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:

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

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

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

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

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

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

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

7. No rental vehicle company shall advertise, quote or charge a rental 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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charge, which an authorized driver must pay to obtain a rental vehicle. **In accordance with subdivision sixteen of this section, a rental vehicle company may require a deposit of up to one hundred dollars for payment of tolls charged to the electronic tolling transponder registered to such rental vehicle company. The rental vehicle company must refund such deposit minus any toll payments not more than ten days following the termination of the rental agreement.**

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

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

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