

STATE OF NEW YORK

9060

IN ASSEMBLY

January 18, 2018

Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to rental vehicle electronic tolling

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

1 Section 1. Subdivision 1 of section 396-z of the general business law
2 is amended by adding a new paragraph (k) to read as follows:

3 (k) "Electronic tolling transponder" means a device capable of trans-
4 mitting information from a motor vehicle to a toll lane for the purpose
5 of charging an account the appropriate toll or charge in an electronic
6 toll collection system, as defined by subdivision twelve of section
7 twenty-nine hundred eighty-five of the public authorities law.

8 § 2. Subdivision 1 of section 396-z of the general business law is
9 amended by adding a new paragraph (d) to read as follows:

10 (d) "Electronic tolling transponder" means a device capable of trans-
11 mitting information from a motor vehicle to a toll lane for the purpose
12 of charging an account the appropriate toll or charge in an electronic
13 toll collection system, as defined by subdivision twelve of section
14 twenty-nine hundred eighty-five of the public authorities law.

15 § 3. Paragraph (d) of subdivision 7 of section 396-z of the general
16 business law is relettered paragraph (e) and a new paragraph (d) is
17 added to read as follows:

18 (d) In accordance with subdivision sixteen of this section, a rental
19 vehicle company may require a deposit of up to one hundred dollars for
20 payment of tolls charged to the electronic tolling transponder regis-
21 tered to such rental vehicle company. The rental vehicle company must
22 refund such deposit minus any toll payments not more than ten days
23 following the termination of the rental agreement.

24 § 4. Subdivision 7 of section 396-z of the general business law, as
25 amended by chapter 784 of the laws of 1988 and as renumbered by chapter
26 1 of the laws of 1994, is amended to read as follows:

27 7. No rental vehicle company shall advertise, quote or charge a rental
28 rate that does not include all charges, except taxes and any mileage

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

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1 charge, which an authorized driver must pay to obtain a rental vehicle.
2 In accordance with subdivision sixteen of this section, a rental vehicle
3 company may require a deposit of up to one hundred dollars for payment
4 of tolls charged to the electronic tolling transponder registered to
5 such rental vehicle company. The rental vehicle company must refund such
6 deposit minus any toll payments not more than ten days following the
7 termination of the rental agreement.

8 § 5. Section 396-z of the general business law is amended by adding a
9 new subdivision 16 to read as follows:

10 16. A rental vehicle company shall not charge a renter more than the
11 actual cost of payments made for tolls and/or charges prescribed by a
12 public authority for the use of bridges, tunnels, or highways, nor shall
13 such rental vehicle company charge a fee for usage of an electronic
14 tolling transponder. A rental vehicle company may collect a deposit from
15 the renter for actual charges incurred as a result of the renter's use
16 of an electronic tolling transponder registered to the rental vehicle
17 company.

18 § 6. This act shall take effect immediately; provided, however, that
19 the amendments to section 396-z of the general business law, made by
20 sections one and three of this act, shall not affect the expiration of
21 such section and shall be deemed expired therewith, when upon such date
22 the provisions of sections two and four of this act shall take effect;
23 and provided, further that the amendment to section 396-z of the general
24 business law, made by section five of this act, shall survive the expi-
25 ration and reversion of such section as provided in section 4 of chapter
26 656 of the laws of 2002, as amended.