STATE OF NEW YORK

7297

2017-2018 Regular Sessions

IN ASSEMBLY

April 21, 2017

Introduced by M. of A. TITONE -- read once and referred to the Committee on Transportation

AN ACT to amend the New York city charter, in relation to service of notice of violation returnable to the environmental control board on the registered owner of a motor vehicle impounded by the department of sanitation of such city

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

Section 1. Clauses (iii) and (iv) of subparagraph (a) of paragraph 2 of subdivision d of section 1049-a of the New York city charter, clause (iii) as amended and clause (iv) as added by chapter 163 of the laws of 2000 and such section as renumbered by local law number 35 of the local laws of the city of New York for the year 2008, are amended and a new clause (v) is added to read as follows:

(iii) service of a notice of violation of any provision of the administrative code relating to the prevention of noise pollution caused by an audible motor vehicle burglar alarm and over which the environmental control board has jurisdiction may be served upon the owner of a motor vehicle by affixing such notice to said vehicle in a conspicuous place; [~~and~~]

(iv) service of a notice of violation of any of the provisions of section 10-119 or 10-120 of the administrative code of the city of New York and over which the environmental control board has jurisdiction, may be made by certified mail, return receipt requested, to the respondent's last known residence or business address, provided that delivery of such notice shall be restricted to the respondent. Service by certified mail shall be deemed complete upon mailing of the notice of violation unless the notice of violation is returned to the sender by the United States postal service for any reason other than refusal of delivery[~~.~~]*; and*

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

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(v) service of a notice of violation of any provision of the administrative code of the city of New York on a respondent who is the registered owner of a motor vehicle impounded by the department of sanitation in connection with the violation for which the notice of violation is to be served may be made by certified mail to the address at which the vehicle is registered, provided that delivery is restricted to the respondent. Service by certified mail is deemed complete upon mailing of the notice of violation.

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law.