STATE OF NEW YORK

11238

IN ASSEMBLY

June 15, 2018

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Gunther) -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to requiring vehicle inspection renewal notification thirty days prior to expiration

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

Section 1. Section 304 of the vehicle and traffic law is amended by adding a new subdivision (d) to read as follows:

(d)(1) The department of motor vehicles shall notify individuals via postal mail that their vehicle inspection is subject to expiration thirty days before such expiration. Every owner of a motor vehicle which shall be operated or driven upon the public highways of this state shall, except as otherwise expressly provided, be contacted by mail or otherwise.

(2) The renewal notification shall contain: (A) a brief description of the motor vehicle that has an inspection that needs to be renewed, including the name and factory number of such vehicle, and such other facts as the commissioner shall require; (B) the name and residence, including county of the owner of such motor vehicle; (C) notification that such inspection shall expire at the end of the current month; and (D) such additional facts or evidence as the commissioner may require in connection with the letter of notification.

(3) The commissioner shall register the notification sent regarding such motor vehicle or trailer and maintain a record of such renewal notifications and the addresses to which such notifications were sent.

(4) It shall be the duty of every owner holding a certificate of registration to notify the commissioner in writing of any change of residence of such person within ten days after such change occurs, and to inscribe on such certificate, in the place provided by the commissioner, a record of such change of residence.

(5) Inspection renewal notifications shall take effect on the date determined by the commissioner.

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

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(6) The commissioner may promulgate such regulations as are necessary to effectuate the provisions of this subdivision.

§ 2. Subdivision (b) of section 306 of the vehicle and traffic law, as amended by chapter 608 of the laws of 1993, is amended to read as follows:

(b) No motor vehicle shall be operated or parked on the public highways of this state unless a certificate or certificates of inspection, as required by this article, is or are displayed upon the vehicle or affixed to the registration certificate for the vehicle as may be determined by the commissioner. The commissioner may, by regulation, provide for a temporary indicia of inspection to be placed on a motor vehicle which shall be valid as a certificate of inspection for a period not to exceed fifteen days upon the loss, theft, mutilation or destruction of a certificate of inspection. Any violation of this section that occurs while a motor vehicle is parked on the public highways of this state shall constitute a parking violation. Every agreement for the lease or rental of a motor vehicle for a period of not more than thirty days shall be deemed to provide that the lessor of such vehicle shall, in all respects, be substituted for the lessee or any person operating the vehicle in conformity with the lease or rental agreement in connection with any charge of violating this section, provided that any summons issued to the operator for violation of this section is turned over to the lessor. A violation of this subdivision shall be punishable by a fine of not less than fifty nor more than one hundred dollars for a first offense, and by a fine of not less than fifty nor more than two hundred dollars or by imprisonment for not more than fifteen days, or by both such fine and imprisonment, for each subsequent offense; provided however, that if the vehicle bears a certificate or certificates of inspection which was or were valid within the last sixty days, such violation shall be punishable by a fine of not less than twenty-five nor more than fifty dollars**; provided further however, there shall be a five day grace period after the expiration of such certificate, wherein operators of such vehicle shall not be found to be in violation of this subdivision**. **Such grace period shall be a complete defense to liability under this section.**

§ 3. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.