3 manner, maintenance costs of the completed public work, maintenance of
4 traffic approach, and community impact. Any contract awarded pursuant to
5 this section shall be awarded to a responsive and responsible proposer,
6 which, in consideration of these and other specified criteria deemed
7 pertinent, offers the best value, as determined by the authorized enti-
8 ty. The request for proposals shall include a statement that proposers
9 shall designate in writing those portions of the proposal that contain
10 trade secrets or other proprietary information that are to remain confi-
11 dential; that the material designated as confidential shall be readily
12 separable from the proposal. Nothing in this paragraph shall be
13 construed to prohibit the authorized entity from negotiating final
14 contract terms and conditions including cost. All proposals submitted
15 shall be scored according to the criteria listed in the request for
16 proposals and such final scores shall be published on the authorized
17 entity's website.

18 (b) An authorized entity awarding a design-build contract to a
19 contractor offering the best value may but shall not be required to use
20 the following types of contracts:

21 (1) A cost-plus not to exceed guaranteed maximum price form of
22 contract in which the authorized entity shall be entitled to monitor and
23 audit all costs. In establishing the schedule and process for determin-
24 ing a guaranteed maximum price, the contract between the authorized
25 entity and the contractor shall:

26 (i) Describe the scope of the work and the cost of performing such
27 work,

28 (ii) Include a detailed line item cost breakdown,

29 (iii) Include a list of all drawings, specifications and other infor-
30 mation on which the guaranteed maximum price is based,

31 (iv) Include the dates of substantial and final completion on which
32 the guaranteed maximum price is based, and

33 (v) Include a schedule of unit prices; or

34 (2) A lump sum contract in which the contractor agrees to accept a set
35 dollar amount for a contract which comprises a single bid without
36 providing a cost breakdown for all costs such as for equipment, labor,
37 materials, as well as such contractor's profit for completing all items
38 of work comprising the public work.

39 5. Any contract entered into pursuant to this section shall include a
40 clause requiring that any professional services regulated by articles
41 145, 147 and 148 of the education law shall be performed and stamped and
42 sealed, where appropriate, by a professional licensed in accordance with
43 the appropriate article.

44 6. Construction with respect to each contract entered into by an
45 authorized entity pursuant to this section shall be deemed a "public
46 work" to be performed in accordance with the provisions of article 8 of
47 the labor law, as well as subject to sections 200, 240, 241 and 242 of
48 such law and enforcement of prevailing wage requirements pursuant to
49 applicable law or, for projects or public works receiving federal aid,
50 applicable federal requirements for prevailing wage. Any contract
51 entered into pursuant to this section shall include a clause requiring
52 the selected design builder to obligate every tier of contractor working
53 on the public work to comply with the project labor agreement referenced
54 in subdivision three of this section, and shall include project labor
55 agreement compliance monitoring and enforcement provisions consistent
56 with the applicable project labor agreement.

1 7. Each contract entered into by an authorized entity pursuant to this
2 section shall comply with the objectives and goals with regard to minor-
3 ity- and women-owned business enterprises pursuant to, as applicable,
4 section 6-129 of the administrative code of the city of New York and
5 subdivision 6 of section 8 of the New York city health and hospitals
6 corporation act, or, for projects or public works receiving federal aid,
7 applicable federal requirements for disadvantaged business enterprises
8 or minority- and women-owned business enterprises.

9 8. Public works undertaken by an authorized entity pursuant to this
10 section shall be subject to the requirements of article 8 of the envi-
11 ronmental conservation law, and, where applicable, the requirements of
12 the National Environmental Policy Act.

13 9. (a) Notwithstanding any provision of law to the contrary, all
14 rights or benefits, including terms and conditions of employment, and
15 protection of civil service and collective bargaining status of all
16 employees of authorized entities solely in connection with the public
17 works identified in paragraph (f) of subdivision two of this section,
18 shall be preserved and protected.

19 (b) Nothing in this section shall result in the: (1) displacement of
20 any currently employed worker or loss of position (including partial
21 displacement such as a reduction in the hours of non-overtime work,
22 wages or employment benefits), or result in the impairment of existing
23 collective bargaining agreements; and (2) transfer of existing duties
24 and functions related to maintenance and operations currently performed
25 by existing employees of authorized entities to a contractor.

26 (c) Employees of authorized entities using design-build contracts
27 serving in positions in newly created titles shall be assigned to the
28 appropriate bargaining unit. Nothing contained in this section shall be
29 construed to affect (1) the existing rights of employees of such enti-
30 ties pursuant to an existing collective bargaining agreement, (2) the
31 existing representational relationships among employee organizations
32 representing employees of such entities, or (3) the bargaining relation-
33 ships between such entities and such employee organizations.

34 10. The submission of a proposal or responses or the execution of a
35 design-build contract pursuant to this section shall not be construed to
36 be a violation of section 6512 of the education law.

37 11. Nothing contained in this section shall limit the right or obli-
38 gation of any authorized entity to comply with the provisions of any
39 existing contract or to award contracts as otherwise provided by law.

40 § 57. Subdivisions 1, 2, 4, 5, 6, 7, 8 and 9 of section 500.10 of the
41 criminal procedure law are amended and a new subdivision 3-a is added to
42 read as follows:

43 1. "Principal" means a defendant in a criminal action or proceeding,
44 or a person adjudged a material witness therein, or any other person so
45 involved therein that [~~he~~] the principal may by law be compelled to
46 appear before a court for the purpose of having such court exercise
47 control over [~~his~~] the principal's person to secure [~~his~~] the princi-
48 pal's future attendance at the action or proceeding when required, and
49 who in fact either is before the court for such purpose or has been
50 before it and been subjected to such control.

51 2. "Release on own recognizance." A court releases a principal on
52 [~~his~~] the principal's own recognizance when, having acquired control
53 over [~~his~~] the principal's person, it permits [~~him~~] the principal to be
54 at liberty during the pendency of the criminal action or proceeding
55 involved upon condition that [~~he~~] the principal will appear thereat
56 whenever [~~his~~] the principal's attendance may be required and will at

1 all times render [~~himself~~] the principal amenable to the orders and
2 processes of the court.

3 3-a. "Release under non-monetary conditions." A court releases a prin-
4 cipal under non-monetary conditions when, having acquired control over a
5 person, it authorizes the person to be at liberty during the pendency of
6 the criminal action or proceeding involved under conditions ordered by
7 the court, that will reasonably assure the principal's return to court.
8 A principal shall not be required to pay for any part of the cost of
9 release on non-monetary conditions.

10 4. "Commit to the custody of the sheriff." A court commits a principal
11 to the custody of the sheriff when, having acquired control over [~~his~~]
12 the principal's person, it orders that [~~he~~] the principal be confined in
13 the custody of the sheriff during the pendency of the criminal action or
14 proceeding involved.

15 5. "Securing order" means an order of a court committing a principal
16 to the custody of the sheriff, or fixing bail, or releasing [~~him on his~~]
17 the principal on the principal's own recognizance or releasing the prin-
18 cipal under non-monetary conditions.

19 6. "Order of recognizance or bail" means a securing order releasing a
20 principal on [~~his~~] the principal's own recognizance or under non-mone-
21 tary conditions or fixing bail.

22 7. "Application for recognizance or bail" means an application by a
23 principal that the court, instead of committing [~~him~~] the principal to
24 or retaining [~~him~~] the principal in the custody of the sheriff, either
25 release [~~him on his own~~] the principal on the principal's own recogni-
26 zance [~~or~~], release under non-monetary conditions, or fix bail.

27 8. "Post bail" means to deposit bail in the amount and form fixed by
28 the court, with the court or with some other authorized public servant
29 or agency.

30 9. "Bail" means cash bail [~~or~~], a bail bond or money paid with a cred-
31 it card.

32 § 58. Section 510.10 of the criminal procedure law, as amended by
33 chapter 459 of the laws of 1984, is amended to read as follows:

34 § 510.10 Securing order; when required; alternatives available; standard
35 to be applied.

36 1. When a principal, whose future court attendance at a criminal
37 action or proceeding is or may be required, [~~initially~~] comes under the
38 control of a court, such court [~~must~~] shall, in accordance with this
39 title, by a securing order[~~, either~~] release [~~him~~] the principal on
40 [~~his~~] the principal's own recognizance, release the principal under
41 non-monetary conditions, or fix bail or commit [~~him~~] the principal to
42 the custody of the sheriff.

43 2. A principal is entitled to representation by counsel under this
44 chapter in preparing an application for release, when a securing order
45 is being considered and when a securing order is being reviewed for
46 modification, revocation or termination. If the principal is financially
47 unable to obtain counsel, counsel shall be assigned to the principal.

48 3. In cases where the most serious offense with which the defendant
49 stands charged in the case before the court or a pending case is a
50 misdemeanor offense the court shall release the principal pending trial
51 on the principal's own recognizance, unless the court finds on the
52 record or in writing that release on the principal's own recognizance
53 will not reasonably assure the principal's return to court. In such
54 instances, the court shall release the principal under non-monetary
55 conditions or fix bail, selecting the least restrictive alternative and
56 conditions that will reasonably assure the principal's return to court.

1 The court shall explain its choice of alternative and conditions on the
2 record or in writing.

3 4. With respect to any charge for which bail or remand is not
4 ordered, a defendant may, at any time, request that the court set bail
5 in a nominal amount requested by the defendant in the form specified in
6 paragraph (a) of subdivision one of section 520.10 of this title; if the
7 court is satisfied that the request is voluntary, the court shall set
8 such bail in such amount.

9 5. When a securing order is revoked or otherwise terminated in the
10 course of an uncompleted action or proceeding but the principal's future
11 court attendance still is or may be required and [~~he~~] the principal is
12 still under the control of a court, a new securing order must be issued.
13 When the court revokes or otherwise terminates a securing order which
14 committed the principal to the custody of the sheriff, the court shall
15 give written notification to the sheriff of such revocation or termi-
16 nation of the securing order.

17 § 59. Section 510.20 of the criminal procedure law is amended to read
18 as follows:

19 § 510.20 Application for [~~recognizance or bail, making and determi-~~
20 ~~nation thereof in general~~] a change in securing order.

21 1. Upon any occasion when a court [~~is required to issue~~] has issued a
22 securing order with respect to a principal[~~, or at any time when a~~] and
23 the principal is confined in the custody of the sheriff as a result of
24 the securing order or a previously issued securing order, [~~he~~] the prin-
25 cipal may make an application for recognizance, release under non-mone-
26 tary conditions or bail.

27 2. (a) The principal is entitled to representation by counsel in the
28 making and presentation of such application. If the principal is finan-
29 cially unable to obtain counsel, counsel shall be assigned to the prin-
30 cipal.

31 (b) Upon such application, the principal must be accorded an opportu-
32 nity to be heard, and to contend that an order of recognizance, release
33 under non-monetary conditions or, bail must or should issue, that the
34 court should release [~~him on his~~] the principal on the principal's own
35 recognizance or under non-monetary conditions rather than fix bail, and
36 that if bail is authorized and fixed it should be in a suggested amount
37 and form.

38 § 60. Section 510.30 of the criminal procedure law, subparagraph (v)
39 of paragraph (a) of subdivision 2 as amended by chapter 920 of the laws
40 of 1982, subparagraph (vi) of paragraph (a) of subdivision 2 as renum-
41 bered by chapter 447 of the laws of 1977, subparagraph (vii) as added
42 and subparagraphs (viii) and (ix) of paragraph (a) of subdivision 2 as
43 renumbered by section 1 of part D of chapter 491 of the laws of 2012,
44 and subdivision 3 as added by chapter 788 of the laws of 1981, is
45 amended to read as follows:

46 § 510.30 Application for recognizance or bail; rules of law and criteria
47 controlling determination.

48 1. Determinations of applications for recognizance, release on non-
49 monetary conditions, or bail are not in all cases discretionary but are
50 subject to rules, prescribed in article five hundred thirty and other
51 provisions of law relating to specific kinds of criminal actions and
52 proceedings, providing (a) that in some circumstances such an applica-
53 tion must as a matter of law be granted, (b) that in others it must as a
54 matter of law be denied and the principal committed to or retained in
55 the custody of the sheriff, and (c) that in others the granting or
56 denial thereof is a matter of judicial discretion.

1 2. To the extent that the issuance of an order of recognizance,
2 release on non-monetary conditions, or bail and the terms thereof are
3 matters of discretion rather than of law, an application is determined
4 on the basis of the following factors and criteria:

5 (a) With respect to any principal, the court must consider the kind
6 and degree of control or restriction that is necessary to secure [~~his~~]
7 the principal's court attendance when required. In determining that
8 matter, the court must, on the basis of available information, consider
9 and take into account:

10 (i) The principal's character, reputation, habits and mental condi-
11 tion;

12 (ii) [~~His~~] The principal's employment and financial resources; and

13 (iii) [~~His~~] The principal's family ties and the length of [~~his~~] the
14 principal's residence if any in the community; and

15 (iv) [~~His~~] The principal's criminal record if any; and

16 (v) [~~His~~] The principal's record of previous adjudication as a juve-
17 nile delinquent, as retained pursuant to section 354.2 of the family
18 court act, or, of pending cases where fingerprints are retained pursuant
19 to section 306.1 of such act, or a youthful offender, if any; and

20 (vi) [~~His~~] The principal's previous record if any in responding to
21 court appearances when required or with respect to flight to avoid crim-
22 inal prosecution; and

23 (vii) Where the principal is charged with a crime or crimes against a
24 member or members of the same family or household as that term is
25 defined in subdivision one of section 530.11 of this title, the follow-
26 ing factors:

27 (A) any violation by the principal of an order of protection issued by
28 any court for the protection of a member or members of the same family
29 or household as that term is defined in subdivision one of section
30 530.11 of this title, whether or not such order of protection is
31 currently in effect; and

32 (B) the principal's history of use or possession of a firearm; and

33 (viii) If [~~he~~] the principal is a defendant, the weight of the
34 evidence against him or her in the pending criminal action and any other
35 factor indicating probability or improbability of conviction; or, in the
36 case of an application for bail or recognizance pending appeal, the
37 merit or lack of merit of the appeal; and

38 (ix) If [~~he~~] the principal is a defendant, the sentence which may be
39 or has been imposed upon conviction.

40 (b) Where the principal is a defendant-appellant in a pending appeal
41 from a judgment of conviction, the court must also consider the likeli-
42 hood of ultimate reversal of the judgment. A determination that the
43 appeal is palpably without merit alone justifies, but does not require,
44 a denial of the application, regardless of any determination made with
45 respect to the factors specified in paragraph (a).

46 3. When bail or recognizance is ordered, the court shall inform the
47 principal, if he or she is a defendant charged with the commission of a
48 felony, that the release is conditional and that the court may revoke
49 the order of release and commit the principal to the custody of the
50 sheriff in accordance with the provisions of subdivision two of section
51 530.60 of this chapter if he or she commits a subsequent felony while at
52 liberty upon such order.

53 § 61. Section 510.40 of the criminal procedure law is amended to read
54 as follows:

55 § 510.40 [~~Application for recognizance or bail, determination thereof,~~
56 ~~form of securing order and execution thereof~~] Court notifi-

1 cation to principal of conditions of release and of alleged
2 violations of conditions of release.

3 1. An application for recognizance or bail must be determined by a
4 securing order which either:

5 (a) Grants the application and releases the principal on his or her
6 own recognizance; or

7 (a-1) Grants the application and releases the principal under non-mon-
8 etary conditions; or

9 (b) Grants the application and fixes bail; or

10 (c) Denies the application and commits the principal to, or retains
11 him in, the custody of the sheriff.

12 2. Upon ordering that a principal be released on [~~his~~] the principal's
13 own recognizance, or released under non-monetary conditions, or, if bail
14 has been fixed, upon the posting of bail, the court must direct [~~him~~]
15 the principal to appear in the criminal action or proceeding involved
16 whenever [~~his~~] the principal's attendance may be required and to [~~render~~
17 ~~himself~~] be at all times amenable to the orders and processes of the
18 court. If such principal is in the custody of the sheriff or at liberty
19 upon bail at the time of the order, the court must direct that [~~he~~] the
20 principal be discharged from such custody or, as the case may be, that
21 [~~his~~] the principal's bail be exonerated.

22 3. Upon the issuance of an order fixing bail, and upon the posting
23 thereof, the court must examine the bail to determine whether it
24 complies with the order. If it does, the court must, in the absence of
25 some factor or circumstance which in law requires or authorizes disap-
26 proval thereof, approve the bail and must issue a certificate of
27 release, authorizing the principal to be at liberty, and, if [~~he~~] the
28 principal is in the custody of the sheriff at the time, directing the
29 sheriff to discharge [~~him~~] the principal therefrom. If the bail fixed
30 is not posted, or is not approved after being posted, the court must
31 order that the principal be committed to the custody of the sheriff.

32 4. Non-monetary conditions of release shall be individualized and
33 established in writing by the court. At future court appearances, the
34 court shall consider a lessening of conditions or modification of condi-
35 tions to a less burdensome form based on the principal's compliance with
36 such conditions of release. In the event of alleged non-compliance with
37 the conditions of release pursuant to this subdivision, additional
38 conditions may be imposed by the court, on the record or in writing,
39 only after notice of the facts and circumstances of such alleged non-
40 compliance, reasonable under the circumstances, affording the principal
41 and the principal's attorney and the people an opportunity to be heard.
42 Following such a finding, in determining whether to impose additional
43 conditions for non-compliance, the court shall consider and may select
44 conditions. The court shall explain on the record or in writing the
45 reasons for its determination and for any changes to the conditions
46 imposed.

47 5. (a) Electronic monitoring of a principal's location may be ordered
48 if the court finds, after notice, an opportunity to be heard and an
49 individualized determination explained on the record or in writing, that
50 the defendant qualifies for electronic monitoring in accordance with
51 subdivision twenty-one of section 500.10 of this title.

52 (b) The specific method of electronic monitoring of the principal's
53 location must be approved by the court.

54 (c) Electronic monitoring of the location of a principal may be
55 conducted only by a public entity under the supervision and control of a
56 county or municipality. A county or municipality shall be authorized to

1 enter into a contract with another county or municipality in the state
2 to monitor principals under non-monetary conditions of release in its
3 county.

4 (d) Electronic monitoring of a principal's location may be for a maxi-
5 mum period of sixty days, and may be renewed for such period, after
6 notice, an opportunity to be heard and a de novo, individualized deter-
7 mination in accordance with this subdivision, which shall be explained
8 on the record or in writing.

9 6. If a principal is released under non-monetary conditions, the court
10 shall, on the record and in an individualized written document provided
11 to the principal, notify the principal, in plain language and a manner
12 sufficiently clear and specific:

13 (a) of any conditions to which the principal is subject, to serve as a
14 guide for the principal's conduct; and

15 (b) that the possible consequences for violation of such a condition
16 may include revocation of the securing order and the ordering of a more
17 restrictive securing order.

18 § 62. Section 510.50 of the criminal procedure law is amended to read
19 as follows:

20 § 510.50 Enforcement of securing order.

21 When the attendance of a principal confined in the custody of the
22 sheriff is required at the criminal action or proceeding at a particular
23 time and place, the court may compel such attendance by directing the
24 sheriff to produce [~~him~~] the principal at such time and place. If the
25 principal is at liberty on [~~his~~] the principal's own recognizance or
26 non-monetary conditions or on bail, [~~his~~] the principal's attendance
27 may be achieved or compelled by various methods, including notification
28 and the issuance of a bench warrant, prescribed by law in provisions
29 governing such matters with respect to the particular kind of action or
30 proceeding involved.

31 § 63. Paragraph (b) of subdivision 2 of section 520.10 of the criminal
32 procedure law, as amended by chapter 784 of the laws of 1972, is amended
33 to read as follows:

34 (b) The court [~~may~~] shall direct that the bail be posted in any one of
35 [~~two~~] three or more of the forms specified in subdivision one of this
36 section, designated in the alternative, and may designate different
37 amounts varying with the forms[+], except that one of the forms shall be
38 either an unsecured or partially secured surety bond, as selected by the
39 court.

40 § 64. Section 530.10 of the criminal procedure law is amended to read
41 as follows:

42 § 530.10 Order of recognizance release under non-monetary conditions or
43 bail; in general.

44 Under circumstances prescribed in this article, a court, upon applica-
45 tion of a defendant charged with or convicted of an offense, is required
46 [~~or authorized to order bail or recognizance~~] to issue a securing order
47 for [~~the release or prospective release of~~] such defendant during the
48 pendency of either:

49 1. A criminal action based upon such charge; or

50 2. An appeal taken by the defendant from a judgment of conviction or
51 a sentence or from an order of an intermediate appellate court affirming
52 or modifying a judgment of conviction or a sentence.

53 § 65. Subdivision 4 of section 530.11 of the criminal procedure law,
54 as added by chapter 186 of the laws of 1997, is amended to read as
55 follows:

1 4. When a person is arrested for an alleged family offense or an
2 alleged violation of an order of protection or temporary order of
3 protection or arrested pursuant to a warrant issued by the supreme or
4 family court, and the supreme or family court, as applicable, is not in
5 session, such person shall be brought before a local criminal court in
6 the county of arrest or in the county in which such warrant is return-
7 able pursuant to article one hundred twenty of this chapter. Such local
8 criminal court may issue any order authorized under subdivision eleven
9 of section 530.12 of this article, section one hundred fifty-four-d or
10 one hundred fifty-five of the family court act or subdivision three-b of
11 section two hundred forty or subdivision two-a of section two hundred
12 fifty-two of the domestic relations law, in addition to discharging
13 other arraignment responsibilities as set forth in this chapter. In
14 making such order, the local criminal court shall consider de novo the
15 [~~bail~~] recommendation and securing order, if any, made by the supreme or
16 family court as indicated on the warrant or certificate of warrant.
17 Unless the petitioner or complainant requests otherwise, the court, in
18 addition to scheduling further criminal proceedings, if any, regarding
19 such alleged family offense or violation allegation, shall make such
20 matter returnable in the supreme or family court, as applicable, on the
21 next day such court is in session.

22 § 66. Paragraph (a) of subdivision 8 of section 530.13 of the criminal
23 procedure law, as added by chapter 388 of the laws of 1984, is amended
24 to read as follows:

25 (a) revoke an order of recognizance, release under non-monetary condi-
26 tions or bail and commit the defendant to custody; or

27 § 67. The opening paragraph of subdivision 1 of section 530.13 of the
28 criminal procedure law, as amended by chapter 137 of the laws of 2007,
29 is amended to read as follows:

30 When any criminal action is pending, and the court has not issued a
31 temporary order of protection pursuant to section 530.12 of this arti-
32 cle, the court, in addition to the other powers conferred upon it by
33 this chapter, may for good cause shown issue a temporary order of
34 protection in conjunction with any securing order [~~committing the~~
35 ~~defendant to the custody of the sheriff or as a condition of a pre-trial~~
36 ~~release, or as a condition of release on bail~~] or an adjournment in
37 contemplation of dismissal. In addition to any other conditions, such an
38 order may require that the defendant:

39 § 68. Subdivision 11 of section 530.12 of the criminal procedure law,
40 as amended by chapter 498 of the laws of 1993, the opening paragraph as
41 amended by chapter 597 of the laws of 1998, paragraph (a) as amended by
42 chapter 222 of the laws of 1994, paragraph (d) as amended by chapter 644
43 of the laws of 1996, is amended to read as follows:

44 11. If a defendant is brought before the court for failure to obey any
45 lawful order issued under this section, or an order of protection issued
46 by a court of competent jurisdiction in another state, territorial or
47 tribal jurisdiction, and if, after hearing, the court is satisfied by
48 competent proof that the defendant has willfully failed to obey any such
49 order, the court may:

50 (a) revoke an order of recognizance or release under non-monetary
51 conditions or revoke an order of bail or order forfeiture of such bail
52 and commit the defendant to custody; or

53 (b) restore the case to the calendar when there has been an adjourn-
54 ment in contemplation of dismissal and commit the defendant to custody;
55 or

1 (c) revoke a conditional discharge in accordance with section 410.70
2 of this chapter and impose probation supervision or impose a sentence of
3 imprisonment in accordance with the penal law based on the original
4 conviction; or

5 (d) revoke probation in accordance with section 410.70 of this chapter
6 and impose a sentence of imprisonment in accordance with the penal law
7 based on the original conviction. In addition, if the act which consti-
8 tutes the violation of the order of protection or temporary order of
9 protection is a crime or a violation the defendant may be charged with
10 and tried for that crime or violation.

11 § 69. Subdivision 2 of section 530.20 of the criminal procedure law,
12 as amended by chapter 531 of the laws of 1975, subparagraph (ii) of
13 paragraph (b) as amended by chapter 218 of the laws of 1979, is amended
14 to read as follows:

15 2. When the defendant is charged, by felony complaint, with a felony,
16 the court may, in its discretion, order recognizance, release under
17 non-monetary conditions, or bail or commit the defendant to the custody
18 of the sheriff except as otherwise provided in this subdivision:

19 (a) A city court, a town court or a village court may not order recog-
20 nizeance or bail when (i) the defendant is charged with a class A felony,
21 or (ii) it appears that the defendant has two previous felony
22 convictions;

23 (b) No local criminal court may order recognizance, release under
24 non-monetary conditions or bail with respect to a defendant charged with
25 a felony unless and until:

26 (i) The district attorney has been heard in the matter or, after
27 knowledge or notice of the application and reasonable opportunity to be
28 heard, has failed to appear at the proceeding or has otherwise waived
29 his right to do so; and

30 (ii) The court has been furnished with a report of the division of
31 criminal justice services concerning the defendant's criminal record, if
32 any, or with a police department report with respect to the defendant's
33 prior arrest and conviction record, if any. If neither report is avail-
34 able, the court, with the consent of the district attorney, may dispense
35 with this requirement; provided, however, that in an emergency, includ-
36 ing but not limited to a substantial impairment in the ability of such
37 division or police department to timely furnish such report, such
38 consent shall not be required if, for reasons stated on the record, the
39 court deems it unnecessary. When the court has been furnished with any
40 such report or record, it shall furnish a copy thereof to counsel for
41 the defendant or, if the defendant is not represented by counsel, to the
42 defendant.

43 § 70. The section heading and subdivisions 1 and 2 of section 530.30
44 of the criminal procedure law, subdivision 2 as amended by chapter 762
45 of the laws of 1971, are amended to read as follows:

46 Order of recognizance, release under non-monetary conditions or bail; by
47 superior court judge when action is pending in local crimi-
48 nal court.

49 1. When a criminal action is pending in a local criminal court, other
50 than one consisting of a superior court judge sitting as such, a judge
51 of a superior court holding a term thereof in the county, upon applica-
52 tion of a defendant, may order recognizance, release under non-monetary
53 conditions or bail when such local criminal court:

54 (a) Lacks authority to issue such an order, pursuant to [~~paragraph (a)~~
55 ~~of subdivision two~~] the relevant provisions of section 530.20 of this
56 article; or

1 (b) Has denied an application for recognizance, release under non-mon-
2 etary conditions or bail; or

3 (c) Has fixed bail which is excessive; or

4 (d) Has set a securing order of release under non-monetary conditions
5 which are more restrictive than necessary to reasonably assure the
6 defendant's return to court.

7 In such case, such superior court judge may vacate the order of such
8 local criminal court and release the defendant on [~~his own~~] recognizance
9 or under non-monetary conditions, or fix bail in a lesser amount or in a
10 less burdensome form. The court shall explain its choice of alternative
11 and conditions on the record or in writing.

12 2. Notwithstanding the provisions of subdivision one of this section,
13 when the defendant is charged with a felony in a local criminal court, a
14 superior court judge may not order recognizance, release under non-mone-
15 etary conditions or bail unless and until the district attorney has had
16 an opportunity to be heard in the matter and such judge has been
17 furnished with a report as described in subparagraph (ii) of paragraph
18 (b) of subdivision two of section 530.20 of this article.

19 § 71. Section 530.40 of the criminal procedure law, subdivision 3 as
20 amended by chapter 264 of the laws of 2003, and subdivision 4 as amended
21 by chapter 762 of the laws of 1971, is amended to read as follows:

22 § 530.40 Order of recognizance, release under non-monetary conditions or
23 bail; by superior court when action is pending therein.

24 When a criminal action is pending in a superior court, such court,
25 upon application of a defendant, must or may order recognizance or bail
26 as follows:

27 1. When the defendant is charged with an offense or offenses of less
28 than felony grade only, the court must order recognizance or [~~bail~~]
29 release under non-monetary conditions, or bail in accordance with this
30 section.

31 2. When the defendant is charged with a felony, the court may, in its
32 discretion, order recognizance [~~or~~], release under non-monetary condi-
33 tions or bail. In any such case in which an indictment (a) has resulted
34 from an order of a local criminal court holding the defendant for the
35 action of the grand jury, or (b) was filed at a time when a felony
36 complaint charging the same conduct was pending in a local criminal
37 court, and in which such local criminal court or a superior court judge
38 has issued an order of recognizance [~~or~~], release under non-monetary
39 conditions or bail which is still effective, the superior court's order
40 may be in the form of a direction continuing the effectiveness of the
41 previous order.

42 3. With respect to any charge for which bail or remand is not ordered,
43 a defendant may, at any time, request that the court set bail in a nomi-
44 nal amount requested by the defendant in the form specified in paragraph
45 (a) of subdivision one of section 520.10 of this title; if the court is
46 satisfied that the request is voluntary, the court shall set such bail
47 in such amount.

48 4. Notwithstanding the provisions of subdivision two of this section,
49 a superior court may not order recognizance, release under non-monetary
50 conditions or bail, or permit a defendant to remain at liberty pursuant
51 to an existing order, after [~~he~~] the defendant has been convicted of
52 either: (a) a class A felony or (b) any class B or class C felony as
53 defined in article one hundred thirty of the penal law committed or
54 attempted to be committed by a person eighteen years of age or older
55 against a person less than eighteen years of age. In either case the
56 court must commit or remand the defendant to the custody of the sheriff.

1 ~~[4-]~~ 5. Notwithstanding the provisions of subdivision two of this
2 section, a superior court may not order recognizance, release under
3 non-monetary conditions or bail when the defendant is charged with a
4 felony unless and until the district attorney has had an opportunity to
5 be heard in the matter and such court has been furnished with a report
6 as described in subparagraph (ii) of paragraph (b) of subdivision two of
7 section 530.20 of this article.

8 § 72. Subdivision 1 of section 530.45 of the criminal procedure law,
9 as amended by chapter 264 of the laws of 2003, is amended to read as
10 follows:

11 1. When the defendant is at liberty in the course of a criminal action
12 as a result of a prior order of recognizance, release under non-monetary
13 conditions or bail and the court revokes such order and then ~~[either]~~,
14 where authorized, fixes no bail or fixes bail in a greater amount or in
15 a more burdensome form than was previously fixed and remands or commits
16 defendant to the custody of the sheriff, or issues a more restrictive
17 securing order, a judge designated in subdivision two of this section,
18 upon application of the defendant following conviction of an offense
19 other than a class A felony or a class B or class C felony offense as
20 defined in article one hundred thirty of the penal law committed or
21 attempted to be committed by a person eighteen years of age or older
22 against a person less than eighteen years of age, and before sentencing,
23 may issue a securing order and ~~[either]~~ release the defendant on ~~[his]~~
24 the defendant's own recognizance, release the defendant under non-mone-
25 tary conditions, or fix bail~~[7]~~ or fix bail in a lesser amount or in a
26 less burdensome form, or issue a less restrictive securing order, than
27 fixed by the court in which the conviction was entered.

28 § 73. Section 530.60 of the criminal procedure law, subdivision 1 as
29 amended by chapter 565 of the laws of 2011, subdivision 2 as added by
30 chapter 788 of the laws of 1981 and paragraph (a) of subdivision 2 as
31 amended by chapter 794 of the laws of 1986, is amended to read as
32 follows:

33 § 530.60 ~~[Order of recognizance or bail; revocation thereof]~~ Certain
34 modifications of a securing order.

35 1. Whenever in the course of a criminal action or proceeding a defend-
36 ant is at liberty as a result of an order of recognizance, release under
37 non-monetary conditions or bail issued pursuant to this chapter, and the
38 court considers it necessary to review such order, it may, and by a
39 bench warrant if necessary, require the defendant to appear before the
40 court. Upon such appearance, the court, for good cause shown, may revoke
41 the order of recognizance, release under non-monetary conditions, or
42 bail. If the defendant is entitled to recognizance, release under non-
43 monetary conditions, or bail as a matter of right, the court must issue
44 another such order. If ~~[he or she]~~ the defendant is not, the court may
45 either issue such an order or commit the defendant to the custody of the
46 sheriff in accordance with this section.

47 Where the defendant is committed to the custody of the sheriff and is
48 held on a felony complaint, a new period as provided in section 180.80
49 of this chapter shall commence to run from the time of the defendant's
50 commitment under this subdivision.

51 2. (a) Whenever in the course of a criminal action or proceeding a
52 defendant charged with the commission of a felony is at liberty as a
53 result of an order of recognizance, release under non-monetary condi-
54 tions or bail issued pursuant to this article it shall be grounds for
55 revoking such order that the court finds reasonable cause to believe the
56 defendant committed one or more specified class A or violent felony

1 offenses or intimidated a victim or witness in violation of [~~sections~~
2 section 215.15, 215.16 or 215.17 of the penal law while at liberty.

3 (b) Before revoking an order of recognizance, release under non-mone-
4 tary conditions, or bail pursuant to this subdivision, the court must
5 hold a hearing and shall receive any relevant, admissible evidence not
6 legally privileged. The defendant may cross-examine witnesses and may
7 present relevant, admissible evidence on his own behalf. Such hearing
8 may be consolidated with, and conducted at the same time as, a felony
9 hearing conducted pursuant to article one hundred eighty of this chap-
10 ter. A transcript of testimony taken before the grand jury upon presen-
11 tation of the subsequent offense shall be admissible as evidence during
12 the hearing. The district attorney may move to introduce grand jury
13 testimony of a witness in lieu of that witness' appearance at the hear-
14 ing.

15 [~~(b)~~] (c) Revocation of an order of recognizance, release under non-
16 monetary conditions or bail and a new securing order fixing bail or
17 commitment, as specified in this paragraph and pursuant to this subdivi-
18 sion shall be for the following periods, either:

19 (i) For a period not to exceed ninety days exclusive of any periods of
20 adjournment requested by the defendant; or

21 (ii) Until the charges contained within the accusatory instrument have
22 been reduced or dismissed such that no count remains which charges the
23 defendant with commission of a felony; or

24 (iii) Until reduction or dismissal of the charges contained within the
25 accusatory instrument charging the subsequent offense such that no count
26 remains which charges the defendant with commission of a class A or
27 violent felony offense.

28 Upon expiration of any of the three periods specified within this
29 paragraph, whichever is shortest, the court may grant or deny release
30 upon an order of bail or recognizance in accordance with the provisions
31 of this article. Upon conviction to an offense the provisions of article
32 five hundred thirty of this chapter shall apply.

33 (d) Notwithstanding the provisions of paragraph (a) of this subdivi-
34 sion a defendant, against whom a felony complaint has been filed which
35 charges the defendant with commission of a class A or violent felony
36 offense or violation of section 215.15, 215.16 or 215.17 of the penal
37 law committed while he was at liberty as specified therein, may be
38 committed to the custody of the sheriff pending a revocation hearing for
39 a period not to exceed seventy-two hours. An additional period not to
40 exceed seventy-two hours may be granted by the court upon application of
41 the district attorney upon a showing of good cause or where the failure
42 to commence the hearing was due to the defendant's request or occurred
43 with his consent. Such good cause must consist of some compelling fact
44 or circumstance which precluded conducting the hearing within the
45 initial prescribed period.

46 § 74. Paragraph (a) of subdivision 9 of section 216.05 of the criminal
47 procedure law, as amended by chapter 258 of the laws of 2015, is amended
48 to read as follows:

49 (a) If at any time during the defendant's participation in the judi-
50 cial diversion program, the court has reasonable grounds to believe that
51 the defendant has violated a release condition or has failed to appear
52 before the court as requested, the court, shall direct the defendant to
53 appear or issue a bench warrant to a police officer or an appropriate
54 peace officer directing him or her to take the defendant into custody
55 and bring the defendant before the court without unnecessary delay;
56 provided, however, that under no circumstances shall a defendant who

1 requires treatment for opioid abuse or dependence be deemed to have
2 violated a release condition on the basis of his or her participation in
3 medically prescribed drug treatments under the care of a health care
4 professional licensed or certified under title eight of the education
5 law, acting within his or her lawful scope of practice. The provisions
6 of subdivision one of section 530.60 of this chapter relating to [~~revo-~~
7 ~~cation of recognizance or bail~~] issuance of securing orders shall apply
8 to such proceedings under this subdivision.

9 § 75. Section 410.60 of the criminal procedure law, as amended by
10 chapter 652 of the laws of 2008, is amended to read as follows:

11 § 410.60 Appearance before court.

12 A person who has been taken into custody pursuant to section 410.40 or
13 section 410.50 of this article for violation of a condition of a
14 sentence of probation or a sentence of conditional discharge must forth-
15 with be brought before the court that imposed the sentence. Where a
16 violation of probation petition and report has been filed and the person
17 has not been taken into custody nor has a warrant been issued, an
18 initial court appearance shall occur within ten business days of the
19 court's issuance of a notice to appear. If the court has reasonable
20 cause to believe that such person has violated a condition of the
21 sentence, it may commit [~~him~~] such person to the custody of the sheriff
22 [~~or~~], fix bail, release such person under non-monetary conditions or
23 release such person on [~~his~~] such person's own recognizance for future
24 appearance at a hearing to be held in accordance with section 410.70 of
25 this article. If the court does not have reasonable cause to believe
26 that such person has violated a condition of the sentence, it must
27 direct that [~~he~~] such person be released.

28 § 76. This act shall take effect immediately; provided, however,
29 that:

30 (a) sections seven, eight, nine, ten, eleven and twelve of this act
31 shall expire and be deemed repealed ten years after such date, provided,
32 however, that such repeal shall only occur if no property interests have
33 been acquired pursuant to such sections; provided further that the
34 commissioner of the department of transportation shall notify the legis-
35 lative bill drafting commission upon the occurrence of the repeal of the
36 legislation provided for in such sections in order that the commission
37 may maintain an accurate and timely effective data base of the official
38 text of the laws of the state of New York in furtherance of effectuating
39 the provisions of section 44 of the legislative law and section 70-b of
40 the public officers law;

41 (a-1) the amendments to section 1180-b of the vehicle and traffic law
42 made by sections twenty, twenty-one, twenty-two and twenty-three of this
43 act shall not affect the repeal of such section and shall be deemed
44 repealed therewith; and provided further that the amendments to para-
45 graph 2 of subdivision (a) of section 1180-b of the vehicle and traffic
46 law made by section twenty-one of this act shall take effect on the
47 ninetieth day after this act shall have become a law; and provided
48 further that sections twenty-seven through forty of this act shall take
49 effect on the thirtieth day after it shall have become a law and shall
50 expire 4 years after such effective date when upon such date the
51 provisions of sections twenty-seven through forty of this act shall be
52 deemed repealed; and provided further that any rules necessary for the
53 implementation of this act on its effective date shall be promulgated on
54 or before such effective date, provided that:

55 (a-2) the amendments to subdivision 1 of section 235 of the vehicle
56 and traffic law made by section twenty-seven of this act shall not

1 affect the expiration of such section and shall be deemed to expire
2 therewith, when upon such date the provisions of section twenty-eight of
3 this act shall take effect;

4 (a-3) the amendments to section 235 of the vehicle and traffic law
5 made by section twenty-eight of this act shall not affect the expiration
6 of such section and shall be deemed to expire therewith, when upon such
7 date the provisions of section twenty-eight-a of this act shall take
8 effect;

9 (a-4) the amendments to section 235 of the vehicle and traffic law
10 made by section twenty-eight-a of this act shall not affect the expira-
11 tion of such section and shall be deemed to expire therewith, when upon
12 such date the provisions of section twenty-eight-b of this act shall
13 take effect;

14 (a-5) the amendments to section 235 of the vehicle and traffic law
15 made by section twenty-eight-b of this act shall not affect the expira-
16 tion of such section and shall be deemed to expire therewith, when upon
17 such date the provisions of section twenty-eight-c of this act shall
18 take effect;

19 (a-6) the amendments to section 235 of the vehicle and traffic law
20 made by section twenty-eight-c of this act shall not affect the expira-
21 tion of such section and shall be deemed to expire therewith, when upon
22 such date the provisions of section twenty-eight-d of this act shall
23 take effect;

24 (a-7) the amendments to section 235 of the vehicle and traffic law
25 made by section twenty-eight-d of this act shall not affect the expira-
26 tion of such section and shall be deemed to expire therewith, when upon
27 such date the provisions of section twenty-eight-e of this act shall
28 take effect;

29 (a-8) the amendments to section 235 of the vehicle and traffic law
30 made by section twenty-eight-e of this act shall not affect the expira-
31 tion of such section and shall be deemed to expire therewith, when upon
32 such date the provisions of section twenty-eight-f of this act shall
33 take effect;

34 (b) the amendments to subdivision 1 of section 236 of the vehicle and
35 traffic law made by section twenty-nine of this act shall not affect the
36 expiration of such subdivision and shall be deemed to expire therewith,
37 when upon such date the provisions of section twenty-nine-a of this act
38 shall take effect;

39 (b-1) the amendments to subdivision 1 of section 236 of the vehicle
40 and traffic law made by section twenty-nine-a of this act shall not
41 affect the expiration of such subdivision and shall be deemed to expire
42 therewith, when upon such date the provisions of section twenty-nine-b
43 of this act shall take effect;

44 (b-2) the amendments to subdivision 1 of section 236 of the vehicle
45 and traffic law made by section twenty-nine-b of this act shall not
46 affect the expiration of such subdivision and shall be deemed to expire
47 therewith, when upon such date the provisions of section twenty-nine-c
48 of this act shall take effect;

49 (b-3) the amendments to subdivision 1 of section 236 of the vehicle
50 and traffic law made by section twenty-nine-c of this act shall not
51 affect the expiration of such subdivision and shall be deemed to expire
52 therewith, when upon such date the provisions of section twenty-nine-d
53 of this act shall take effect;

54 (b-4) the amendments to subdivision 1 of section 236 of the vehicle
55 and traffic law made by section twenty-nine-d of this act shall not
56 affect the expiration of such subdivision and shall be deemed to expire

1 therewith, when upon such date the provisions of section twenty-nine-e
2 of this act shall take effect;

3 (b-5) the amendments to subdivision 1 of section 236 of the vehicle
4 and traffic law made by section twenty-nine-e of this act shall not
5 affect the expiration of such subdivision and shall be deemed to expire
6 therewith, when upon such date the provisions of section twenty-nine-f
7 of this act shall take effect;

8 (c) the amendments to paragraph f of subdivision 1 of section 239 of
9 the vehicle and traffic law made by section thirty-one of this act shall
10 not affect the expiration of such paragraph and shall be deemed to
11 expire therewith, when upon such date the provisions of section thirty-
12 one-a of this act shall take effect;

13 (c-1) the amendments to paragraph f of subdivision 1 of section 239 of
14 the vehicle and traffic law made by section thirty-one-a of this act
15 shall not affect the expiration of such paragraph and shall be deemed to
16 expire therewith, when upon such date the provisions of section thirty-
17 one-b of this act shall take effect;

18 (c-2) the amendments to paragraph f of subdivision 1 of section 239 of
19 the vehicle and traffic law made by section thirty-one-b of this act
20 shall not affect the expiration of such paragraph and shall be deemed to
21 expire therewith, when upon such date the provisions of section thirty-
22 one-c of this act shall take effect;

23 (c-3) the amendments to paragraph f of subdivision 1 of section 239 of
24 the vehicle and traffic law made by section thirty-one-c of this act
25 shall not affect the expiration of such paragraph and shall be deemed to
26 expire therewith, when upon such date the provisions of section thirty-
27 one-d of this act shall take effect;

28 (c-4) the amendments to paragraph f of subdivision 1 of section 239 of
29 the vehicle and traffic law made by section thirty-one-d of this act
30 shall not affect the expiration of such paragraph and shall be deemed to
31 expire therewith, when upon such date the provisions of section thirty-
32 one-e of this act shall take effect;

33 (c-5) the amendments to paragraph f of subdivision 1 of section 239 of
34 the vehicle and traffic law made by section thirty-one-e of this act
35 shall not affect the expiration of such paragraph and shall be deemed to
36 expire therewith, when upon such date the provisions of section thirty-
37 one-f of this act shall take effect;

38 (d) the amendments to subdivisions 1 and 1-a of section 240 of the
39 vehicle and traffic law made by section thirty-two of this act shall not
40 affect the expiration of such subdivisions and shall be deemed to expire
41 therewith, when upon such date the provisions of section thirty-two-a of
42 this act shall take effect;

43 (d-1) the amendments to subdivisions 1 and 1-a of section 240 of the
44 vehicle and traffic law made by section thirty-two-a of this act shall
45 not affect the expiration of such subdivisions and shall be deemed to
46 expire therewith, when upon such date the provisions of section thirty-
47 two-b of this act shall take effect;

48 (d-2) the amendments to subdivisions 1 and 1-a of section 240 of the
49 vehicle and traffic law made by section thirty-two-b of this act shall
50 not affect the expiration of such subdivisions and shall be deemed to
51 expire therewith, when upon such date the provisions of section thirty-
52 two-c of this act shall take effect;

53 (d-3) the amendments to subdivisions 1 and 1-a of section 240 of the
54 vehicle and traffic law made by section thirty-two-c of this act shall
55 not affect the expiration of such subdivisions and shall be deemed to

1 expire therewith, when upon such date the provisions of section thirty-
2 two-d of this act shall take effect;

3 (d-4) the amendments to subdivisions 1 and 1-a of section 240 of the
4 vehicle and traffic law made by section thirty-two-d of this act shall
5 not affect the expiration of such subdivisions and shall be deemed to
6 expire therewith, when upon such date the provisions of section thirty-
7 two-e of this act shall take effect;

8 (d-5) the amendments to subdivisions 1 and 1-a of section 240 of the
9 vehicle and traffic law made by section thirty-two-e of this act shall
10 not affect the expiration of such subdivisions and shall be deemed to
11 expire therewith, when upon such date the provisions of section thirty-
12 two-f of this act shall take effect;

13 (e) the amendments to paragraphs a and g of subdivision 2 of section
14 240 of the vehicle and traffic law made by section thirty-three of this
15 act shall not affect the expiration of such paragraphs and shall be
16 deemed to expire therewith, when upon such date the provisions of
17 section thirty-three-a of this act shall take effect;

18 (e-1) the amendments to paragraphs a and g of subdivision 2 of section
19 240 of the vehicle and traffic law made by section thirty-three-a of
20 this act shall not affect the expiration of such paragraphs and shall be
21 deemed to expire therewith, when upon such date the provisions of
22 section thirty-three-b of this act shall take effect;

23 (e-2) the amendments to paragraphs a and g of subdivision 2 of section
24 240 of the vehicle and traffic law made by section thirty-three-b of
25 this act shall not affect the expiration of such paragraphs and shall be
26 deemed to expire therewith, when upon such date the provisions of
27 section thirty-three-c of this act shall take effect;

28 (e-3) the amendments to paragraphs a and g of subdivision 2 of section
29 240 of the vehicle and traffic law made by section thirty-three-c of
30 this act shall not affect the expiration of such paragraphs and shall be
31 deemed to expire therewith, when upon such date the provisions of
32 section thirty-three-d of this act shall take effect;

33 (e-4) the amendments to paragraphs a and g of subdivision 2 of section
34 240 of the vehicle and traffic law made by section thirty-three-d of
35 this act shall not affect the expiration of such paragraphs and shall be
36 deemed to expire therewith, when upon such date the provisions of
37 section thirty-three-e of this act shall take effect;

38 (e-5) the amendments to paragraphs a and g of subdivision 2 of section
39 240 of the vehicle and traffic law made by section thirty-three-e of
40 this act shall not affect the expiration of such paragraphs and shall be
41 deemed to expire therewith, when upon such date the provisions of
42 section thirty-three-f of this act shall take effect;

43 (f) the amendments to subdivisions 1 and 2 of section 241 of the vehi-
44 cle and traffic law made by section thirty-four of this act shall not
45 affect the expiration of such subdivisions and shall be deemed to expire
46 therewith, when upon such date the provisions of section thirty-four-a
47 of this act shall take effect;

48 (f-1) the amendments to subdivisions 1 and 2 of section 241 of the
49 vehicle and traffic law made by section thirty-four-a of this act shall
50 not affect the expiration of such subdivisions and shall be deemed to
51 expire therewith, when upon such date the provisions of section thirty-
52 four-b of this act shall take effect;

53 (f-2) the amendments to subdivisions 1 and 2 of section 241 of the
54 vehicle and traffic law made by section thirty-four-b of this act shall
55 not affect the expiration of such subdivisions and shall be deemed to

1 expire therewith, when upon such date the provisions of section thirty-
2 four-c of this act shall take effect;

3 (f-3) the amendments to subdivisions 1 and 2 of section 241 of the
4 vehicle and traffic law made by section thirty-four-c of this act shall
5 not affect the expiration of such subdivisions and shall be deemed to
6 expire therewith, when upon such date the provisions of section thirty-
7 four-d of this act shall take effect;

8 (f-4) the amendments to subdivisions 1 and 2 of section 241 of the
9 vehicle and traffic law made by section thirty-four-d of this act shall
10 not affect the expiration of such subdivisions and shall be deemed to
11 expire therewith, when upon such date the provisions of section thirty-
12 four-e of this act shall take effect;

13 (f-5) the amendments to subdivisions 1 and 2 of section 241 of the
14 vehicle and traffic law made by section thirty-four-e of this act shall
15 not affect the expiration of such subdivisions and shall be deemed to
16 expire therewith, when upon such date the provisions of section thirty-
17 four-f of this act shall take effect;

18 (g) the amendments to subdivision 1 of section 1809 of the vehicle and
19 traffic law made by section thirty-six of this act shall not affect the
20 expiration of such subdivision and shall be deemed to expire therewith,
21 when upon such date the provisions of section thirty-six-a of this act
22 shall take effect;

23 (g-1) the amendments to subdivision 1 of section 1809 of the vehicle
24 and traffic law made by section thirty-six-a of this act shall not
25 affect the expiration of such subdivision and shall be deemed to expire
26 therewith, when upon such date the provisions of section thirty-six-b of
27 this act shall take effect;

28 (g-2) the amendments to subdivision 1 of section 1809 of the vehicle
29 and traffic law made by section thirty-six-b of this act shall not
30 affect the expiration of such subdivision and shall be deemed to expire
31 therewith, when upon such date the provisions of section thirty-six-c of
32 this act shall take effect;

33 (g-3) the amendments to subdivision 1 of section 1809 of the vehicle
34 and traffic law made by section thirty-six-c of this act shall not
35 affect the expiration of such subdivision and shall be deemed to expire
36 therewith, when upon such date the provisions of section thirty-six-d of
37 this act shall take effect;

38 (g-4) the amendments to subdivision 1 of section 1809 of the vehicle
39 and traffic law made by section thirty-six-d of this act shall not
40 affect the expiration of such subdivision and shall be deemed to expire
41 therewith, when upon such date the provisions of section thirty-six-e of
42 this act shall take effect;

43 (g-5) the amendments to subdivision 1 of section 1809 of the vehicle
44 and traffic law made by section thirty-six-e of this act shall not
45 affect the expiration of such subdivision and shall be deemed to expire
46 therewith, when upon such date the provisions of section thirty-six-f of
47 this act shall take effect;

48 (g-6) the amendments to subdivision 1 of section 1809 of the vehicle
49 and traffic law made by section thirty-six-f of this act shall not
50 affect the expiration of such subdivision and shall be deemed to expire
51 therewith, when upon such date the provisions of section thirty-six-g of
52 this act shall take effect;

53 (h) the amendments to paragraph a of subdivision 1 of section 1809-e
54 of the vehicle and traffic law made by section thirty-seven of this act
55 shall not affect the expiration of such paragraph and shall be deemed to

1 expire therewith, when upon such date the provisions of section thirty-
2 seven-a of this act shall take effect;

3 (h-1) the amendments to paragraph a of subdivision 1 of section 1809-e
4 of the vehicle and traffic law made by section thirty-seven-a of this
5 act shall not affect the expiration of such paragraph and shall be
6 deemed to expire therewith, when upon such date the provisions of
7 section thirty-seven-b of this act shall take effect;

8 (h-2) the amendments to paragraph a of subdivision 1 of section 1809-e
9 of the vehicle and traffic law made by section thirty-seven-b of this
10 act shall not affect the expiration of such paragraph and shall be
11 deemed to expire therewith, when upon such date the provisions of
12 section thirty-seven-c of this act shall take effect;

13 (h-3) the amendments to paragraph a of subdivision 1 of section 1809-e
14 of the vehicle and traffic law made by section thirty-seven-c of this
15 act shall not affect the expiration of such paragraph and shall be
16 deemed to expire therewith, when upon such date the provisions of
17 section thirty-seven-d of this act shall take effect;

18 (h-4) the amendments to paragraph a of subdivision 1 of section 1809-e
19 of the vehicle and traffic law made by section thirty-seven-d of this
20 act shall not affect the expiration of such paragraph and shall be
21 deemed to expire therewith, when upon such date the provisions of
22 section thirty-seven-e of this act shall take effect;

23 (h-5) the amendments to paragraph a of subdivision 1 of section 1809-e
24 of the vehicle and traffic law made by section thirty-seven-e of this
25 act shall not affect the expiration of such paragraph and shall be
26 deemed to expire therewith, when upon such date the provisions of
27 section thirty-seven-f of this act shall take effect;

28 (i) the amendments to subparagraph (i) of paragraph a of subdivision
29 5-a of section 401 of the vehicle and traffic law made by section thir-
30 ty-eight of this act shall not affect the expiration of such paragraph
31 and shall be deemed to expire therewith, when upon such date the
32 provisions of section thirty-eight-a of this act shall take effect;

33 (i-1) the amendments to paragraph a of subdivision 5-a of section 401
34 of the vehicle and traffic law made by section thirty-eight-a of this
35 act shall not affect the expiration of such paragraph and shall be
36 deemed to expire therewith, when upon such date the provisions of
37 section thirty-eight-b of this act shall take effect;

38 (i-2) the amendments to paragraph a of subdivision 5-a of section 401
39 of the vehicle and traffic law made by section thirty-eight-b of this
40 act shall not affect the expiration of such paragraph and shall be
41 deemed to expire therewith, when upon such date the provisions of
42 section thirty-eight-c of this act shall take effect;

43 (i-3) the amendments to paragraph a of subdivision 5-a of section 401
44 of the vehicle and traffic law made by section thirty-eight-c of this
45 act shall not affect the expiration of such paragraph and shall be
46 deemed to expire therewith, when upon such date the provisions of
47 section thirty-eight-d of this act shall take effect;

48 (i-4) the amendments to paragraph a of subdivision 5-a of section 401
49 of the vehicle and traffic law made by section thirty-eight-d of this
50 act shall not affect the expiration of such paragraph and shall be
51 deemed to expire therewith, when upon such date the provisions of
52 section thirty-eight-e of this act shall take effect;

53 (i-5) the amendments to paragraph a of subdivision 5-a of section 401
54 of the vehicle and traffic law made by section thirty-eight-e of this
55 act shall not affect the expiration of such paragraph and shall be

1 deemed to expire therewith, when upon such date the provisions of
2 section thirty-eight-f of this act shall take effect; and

3 (i-6) the amendments to paragraph a of subdivision 5-a of section 401
4 of the vehicle and traffic law made by section thirty-eight-f of this
5 act shall not affect the expiration of such paragraph and shall be
6 deemed to expire therewith, when upon such date the provisions of
7 section thirty-eight-g of this act shall take effect;

8 (j) sections forty-one through fifty-five of this act shall take
9 effect on the thirtieth day after it shall have become a law and shall
10 expire 5 years after such effective date when upon such date the
11 provisions of sections forty-one through fifty-five of this act shall be
12 deemed repealed; and provided further that any rules necessary for the
13 implementation of this act on its effective date shall be promulgated on
14 or before such effective date, provided that:

15 (j-1) the amendments to subparagraph (i) of paragraph a of subdivision
16 5-a of section 401 of the vehicle and traffic law made by section
17 forty-one of this act shall not affect the expiration of such paragraph
18 and shall be deemed to expire therewith, when upon such date the
19 provisions of section one-a of this act shall take effect;

20 (k) the amendments to paragraph a of subdivision 5-a of section 401 of
21 the vehicle and traffic law made by section forty-one-a of this act
22 shall not affect the expiration of such paragraph and shall be deemed to
23 expire therewith, when upon such date the provisions of section forty-
24 one-b of this act shall take effect;

25 (l) the amendments to paragraph a of subdivision 5-a of section 401 of
26 the vehicle and traffic law made by section forty-one-b of this act
27 shall not affect the expiration of such paragraph and shall be deemed to
28 expire therewith, when upon such date the provisions of section forty-
29 one-c of this act shall take effect;

30 (m) the amendments to paragraph a of subdivision 5-a of section 401 of
31 the vehicle and traffic law made by section forty-one-c of this act
32 shall not affect the expiration of such paragraph and shall be deemed to
33 expire therewith, when upon such date the provisions of section forty-
34 one-d of this act shall take effect;

35 (n) the amendments to paragraph a of subdivision 5-a of section 401 of
36 the vehicle and traffic law made by section forty-one-d of this act
37 shall not affect the expiration of such paragraph and shall be deemed to
38 expire therewith, when upon such date the provisions of section forty-
39 one-e of this act shall take effect;

40 (o) the amendments to paragraph a of subdivision 5-a of section 401 of
41 the vehicle and traffic law made by section forty-one-e of this act
42 shall not affect the expiration of such paragraph and shall be deemed to
43 expire therewith, when upon such date the provisions of section forty-
44 one-f of this act shall take effect;

45 (p) the amendments to paragraph a of subdivision 5-a of section 401 of
46 the vehicle and traffic law made by section forty-one-f of this act
47 shall not affect the expiration of such paragraph and shall be deemed to
48 expire therewith, when upon such date the provisions of section forty-
49 one-g of this act shall take effect;

50 (q) the amendments to subdivision 1 of section 1809 of the vehicle and
51 traffic law made by section forty-three of this act shall not affect the
52 expiration of such subdivision and shall be deemed to expire therewith,
53 when upon such date the provisions of section forty-three-a of this act
54 shall take effect;

55 (r) the amendments to subdivision 1 of section 1809 of the vehicle and
56 traffic law made by section forty-three-a of this act shall not affect

1 the expiration of such subdivision and shall be deemed to expire there-
2 with, when upon such date the provisions of section forty-three-b of
3 this act shall take effect;

4 (s) the amendments to subdivision 1 of section 1809 of the vehicle and
5 traffic law made by section forty-three-b of this act shall not affect
6 the expiration of such subdivision and shall be deemed to expire there-
7 with, when upon such date the provisions of section forty-three-c of
8 this act shall take effect;

9 (t) the amendments to subdivision 1 of section 1809 of the vehicle and
10 traffic law made by section forty-three-c of this act shall not affect
11 the expiration of such subdivision and shall be deemed to expire there-
12 with, when upon such date the provisions of section forty-three-d of
13 this act shall take effect;

14 (u) the amendments to subdivision 1 of section 1809 of the vehicle and
15 traffic law made by section forty-three-d of this act shall not affect
16 the expiration of such subdivision and shall be deemed to expire there-
17 with, when upon such date the provisions of section forty-three-e of
18 this act shall take effect;

19 (v) the amendments to subdivision 1 of section 1809 of the vehicle and
20 traffic law made by section forty-three-e of this act shall not affect
21 the expiration of such subdivision and shall be deemed to expire there-
22 with, when upon such date the provisions of section forty-three-f of
23 this act shall take effect;

24 (w) the amendments to subdivision 1 of section 1809 of the vehicle and
25 traffic law made by section forty-three-f of this act shall not affect
26 the expiration of such subdivision and shall be deemed to expire there-
27 with, when upon such date the provisions of section forty-three-g of
28 this act shall take effect;

29 (x) the amendments to paragraph a of subdivision 1 of section 1809-e
30 of the vehicle and traffic law made by section forty-four of this act
31 shall not affect the expiration of such paragraph and shall be deemed to
32 expire therewith, when upon such date the provisions of section forty-
33 four-a of this act shall take effect;

34 (y) the amendments to paragraph a of subdivision 1 of section 1809-e
35 of the vehicle and traffic law made by section forty-four-a of this act
36 shall not affect the expiration of such paragraph and shall be deemed to
37 expire therewith, when upon such date the provisions of section forty-
38 four-b of this act shall take effect;

39 (z) the amendments to paragraph a of subdivision 1 of section 1809-e
40 of the vehicle and traffic law made by section forty-four-b of this act
41 shall not affect the expiration of such paragraph and shall be deemed to
42 expire therewith, when upon such date the provisions of section forty-
43 four-c of this act shall take effect;

44 (aa) the amendments to paragraph a of subdivision 1 of section 1809-e
45 of the vehicle and traffic law made by section forty-four-c of this act
46 shall not affect the expiration of such paragraph and shall be deemed to
47 expire therewith, when upon such date the provisions of section forty-
48 four-d of this act shall take effect;

49 (bb) the amendments to paragraph a of subdivision 1 of section 1809-e
50 of the vehicle and traffic law made by section forty-four-d of this act
51 shall not affect the expiration of such paragraph and shall be deemed to
52 expire therewith, when upon such date the provisions of section forty-
53 four-e of this act shall take effect;

54 (cc) the amendments to paragraph a of subdivision 1 of section 1809-e
55 of the vehicle and traffic law made by section forty-four-e of this act
56 shall not affect the expiration of such paragraph and shall be deemed to

1 expire therewith, when upon such date the provisions of section forty-
2 four-f of this act shall take effect; and
3 (dd) the amendments to subdivision 3 of section 99-a of the state
4 finance law made by section fifty of this act shall not affect the expi-
5 ration of such subdivision and shall be deemed to expire therewith, when
6 upon such date the provisions of section fifty-one of this act shall
7 take effect;
8 (ee) section fifty-six of this act shall expire and be deemed repealed
9 4 years after such date; provided that, public works with requests for
10 qualifications issued prior to such repeal shall be permitted to contin-
11 ue under this act notwithstanding such repeal; and
12 (ff) sections seventeen, eighteen, nineteen, fifty-seven, fifty-eight,
13 fifty-nine, sixty, sixty-one, sixty-two, sixty-three, sixty-four,
14 sixty-five, sixty-six, sixty-seven, sixty-eight, sixty-nine, seventy,
15 seventy-one, seventy-two, seventy-three, seventy-four and seventy-five
16 of this act shall take effect on the sixtieth day after it shall have
17 become a law.