

STATE OF NEW YORK

2584

2017-2018 Regular Sessions

IN SENATE

January 13, 2017

Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to registration information

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

1 Section 1. Paragraph (b) of subdivision 4 of section 202 of the vehicle and traffic law, as amended by chapter 293 of the laws of 1989, is amended to read as follows:

2 (b) The commissioner shall notify each vehicle registrant that the
3 personal information contained within registration information specified
4 in paragraph (a) of this subdivision has been or will be furnished to
5 the contracting party. The commissioner shall inform each vehicle regis-
6 trant when such registrant first makes application for a vehicle regis-
7 tration or when such registrant applies to renew an existing vehicle
8 registration how to achieve the deletion of such information from the
9 contracting party's file. The contract between the commissioner and the
10 contracting party shall provide that, upon the request of the registrant
11 made in such manner and in such form as shall be prescribed by the
12 commissioner, such personal information contained within registration
13 information shall be deleted from the contracting party's file for all
14 purposes, except: [~~(i) issuance of manufacturer's warranty, safety~~
15 ~~recall or similar notices, or (ii) statistical compilations.~~]

16 (i) for use by any government agency, including any court or law
17 enforcement agency, in carrying out its functions, or any private person
18 or entity acting on behalf of a federal, state, or local agency in
19 carrying out its functions;

20 (ii) for use in connection with matters of motor vehicle or driver
21 safety and theft; motor vehicle emissions; motor vehicle product alter-
22 ations, recalls, or advisors; performance monitoring of motor vehicles,
23 motor vehicle parts and dealers; motor vehicle market research activ-
24 ities;

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

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ities, including survey research; and removal of non-owner records from the original records of motor vehicle manufacturers;

(iii) for use in the normal course of business by a legitimate business or its agents, employees, or contractors, but only: (1) to verify the accuracy of personal information submitted by the individual to the business or its agents, employees, or contractors; and (2) if such information as so submitted is not correct or is no longer correct, to obtain the correct information, but only for the purposes of preventing fraud by, pursuing legal remedies against, or recovering on a debt or security interest against, the individual;

(iv) for use in connection with any civil, criminal, administrative, or arbitral proceeding in any federal, state, or local court agency or before any self-regulating body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or pursuant to an order of a federal, state, or local court;

(v) for use in research activities, and for use in producing statistical reports, so long as the contracting party does not publish, redisclose or use personal information to contact individuals; and

(vi) for use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities, antifraud activities, rating or underwriting.

§ 2. This act shall take effect immediately.