

STATE OF NEW YORK

9861--B

IN ASSEMBLY

February 14, 2018

Introduced by M. of A. LENTOL, DAVILA, BARRON, MOSLEY -- Multi-Sponsored by -- M. of A. NIOU -- read once and referred to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law and the vehicle and traffic law, in relation to mitigating the closure of the L subway line in the city of New York; and to amend the public authorities law, the vehicle and traffic law and the public officers law, in relation to establishing a temporary high-occupancy vehicle program on the Williamsburg bridge by means of mobile or stationary photo devices; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. Legislative intent. The L subway line is of vital impor-
2 tance to commuters, the local community, and businesses within the
3 service area of the line. Hundreds of thousands of New Yorkers ride the
4 line on a daily basis, and such ridership volume is essential to the
5 economic vitality of nearby businesses. Officials from the metropolitan
6 transportation authority (MTA) have indicated that portions of the L
7 subway line will be temporarily closed for repair work beginning in
8 April of 2019. The closure is anticipated to last fifteen months and
9 affect all L subway line stations west of, and including, the Bedford
10 Avenue and 1st Avenue Station. The temporary closure of the L subway
11 line will cause individual and economic hardships for those who rely on
12 the line for transportation and economic opportunities. Currently,
13 there is no statutory requirement that would mandate the MTA to develop
14 a plan to address the impacts of such a closure, allow for public feed-
15 back, and provide the plan to the community. It is the intent of the
16 legislature that there be a legal requirement for the MTA to consider
17 and address all of the impacts of such a significant closure and provide
18 a plan to the public in a timely manner. Such plan shall require the MTA

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

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1 to address timelines involved with the proposed closure, transportation
2 alternatives to accommodate diverted riders, transportation facility
3 improvements and expansion, the authority to utilize bus lane cameras to
4 facilitate alternative forms of transportation, and provide for public
5 input throughout the planning process and the L subway line closure.
6 Public notice and involvement throughout the process is essential so
7 that everyday riders are able to adjust their commuting habits and busi-
8 nesses are able to adapt to such a change as a result of the closure.
9 The legislature hereby finds and declares that the L subway line closure
10 and its impacts are a significant concern. The legislature further finds
11 and declares that the MTA shall be required to have a plan, prior to the
12 L subway line closure, that would mitigate the effects of, and accommo-
13 date those affected by, the closure. Finally, the legislature finds and
14 declares that such plan shall provide for public input and be provided
15 to the community.

16 § 2. The public authorities law is amended by adding a new section
17 1279-e to read as follows:

18 § 1279-e. L subway line closure mitigation plan. 1. The authority, in
19 consultation with the New York city department of transportation, the
20 New York city economic development corporation, the permanent citizens
21 advisory committee to the authority and any other entity the authority
22 deems relevant, shall develop a plan to mitigate the individual and
23 economic hardships due to the L subway line closure. Such plan shall
24 include but not be limited to the following:

25 (a) an anticipated timeline for the L subway line closure, including
26 the anticipated start time and date for the closure and the anticipated
27 end time and date for the closure;

28 (b) an analysis of the anticipated increase in ridership on alterna-
29 tive routes, including but not limited to, alternative bus routes,
30 alternative subway routes and all other forms of alternative transporta-
31 tion utilized to accommodate diverted L-riders as a result of the L
32 subway line closure;

33 (c) identification of the specific corridors and related transporta-
34 tion modes that will be impacted and disrupted by the L subway line
35 closure;

36 (d) identification of the specific impacts and disruptions caused by
37 the L subway line closure at alternative routes, corridors and related
38 transportation modes to accommodate diverted L-riders;

39 (e) identification of specific mitigation measures to lessen the iden-
40 tified and anticipated impacts and disruptions at alternative routes,
41 corridors and related transportation modes;

42 (f) identification of surface and subway transportation improvements
43 and restrictions to prepare for the disruption and impacts of the L
44 subway line closure;

45 (g) a determination of the timing and scope of each individual
46 improvement and restriction to surface and subway transportation;

47 (h) commencement, advertisement and publication of public hearings
48 before, during and after the closure of the L subway line;

49 (i) an extensive community outreach process before, during and after
50 the L subway line closure;

51 (j) additional station turnstile, stair and control area capacity and
52 service at the numerous stations on the alternative subway lines to
53 accommodate diverted L-riders as a result of the L subway line closure;

54 (k) additional L-alternative subway line service and capacity on week-
55 ends and overnights;

1 (l) shuttle bus service to accommodate diverted L-riders as a result
2 of the L subway line closure in the L subway line closure area;

3 (m) free transfers for ferry, bus and subway lines to accommodate
4 diverted passengers as a result of the L subway line closure;

5 (n) increased ferry capacity and service connecting Brooklyn and
6 Manhattan to accommodate diverted L-riders as a result of the L subway
7 line closure;

8 (o) increased bus service and capacity to accommodate diverted L-rid-
9 ers as a result of the L subway line closure within the L subway line
10 closure area;

11 (p) increased subway service and capacity on L alternative route
12 subway lines to accommodate diverted L-riders as a result of the L
13 subway line closure;

14 (q) identification of subway station improvements at L-alternative
15 route subway lines to accommodate diverted L-riders as a result of the L
16 subway line closure;

17 (r) fare parity between ferry, bus and subway lines for diverted
18 L-riders as a result of the L subway line closure;

19 (s) contract incentives and penalties for the contractors to encourage
20 the completion of the L subway line closure project within fifteen
21 months;

22 (t) the implementation of bus lanes in order to move buses quickly and
23 not add to congestion and to accommodate diverted L-riders as a result
24 of the L subway line closure;

25 (u) the implementation of high occupancy vehicle(HOV) lane
26 restrictions in order to move high occupancy vehicles quickly and not
27 add to congestion and to accommodate diverted L-riders as a result of
28 the L subway line closure;

29 (v) the identification of appropriate placement of HOV lanes through-
30 out the impacted area to accommodate diverted L-riders as a result of
31 the L subway line closure;

32 (w) determination and evaluation enforcement measures of HOV lanes;

33 (x) the periodic review of the effectiveness of HOV lanes;

34 (y) analysis of the impact of the Williamsburg Bridge restrictions on
35 the other East River crossings;

36 (z) mitigation of an outsized shift of diverted L-riders to for-hire
37 vehicles that could lead to massive congestion at East River crossings;

38 (aa) development of robust plans for bicycle use to accommodate
39 diverted L-riders as a result of the L subway line closure;

40 (bb) expanded access to pedestrians, bus riders and cyclists along
41 L-alternative route transportation corridors to ensure quick and effi-
42 cient movement for diverted L-riders as a result of the L subway line
43 closure;

44 (cc) rush hour restrictions to assist buses in traveling along L-al-
45 ternative transportation routes to accommodate diverted L-riders as a
46 result of the L subway line closure;

47 (dd) bus lanes to assist buses in traveling along L-alternative trans-
48 portation routes to accommodate diverted L-riders as a result of the L
49 subway line closure;

50 (ee) select bus service to assist buses in traveling along L-alterna-
51 tive transportation routes to accommodate diverted L-riders as a result
52 of the L subway line closure;

53 (ff) upgrading of select bus service to assist buses traveling along
54 L-alternative transportation routes to accommodate diverted L-riders as
55 a result of the L subway line closure;

1 (gg) temporary bus bulbs to assist buses traveling along L-alternative
2 transportation routes to accommodate diverted L-riders as a result of
3 the L subway line closure;

4 (hh) offset bus lines to assist buses traveling along L-alternative
5 transportation routes to accommodate diverted L-riders as a result of
6 the L subway line closure;

7 (ii) sidewalk expansion along the L-alternative transportation routes
8 to accommodate diverted L-riders as a result of the L subway line
9 closure;

10 (jj) new pedestrian space along the L-alternative transportation
11 routes to accommodate diverted L-riders as a result of the L subway line
12 closure;

13 (kk) an analysis and determination of the impact on daily cycling
14 volume along the L-alternative transportation routes to accommodate
15 diverted L-riders as a result of the L subway line closure;

16 (ll) two-way protected crosstown bike lane to accommodate diverted
17 L-riders as a result of the L subway line closure;

18 (mm) pedestrianized street features along the L-alternative transpor-
19 tation routes to accommodate diverted L-riders as a result of the L
20 subway line closure;

21 (nn) new bike parking hubs along the L-alternative transportation
22 routes to accommodate diverted L-riders as a result of the L subway line
23 closure;

24 (oo) new ferry routes along the L-alternative transportation routes to
25 accommodate diverted L-riders as a result of the L subway line closure;

26 (pp) increased services and capacity for community bicycle-sharing
27 programs to accommodate diverted L-riders as a result of the L subway
28 line closure;

29 (qq) identification and implementation of the placement of additional
30 crosswalks along the L-alternative transportation routes to accommodate
31 diverted L-riders as a result of the L subway line closure;

32 (rr) additional bicycle parking along the L-alternative transportation
33 routes to accommodate diverted L-riders as a result of the L subway line
34 closure; and

35 (ss) the periodic briefing of elected officials on the status of the
36 subway line closure before, during and after the closure.

37 2. In developing the plan referenced in subdivision one of this
38 section, the authority shall consider but not be limited to the follow-
39 ing actions and measures for inclusion in said plan:

40 (a) discounted advertising on all authority advertising mediums within
41 the L subway line closure area;

42 (b) signage within the L subway line closure area in the vicinity of
43 above-ground work sites which state that nearby businesses are open;

44 (c) the commissioning of public art to be installed within the L
45 subway line closure area for the purpose of drawing visitors to neigh-
46 borhoods in the L subway line closure area;

47 (d) a free or reduced fare shuttle bus service for diverted passengers
48 in the L subway line closure area;

49 (e) methods to encourage the patronage of businesses within the L
50 subway line closure area;

51 (f) in consultation with the urban development corporation, providing
52 financial assistance to businesses within the L subway line closure
53 area, including grants and rental and utility assistance; and

54 (g) in consultation with the New York city economic development corpo-
55 ration, identifying state owned property in Manhattan which may be used

1 as temporary showrooms for businesses within the L subway line project
2 area.

3 3. For purposes of this section "L subway line closure area" shall
4 mean an area approved by the board of the authority that is adjacent to
5 or affected by the temporary closure of portions of the L subway line
6 for repairs.

7 4. The L subway line closure mitigation plan required pursuant to this
8 section shall, no later than sixty days before the commencement of the L
9 subway line closure, be submitted to the governor, the temporary presi-
10 dent of the senate and the speaker of the assembly, be posted on the
11 authority's website and also be made readily available to the public.

12 5. The authority shall not charge a fare or fee for any shuttle bus
13 service to accommodate diverted L-riders as a result of the L subway
14 line closure in the L subway line closure area.

15 § 3. Paragraph 5 of subdivision (c) of section 1111-c of the vehicle
16 and traffic law, as amended by section 6 of part NNN of chapter 59 of
17 the laws of 2018, is amended to read as follows:

18 5. "bus rapid transit program" shall mean up to ten routes designated
19 by the New York city department of transportation in consultation with
20 the applicable mass transit agency, a route designated by the New York
21 city department of transportation on Grand Street, Delancey Street and
22 the Williamsburg Bridge from the Grand Street station to the Delancey
23 Street station, and a route designated by the New York city department
24 of transportation on Fourteenth Street between Third and Ninth Avenues
25 eastbound and Third and Eighth Avenues westbound, in addition to the Bus
26 Rapid Transit Phase I plan routes, that operate on designated bus lanes
27 and that may include upgraded signage, enhanced road markings, minimum
28 bus stop spacing, off-board fare payment, traffic signal priority for
29 buses, and any other enhancement that increases bus speed or reliabil-
30 ity.

31 § 4. Section 1268 of the public authorities law is amended by adding a
32 new subdivision 4 to read as follows:

33 4. The authority and the New York city transit authority or any of its
34 subsidiary corporations shall consult with and assist the city of New
35 York in implementing a temporary high-occupancy vehicle (HOV) program on
36 the Williamsburg bridge pursuant to section eleven hundred ten-a of the
37 vehicle and traffic law.

38 § 5. The vehicle and traffic law is amended by adding a new section
39 235-a to read as follows:

40 § 235-a. Jurisdiction; Williamsburg bridge temporary high-occupancy
41 vehicle program. Notwithstanding any inconsistent provisions of any
42 general, special or local law or administrative code to the contrary, in
43 any city which heretofore or hereafter is authorized to establish an
44 administrative tribunal having jurisdiction to hear and determine
45 complaints of traffic infractions constituting parking, standing or
46 stopping violations in accordance with this article, such tribunal shall
47 be authorized to adjudicate the liability of owners for violations of
48 subdivision (f) of section eleven hundred ten in accordance with section
49 eleven hundred ten-a of this chapter and such tribunal and the rules and
50 regulations pertaining thereto shall be constituted in substantial
51 conformance with the following sections.

52 § 6. Section 236 of the vehicle and traffic law is amended by adding a
53 new subdivision 1-a to read as follows:

54 1-a. A parking violations bureau created pursuant to subdivision one
55 of this section shall have jurisdiction as provided in this section and
56 shall adjudicate liability of owners for violations of subdivision (f)

1 of section eleven hundred ten in accordance with section eleven hundred
2 ten-a of this chapter.

3 § 7. Section 237 of the vehicle and traffic law is amended by adding a
4 new subdivision 16 to read as follows:

5 16. To adjudicate the liability of owners for violations of subdivi-
6 sion (f) of section eleven hundred ten in accordance with section eleven
7 hundred ten-a of this chapter.

8 § 8. Subdivision 1 of section 239 of the vehicle and traffic law is
9 amended by adding a new paragraph f-1 to read as follows:

10 f-1. "Notice of violation" means a notice of violation as defined in
11 subdivision nine of section two hundred thirty-seven of this article,
12 but shall not be deemed to include a notice of liability issued pursuant
13 to authorization set forth in section eleven hundred ten-a of this chap-
14 ter.

15 § 9. Section 239 of the vehicle and traffic law is amended by adding a
16 new subdivision 5 to read as follows:

17 5. Applicability. The provisions of paragraph b of subdivision two and
18 subdivision three of this section shall not be applicable to determi-
19 nations of owner liability for the failure of an operator to comply with
20 subdivision (f) of section eleven hundred ten of this chapter.

21 § 10. Section 240 of the vehicle and traffic law is amended by adding
22 three new subdivisions 1-b, 1-c and 2-a to read as follows:

23 1-b. Notice of hearing. Whenever a person alleged to be liable in
24 accordance with section eleven hundred ten-a of this chapter contests
25 such allegation, the bureau shall advise such person personally by such
26 form of first class mail as the director may direct of the date on which
27 he or she must appear to answer the charge at a hearing. The form and
28 content of such notice of hearing shall be prescribed by the director,
29 and shall contain a warning to advise the person so pleading or contest-
30 ing that failure to appear on the date designated, or on any subsequent
31 adjourned date, shall be deemed an admission of liability, and that a
32 default judgment may be entered thereon.

33 1-c. Fines and penalties. Whenever a plea of not guilty has been
34 entered, or the bureau has been notified that an allegation of liability
35 in accordance with section eleven hundred ten-a of this chapter is being
36 contested, by a person in a timely fashion and a hearing on the merits
37 has been demanded, but has not yet been held, the bureau shall not issue
38 any notice of fine or penalty to that person prior to the date of the
39 hearing.

40 2-a. Conduct of hearings. a. Every hearing for an adjudication of an
41 allegation of liability in accordance with section eleven hundred ten-a
42 of this chapter shall be held before a hearing examiner in accordance
43 with rules and regulations promulgated by the bureau.

44 b. No charge may be established except upon proof by substantial
45 evidence.

46 c. The hearing examiner shall not be bound by the rules of evidence in
47 the conduct of the hearing, except rules relating to privileged communi-
48 cations.

49 d. The hearing examiner shall at the request of the person charged on
50 a showing of good cause and need therefor, or in his or her own
51 discretion, issue a subpoena to compel the appearance at a hearing of
52 the officer who served the notice of violation or of other persons to
53 give testimony, and may issue a subpoena duces tecum to compel the
54 production for examination or introduction into evidence, of any book,
55 paper or other thing relevant to the charges.

1 e. In the case of a refusal to obey a subpoena, the bureau may make
2 application to the Supreme Court pursuant to section twenty-three
3 hundred eight of the civil practice law and rules, for an order requir-
4 ing such appearance, testimony or production of evidence.

5 f. The hearing examiner shall not examine the prior violation record
6 of a person charged before making a determination.

7 g. A record shall be made of a hearing on a plea of not guilty or of a
8 hearing at which liability in accordance with section eleven hundred
9 ten-a of this chapter is contested. Recording devices may be used for
10 the making of the record.

11 § 11. Section 241 of the vehicle and traffic law is amended by adding
12 two new subdivisions 1-a and 2-a to read as follows:

13 1-a. The hearing examiner shall make a determination on the charges,
14 either sustaining or dismissing them. Where the hearing examiner deter-
15 mines that the charges have been sustained he or she may examine the
16 record of liabilities incurred in accordance with section eleven hundred
17 ten-a of this chapter of the person charged prior to rendering a final
18 determination. Final determinations sustaining or dismissing charges
19 shall be entered on a final determination roll maintained by the bureau
20 together with records showing payment and nonpayment of penalties.

21 2-a. Where an operator or owner fails to contest an allegation of
22 liability in accordance with section eleven hundred ten-a of this chap-
23 ter or fails to appear on a designated hearing date or subsequent
24 adjourned date or fails after a hearing to comply with the determination
25 of a hearing examiner, as prescribed by this article or by rule or regu-
26 lation of the bureau, such failure to contest, appear or comply shall be
27 deemed, for all purposes, an admission of liability and shall be grounds
28 for rendering and entering a default judgment in an amount provided by
29 the rules and regulations of the bureau. However, after the expiration
30 of the original date prescribed for contesting an allegation of liabil-
31 ity and before a default judgment may be rendered, in such case the
32 bureau shall pursuant to the applicable provisions of law notify such
33 operator or owner, by such form of first class mail as the commission
34 may direct: (1) of the liability in accordance with section eleven
35 hundred ten-a of this chapter alleged, (2) of the impending default
36 judgment, (3) that such judgment will be entered in the Civil Court of
37 the city in which the bureau has been established, or other court of
38 civil jurisdiction or any other place provided for the entry of civil
39 judgments within the state of New York, and (4) that a default may be
40 avoided by contesting an allegation of liability in accordance with
41 section eleven hundred ten-a of this chapter or making an appearance
42 within thirty days of the sending of such notice. Allegations of liabil-
43 ity contested within that period shall be in the manner prescribed in
44 the notice and not subject to additional penalty or fee. Such notice of
45 impending default judgment shall not be required prior to the rendering
46 and entry thereof in the case of operators or owners who are non-resi-
47 dents of the state of New York. In no case shall a default judgment be
48 rendered or, where required, a notice of impending default judgment be
49 sent, more than two years after the expiration of the time prescribed
50 for contesting an allegation of liability. When a person has demanded a
51 hearing, no fine or penalty shall be imposed for any reason prior to the
52 holding of the hearing. If the hearing examiner shall make a determi-
53 nation on the charges, sustaining them, he or she shall impose no great-
54 er penalty or fine than those upon which the person was originally
55 charged.

§ 12. Subdivision 5-a of section 401 of the vehicle and traffic law is amended by adding a new paragraph a-1 to read as follows:

a-1. If at the time of application for a registration or renewal thereof there is a certification from a court or administrative tribunal of appropriate jurisdiction that the registrant or his or her representative failed to appear on the return date or any subsequent adjourned date or failed to comply with the rules and regulations of an administrative tribunal following entry of a final decision in response to a total of three or more summonses or other process in the aggregate, issued within an eighteen-month period, charging that the registrant was liable in accordance with section eleven hundred ten-a of this chapter for a violation of subdivision (f) of section eleven hundred ten of this chapter, the commissioner or his or her agent shall deny the registration or renewal application until the applicant provides proof from the court or administrative tribunal wherein the charges are pending that an appearance or answer has been made or in the case of an administrative tribunal that he or she has complied with the rules and regulations of said tribunal following entry of a final decision. Where an application is denied pursuant to this section, the commissioner may, in his or her discretion, deny a registration or renewal application to any other person for the same vehicle and may deny a registration or renewal application for any other motor vehicle registered in the name of the applicant where the commissioner has determined that such registrant's intent has been to evade the purposes of this subdivision and where the commissioner has reasonable grounds to believe that such registration or renewal will have the effect of defeating the purposes of this subdivision. Such denial shall only remain in effect as long as the summonses remain unanswered, or in the case of an administrative tribunal, the registrant fails to comply with the rules and regulations following entry of a final decision.

§ 13. Section 1110 of the vehicle and traffic law is amended by adding a new subdivision (f) to read as follows:

(f) Every person shall obey the instructions of any official traffic-control device placed to delineate high-occupancy vehicle lane restrictions under the temporary HOV program established pursuant to section eleven hundred ten-a of this chapter, unless otherwise directed by a traffic or police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this title.

§ 14. The vehicle and traffic law is amended by adding a new section 1110-a to read as follows:

§ 1110-a. Owner liability for failure of operator to comply with temporary high-occupancy vehicle program restrictions. (a) 1. Notwithstanding any other provision of law, the city of New York in consultation with the metropolitan transportation authority is hereby authorized and empowered to establish a temporary high-occupancy vehicle (HOV) program on the Williamsburg bridge imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with HOV restrictions on such bridge in such city in accordance with the provisions of this section. The New York city department of transportation, for purposes of the implementation of such program, shall operate HOV photo devices only within designated HOV areas on the Williamsburg bridge in such city. Such HOV photo devices may be stationary or mobile and shall be activated at locations determined by such department of transportation.

2. Any image or images captured or produced by an HOV photo device shall not be used for any purpose other than as specified in this

1 section in the absence of a court order requiring such image to be
2 produced.

3 3. The city of New York shall adopt and enforce measures to protect
4 the privacy of drivers, passengers, pedestrians and cyclists whose iden-
5 tity and identifying information may be captured by an HOV photo device,
6 provided, however, that no notice of liability issued pursuant to this
7 section shall be dismissed solely because an image produced by an HOV
8 photo device allows for the identification of the driver, the passen-
9 gers, or the contents of a vehicle, provided that the city has made a
10 reasonable effort to comply with the provisions of this paragraph. Such
11 protective measures shall include:

12 (i) the utilization of necessary technologies to ensure that images
13 produced by such HOV photo devices shall not include images that identi-
14 fy the driver, the passengers, or the contents of the vehicle;

15 (ii) a prohibition on the use or dissemination of vehicles' license
16 plate information and other information and images captured by HOV photo
17 devices except: (A) as required to establish liability under this
18 section or collect payment of penalties; (B) as required by court order;
19 (C) as required pursuant to a search warrant issued in accordance with
20 the criminal procedure law or a subpoena; or (D) as otherwise required
21 by law;

22 (iii) the installation of signage in advance of entry points to desig-
23 nated HOV areas stating that HOV photo devices are used to enforce HOV
24 restrictions; and

25 (iv) oversight procedures to ensure compliance with the aforementioned
26 privacy protection measures.

27 4. Within the city of New York, such HOV photo devices used in accord-
28 ance with the temporary HOV program shall only be operated within desig-
29 nated HOV areas on the Williamsburg bridge during periods to be deter-
30 mined by the New York city department of transportation in consultation
31 with the metropolitan transportation authority in order to facilitate
32 traffic management. Determination of such periods shall be made based on
33 factors that include, but are not limited to, empirical traffic analyses
34 conducted by such department, input from the public, and guidance from
35 appropriate government entities regarding mitigation strategies.

36 (b) If the city of New York has established a temporary HOV program
37 pursuant to subdivision (a) of this section, the owner of a vehicle
38 shall be liable for a penalty imposed pursuant to this section if such
39 vehicle was used or operated with the permission of the owner, express
40 or implied, in violation of any HOV restrictions that apply, and such
41 violation is evidenced by information obtained from an HOV photo device;
42 provided, however that no owner of a vehicle shall be liable for a
43 penalty imposed pursuant to this section where the operator of such
44 vehicle has been convicted of the underlying violation of any HOV
45 restrictions.

46 (c) For purposes of this section, the following terms shall have the
47 following meanings:

48 1. "Owner" shall have the meaning provided in article two-B of this
49 chapter.

50 2. "High-occupancy vehicle" or "HOV" shall mean vehicles with a high
51 number of occupants as determined in rules promulgated by the New York
52 city department of transportation.

53 3. "HOV photo device" shall mean a device that is capable of operating
54 independently of an enforcement officer and produces one or more images
55 of each vehicle at the time it is in violation of HOV restrictions.

1 4. "HOV restrictions" shall mean restrictions, within the temporary
2 HOV program, on the use of designated areas of the Williamsburg bridge,
3 during time periods to be defined by the New York city department of
4 transportation, by a vehicle other than: (i) an HOV; (ii) a vehicle
5 registered as a commercial vehicle pursuant to part one hundred six of
6 title fifteen of the New York codes, rules and regulations; (iii) an
7 authorized emergency vehicle; (iv) an access-a-ride vehicle as defined
8 in chapter five of title thirty-four of the rules of the city of New
9 York; or (v) a bus.

10 5. "Temporary HOV program" shall mean a temporary program that oper-
11 ates exclusively within designated HOV areas on the Williamsburg bridge
12 during periods of high-traffic volume to be determined by the New York
13 city department of transportation. Determination of such periods shall
14 be made based on factors that include, but are not limited to, empirical
15 traffic analyses conducted by such department, input from the public,
16 and guidance from appropriate government entities regarding mitigation
17 strategies.

18 (d) A certificate, sworn to or affirmed by a technician employed by
19 the city of New York, or a facsimile thereof, based upon inspection of
20 photographs, microphotographs, videotape or other recorded images
21 produced by an HOV photo device, shall be prima facie evidence of the
22 facts contained therein. Any photographs, microphotographs, videotape or
23 other recorded images evidencing such a violation shall be available for
24 inspection in any proceeding to adjudicate the liability for such
25 violation pursuant to this section.

26 (e) An owner liable for a violation of subdivision (f) of section
27 eleven hundred ten of this article shall be liable for monetary penal-
28 ties in accordance with a schedule of fines and penalties promulgated by
29 the parking violations bureau of the city of New York. The liability of
30 the owner pursuant to this section shall not exceed thirty-five dollars;
31 provided, further, that an owner shall be liable for an additional
32 penalty not to exceed twenty-five dollars for each violation for the
33 failure to respond to a notice of liability within the prescribed time
34 period.

35 (f) An imposition of liability pursuant to this section shall not be
36 deemed a conviction of an operator and shall not be made part of the
37 operating record of the person upon whom such liability is imposed, nor
38 shall it be used for insurance purposes in the provision of motor vehi-
39 cle insurance coverage.

40 (g) 1. A notice of liability shall be sent by first class mail to each
41 person alleged to be liable as an owner for a violation of subdivision
42 (f) of section eleven hundred ten of this article pursuant to this
43 section. Personal delivery to the owner shall not be required. A manual
44 or automatic record of mailing prepared in the ordinary course of busi-
45 ness shall be prima facie evidence of the facts contained therein.

46 2. A notice of liability shall contain the name and address of the
47 person alleged to be liable as an owner for a violation of subdivision
48 (f) of section eleven hundred ten of this article pursuant to this
49 section, the registration number of the vehicle involved in such
50 violation, the location where such violation took place, one or more
51 images identifying the violation, the date and time of such violation
52 and the identification number of the HOV photo device which recorded the
53 violation or other document locator number.

54 3. The notice of liability shall contain information advising the
55 person charged of the manner and the time in which he or she may contest
56 the liability alleged in the notice. Such notice of liability shall also

1 contain a warning to advise the person charged that failure to contest
2 in the manner and time provided shall be deemed an admission of liabil-
3 ity and that a default judgment may be entered thereon.

4 4. The notice of liability shall be prepared and mailed by the agency
5 or agencies designated by the city of New York, or any other entity
6 authorized by such city to prepare and mail such notification of
7 violation.

8 5. Adjudication of the liability imposed upon owners by this section
9 shall be by the New York city parking violations bureau.

10 (h) If an owner of a vehicle receives a notice of liability pursuant
11 to this section for any time period during which such vehicle was
12 reported to the police department as having been stolen, it shall be a
13 valid defense to an allegation of liability for a violation of subdivi-
14 sion (f) of section eleven hundred ten of this article pursuant to this
15 section that the vehicle had been reported to the police as stolen prior
16 to the time the violation occurred and had not been recovered by such
17 time. For purposes of asserting the defense provided by this subdivision
18 it shall be sufficient that a certified copy of the police report on the
19 stolen vehicle be sent by first class mail to the parking violations
20 bureau of such city.

21 (i) 1. An owner who is a lessor of a vehicle to which a notice of
22 liability was issued pursuant to subdivision (g) of this section shall
23 not be liable for the violation of subdivision (f) of section eleven
24 hundred ten of this article, provided that:

25 (i) prior to the violation, the lessor has filed with such parking
26 violations bureau in accordance with the provisions of section two
27 hundred thirty-nine of this chapter; and

28 (ii) within thirty-seven days after receiving notice from such bureau
29 of the date and time of a liability, together with the other information
30 contained in the original notice of liability, the lessor submits to
31 such bureau the correct name and address of the lessee of the vehicle
32 identified in the notice of liability at the time of such violation,
33 together with such other additional information contained in the rental,
34 lease or other contract document, as may be reasonably required by such
35 bureau pursuant to regulations that may be promulgated for such purpose.

36 2. Failure to comply with subparagraph (ii) of paragraph one of this
37 subdivision shall render the lessor liable for the penalty prescribed in
38 this section.

39 3. Where the lessor complies with the provisions of paragraph one of
40 this subdivision, the lessee of such vehicle on the date of such
41 violation shall be deemed to be the owner of such vehicle for purposes
42 of this section, shall be subject to liability for such violation pursu-
43 ant to this section, and shall be sent a notice of liability pursuant to
44 subdivision (g) of this section.

45 (j) If the owner liable for a violation of subdivision (f) of section
46 eleven hundred ten of this article was not the operator of the vehicle
47 at the time of the violation, the owner may maintain an action for
48 indemnification against the operator.

49 (k) Nothing in this section shall be construed to limit the liability
50 of an operator of a vehicle for any violation of subdivision (f) of
51 section eleven hundred ten of this article.

52 § 15. The opening paragraph and paragraph (c) of subdivision 1 of
53 section 1809 of the vehicle and traffic law, as amended by section 10 of
54 chapter 222 of the laws of 2015, are amended to read as follows:

55 Whenever proceedings in an administrative tribunal or a court of this
56 state result in a conviction for an offense under this chapter or a

1 traffic infraction under this chapter, or a local law, ordinance, rule
2 or regulation adopted pursuant to this chapter, other than a traffic
3 infraction involving standing, stopping, or parking or violations by
4 pedestrians or bicyclists, or other than an adjudication of liability of
5 an owner for a violation of subdivision (d) of section eleven hundred
6 eleven of this chapter in accordance with section eleven hundred
7 eleven-a of this chapter, or other than an adjudication of liability of
8 an owner for a violation of subdivision (d) of section eleven hundred
9 eleven of this chapter in accordance with section eleven hundred
10 eleven-b of this chapter, or other than an adjudication in accordance
11 with section eleven hundred eleven-c of this chapter for a violation of
12 a bus lane restriction as defined in such section, or other than an
13 adjudication of liability of an owner for a violation of subdivision (d)
14 of section eleven hundred eleven of this chapter in accordance with
15 section eleven hundred eleven-d of this chapter, or other than an adju-
16 dication of liability of an owner for a violation of subdivision (b),
17 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in
18 accordance with section eleven hundred eighty-b of this chapter, or
19 other than an adjudication of liability of an owner for a violation of
20 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
21 of this chapter in accordance with section eleven hundred eighty-c of
22 this chapter, or other than an adjudication of liability of an owner for
23 a violation of subdivision (d) of section eleven hundred eleven of this
24 chapter in accordance with section eleven hundred eleven-e of this chap-
25 ter, or other than an adjudication of liability of an owner for a
26 violation of subdivision (f) of section eleven hundred ten of this chap-
27 ter in accordance with section eleven hundred ten-a of this chapter,
28 there shall be levied a crime victim assistance fee and a mandatory
29 surcharge, in addition to any sentence required or permitted by law, in
30 accordance with the following schedule:

31 (c) Whenever proceedings in an administrative tribunal or a court of
32 this state result in a conviction for an offense under this chapter
33 other than a crime pursuant to section eleven hundred ninety-two of this
34 chapter, or a traffic infraction under this chapter, or a local law,
35 ordinance, rule or regulation adopted pursuant to this chapter, other
36 than a traffic infraction involving standing, stopping, or parking or
37 violations by pedestrians or bicyclists, or other than an adjudication
38 of liability of an owner for a violation of subdivision (d) of section
39 eleven hundred eleven of this chapter in accordance with section eleven
40 hundred eleven-a of this chapter, or other than an adjudication of
41 liability of an owner for a violation of subdivision (d) of section
42 eleven hundred eleven of this chapter in accordance with section eleven
43 hundred eleven-b of this chapter, or other than an adjudication of
44 liability of an owner for a violation of subdivision (d) of section
45 eleven hundred eleven of this chapter in accordance with section eleven
46 hundred eleven-d of this chapter, or other than an infraction pursuant
47 to article nine of this chapter or other than an adjudication of liabil-
48 ity of an owner for a violation of toll collection regulations pursuant
49 to section two thousand nine hundred eighty-five of the public authori-
50 ties law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven
51 hundred seventy-four of the laws of nineteen hundred fifty or other than
52 an adjudication in accordance with section eleven hundred eleven-c of
53 this chapter for a violation of a bus lane restriction as defined in
54 such section, or other than an adjudication of liability of an owner for
55 a violation of subdivision (b), (c), (d), (f) or (g) of section eleven
56 hundred eighty of this chapter in accordance with section eleven hundred

1 eighty-b of this chapter, or other than an adjudication of liability of
2 an owner for a violation of subdivision (b), (c), (d), (f) or (g) of
3 section eleven hundred eighty of this chapter in accordance with section
4 eleven hundred eighty-c of this chapter, or other than an adjudication
5 of liability of an owner for a violation of subdivision (d) of section
6 eleven hundred eleven of this chapter in accordance with section eleven
7 hundred eleven-e of this chapter, or other than an adjudication of
8 liability of an owner for a violation of subdivision (f) of section
9 eleven hundred ten of this chapter in accordance with section eleven
10 hundred ten-a of this chapter, there shall be levied a crime victim
11 assistance fee in the amount of five dollars and a mandatory surcharge,
12 in addition to any sentence required or permitted by law, in the amount
13 of fifty-five dollars.

14 § 15-a. Subdivision 1 of section 1809 of the vehicle and traffic law,
15 as amended by section 10-a of chapter 222 of the laws of 2015, is
16 amended to read as follows:

17 1. Whenever proceedings in an administrative tribunal or a court of
18 this state result in a conviction for a crime under this chapter or a
19 traffic infraction under this chapter, or a local law, ordinance, rule
20 or regulation adopted pursuant to this chapter, other than a traffic
21 infraction involving standing, stopping, parking or motor vehicle equip-
22 ment or violations by pedestrians or bicyclists, or other than an adju-
23 dication of liability of an owner for a violation of subdivision (d) of
24 section eleven hundred eleven of this chapter in accordance with section
25 eleven hundred eleven-a of this chapter, or other than an adjudication
26 of liability of an owner for a violation of subdivision (d) of section
27 eleven hundred eleven of this chapter in accordance with section eleven
28 hundred eleven-b of this chapter, or other than an adjudication in
29 accordance with section eleven hundred eleven-c of this chapter for a
30 violation of a bus lane restriction as defined in such section, or other
31 than an adjudication of liability of an owner for a violation of subdivi-
32 sion (d) of section eleven hundred eleven of this chapter in accord-
33 ance with section eleven hundred eleven-d of this chapter, or other than
34 an adjudication of liability of an owner for a violation of subdivision
35 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
36 ter in accordance with section eleven hundred eighty-b of this chapter,
37 or other than an adjudication of liability of an owner for a violation
38 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred
39 eighty of this chapter in accordance with section eleven hundred eight-
40 y-c of this chapter, or other than an adjudication of liability of an
41 owner for a violation of subdivision (d) of section eleven hundred elev-
42 en of this chapter in accordance with section eleven hundred eleven-e of
43 this chapter, or other than an adjudication of liability of an owner for
44 a violation of subdivision (f) of section eleven hundred ten of this
45 chapter in accordance with section eleven hundred ten-a of this chapter,
46 there shall be levied a mandatory surcharge, in addition to any sentence
47 required or permitted by law, in the amount of twenty-five dollars.

48 § 15-b. Subdivision 1 of section 1809 of the vehicle and traffic law,
49 as amended by section 10-b of chapter 222 of the laws of 2015, is
50 amended to read as follows:

51 1. Whenever proceedings in an administrative tribunal or a court of
52 this state result in a conviction for a crime under this chapter or a
53 traffic infraction under this chapter other than a traffic infraction
54 involving standing, stopping, parking or motor vehicle equipment or
55 violations by pedestrians or bicyclists, or other than an adjudication
56 in accordance with section eleven hundred eleven-c of this chapter for a

1 violation of a bus lane restriction as defined in such section, or other
2 than an adjudication of liability of an owner for a violation of subdivi-
3 sion (d) of section eleven hundred eleven of this chapter in accord-
4 ance with section eleven hundred eleven-d of this chapter, or other than
5 an adjudication of liability of an owner for a violation of subdivision
6 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
7 ter in accordance with section eleven hundred eighty-b of this chapter,
8 or other than an adjudication of liability of an owner for a violation
9 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred
10 eighty of this chapter in accordance with section eleven hundred eight-
11 y-c of this chapter, or other than an adjudication of liability of an
12 owner for a violation of subdivision (d) of section eleven hundred elev-
13 en of this chapter in accordance with section eleven hundred eleven-e of
14 this chapter, or other than an adjudication of liability of an owner for
15 a violation of subdivision (f) of section eleven hundred ten of this
16 chapter in accordance with section eleven hundred ten-a of this chapter,
17 there shall be levied a mandatory surcharge, in addition to any sentence
18 required or permitted by law, in the amount of seventeen dollars.

19 § 15-c. Subdivision 1 of section 1809 of the vehicle and traffic law,
20 as amended by section 10-c of chapter 222 of the laws of 2015, is
21 amended to read as follows:

22 1. Whenever proceedings in an administrative tribunal or a court of
23 this state result in a conviction for a crime under this chapter or a
24 traffic infraction under this chapter other than a traffic infraction
25 involving standing, stopping, parking or motor vehicle equipment or
26 violations by pedestrians or bicyclists, or other than an adjudication
27 of liability of an owner for a violation of subdivision (b), (c), (d),
28 (f) or (g) of section eleven hundred eighty of this chapter in accord-
29 ance with section eleven hundred eighty-b of this chapter, or other than
30 an adjudication of liability of an owner for a violation of subdivision
31 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
32 ter in accordance with section eleven hundred eighty-c of this chapter,
33 or other than an adjudication of liability of an owner for a violation
34 of subdivision (d) of section eleven hundred eleven of this chapter in
35 accordance with section eleven hundred eleven-d of this chapter, or
36 other than an adjudication of liability of an owner for a violation of
37 subdivision (d) of section eleven hundred eleven of this chapter in
38 accordance with section eleven hundred eleven-e of this chapter, or
39 other than an adjudication of liability of an owner for a violation of
40 subdivision (f) of section eleven hundred ten of this chapter in accord-
41 ance with section eleven hundred ten-a of this chapter, there shall be
42 levied a mandatory surcharge, in addition to any sentence required or
43 permitted by law, in the amount of seventeen dollars.

44 § 15-d. Subdivision 1 of section 1809 of the vehicle and traffic law,
45 as amended by section 10-d of chapter 222 of the laws of 2015, is
46 amended to read as follows:

47 1. Whenever proceedings in an administrative tribunal or a court of
48 this state result in a conviction for a crime under this chapter or a
49 traffic infraction under this chapter other than a traffic infraction
50 involving standing, stopping, parking or motor vehicle equipment or
51 violations by pedestrians or bicyclists, or other than an adjudication
52 of liability of an owner for a violation of subdivision (b), (c), (d),
53 (f) or (g) of section eleven hundred eighty of this chapter in accord-
54 ance with section eleven hundred eighty-c of this chapter, or other than
55 an adjudication of liability of an owner for a violation of subdivision
56 (d) of section eleven hundred eleven of this chapter in accordance with

1 section eleven hundred eleven-d of this chapter, or other than an adju-
2 dication of liability of an owner for a violation of subdivision (d) of
3 section eleven hundred eleven of this chapter in accordance with section
4 eleven hundred eleven-e of this chapter, or other than an adjudication
5 of liability of an owner for a violation of subdivision (f) of section
6 eleven hundred ten of this chapter in accordance with section eleven
7 hundred ten-a of this chapter, there shall be levied a mandatory
8 surcharge, in addition to any sentence required or permitted by law, in
9 the amount of seventeen dollars.

10 § 15-e. Subdivision 1 of section 1809 of the vehicle and traffic law,
11 as amended by section 10-e of chapter 222 of the laws of 2015, is
12 amended to read as follows:

13 1. Whenever proceedings in an administrative tribunal or a court of
14 this state result in a conviction for a crime under this chapter or a
15 traffic infraction under this chapter other than a traffic infraction
16 involving standing, stopping, parking or motor vehicle equipment or
17 violations by pedestrians or bicyclists, or other than an adjudication
18 of liability of an owner for a violation of subdivision (d) of section
19 eleven hundred eleven of this chapter in accordance with section eleven
20 hundred eleven-d of this chapter, or other than an adjudication of
21 liability of an owner for a violation of subdivision (d) of section
22 eleven hundred eleven of this chapter in accordance with section eleven
23 hundred eleven-e of this chapter, or other than an adjudication of
24 liability of an owner for a violation of subdivision (f) of section
25 eleven hundred ten of this chapter in accordance with section eleven
26 hundred ten-a of this chapter, there shall be levied a mandatory
27 surcharge, in addition to any sentence required or permitted by law, in
28 the amount of seventeen dollars.

29 § 15-f. Subdivision 1 of section 1809 of the vehicle and traffic law,
30 as amended by section 10-f of chapter 222 of the laws of 2015, is
31 amended to read as follows:

32 1. Whenever proceedings in an administrative tribunal or a court of
33 this state result in a conviction for a crime under this chapter or a
34 traffic infraction under this chapter other than a traffic infraction
35 involving standing, stopping, parking or motor vehicle equipment or
36 violations by pedestrians or bicyclists, or other than an adjudication
37 of liability of an owner for a violation of subdivision (d) of section
38 eleven hundred eleven of this chapter in accordance with section eleven
39 hundred eleven-e of this chapter, or other than an adjudication of
40 liability of an owner for a violation of subdivision (f) of section
41 eleven hundred ten of this chapter in accordance with section eleven
42 hundred ten-a of this chapter, there shall be levied a mandatory
43 surcharge, in addition to any sentence required or permitted by law, in
44 the amount of seventeen dollars.

45 § 15-g. Subdivision 1 of section 1809 of the vehicle and traffic law,
46 as separately amended by chapter 16 of the laws of 1983 and chapter 62
47 of the laws of 1989, is amended to read as follows:

48 1. Whenever proceedings in an administrative tribunal or a court of
49 this state result in a conviction for a crime under this chapter or a
50 traffic infraction under this chapter other than a traffic infraction
51 involving standing, stopping, parking or motor vehicle equipment or
52 violations by pedestrians or bicyclists, or other than an adjudication
53 of liability of an owner for a violation of subdivision (f) of section
54 eleven hundred ten of this chapter in accordance with section eleven
55 hundred ten-a of this chapter, there shall be levied a mandatory

1 surcharge, in addition to any sentence required or permitted by law, in
2 the amount of seventeen dollars.

3 § 16. Paragraph a of subdivision 1 of section 1809-e of the vehicle
4 and traffic law, as amended by section 11 of chapter 222 of the laws of
5 2015, is amended to read as follows:

6 a. Notwithstanding any other provision of law, whenever proceedings in
7 a court or an administrative tribunal of this state result in a
8 conviction for an offense under this chapter, except a conviction pursu-
9 ant to section eleven hundred ninety-two of this chapter, or for a traf-
10 fic infraction under this chapter, or a local law, ordinance, rule or
11 regulation adopted pursuant to this chapter, except a traffic infraction
12 involving standing, stopping, or parking or violations by pedestrians or
13 bicyclists, and except an adjudication of liability of an owner for a
14 violation of subdivision (d) of section eleven hundred eleven of this
15 chapter in accordance with section eleven hundred eleven-a of this chap-
16 ter or in accordance with section eleven hundred eleven-d of this chap-
17 ter, or in accordance with section eleven hundred eleven-e of this chap-
18 ter, and except an adjudication of liability of an owner for a violation
19 of subdivision (d) of section eleven hundred eleven of this chapter in
20 accordance with section eleven hundred eleven-b of this chapter, and
21 except an adjudication in accordance with section eleven hundred
22 eleven-c of this chapter of a violation of a bus lane restriction as
23 defined in such section, and except an adjudication of liability of an
24 owner for a violation of subdivision (b), (c), (d), (f) or (g) of
25 section eleven hundred eighty of this chapter in accordance with section
26 eleven hundred eighty-b of this chapter, and except an adjudication of
27 liability of an owner for a violation of subdivision (b), (c), (d), (f)
28 or (g) of section eleven hundred eighty of this chapter in accordance
29 with section eleven hundred eighty-c of this chapter, and except an
30 adjudication of liability of an owner for a violation of toll collection
31 regulations pursuant to section two thousand nine hundred eighty-five of
32 the public authorities law or sections sixteen-a, sixteen-b and
33 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
34 hundred fifty, and except an adjudication of liability of an owner for a
35 violation of subdivision (f) of section eleven hundred ten of this chap-
36 ter in accordance with section eleven hundred ten-a of this chapter,
37 there shall be levied in addition to any sentence, penalty or other
38 surcharge required or permitted by law, an additional surcharge of twen-
39 ty-eight dollars.

40 § 16-a. Paragraph a of subdivision 1 of section 1809-e of the vehicle
41 and traffic law, as amended by section 11-a of chapter 222 of the laws
42 of 2015, is amended to read as follows:

43 a. Notwithstanding any other provision of law, whenever proceedings in
44 a court or an administrative tribunal of this state result in a
45 conviction for an offense under this chapter, except a conviction pursu-
46 ant to section eleven hundred ninety-two of this chapter, or for a traf-
47 fic infraction under this chapter, or a local law, ordinance, rule or
48 regulation adopted pursuant to this chapter, except a traffic infraction
49 involving standing, stopping, or parking or violations by pedestrians or
50 bicyclists, and except an adjudication of liability of an owner for a
51 violation of subdivision (d) of section eleven hundred eleven of this
52 chapter in accordance with section eleven hundred eleven-a of this chap-
53 ter or in accordance with section eleven hundred eleven-d of this chap-
54 ter or in accordance with section eleven hundred eleven-e of this chap-
55 ter, and except an adjudication in accordance with section eleven
56 hundred eleven-c of this chapter of a violation of a bus lane

1 restriction as defined in such section, and except an adjudication of
2 liability of an owner for a violation of subdivision (b), (c), (d), (f)
3 or (g) of section eleven hundred eighty of this chapter in accordance
4 with section eleven hundred eighty-b of this chapter, and except an
5 adjudication of liability of an owner for a violation of subdivision
6 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
7 ter in accordance with section eleven hundred eighty-c of this chapter,
8 and except an adjudication of liability of an owner for a violation of
9 toll collection regulations pursuant to section two thousand nine
10 hundred eighty-five of the public authorities law or sections sixteen-a,
11 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the
12 laws of nineteen hundred fifty, and except an adjudication of liability
13 of an owner for a violation of subdivision (f) of section eleven hundred
14 ten of this chapter in accordance with section eleven hundred ten-a of
15 this chapter, there shall be levied in addition to any sentence, penalty
16 or other surcharge required or permitted by law, an additional surcharge
17 of twenty-eight dollars.

18 § 16-b. Paragraph a of subdivision 1 of section 1809-e of the vehicle
19 and traffic law, as amended by section 11-b of chapter 222 of the laws
20 of 2015, is amended to read as follows:

21 a. Notwithstanding any other provision of law, whenever proceedings in
22 a court or an administrative tribunal of this state result in a
23 conviction for an offense under this chapter, except a conviction pursu-
24 ant to section eleven hundred ninety-two of this chapter, or for a traf-
25 fic infraction under this chapter, or a local law, ordinance, rule or
26 regulation adopted pursuant to this chapter, except a traffic infraction
27 involving standing, stopping, or parking or violations by pedestrians or
28 bicyclists, and except an adjudication of liability of an owner for a
29 violation of subdivision (d) of section eleven hundred eleven of this
30 chapter in accordance with section eleven hundred eleven-a of this chap-
31 ter or in accordance with section eleven hundred eleven-d of this chap-
32 ter or in accordance with section eleven hundred eleven-e of this chap-
33 ter, and except an adjudication of liability of an owner for a violation
34 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred
35 eighty of this chapter in accordance with section eleven hundred eight-
36 y-b of this chapter, and except an adjudication of liability of an owner
37 for a violation of subdivision (b), (c), (d), (f) or (g) of section
38 eleven hundred eighty of this chapter in accordance with section eleven
39 hundred eighty-c of this chapter, and except an adjudication of liabil-
40 ity of an owner for a violation of toll collection regulations pursuant
41 to section two thousand nine hundred eighty-five of the public authori-
42 ties law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven
43 hundred seventy-four of the laws of nineteen hundred fifty, and except
44 an adjudication of liability of an owner for a violation of subdivision
45 (f) of section eleven hundred ten of this chapter in accordance with
46 section eleven hundred ten-a of this chapter, there shall be levied in
47 addition to any sentence, penalty or other surcharge required or permit-
48 ted by law, an additional surcharge of twenty-eight dollars.

49 § 16-c. Paragraph a of subdivision 1 of section 1809-e of the vehicle
50 and traffic law, as amended by section 11-c of chapter 222 of the laws
51 of 2015, is amended to read as follows:

52 a. Notwithstanding any other provision of law, whenever proceedings in
53 a court or an administrative tribunal of this state result in a
54 conviction for an offense under this chapter, except a conviction pursu-
55 ant to section eleven hundred ninety-two of this chapter, or for a traf-
56 fic infraction under this chapter, or a local law, ordinance, rule or

1 regulation adopted pursuant to this chapter, except a traffic infraction
2 involving standing, stopping, or parking or violations by pedestrians or
3 bicyclists, and except an adjudication of liability of an owner for a
4 violation of subdivision (d) of section eleven hundred eleven of this
5 chapter in accordance with section eleven hundred eleven-a of this chap-
6 ter or in accordance with section eleven hundred eleven-d of this chap-
7 ter, or in accordance with section eleven hundred eleven-e of this chap-
8 ter, and except an adjudication of liability of an owner for a violation
9 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred
10 eighty of this chapter in accordance with section eleven hundred eight-
11 y-c of this chapter, and except an adjudication of liability of an owner
12 for a violation of toll collection regulations pursuant to section two
13 thousand nine hundred eighty-five of the public authorities law or
14 sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred
15 seventy-four of the laws of nineteen hundred fifty, and except an adju-
16 dicatation of liability of an owner for a violation of subdivision (f) of
17 section eleven hundred ten of this chapter in accordance with section
18 eleven hundred ten-a of this chapter, there shall be levied in addition
19 to any sentence, penalty or other surcharge required or permitted by
20 law, an additional surcharge of twenty-eight dollars.

21 § 16-d. Paragraph a of subdivision 1 of section 1809-e of the vehicle
22 and traffic law, as amended by section 11-d of chapter 222 of the laws
23 of 2015, is amended to read as follows:

24 a. Notwithstanding any other provision of law, whenever proceedings in
25 a court or an administrative tribunal of this state result in a
26 conviction for an offense under this chapter, except a conviction pursu-
27 ant to section eleven hundred ninety-two of this chapter, or for a traf-
28 fic infraction under this chapter, or a local law, ordinance, rule or
29 regulation adopted pursuant to this chapter, except a traffic infraction
30 involving standing, stopping, or parking or violations by pedestrians or
31 bicyclists, and except an adjudication of liability of an owner for a
32 violation of subdivision (d) of section eleven hundred eleven of this
33 chapter in accordance with section eleven hundred eleven-a of this chap-
34 ter or in accordance with section eleven hundred eleven-d of this chap-
35 ter, or in accordance with section eleven hundred eleven-e of this chap-
36 ter, and except an adjudication of liability of an owner for a violation
37 of toll collection regulations pursuant to section two thousand nine
38 hundred eighty-five of the public authorities law or sections sixteen-a,
39 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the
40 laws of nineteen hundred fifty, and except an adjudication of liability
41 of an owner for a violation of subdivision (f) of section eleven hundred
42 ten of this chapter in accordance with section eleven hundred ten-a of
43 this chapter, there shall be levied in addition to any sentence, penalty
44 or other surcharge required or permitted by law, an additional surcharge
45 of twenty-eight dollars.

46 § 16-e. Paragraph a of subdivision 1 of section 1809-e of the vehicle
47 and traffic law, as amended by section 11-e of chapter 222 of the laws
48 of 2015, is amended to read as follows:

49 a. Notwithstanding any other provision of law, whenever proceedings in
50 a court or an administrative tribunal of this state result in a
51 conviction for an offense under this chapter, except a conviction pursu-
52 ant to section eleven hundred ninety-two of this chapter, or for a traf-
53 fic infraction under this chapter, or a local law, ordinance, rule or
54 regulation adopted pursuant to this chapter, except a traffic infraction
55 involving standing, stopping, or parking or violations by pedestrians or
56 bicyclists, and except an adjudication of liability of an owner for a

1 violation of subdivision (d) of section eleven hundred eleven of this
2 chapter in accordance with section eleven hundred eleven-a of this chap-
3 ter or in accordance with section eleven hundred-e of this chapter, and
4 except an adjudication of liability of an owner for a violation of toll
5 collection regulations pursuant to section two thousand nine hundred
6 eighty-five of the public authorities law or sections sixteen-a,
7 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the
8 laws of nineteen hundred fifty, and except an adjudication of liability
9 of an owner for a violation of subdivision (f) of section eleven hundred
10 ten of this chapter in accordance with section eleven hundred ten-a of
11 this chapter, there shall be levied in addition to any sentence, penalty
12 or other surcharge required or permitted by law, an additional surcharge
13 of twenty-eight dollars.

14 § 16-f. Paragraph a of subdivision 1 of section 1809-e of the vehicle
15 and traffic law, as amended by section 5 of part C of chapter 55 of the
16 laws of 2013, is amended to read as follows:

17 a. Notwithstanding any other provision of law, whenever proceedings in
18 a court or an administrative tribunal of this state result in a
19 conviction for an offense under this chapter, except a conviction pursu-
20 ant to section eleven hundred ninety-two of this chapter, or for a traf-
21 fic infraction under this chapter, or a local law, ordinance, rule or
22 regulation adopted pursuant to this chapter, except a traffic infraction
23 involving standing, stopping, or parking or violations by pedestrians or
24 bicyclists, and except an adjudication of liability of an owner for a
25 violation of subdivision (d) of section eleven hundred eleven of this
26 chapter in accordance with section eleven hundred eleven-a of this chap-
27 ter, and except an adjudication of liability of an owner for a violation
28 of toll collection regulations pursuant to section two thousand nine
29 hundred eighty-five of the public authorities law or sections sixteen-a,
30 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the
31 laws of nineteen hundred fifty, and except an adjudication of liability
32 of an owner for a violation of subdivision (f) of section eleven hundred
33 ten of this chapter in accordance with section eleven hundred ten-a of
34 this chapter, there shall be levied in addition to any sentence, penalty
35 or other surcharge required or permitted by law, an additional surcharge
36 of twenty-eight dollars.

37 § 17. Subdivision 2 of section 87 of the public officers law is
38 amended by adding a new paragraph (p) to read as follows:

39 (p) are photographs, microphotographs, videotape or other recorded
40 images prepared under authority of section eleven hundred ten-a of the
41 vehicle and traffic law.

42 § 18. The New York city department of transportation shall: (i) prior
43 to implementing a temporary high-occupancy vehicle (HOV) program on the
44 Williamsburg bridge as authorized by section 1110-a of the vehicle and
45 traffic law, as added by section fourteen of this act, and in consulta-
46 tion with the metropolitan transportation authority, in accordance with
47 subdivision 4 of section 1268 of the public authorities law, as added by
48 section four of this act, communicate to the public, including the
49 affected communities in New York and Kings counties, the plan for HOV
50 restrictions so as to maximize awareness of such temporary HOV program;
51 (ii) for at least 40 days prior to implementing such temporary HOV
52 program, send by first class mail notice of such upcoming implementation
53 to the owner of any vehicle that is not a bus, a commercial vehicle, an
54 authorized emergency vehicle, or an access-a-ride vehicle, identified as
55 having been driven on the Williamsburg bridge with fewer than three
56 occupants during time periods defined by the New York city department of

1 transportation in accordance with the provisions of section 1110-a of
2 the vehicle and traffic law, as added by section fourteen of this act;
3 and (iii) take such measures as are necessary to implement such tempo-
4 rary HOV program prior to its implementation, including promulgating any
5 rules and regulations necessary for the implementation of this act.
6 Failure to comply with the provisions of this section shall not affect
7 the validity or implementation of the temporary HOV program authorized
8 by section 1110-a of the vehicle and traffic law, as added by section
9 fourteen of this act.

10 § 19. The purchase or lease of equipment for a program established
11 pursuant to section 1110-a of the vehicle and traffic law shall be
12 subject to the provisions of section 103 of the general municipal law.

13 § 20. (a) This act shall take effect immediately provided, however,
14 that sections one through three of this act shall expire and be deemed
15 repealed September 1, 2020; provided, however, that the amendments to
16 paragraph 5 of subdivision (c) of section 1111-c of the vehicle and
17 traffic law, made by section three of this act, shall not affect the
18 repeal of such section and shall be deemed repealed therewith provided,
19 further, that sections four through seventeen and section nineteen of
20 this act shall take effect April 1, 2019, and sections four through
21 nineteen of this act shall expire and be deemed repealed July 1, 2020,
22 except that if the metropolitan transportation authority completes
23 repairs on the Canarsie tunnel prior to July 1, 2020, sections four
24 through nineteen of this act shall expire and be deemed repealed on such
25 prior date; provided that the metropolitan transportation authority
26 shall notify the legislative bill drafting commission upon the occur-
27 rence of such completion of the Canarsie tunnel occurring prior to July
28 1, 2020 in order that the commission may maintain an accurate and timely
29 effective database of the official text of the laws of the state of New
30 York in furtherance of effectuating the provisions of section 44 of the
31 legislative law and section 70-b of the public officers law;

32 (b) notwithstanding the expiration and repeal of certain provisions of
33 this act, any violations issued prior to July 1, 2020 or the prior date
34 upon which sections four through nineteen of this act expires and is
35 deemed repealed pursuant to subdivision (a) of this section, whichever
36 occurs first, may be adjudicated after such date;

37 (c) the amendments to subdivision 1 of section 1809 of the vehicle and
38 traffic law made by section fifteen of this act shall not affect the
39 expiration of such subdivision and shall be deemed to expire therewith,
40 when upon such date the provisions of section fifteen-a of this act
41 shall take effect;

42 (d) the amendments to subdivision 1 of section 1809 of the vehicle and
43 traffic law made by section fifteen-a of this act shall not affect the
44 expiration of such subdivision and shall be deemed to expire therewith,
45 when upon such date the provisions of section fifteen-b of this act
46 shall take effect;

47 (e) the amendments to subdivision 1 of section 1809 of the vehicle and
48 traffic law made by section fifteen-b of this act shall not affect the
49 expiration of such subdivision and shall be deemed to expire therewith,
50 when upon such date the provisions of section fifteen-c of this act
51 shall take effect;

52 (f) the amendments to subdivision 1 of section 1809 of the vehicle and
53 traffic law made by section fifteen-c of this act shall not affect the
54 expiration of such subdivision and shall be deemed to expire therewith,
55 when upon such date the provisions of section fifteen-d of this act
56 shall take effect;

1 (g) the amendments to subdivision 1 of section 1809 of the vehicle and
2 traffic law made by section fifteen-d of this act shall not affect the
3 expiration of such subdivision and shall be deemed to expire therewith,
4 when upon such date the provisions of section fifteen-e of this act
5 shall take effect;

6 (h) the amendments to subdivision 1 of section 1809 of the vehicle and
7 traffic law made by section fifteen-e of this act shall not affect the
8 expiration of such subdivision and shall be deemed to expire therewith,
9 when upon such date the provisions of section fifteen-f of this act
10 shall take effect;

11 (i) the amendments to subdivision 1 of section 1809 of the vehicle and
12 traffic law made by section fifteen-f of this act shall not affect the
13 expiration of such subdivision and shall be deemed to expire therewith,
14 when upon such date the provisions of section fifteen-g of this act
15 shall take effect;

16 (j) the amendments to paragraph a of subdivision 1 of section 1809-e
17 of the vehicle and traffic law made by section sixteen of this act shall
18 not affect the expiration of such paragraph and shall be deemed to
19 expire therewith, when upon such date the provisions of section
20 sixteen-a of this act shall take effect;

21 (k) the amendments to paragraph a of subdivision 1 of section 1809-e
22 of the vehicle and traffic law made by section sixteen-a of this act
23 shall not affect the expiration of such paragraph and shall be deemed to
24 expire therewith, when upon such date the provisions of section
25 sixteen-b of this act shall take effect;

26 (l) the amendments to paragraph a of subdivision 1 of section 1809-e
27 of the vehicle and traffic law made by section sixteen-b of this act
28 shall not affect the expiration of such paragraph and shall be deemed to
29 expire therewith, when upon such date the provisions of section
30 sixteen-c of this act shall take effect;

31 (m) the amendments to paragraph a of subdivision 1 of section 1809-e
32 of the vehicle and traffic law made by section sixteen-c of this act
33 shall not affect the expiration of such paragraph and shall be deemed to
34 expire therewith, when upon such date the provisions of section
35 sixteen-d of this act shall take effect;

36 (n) the amendments to paragraph a of subdivision 1 of section 1809-e
37 of the vehicle and traffic law made by section sixteen-d of this act
38 shall not affect the expiration of such paragraph and shall be deemed to
39 expire therewith, when upon such date the provisions of section
40 sixteen-e of this act shall take effect; and

41 (o) the amendments to paragraph a of subdivision 1 of section 1809-e
42 of the vehicle and traffic law made by section sixteen-e of this act
43 shall not affect the expiration of such paragraph and shall be deemed to
44 expire therewith, when upon such date the provisions of section
45 sixteen-f of this act shall take effect.