

STATE OF NEW YORK

8248--A

2017-2018 Regular Sessions

IN ASSEMBLY

June 2, 2017

Introduced by M. of A. MORELLE, STIRPE, FAHY, D'URSO, WALKER, ROZIC, QUART, THIELE, L. ROSENTHAL, SKOUFIS, SEPULVEDA, PAULIN, CARROLL, BUCHWALD, MOSLEY, GALEF, SIMOTAS, BARRON, LUPARDO, COLTON, SIMON, DICKENS, CAHILL, LIFTON, VANEL -- Multi-Sponsored by -- M. of A. ERRI-GO, MONTESANO, SKARTADOS -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to certificates of registration for entities that manufacture or assemble zero emissions vehicles

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

Section 1. Subparagraph (iii) of paragraph f of subdivision 7 of section 415 of the vehicle and traffic law, as amended by chapter 26 of the laws of 2014, is amended to read as follows:

(iii) (1) Notwithstanding any other provision of this paragraph or any provision of paragraph (bb) of subdivision two of section four hundred sixty-three of this title, the commissioner may issue and renew ~~[any]~~ a certificate of registration ~~[that was issued]~~ to a franchisor, manufacturer, distributor, distributor branch or factory branch, as such terms are defined in section four hundred sixty-two of this title, or to any subsidiary, affiliate or controlled entity thereof~~[, prior to March twenty-sixth, two thousand fourteen]~~; provided, however, that such franchisor, manufacturer, distributor, distributor branch or factory branch, or any subsidiary, affiliate or controlled entity thereof, (A) held a certificate of registration as of March twenty-sixth, two thousand fourteen, (B) is a manufacturer that manufactures or assembles exclusively zero emissions vehicles, or is a subsidiary, affiliate, or controlled entity of such a manufacturer, and (C) holds no more than twenty certifi-

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

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1 icates of registration at any one time; and provided further that a
2 controlling interest in such original franchisor, manufacturer, distrib-
3 utor, distributor branch or factory branch or any subsidiary, affiliate
4 or controlled entity was not transferred, sold or conveyed to another
5 person or entity, other than to a subsidiary, affiliate or controlled
6 entity of such franchisor, manufacturer, distributor, distributor branch
7 or factory branch. For purposes of this paragraph, zero emission vehi-
8 cles shall have the same meaning as under part two hundred eighteen of
9 title six of the New York code of rules and regulations.

10 (2) Notwithstanding any section of law, rule, or regulation to the
11 contrary, any franchisor, manufacturer, distributor, distributor branch
12 or factory branch, or any subsidiary, affiliate or controlled entity
13 thereof that obtains a new certificate of registration pursuant to this
14 subparagraph on and after the effective date of this clause shall offer
15 repair service to repair any zero emissions vehicles sold or leased by
16 said franchisor, manufacturer, distributor, distributor branch or any
17 factory branch, or any subsidiary, affiliate or controlled entity there-
18 of.

19 (3) Notwithstanding any section of law, rule, or regulation to the
20 contrary, any franchisor, manufacturer, distributor, distributor branch
21 or factory branch, or any subsidiary, affiliate or controlled entity
22 thereof that obtains a new certificate of registration pursuant to this
23 subparagraph on and after the effective date of this clause shall main-
24 tain at least one certificate of registration in each of the following
25 regions:

26 (A) Region one shall consist of Columbia, Delaware, Dutchess, Greene,
27 Orange, Sullivan, Putnam, and Ulster counties;

28 (B) Region two shall consist of Albany, Clinton, Essex, Franklin,
29 Fulton, Hamilton, Montgomery, Rensselaer, Saratoga, Schenectady, Scho-
30 harie, Warren, and Washington counties;

31 (C) Region three shall consist of Broome, Cayuga, Chenango, Cortland,
32 Herkimer, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego, Otsego,
33 St. Lawrence, Tioga, and Tompkins counties;

34 (D) Region four shall consist of Chemung, Livingston, Monroe, Ontario,
35 Seneca, Schuyler, Steuben, Wayne and Yates counties; and

36 (D) Region five shall consist of Allegany, Cattaraugus, Chautauqua,
37 Erie, Genesee, Niagara, Orleans and Wyoming counties.

38 § 2. This act shall take effect immediately.