

STATE OF NEW YORK

6287

2017-2018 Regular Sessions

IN SENATE

May 11, 2017

Introduced by Sen. LANZA -- 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 establishing the Move New York Fair Plan; to amend the state finance law, in relation to establishing the Move New York mobility fund; to amend the public authorities law, in relation to the collection and disbursement of the funds of such plan; to amend the tax law, in relation to rescinding certain tax exemptions; to amend the executive law, in relation to diversion of metropolitan transportation authority funds; and to amend the public authorities law, in relation to directing the metropolitan transportation authority to contract for the provision of an independent forensic audit of such authority; and providing for the repeal of certain provisions upon the expiration thereof

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

1 Section 1. The vehicle and traffic law is amended by adding a new
2 article 44-C to read as follows:

ARTICLE 44-C

MOVE NEW YORK FAIR PLAN

Section 1701. Definitions.

1702. Authorization and establishment of the Move New York Fair Plan.

1703. Move New York toll swap.

1704. Violations and enforcement.

1705. Disposition of revenue and penalties.

1706. Rulemaking authority.

12 § 1701. Definitions. For the purposes of this article, the following
13 terms shall have the following meanings:

14 1. "City" means the city of New York.

15 2. "Department" means the department of transportation of the city.

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

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1 3. "Electronic fee collection system" means a system of collecting
2 fees which is capable of charging an account holder the appropriate fee
3 by transmission of information from an electronic device in or on a
4 vehicle to a device sensor, which information is used to charge the
5 appropriate fee.

6 4. "Move New York mobility fund" means the fund of the same name
7 established in section ninety-seven-pppp of the state finance law.

8 5. "Move New York toll swap" means the imposition of tolls on current-
9 ly free crossings that lead into that area within the borough of Manhat-
10 tan south of but excluding 60th Street and the reduction of tolls on the
11 metropolitan transportation authority's existing seven tolled bridges
12 specified in subdivision four of section seventeen hundred three of this
13 article.

14 6. "Operation date" means the date determined by the department and
15 the Triborough bridge and tunnel authority for the beginning of the
16 operation and enforcement of the Move New York toll swap, but in no case
17 later than January first, two thousand twenty.

18 7. "Owner" means any person, corporation, partnership, firm, agency,
19 association, lessor, or organization who at the time a vehicle is oper-
20 ated: (a) is the beneficial or equitable owner of such vehicle; (b) has
21 title to such vehicle; (c) is the registrant or co-registrant of such
22 vehicle which is registered with the department of motor vehicles of
23 this state or any other state, territory, district, province, nation or
24 other jurisdiction; (d) uses such vehicle in its vehicle renting and/or
25 leasing business; or (e) is an owner of such vehicle as defined by
26 section one hundred twenty-eight or subdivision (a) of section twenty-
27 one hundred one of this chapter.

28 8. "Parking violations bureau" means the parking violations bureau
29 created in the department pursuant to section 19-201 of the administra-
30 tive code of the city.

31 9. "Vehicle-monitoring system" means a vehicle sensor installed at
32 newly tolled crossings, pursuant to this article, to work in conjunction
33 with photographic or other recording equipment which automatically
34 produces one or more photographs, one or more microphotographs, a vide-
35 otape, digital record or other recorded images of a vehicle entering or
36 exiting the perimeter established by such new tolls.

37 § 1702. Authorization and establishment of the Move New York Fair
38 Plan. 1. The department and the metropolitan transportation authority
39 are hereby authorized and shall, subject to the completion of any envi-
40 ronmental review required by law or regulation, establish and administer
41 the provisions of this article to be known as the Move New York Fair
42 Plan subject to and conditional upon the establishment and continuation
43 of tolls by the Triborough bridge and tunnel authority as set forth in
44 this section.

45 2. The plan shall commence on the operation date as determined by
46 agreement between the department and the Triborough bridge and tunnel
47 authority.

48 3. Contracting and employment created through the implementation of
49 this plan shall be required to comply with article fifteen-A of the
50 executive law or the most current minority and women-owned business
51 contracting provisions.

52 § 1703. Move New York toll swap. 1. The department shall install and
53 operate an electronic fee collection system and a vehicle-monitoring
54 system or utilize any other technological means to effectuate the
55 provisions of this article at points of entry specified in paragraphs
56 (a) and (b) of this subdivision. The department shall determine the

1 appropriate placement of such systems so as to identify vehicles enter-
2 ing and exiting the perimeter created by the points specified by para-
3 graphs (a) and (b) of this subdivision so as to utilize the electronic
4 fee collection and vehicle-monitoring system, provided that such systems
5 shall be technologically compatible with the analogous systems used by
6 the Triborough bridge and tunnel authority at the facilities identified
7 in paragraph (c) of this subdivision (such that the systems will be
8 interoperable and customers will utilize the same transponders or other
9 means of identification) and be placed at the following locations:

10 (a) at each intersection of East or West 60th street with each north-
11 bound or southbound roadway that crosses East or West 60th street in the
12 borough of Manhattan, including where 60th street would intersect both
13 Franklin Delano Roosevelt drive and route 9A if it extended east to the
14 East river and west to the Hudson river, such that any vehicle traveling
15 in a northerly or southerly direction and passing over East or West 60th
16 street, as described above, will be monitored and eligible for tolling;

17 (b) the Brooklyn bridge, the Ed Koch Queensboro bridge, the Manhattan
18 bridge, and the Williamsburg bridge; and

19 (c) the Brooklyn Battery tunnel and the Queens Midtown tunnel.

20 (d) Notwithstanding the opening paragraph of this subdivision, the
21 department shall not place such systems at the Lincoln tunnel, the
22 Holland tunnel or any other crossing not otherwise named in this subdivi-
23 vision.

24 2. The cost of tolls at points of entry specified in paragraphs (a),
25 (b), and (c) of subdivision one of this section shall be uniform and
26 equal to those tolls established from time to time by the Triborough
27 bridge and tunnel authority at the locations specified in paragraph (c)
28 of subdivision one of this section. And in accordance with the passage
29 of this legislation, tolls shall be reduced at those locations specified
30 in paragraph (c) of subdivision one of this section by 9.75% percent at
31 the time the Move New York toll swap is implemented. Such tolls and all
32 other tolls at the facilities of the Triborough bridge and tunnel
33 authority may thereafter be adjusted from time to time as determined by
34 the Triborough bridge and tunnel authority, subject to legislative
35 approval, and in accordance with those procedures applicable to the
36 setting of tolls for authority facilities generally.

37 2-a. Notwithstanding the provisions of subdivision two of this
38 section, the toll charged for westbound vehicles utilizing the north-
39 bound exit of the Ed Koch Queensboro bridge shall be fifty-five percent
40 of the cost charged at all other points of entry on such bridge.

41 3. Tolls collected at points of entry specified in paragraphs (a) and
42 (b) of subdivision one of this section shall, excepting revenue derived
43 from tolls on facilities operated by the Triborough bridge and tunnel
44 authority, be transferred into the Move New York mobility fund estab-
45 lished by section ninety-seven-pppp of the state finance law. All
46 revenue collected from the tolls at points of entry specified in para-
47 graph (c) of subdivision one of this section shall continue to be
48 collected and retained by the Triborough bridge and tunnel authority.

49 4. The tolls at the points of entry specified in paragraphs (a) and
50 (b) of subdivision one of this section shall be imposed as of the opera-
51 tion date, and maintained thereafter, only if, simultaneously, the then-
52 prevailing tolls at the following locations are lowered and maintained
53 thereafter by the Triborough bridge and tunnel authority in accordance
54 with the provisions of subdivision five of this section:

55 (a) Henry Hudson bridge;

56 (b) Triborough bridge;

- (c) Whitestone bridge;
- (d) Throgs Neck bridge;
- (e) Cross Bay Veterans memorial bridge;
- (f) Marine parkway-Gil Hodges memorial bridge; and
- (g) Verrazano bridge.

5. The price of the tolls at the point of entry specified by:

(a) Paragraph (a) of subdivision four of this section shall be uniform and not more than twenty-eight percent of the electronic direct-pay rate, or fifty-six percent of the cost of the pay-by-mail rate, that would be charged to a vehicle at the tolls at the points of entry specified in paragraphs (a), (b) and (c) of subdivision one of this section;

(b) Paragraphs (b), (c), (d) and (g) of subdivision four of this section shall be uniform and not more than fifty-five percent of the electronic direct-pay rate, or sixty percent of the cost of the toll-by-mail rate, that would be charged to a vehicle at the tolls at the points of entry specified in paragraphs (a), (b) and (c) of subdivision one of this section; and

(c) Paragraphs (e) and (f) of subdivision four of this section shall be uniform and not more than twenty percent of the electronic direct-pay rate, or thirty-four percent of the cost of the toll-by-mail rate, that would be charged to a vehicle at the tolls at the points of entry specified in paragraphs (a), (b) and (c) of subdivision one of this section.

(d) For those bridges where a governor-approved resident toll discount is currently in effect, such discount shall be made permanent, and any resident rate for those same crossings shall be fifty percent of the standard toll under this plan for those vehicles equipped with electronic, onsite, direct payment technology.

6. In the event that the Triborough bridge and tunnel authority fails to establish and maintain tolls at the facilities specified in paragraphs (a) through (g) of subdivision four of this section at levels consistent with the ratios established by subdivision five of this section, then the authority to establish and maintain tolls at the facilities specified in paragraphs (a) and (b) of subdivision one of this section shall lapse and be of no force and effect. Vehicles registered in any borough that lacks subway service to the central business district which are traveling to or from the central business district, shall be limited to one toll per direction so long as the vehicle in question is using E-ZPass or other form of instant, onsite payment and that the second tolled facility the driver may cross is reached within three hours of the first tolled facility in that direction being crossed, where the tolled facilities in question are those specified in paragraphs (a) and (b) of subdivision one and paragraph (g) of subdivision four of this section.

7. (a) The city taxi and limousine commission, pursuant to an agreement to be entered into with the Move New York highway and transit authority, but in no case later than January first, two thousand twenty shall be authorized to impose and shall impose a surcharge on all taxis, black cars, liveries and for-hire vehicles licensed by the city taxi and limousine commission picking up or discharging passengers within the hail exclusionary zone as defined by the taxi and limousine commission.

(b) Such charge shall be determined as follows: twelve cents per two tenths of one mile traveled at a speed of six miles per hour or more plus twenty cents per two-tenths of one mile traveled at a speed of less than six miles per hour, within the hail exclusionary zone as defined by the taxi and limousine commission. The charges specified in this subdivision shall vary according to subdivision ten of this section. Such

1 charges may be adjusted upward from time to time by the city taxi and
2 limousine commission.

3 (c) All charges under this subdivision shall be collected by the taxi
4 and limousine commission and remitted to the Move New York highway and
5 transit authority on a quarterly basis.

6 (d) Notwithstanding any contrary provision of law, any for hire vehi-
7 cle or taxi subject to the surcharge specified by subdivision seven of
8 this section shall be exempt from the tolls specified in paragraphs (a),
9 (b) and (c) of subdivision one of this section.

10 8. (a) A commercial vehicle, as defined by the New York city traffic
11 rules, equipped with an operational commercial E-ZPass, shall only be
12 charged a single round trip toll per day notwithstanding the number of
13 times such vehicle may cross the perimeter of the tolls established by
14 this section.

15 (b) All vehicles and vehicle types or classes shall pay the new toll
16 crossings with the exception of emergency vehicles and New York city
17 government vehicles as may be provided pursuant to the rule making
18 authority of the Move New York highway and transit authority board.

19 9. It shall be a violation of this section for the owner of any vehi-
20 cle subject to a toll charge pursuant to this article or any surcharge
21 pursuant to subdivision seven of this section to fail to pay such toll
22 charge or surcharge to the department within thirty days after the end
23 of a day in which the vehicle has incurred such toll charge or surcharge
24 pursuant to this section or within fifteen days of receiving written
25 notice, whichever is later.

26 10. The department by agreement with the Move New York highway and
27 transit authority and the Triborough bridge and tunnel authority is
28 hereby authorized to establish a demand-based pricing scheme whereby
29 tolls shall be higher during times of heavy traffic volume and lower
30 during times of lighter traffic volume, provided, however, that in all
31 cases revenue raised from the fees established by this section shall
32 meet the revenue that would have been raised if rates did not change
33 throughout the day, as provided for in this section of this article.

34 Nothing herein is intended nor shall it be construed to limit or modi-
35 fy the authority and power of the Triborough bridge and tunnel authority
36 to establish tolls at its own facilities.

37 § 1704. Violations and enforcement. 1. Notwithstanding any other
38 provision of law, violations of this article shall be adjudicated pursu-
39 ant to this section. The owner of a vehicle shall be liable for a penal-
40 ty imposed pursuant to this section if such vehicle was used or operated
41 with the permission of the owner, expressed or implied, in violation of
42 this article, and such violation is evidenced by information obtained
43 from a vehicle-monitoring system or other credible evidence.

44 2. A certificate, sworn to or affirmed by a technician employed or
45 contracted by the city, or a facsimile or electronic image thereof,
46 based upon inspection of photographs, microphotographs, videotape,
47 digital record, digital recording or other recorded images produced by a
48 vehicle-monitoring system shall be prima facie evidence of the facts
49 contained therein. Any photographs, microphotographs, videotape, digital
50 recording, digital record, or other recorded images evidencing such a
51 violation shall be available for inspection in any proceeding to adjudi-
52 cate the liability for such violation pursuant to this section.

53 3. Notwithstanding any other provision of law, an owner liable for a
54 violation of this article shall be liable for monetary penalties in
55 accordance with the following initial schedule:

56 (a) for failure to respond to written

- 1 notice within thirty days Fifty dollars
2 (b) for failure to respond to written
3 notice within sixty days One hundred dollars
4 (c) for failure to respond to written
5 notice within ninety or more days ... One hundred fifty dollars

6 The department of finance of the city or the parking violations bureau
7 shall adjudicate liability imposed by this section.

8 4. An imposition of liability pursuant to this section shall not be
9 deemed a conviction as an operator and shall not be made part of the
10 operating record of the person upon whom such liability is imposed nor
11 shall it be used for insurance purposes in the provision of motor vehi-
12 cle insurance coverage.

13 5. A notice of liability shall be sent by first class mail to each
14 person alleged to be liable as an owner for a violation of this article.
15 Personal service on the owner shall not be required. A manual or auto-
16 matic record of mailing prepared in the ordinary course of business
17 shall be prima facie evidence of the facts contained therein. The notice
18 of liability shall contain the following information:

19 (a) the name and address of the person alleged to be liable as an
20 owner for a violation of this article;

21 (b) the registration number of the vehicle involved in such violation;

22 (c) the date, time, and location or locations where such violation
23 took place;

24 (d) the identification number of the vehicle-monitoring system or
25 other document locator number;

26 (e) information advising the person charged of the manner and time in
27 which he or she may contest the liability alleged in the notice; and

28 (f) a warning to advise the person charged that failure to contest in
29 the manner and time provided shall be deemed an admission of liability,
30 may subject the person to additional penalties, and that a default judg-
31 ment may be issued thereon.

32 6. If the evidence of the violation is derived from an official source
33 other than the vehicle-monitoring system, such as from an employee of
34 the police department of the city, the notice shall contain sufficient
35 information detailing the name and title of the city employee who
36 observed the violation in addition to the information described in
37 subdivision five of this section.

38 7. If an owner receives a notice of liability pursuant to this section
39 for any time period during which the vehicle was reported to the police
40 department as having been stolen, it shall be a valid defense to an
41 allegation of liability for a violation of this article that the vehicle
42 had been reported to the police as stolen prior to the time the
43 violation occurred and had not been recovered by such time. For purposes
44 of asserting the defense provided by this subdivision it shall be suffi-
45 cient that a certified copy of the police report on the stolen vehicle
46 be sent by first class mail to the city department of finance or parking
47 violations bureau.

48 8. (a) An owner who is a lessor of a vehicle to which a notice of
49 liability was issued pursuant to subdivision five of this section shall
50 not be liable for the violation of this article provided that:

51 (i) prior to the violation the lessor has filed with the department of
52 finance of the city or the parking violations bureau and paid the
53 required filing fee in accordance with the provisions of section two
54 hundred thirty-nine of this chapter; and

55 (ii) within thirty-seven days after receiving notice from the depart-
56 ment of finance of the city or the parking violations bureau of the date

1 and time of a liability, together with the other information contained
2 in the original notice of liability, the lessor submits to the depart-
3 ment of finance of the city or the parking violations bureau the correct
4 name and address of the lessee of the vehicle identified in the notice
5 of liability at the time of such violation, together with such other
6 additional information contained in the rental lease or other contract
7 document, as may be reasonably required by the department of finance of
8 the city or the parking violations bureau pursuant to regulations that
9 may be promulgated for such purpose.

10 (b) Failure to comply with subparagraph (ii) of paragraph (a) of this
11 subdivision shall render the owner liable for the penalty prescribed in
12 this section.

13 (c) Where the lessor complies with the provisions of this subdivision,
14 the lessee of such vehicle on the date of such violation shall be deemed
15 to be the owner of such vehicle for purposes of this section, and such
16 lessee shall be subject to liability for a violation of this article and
17 shall be sent a notice of liability pursuant to subdivision four of this
18 section.

19 9. If the owner liable for a violation of this article was not the
20 operator of the vehicle at the time of the violation, the owner may
21 maintain an action for indemnification against the operator.

22 10. Notwithstanding any other provision of this section, no owner of a
23 vehicle shall be subject to a penalty imposed pursuant to this section
24 if the operator of such vehicle was operating such vehicle without the
25 consent of the owner at the time such operator committed a violation of
26 this article. For the purposes of this subdivision, there shall be a
27 presumption that the operator of such vehicle was operating such vehicle
28 with the consent of the owner at the time such operator committed a
29 violation of this article.

30 11. Nothing in this section shall be construed to limit the liability
31 of an operator of a vehicle for any violation of this article.

32 § 1705. Disposition of revenue and penalties. 1. All tolls, fees and
33 surcharges collected pursuant to this article shall at all times be the
34 property of the Move New York highway and transit authority, except for
35 that portion allocable and paid to the Triborough bridge and transit
36 authority pursuant to subdivision five of section ninety-seven-pppp of
37 the state finance law, which shall be retained by the Triborough bridge
38 and tunnel authority, shall be deposited on a quarterly basis into the
39 Move New York mobility fund established by section ninety-seven-pppp of
40 the state finance law.

41 2. Notwithstanding any law to the contrary, all fines and penalties
42 collected by the Move New York highway and transit authority for a
43 violation of this article pursuant to the provisions of section seven-
44 teen hundred four of this article shall at all times be the property of,
45 and shall be paid to, the authority and shall be deposited into the Move
46 New York mobility fund established by section ninety-seven-pppp of the
47 state finance law.

48 § 1706. Rulemaking authority. The metropolitan transportation authori-
49 ty, the Triborough bridge and tunnel authority, the Move New York high-
50 way and transit authority and any agencies of the city, including the
51 department, the city department of finance and the parking violations
52 bureau, are empowered and authorized to promulgate any regulations
53 necessary or in aid of their powers and duties pursuant to this article
54 including adjustments in fees and penalties.

55 § 2. The state finance law is amended by adding a new section 97-pppp
56 to read as follows:

1 § 97-pppp. Move New York mobility fund. 1. There is hereby established
2 in the joint custody of the state comptroller and the Move New York
3 highway and transit authority, a special revenue fund to be known as the
4 "Move New York mobility fund".

5 2. Moneys in the Move New York mobility fund shall be kept separately
6 from and shall not be commingled with any other moneys in the joint or
7 sole custody of the state comptroller or metropolitan transportation
8 authority.

9 3. The fund shall consist of: (i) any tolls, fees and surcharges
10 collected pursuant to article forty-four-C of the vehicle and traffic
11 law, except tolls collected on facilities operated by the Triborough
12 bridge and tunnel authority; (ii) any penalties imposed pursuant to
13 article forty-four-C of the vehicle and traffic law, and administrative
14 fees imposed pursuant to subdivision fifteen of section twenty-nine
15 hundred eighty-five of the public authorities law; and (iii) any funds
16 realized by the rescission of the tax exemption for New York county
17 residents pursuant to section twelve hundred twelve-A of the tax law.

18 4. Moneys of the fund shall be disbursed without appropriation only
19 upon direction of the Move New York highway and transit authority.

20 5. Moneys in the fund shall be disbursed in the following fashion and
21 order of priority on an annual basis:

22 (a) Sufficient funds to cover the lost revenues from: (i) reduced
23 tolls on the facilities identified in paragraphs (a) through (g) of
24 subdivision four of section seventeen hundred three of the vehicle and
25 traffic law calculated on an annual basis based on the historical
26 percentage (reflecting the three year period prior to the operation
27 date) share that such facilities contribute to all Triborough bridge and
28 tunnel authority revenues that are collected from all bridge and tunnel
29 crossings, and (ii) any toll exemptions to vehicles required by or
30 implemented pursuant to this article and determined by the Triborough
31 bridge and tunnel authority and verified by the comptroller on an annual
32 basis based upon actual experience. Such revenue make-up payment shall
33 be calculated on a quarterly basis and paid by the Move New York highway
34 and transit authority from the Move New York mobility fund to the
35 Triborough bridge and tunnel authority within thirty days of the end of
36 each calendar quarter.

37 (b) Sufficient funds to the department to cover the amortized cost of
38 installing, maintaining and administering the tolls on the roadways and
39 bridges specified in paragraphs (a) and (b) of subdivision one of
40 section seventeen hundred three of the vehicle and traffic law.

41 (c) Up to the first three hundred million dollars to the New York city
42 department of transportation for actual and verifiable costs of main-
43 taining the bridges specified in subdivision one of section seventeen
44 hundred three of the vehicle and traffic law over a ten year period.

45 (d) Four hundred eighty-seven million dollars annually to the metro-
46 politan transportation authority, all or a portion of which may be used
47 to secure indebtedness of up to seven billion three hundred million
48 dollars by such authority.

49 (e) Seventy-five million dollars per year plus any funds allocated
50 under paragraph (c) of this subdivision that are not required for bridge
51 maintenance costs to the New York city department of transportation for
52 miscellaneous road and bridge maintenance and improvements.

53 (f) As provided in section nine of the chapter of the laws of two
54 thousand seventeen that added this section one hundred twenty-one
55 million dollars per year to the metropolitan transportation authority to

1 implement transit access improvements throughout the five boroughs of
2 New York city.

3 (g) Three hundred million dollars per year to secure indebtedness of
4 the metropolitan transportation authority of up to four billion five
5 hundred sixty-six million dollars to be utilized as the Transit Gap
6 Investment Fund-NYC to be used by the metropolitan transportation
7 authority, the New York city transit authority and the New York city
8 department of transportation in consultation with and approval by a
9 Transit Gap Investment Fund-NYC board which shall consist of the follow-
10 ing officials or, at the discretion of such officials, appointees who
11 shall represent such officials: the governor, the speaker of the assem-
12 bly, the temporary president of the senate, the mayor of the city of New
13 York, each borough president of the city of New York, the New York city
14 council speaker, and two representatives, one of whom shall be appointed
15 by the Hudson Valley delegation of the state legislature, and one of
16 whom shall be appointed by the Long Island delegation of the state
17 legislature. The board shall additionally include the following ex offi-
18 cio, nonvoting members: the president of the transit workers union, the
19 chair of the New York city transit riders council of the permanent citi-
20 zens advisory council to the metropolitan transportation authority, the
21 president of the regional planning association and a representative from
22 the transit riders advocacy community such representative being
23 appointed by the temporary president of the senate. The board shall,
24 prior to voting on any spending proposals, hold at least one public
25 meeting at which an opportunity for public comment on such proposals
26 shall be provided.

27 (g-1) The metropolitan transportation authority, through the Transit
28 Gap Investment Fund-NYC board, shall dedicate three billion five hundred
29 million dollars to network expansion projects. In dedicating such funds,
30 the board shall consider the following expansion projects: citywide
31 ferry capital construction (seventy million dollars), Sheridan express-
32 way conversion in the Bronx (seventy million dollars), Triboro RX
33 circumferential rapid transit (one billion dollars), bus rapid transit
34 on the North Shore of Staten Island (five hundred million dollars), bike
35 and pedestrian path widening at the Brooklyn bridge (nineteen million
36 dollars), and construction of such paths on the Verrazano bridge (fifty
37 million dollars), conversion of the Atlantic avenue line of the Long
38 Island Rail Road to a subway operated by New York city transit (seven
39 hundred fifty million dollars), initial work on phase 2 of the Second
40 Avenue subway (five hundred million dollars), Manhattan crosstown corri-
41 dor select bus service on 14th; 42nd; 57th and 96th streets (forty-six
42 million dollars), select bus service between 125th Street to LaGuardia
43 airport; on Webster avenue in the Bronx; along the Southern Brooklyn
44 east-west corridor; along the Southern Bronx east-west corridor; along
45 Woodside avenue in Queens; and along Utica avenue in Brooklyn (eighty-
46 three million dollars), G train extension to Queens plaza or Queensboro
47 plaza with a new pedestrian transfer between the two facilities (four
48 hundred million dollars); free out of station transfers between the G
49 and JMZ lines at the Broadway and Hewes stations; and free out of
50 station transfers between the G and L lines at the Broadway and Lorimer
51 stations (two million dollars), free out of station transfers between
52 the 3 line at Junius street station and the L line at Livonia avenue
53 station (one million dollars), and a feasibility study for reactivation
54 of commuter rail service on the lower Montauk branch of the Long Island
55 Rail Road (two million dollars).

1 (g-2) The remaining billion dollars shall be allocated by the metro-
2 politan transportation authority and department of transportation of the
3 city of New York in the following amounts: three hundred million dollars
4 for the boroughs of Brooklyn and Queens, one hundred seventy-five
5 million for the boroughs of the Bronx and Manhattan, and fifty million
6 for the borough of Staten Island. Projects from funds dedicated pursu-
7 ant to this subdivision shall be used for hyperlocal transit accessibil-
8 ity projects including, but not limited to, new bus shelters, subway
9 station accessibility improvements and streetscape improvements consist-
10 ent with the New York city department of transportation's vision zero
11 goals. In every borough, each community board shall petition for its
12 priority projects, and the final list in every borough shall be approved
13 at the first borough board meeting subsequent to the establishment of
14 the board. Funds shall be distributed evenly between community boards
15 within a borough, within a ten percent margin differential. The minimum
16 project size shall be up to the discretion of the managing agency.

17 (g-3) The Transit Gap Investment Fund-NYC shall be annually audited
18 until all moneys within the fund are depleted by both the state comp-
19 troller and the comptroller of the city of New York. All moneys within
20 the fund shall be expended or allocated within five years of receiving
21 bonded revenues.

22 (h) Twenty-three million five hundred thousand dollars all or a
23 portion of which may be used to secure indebtedness of up to three
24 hundred fifty million dollars to establish the Transit Gap Investment
25 Fund-Hudson Valley for transit capital projects in the counties of West-
26 chester, Putnam, Dutchess, Orange, and Rockland, including, but not
27 limited to, transforming the Tappan Zee express bus service into a bus
28 rapid transit line; supplementing existing county bus system operating
29 budgets with up to ten percent of additional funding; investing in tran-
30 sit-oriented development and increased parking capacity at select
31 metro-north railroad stations; and establishing new express routes from
32 points originating west of the Hudson river into Manhattan's central
33 business district. Funds provided by this subdivision shall be
34 controlled by a board consisting of the following officials, or their
35 appointees: the governor, the speaker of the assembly, the temporary
36 president of the senate, and five members appointed by the Hudson Valley
37 delegation of the state legislature (each of whom shall represent one of
38 the five counties) and one member jointly appointed by the five county
39 executives. The board shall, prior to voting on any spending proposals,
40 hold at least one public meeting at which an opportunity for public
41 comment on such proposals shall be provided.

42 (i) Twenty-three million five hundred thousand dollars, all or a
43 portion of which may be used to secure indebtedness of up to three
44 hundred fifty million dollars to establish the Transit Gap Investment
45 Fund-Long Island to finance transit capital projects in the counties of
46 Nassau and Suffolk, including, but not limited to: supplementing exist-
47 ing county bus system operating budgets with up to ten percent of addi-
48 tional funding; investing in transit-oriented development and increased
49 parking capacity at Long Island Rail Road stations. Funds provided by
50 this subdivision shall be controlled by a board consisting of the
51 following officials, or their appointees: the governor, speaker of the
52 assembly, the temporary president of the senate, and two members
53 appointed by the Long Island delegation of the state legislature (each
54 of whom shall represent one of the two counties) and the two county
55 executives. The board shall, prior to voting on any spending proposals,

1 hold at least one public meeting at which an opportunity for public
2 comment on such proposals shall be provided.

3 (j) Any sums remaining in the fund shall be allocated three quarters
4 to the metropolitan transportation authority and one quarter to the city
5 department of transportation to be utilized in both cases for capital
6 purposes only in the first year there is a surplus and every year there-
7 after.

8 (k) In the event that there may be insufficient funds to be disbursed
9 pursuant to paragraphs (g), (h), and (i) of this subdivision, 86.5
10 percent of available funds shall be allocated to the Transit Gap Invest-
11 ment Fund-NYC, 6.75 percent of available funds shall be allocated to the
12 Transit Gap Investment Fund-Hudson Valley, and 6.75 Percent of available
13 funds shall be allocated to the Transit Gap Investment Fund-Long Island.

14 § 3. The public authorities law is amended by adding a new section
15 1279-d to read as follows:

16 § 1279-d. Move New York highway and transit authority. 1. Creation of
17 authority. There is hereby created a public benefit corporation that
18 shall be known as the "Move New York highway and transit authority".
19 The authority shall be a body corporate and politic constituting a
20 public benefit corporation. The members of the board of the metropolitan
21 transportation authority shall serve, ex officio, as the members of the
22 board of the Move New York highway and transit authority.

23 2. Duties of the authority. The Move New York highway and transit
24 authority shall have the sole duty of: (a) receiving revenue pursuant to
25 article forty-four-C of the vehicle and traffic law administered by the
26 department of transportation of the city of New York, any fees or fines
27 for violations thereof, and any funds realized by the rescission of the
28 tax exemption for New York county residents pursuant to section twelve
29 hundred twelve-A of the tax law; (b) disbursing such funds pursuant to
30 subdivision four of section ninety-seven-pppp of the state finance law
31 and in accordance with subdivision five of such section; (c) issuing
32 bonds, notes and other obligations against revenue collected under para-
33 graph (a) of this subdivision; (d) furnishing an annual report on all
34 receipts and expenditures of the fund, and operation expenses of the
35 plan established by article forty-four-C of the vehicle and traffic law,
36 to be published on the website of the metropolitan transportation
37 authority and submitted to the governor, state legislature, and the
38 mayor and council of the city of New York; and (e) taking all necessary
39 or convenient measures to effectuate the provisions of this subdivision.

40 3. Powers of the authority. The authority shall possess all of the
41 powers of the metropolitan transportation authority as described in the
42 public authorities law as are necessary to fulfill these duties and
43 responsibilities.

44 4. Agreement of the state. The state does hereby pledge to and agree
45 with the metropolitan transportation authority and its subsidiaries, New
46 York city transit authority and its subsidiaries, and Triborough bridge
47 and tunnel authority, and the holders of any notes, bonds or other obli-
48 gations, including lease obligations, issued or incurred, not to impair
49 the ability of, or interfere with the rights and powers vested in, the
50 metropolitan transportation authority and its subsidiaries, New York
51 city transit authority and its subsidiaries, and Triborough bridge and
52 tunnel authority by this title to fulfill the terms of any agreements
53 made by any of them with the holders thereof, or in any way impair the
54 rights and remedies of such holders until such notes, bonds or other
55 obligations, including lease obligations, together with the interest
56 thereon, with interest on any unpaid installments of interest, and all

1 costs and expenses for which the metropolitan transportation authority
2 or its subsidiaries, New York city transit authority and its subsid-
3 aries, and Triborough bridge and tunnel authority is liable in
4 connection with any action or proceeding by or on behalf of such hold-
5 ers, are fully met and discharged. The metropolitan transportation
6 authority and its subsidiaries, New York city transit authority and its
7 subsidiaries, and Triborough bridge and tunnel authority are each
8 authorized to include this pledge and agreement of the state in any
9 agreement with the holders of such notes, bonds or other obligations,
10 including lease obligations.

11 5. Maintenance of effort. Such amount of revenue generated pursuant to
12 article forty-four-C of the vehicle and traffic law will be used to
13 increase the level of funds that would otherwise be made available for
14 purposes specified by section ninety-seven-pppp of the state finance
15 law, and not to supplant the amount to be provided to the metropolitan
16 transportation authority or the New York city transit authority or any
17 of their subsidiaries provided by state or local law, rule or regu-
18 lation.

19 § 4. Section 2985 of the public authorities law is amended by adding
20 three new subdivisions 15, 16 and 17 to read as follows:

21 15. In addition to any monetary liability that may be imposed pursuant
22 to this section and article forty-four-C of the vehicle and traffic law,
23 a public authority that operates a toll highway, bridge or tunnel facil-
24 ity is hereby authorized and empowered to impose an administrative fee
25 or fees on an owner, an operator or an account holder that has violated
26 toll collection regulations.

27 16. Any notice required to be sent pursuant to this section or article
28 forty-four-C of the vehicle and traffic law by first class mail may
29 instead be sent, with consent, by electronic means of communication. A
30 manual or automatic record of electronic communications prepared in this
31 ordinary course of business shall be adequate evidence of electronic
32 notice.

33 17. The Triborough bridge and tunnel authority, with respect to its
34 toll facilities and the Move New York highway and transit authority with
35 respect to new toll facilities established by article forty-four-C of
36 the vehicle and traffic law are authorized to adopt rules and regu-
37 lations to establish an administrative tribunal to adjudicate the
38 liability of owners for violation of toll collection regulations as
39 defined in and in accordance with the provisions of this section and
40 article forty-four-C of the vehicle and traffic law and the applicable
41 toll regulations of such authorities. Such tribunal shall have, with
42 respect to violation of toll collection regulations of such authorities,
43 non-exclusive jurisdiction over violations of the rules and regulations
44 which may from time to time be established by such authorities in
45 accordance with the provisions of this section and article forty-four-C
46 of the vehicle and traffic law. Violations shall be heard and determined
47 in the county in which the violation is alleged to have occurred or in
48 the county in which the public authority has its primary or regional
49 administrative offices and regulations may provide for the conduct of
50 hearings via videoconferencing.

51 § 5. Subdivision 4-d of section 510 of the vehicle and traffic law, as
52 added by chapter 379 of the laws of 1992, is amended to read as follows:

53 4-d. Suspension of registration for failure to answer or pay penalties
54 with respect to certain violations. Upon the receipt of a notification,
55 in the manner and form prescribed by the commissioner, from a court
56 ~~[ex]~~, an administrative tribunal, a public authority, or any other

1 public entity imposing violations, that an owner of a motor vehicle
2 failed to appear on the return date or dates or a new subsequent
3 adjourned date or dates or failed to pay any penalty imposed by a court
4 or failed to comply with the rules and regulations of an administrative
5 tribunal following entry of a final decision or decisions, in response
6 to five or more notices of liability or other process, issued within an
7 eighteen month period from any and all jurisdictions charging such owner
8 with a violation of toll collection regulations in accordance with the
9 provisions of section two thousand nine hundred eighty-five of the
10 public authorities law or sections sixteen-a, sixteen-b and sixteen-c of
11 chapter seven hundred seventy-four of the laws of nineteen hundred
12 fifty, or other comparable law, the commissioner or his or her agent
13 shall suspend the registration of the vehicle or vehicles involved in
14 the violation or the privilege of operation of any motor vehicle owned
15 by the registrant. Such suspension shall take effect no less than thirty
16 days from the date on which notice thereof is sent by the commissioner
17 to the person whose registration or privilege is suspended and shall
18 remain in effect until such registrant has appeared in response to such
19 notices of liability or has paid such penalty or in the case of an
20 administrative tribunal, the registrant has complied with the rules and
21 regulations following the entry of a final decision or decisions.

22 § 6. Subparagraph (i) of paragraph a of subdivision 5-a of section 401
23 of the vehicle and traffic law, as amended by section 8 of chapter 222
24 of the laws of 2015, is amended to read as follows:

25 (i) If at the time of application for a registration or renewal there-
26 of there is a certification from a court, parking violations bureau,
27 traffic and parking violations agency or administrative tribunal of
28 appropriate jurisdiction that the registrant or his or her represen-
29 tative failed to appear on the return date or any subsequent adjourned
30 date or failed to comply with the rules and regulations of an adminis-
31 trative tribunal following entry of a final decision in response to a
32 total of three or more summonses or other process in the aggregate,
33 issued within an eighteen month period, charging either that: (i) such
34 motor vehicle was parked, stopped or standing, or that such motor vehi-
35 cle was operated for hire by the registrant or his or her agent without
36 being licensed as a motor vehicle for hire by the appropriate local
37 authority, in violation of any of the provisions of this chapter or of
38 any law, ordinance, rule or regulation made by a local authority; or
39 (ii) the registrant was liable in accordance with section eleven hundred
40 eleven-a, section eleven hundred eleven-b or section eleven hundred
41 eleven-d of this chapter for a violation of subdivision (d) of section
42 eleven hundred eleven of this chapter; or (iii) the registrant was
43 liable in accordance with section eleven hundred eleven-c of this chap-
44 ter for a violation of a bus lane restriction as defined in such
45 section, or (iv) the registrant was liable in accordance with section
46 eleven hundred eighty-b of this chapter for a violation of subdivision
47 (c) or (d) of section eleven hundred eighty of this chapter, or (v) the
48 registrant was liable in accordance with section eleven hundred eighty-c
49 of this chapter for a violation of subdivision (c) or (d) of section
50 eleven hundred eighty of this chapter; or (vi) the registrant was liable
51 in accordance with section eleven hundred eleven-e of this chapter for a
52 violation of subdivision (d) of section eleven hundred eleven of this
53 chapter, or (vii) the registrant was liable in accordance with article
54 forty-four-C of this chapter, the commissioner or his or her agent shall
55 deny the registration or renewal application until the applicant
56 provides proof from the court, traffic and parking violations agency or

1 administrative tribunal wherein the charges are pending that an appear-
2 ance or answer has been made or in the case of an administrative tribu-
3 nal that he or she has complied with the rules and regulations of said
4 tribunal following entry of a final decision. Where an application is
5 denied pursuant to this section, the commissioner may, in his or her
6 discretion, deny a registration or renewal application to any other
7 person for the same vehicle and may deny a registration or renewal
8 application for any other motor vehicle registered in the name of the
9 applicant where the commissioner has determined that such registrant's
10 intent has been to evade the purposes of this subdivision and where the
11 commissioner has reasonable grounds to believe that such registration or
12 renewal will have the effect of defeating the purposes of this subdivi-
13 sion. Such denial shall only remain in effect as long as the summonses
14 remain unanswered, or in the case of an administrative tribunal, the
15 registrant fails to comply with the rules and regulations following
16 entry of a final decision.

17 § 6-a. Paragraph a of subdivision 5-a of section 401 of the vehicle
18 and traffic law, as amended by section 8-a of chapter 222 of the laws of
19 2015, is amended to read as follows:

20 a. If at the time of application for a registration or renewal thereof
21 there is a certification from a court or administrative tribunal of
22 appropriate jurisdiction that the registrant or his or her represen-
23 tative failed to appear on the return date or any subsequent adjourned
24 date or failed to comply with the rules and regulations of an adminis-
25 trative tribunal following entry of a final decision in response to a
26 total of three or more summonses or other process in the aggregate,
27 issued within an eighteen month period, charging either that: (i) such
28 motor vehicle was parked, stopped or standing, or that such motor vehi-
29 cle was operated for hire by the registrant or his or her agent without
30 being licensed as a motor vehicle for hire by the appropriate local
31 authority, in violation of any of the provisions of this chapter or of
32 any law, ordinance, rule or regulation made by a local authority; or
33 (ii) the registrant was liable in accordance with section eleven hundred
34 eleven-b of this chapter for a violation of subdivision (d) of section
35 eleven hundred eleven of this chapter; or (iii) the registrant was
36 liable in accordance with section eleven hundred eleven-c of this chap-
37 ter for a violation of a bus lane restriction as defined in such
38 section; or (iv) the registrant was liable in accordance with section
39 eleven hundred eleven-d of this chapter for a violation of subdivision
40 (d) of section eleven hundred eleven of this chapter or (v) the regis-
41 trant was liable in accordance with section eleven hundred eighty-b of
42 this chapter for a violation of subdivision (b), (c), (d), (f) or (g) of
43 section eleven hundred eighty of this chapter; or (v) the registrant was
44 liable in accordance with section eleven hundred eighty-c of this chap-
45 ter for a violation of subdivision (b), (c), (d), (f) or (g) of section
46 eleven hundred eighty of this chapter; or (vi) the registrant was liable
47 in accordance with section eleven hundred eleven-e of this chapter for a
48 violation of subdivision (d) of section eleven hundred eleven of this
49 chapter, or (vii) the registrant was liable in accordance with article
50 forty-four-C of this chapter, the commissioner or his or her agent shall
51 deny the registration or renewal application until the applicant
52 provides proof from the court or administrative tribunal wherein the
53 charges are pending that an appearance or answer has been made or in the
54 case of an administrative tribunal that he or she has complied with the
55 rules and regulations of said tribunal following entry of a final deci-
56 sion. Where an application is denied pursuant to this section, the

1 commissioner may, in his or her discretion, deny a registration or
2 renewal application to any other person for the same vehicle and may
3 deny a registration or renewal application for any other motor vehicle
4 registered in the name of the applicant where the commissioner has
5 determined that such registrant's intent has been to evade the purposes
6 of this subdivision and where the commissioner has reasonable grounds to
7 believe that such registration or renewal will have the effect of
8 defeating the purposes of this subdivision. Such denial shall only
9 remain in effect as long as the summonses remain unanswered, or in the
10 case of an administrative tribunal, the registrant fails to comply with
11 the rules and regulations following entry of a final decision.

12 § 6-b. Paragraph a of subdivision 5-a of section 401 of the vehicle
13 and traffic law, as amended by section 8-b of chapter 222 of the laws of
14 2015, is amended to read as follows:

15 a. If at the time of application for a registration or renewal thereof
16 there is a certification from a court or administrative tribunal of
17 appropriate jurisdiction that the registrant or his or her represen-
18 tative failed to appear on the return date or any subsequent adjourned
19 date or failed to comply with the rules and regulations of an adminis-
20 trative tribunal following entry of a final decision in response to
21 three or more summonses or other process, issued within an eighteen
22 month period, charging that: (i) such motor vehicle was parked, stopped
23 or standing, or that such motor vehicle was operated for hire by the
24 registrant or his or her agent without being licensed as a motor vehicle
25 for hire by the appropriate local authority, in violation of any of the
26 provisions of this chapter or of any law, ordinance, rule or regulation
27 made by a local authority; or (ii) the registrant was liable in accord-
28 ance with section eleven hundred eleven-c of this chapter for a
29 violation of a bus lane restriction as defined in such section; or (iii)
30 the registrant was liable in accordance with section eleven hundred
31 eleven-d of this chapter for a violation of subdivision (d) of section
32 eleven hundred eleven of this chapter; or (iv) the registrant was liable
33 in accordance with section eleven hundred eighty-b of this chapter for a
34 violation of subdivision (b), (c), (d), (f) or (g) of section eleven
35 hundred eighty of this chapter, or the registrant was liable in accord-
36 ance with section eleven hundred eighty-c of this chapter for a
37 violation of subdivision (b), (c), (d), (f) or (g) of section eleven
38 hundred eighty of this chapter; or (v) the registrant was liable in
39 accordance with section eleven hundred eleven-e of this chapter for a
40 violation of subdivision (d) of section eleven hundred eleven of this
41 chapter, or (vi) the registrant was liable in accordance with article
42 forty-four-C of this chapter, the commissioner or his or her agent shall
43 deny the registration or renewal application until the applicant
44 provides proof from the court or administrative tribunal wherein the
45 charges are pending that an appearance or answer has been made or in the
46 case of an administrative tribunal that he or she has complied with the
47 rules and regulations of said tribunal following entry of a final deci-
48 sion. Where an application is denied pursuant to this section, the
49 commissioner may, in his or her discretion, deny a registration or
50 renewal application to any other person for the same vehicle and may
51 deny a registration or renewal application for any other motor vehicle
52 registered in the name of the applicant where the commissioner has
53 determined that such registrant's intent has been to evade the purposes
54 of this subdivision and where the commissioner has reasonable grounds to
55 believe that such registration or renewal will have the effect of
56 defeating the purposes of this subdivision. Such denial shall only

1 remain in effect as long as the summonses remain unanswered, or in the
2 case of an administrative tribunal, the registrant fails to comply with
3 the rules and regulations following entry of a final decision.

4 § 6-c. Paragraph a of subdivision 5-a of section 401 of the vehicle
5 and traffic law, as amended by section 8-c of chapter 222 of the laws of
6 2015, is amended to read as follows:

7 a. If at the time of application for a registration or renewal thereof
8 there is a certification from a court or administrative tribunal of
9 appropriate jurisdiction that the registrant or his or her represen-
10 tative failed to appear on the return date or any subsequent adjourned
11 date or failed to comply with the rules and regulations of an adminis-
12 trative tribunal following entry of a final decision in response to
13 three or more summonses or other process, issued within an eighteen
14 month period, charging that: (i) such motor vehicle was parked, stopped
15 or standing, or that such motor vehicle was operated for hire by the
16 registrant or his or her agent without being licensed as a motor vehicle
17 for hire by the appropriate local authority, in violation of any of the
18 provisions of this chapter or of any law, ordinance, rule or regulation
19 made by a local authority; or (ii) the registrant was liable in accord-
20 ance with section eleven hundred eleven-d of this chapter for a
21 violation of subdivision (d) of section eleven hundred eleven of this
22 chapter; or (iii) the registrant was liable in accordance with section
23 eleven hundred eighty-b of this chapter for violations of subdivision
24 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
25 ter, or the registrant was liable in accordance with section eleven
26 hundred eighty-c of this chapter for violations of subdivision (b), (c),
27 (d), (f) or (g) of section eleven hundred eighty of this chapter; or
28 (iv) the registrant was liable in accordance with section eleven hundred
29 eleven-e of this chapter for a violation of subdivision (d) of section
30 eleven hundred eleven of this chapter, or (v) the registrant was liable
31 in accordance with article forty-four-C of this chapter, the commis-
32 sioner or his or her agent shall deny the registration or renewal applica-
33 tion until the applicant provides proof from the court or administrative
34 tribunal wherein the charges are pending that an appearance or answer
35 has been made or in the case of an administrative tribunal that he has
36 complied with the rules and regulations of said tribunal following entry
37 of a final decision. Where an application is denied pursuant to this
38 section, the commissioner may, in his or her discretion, deny a regis-
39 tration or renewal application to any other person for the same vehicle
40 and may deny a registration or renewal application for any other motor
41 vehicle registered in the name of the applicant where the commissioner
42 has determined that such registrant's intent has been to evade the
43 purposes of this subdivision and where the commissioner has reasonable
44 grounds to believe that such registration or renewal will have the
45 effect of defeating the purposes of this subdivision. Such denial shall
46 only remain in effect as long as the summonses remain unanswered, or in
47 the case of an administrative tribunal, the registrant fails to comply
48 with the rules and regulations following entry of a final decision.

49 § 6-d. Paragraph a of subdivision 5-a of section 401 of the vehicle
50 and traffic law, as amended by section 8-d of chapter 222 of the laws of
51 2015, is amended to read as follows:

52 a. If at the time of application for a registration or renewal thereof
53 there is a certification from a court or administrative tribunal of
54 appropriate jurisdiction that the registrant or his or her represen-
55 tative failed to appear on the return date or any subsequent adjourned
56 date or failed to comply with the rules and regulations of an adminis-

trative tribunal following entry of a final decision in response to three or more summonses or other process, issued within an eighteen month period, charging that such motor vehicle was parked, stopped or standing, or that such motor vehicle was operated for hire by the registrant or his agent without being licensed as a motor vehicle for hire by the appropriate local authority, in violation of any of the provisions of this chapter or of any law, ordinance, rule or regulation made by a local authority, or the registrant was liable in accordance with section eleven hundred eighty-c of this chapter for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter, or the registrant was liable in accordance with section eleven hundred eleven-d of this chapter for a violation of subdivision (d) of section eleven hundred eleven of this chapter, or the registrant was liable in accordance with section eleven hundred eleven-e of this chapter for a violation of subdivision (d) of section eleven hundred eleven of this chapter, or the registrant was liable in accordance with article forty-four-C 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.

§ 6-e. Paragraph a of subdivision 5-a of section 401 of the vehicle and traffic law, as amended by section 8-e of chapter 222 of the laws of 2015, is amended to read as follows:

a. 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 three or more summonses or other process, issued within an eighteen month period, charging that such motor vehicle was parked, stopped or standing, or that such motor vehicle was operated for hire by the registrant or his or her agent without being licensed as a motor vehicle for hire by the appropriate local authority, in violation of any of the provisions of this chapter or of any law, ordinance, rule or regulation made by a local authority, or the registrant was liable in accordance with section eleven hundred eleven-d of this chapter for a violation of subdivision (d) of section eleven hundred eleven of this chapter, or the registrant was liable in accordance with section eleven hundred eleven-e of this chapter for a violation of subdivision (d) of section eleven hundred eleven of this chapter, or the registrant is liable in accordance with article forty-four-C of this chapter, the commissioner or his

1 or her agent shall deny the registration or renewal application until
2 the applicant provides proof from the court or administrative tribunal
3 wherein the charges are pending that an appearance or answer has been
4 made or in the case of an administrative tribunal that he has complied
5 with the rules and regulations of said tribunal following entry of a
6 final decision. Where an application is denied pursuant to this
7 section, the commissioner may, in his or her discretion, deny a regis-
8 tration or renewal application to any other person for the same vehicle
9 and may deny a registration or renewal application for any other motor
10 vehicle registered in the name of the applicant where the commissioner
11 has determined that such registrant's intent has been to evade the
12 purposes of this subdivision and where the commissioner has reasonable
13 grounds to believe that such registration or renewal will have the
14 effect of defeating the purposes of this subdivision. Such denial shall
15 only remain in effect as long as the summonses remain unanswered, or in
16 the case of an administrative tribunal, the registrant fails to comply
17 with the rules and regulations following entry of a final decision.

18 § 6-f. Paragraph a of subdivision 5-a of section 401 of the vehicle
19 and traffic law, as amended by section 8-f of chapter 222 of the laws of
20 2015, is amended to read as follows:

21 a. If at the time of application for a registration or renewal thereof
22 there is a certification from a court or administrative tribunal of
23 appropriate jurisdiction that the registrant or his or her represen-
24 tative failed to appear on the return date or any subsequent adjourned
25 date or failed to comply with the rules and regulations of an adminis-
26 trative tribunal following entry of a final decision in response to
27 three or more summonses or other process, issued within an eighteen
28 month period, charging that such motor vehicle was parked, stopped or
29 standing, or that such motor vehicle was operated for hire by the regis-
30 trant or his or her agent without being licensed as a motor vehicle for
31 hire by the appropriate local authority, in violation of any of the
32 provisions of this chapter or of any law, ordinance, rule or regulation
33 made by a local authority, or the registrant was liable in accordance
34 with section eleven hundred eleven-e of this chapter for a violation of
35 subdivision (d) of section eleven hundred eleven of this chapter, or the
36 registrant is liable in accordance with article forty-four-C of this
37 chapter, the commissioner or his or her agent shall deny the registra-
38 tion or renewal application until the applicant provides proof from the
39 court or administrative tribunal wherein the charges are pending that an
40 appearance or answer has been made or in the case of an administrative
41 tribunal that he has complied with the rules and regulations of said
42 tribunal following entry of a final decision. Where an application is
43 denied pursuant to this section, the commissioner may, in his or her
44 discretion, deny a registration or renewal application to any other
45 person for the same vehicle and may deny a registration or renewal
46 application for any other motor vehicle registered in the name of the
47 applicant where the commissioner has determined that such registrant's
48 intent has been to evade the purposes of this subdivision and where the
49 commissioner has reasonable grounds to believe that such registration or
50 renewal will have the effect of defeating the purposes of this subdivi-
51 sion. Such denial shall only remain in effect as long as the summonses
52 remain unanswered, or in the case of an administrative tribunal, the
53 registrant fails to comply with the rules and regulations following
54 entry of a final decision.

1 § 6-g. Paragraph a of subdivision 5-a of section 401 of the vehicle
2 and traffic law, as separately amended by chapters 339 and 592 of the
3 laws of 1987, is amended to read as follows:

4 a. If at the time of application for a registration or renewal thereof
5 there is a certification from a court or administrative tribunal of
6 appropriate jurisdiction that the registrant or his representative
7 failed to appear on the return date or any subsequent adjourned date or
8 failed to comply with the rules and regulations of an administrative
9 tribunal following entry of a final decision in response to three or
10 more summonses or other process, issued within an eighteen month period,
11 charging that such motor vehicle was parked, stopped or standing, or
12 that such motor vehicle was operated for hire by the registrant or his
13 agent without being licensed as a motor vehicle for hire by the appro-
14 priate local authority, in violation of any of the provisions of this
15 chapter or of any law, ordinance, rule or regulation made by a local
16 authority, or the registrant is liable in accordance with article
17 forty-four-C of this chapter, the commissioner or his agent shall deny
18 the registration or renewal application until the applicant provides
19 proof from the court or administrative tribunal wherein the charges are
20 pending that an appearance or answer has been made or in the case of an
21 administrative tribunal that he has complied with the rules and regu-
22 lations of said tribunal following entry of a final decision. Where an
23 application is denied pursuant to this section, the commissioner may, in
24 his discretion, deny a registration or renewal application to any other
25 person for the same vehicle and may deny a registration or renewal
26 application for any other motor vehicle registered in the name of the
27 applicant where the commissioner has determined that such registrant's
28 intent has been to evade the purposes of this subdivision and where the
29 commissioner has reasonable grounds to believe that such registration or
30 renewal will have the effect of defeating the purposes of this subdivi-
31 sion. Such denial shall only remain in effect as long as the summonses
32 remain unanswered, or in the case of an administrative tribunal, the
33 registrant fails to comply with the rules and regulations following
34 entry of a final decision.

35 § 7. The opening paragraph of paragraph 1 of subdivision (a) of
36 section 1212-A of the tax law, as amended by chapter 196 of the laws of
37 1995, is amended to read as follows:

38 a tax on receipts from every sale of the service of providing parking,
39 garaging or storing for motor vehicles by persons operating a garage
40 (other than a garage which is part of premises occupied solely as a
41 private one or two family dwelling), parking lot or other place of busi-
42 ness engaged in providing parking, garaging or storing for motor vehi-
43 cles, in any county within such city with a population density in excess
44 of fifty thousand persons per square mile, at the rate of eight per
45 centum, on receipts from every sale of such services[~~, except receipts~~
46 ~~from the sale of such services to an individual resident of such county~~
47 ~~when such services are rendered on a monthly or longer term basis at the~~
48 ~~principal location for the parking, garaging or storing of a motor vehi-~~
49 ~~cle owned or leased (but only in the case of a lease for a term of one~~
50 ~~year or more) by such individual resident]. The population of a county~~
51 shall be determined by reference to the latest federal census.

52 § 8. Section 182 of the executive law, as amended by section 1 of part
53 J of chapter 56 of the laws of 2011, is amended to read as follows:

54 § 182. Diversion of funds dedicated to the metropolitan transportation
55 authority or the New York city transit authority and any of their

1 subsidiaries to the general fund of the state or to any other purpose,
2 is prohibited.

3 1. The director of the budget shall be prohibited from diverting
4 revenues derived from taxes and fees paid by the public into any fund
5 created by law including, but not limited to sections eighty-eight-a
6 ~~[and], eighty-nine-c, ninety-two-ff and ninety-seven-pppp~~ of the state
7 finance law and chapter twenty-five of the laws of two thousand nine for
8 the purpose of funding the metropolitan transportation authority or the
9 New York city transit authority and any of their subsidiaries into the
10 general fund of the state or into any other fund maintained for the
11 support of another governmental purpose. No diversion of funds can occur
12 contrary to this section by an administrative act of the director of the
13 budget or any other person in the executive branch ~~[unless the governor~~
14 ~~declares a fiscal emergency, and communicates such emergency to the~~
15 ~~temporary president of the senate and speaker of the assembly, and a~~
16 ~~statute is enacted into law authorizing a diversion that would otherwise~~
17 ~~be prohibited by this section]~~.

18 2. If any diversion of funds occurs by passage of legislation during a
19 regular or extraordinary session of the legislature, the director of the
20 budget shall create and include with the budget or legislation diverting
21 funds, a diversion impact statement which shall include the following
22 information:

- 23 (a) The amount of the diversion from dedicated mass transit funds;
24 (b) The amount diverted from each fund;
25 (c) The amount diverted expressed as current monthly transit fares;
26 (d) The cumulative amount of diversion from dedicated mass transit
27 funds during the preceding five years;
28 (e) The date or dates when the diversion is to occur; and
29 (f) A detailed estimate of the impact of diversion from dedicated mass
30 transit funds will have on the level of public transportation system
31 service, maintenance, security, and the current capital program.

32 § 9. Notwithstanding any other law, rule, regulation to the contrary,
33 the metropolitan transportation authority shall, as a part of its 2015-
34 2019 capital program with funding provided pursuant to paragraph (f) of
35 subdivision 5 of section 97-pppp of the state finance law:

- 36 (a) increase the number and availability of express bus routes;
37 (b) reduce the cost of all express bus fares by one dollar;
38 (c) set the cost of all Long Island Rail Road and metro-north railroad
39 trips taken wholly within New York with CityTicket to six dollars during
40 peak hours and four dollars during non-peak hours;
41 (d) provide for the availability of CityTicket on weekdays in addition
42 to weekends;
43 (e) provide for the availability of CityTicket for trips taken between
44 stations within New York city and Far Rockaway and all trips taken
45 between and including Fordham and Manhattan; and
46 (f) fund the freedom ticket proposal of the New York City Transit
47 Riders Council contained in such council's December 2015 report entitled
48 "Freedom Ticket: Southeast Queens Proof of Concept" and expand such
49 pilot program to extend throughout New York city and include all Express
50 Bus routes and stations of the metro-north railroad and Long Island Rail
51 Roads located within New York city.

52 For the purposes of this section "CityTicket" shall mean the fare
53 option so denominated and provided by the metropolitan transportation
54 authority.

55 § 10. The public authorities law is amended by adding a new section
56 1265-c to read as follows:

1 § 1265-c. Independent forensic audit. 1. Notwithstanding any other
2 provision of law, the authority shall, within sixty days of the effec-
3 tive date of this section and at its own expense, contract with a certi-
4 fied public accounting firm for the provision of an independent, compre-
5 hensive, forensic audit of the authority. Such audit shall be performed
6 in accordance with generally accepted government auditing standards.
7 Such audit shall be independent of and in addition to the independent
8 audit of the authority conducted pursuant to section twenty-eight
9 hundred two of this chapter.

10 2. The certified independent public accounting firm providing the
11 authority's independent, comprehensive, forensic audit shall be prohib-
12 ited from providing audit services if the lead (or coordinating) audit
13 partner (having primary responsibility for the audit), or the audit
14 partner responsible for reviewing the audit, has performed audit
15 services for the authority within any of the ten previous fiscal years
16 of the authority.

17 3. The certified independent accounting firm performing the audit
18 pursuant to this section shall be prohibited from performing any non-au-
19 dit services for the authority contemporaneously with the audit.

20 4. It shall be prohibited for the certified independent public
21 accounting firm to perform for the authority any audit service if the
22 chief executive officer, comptroller, chief financial officer, chief
23 accounting officer or any other person serving in an equivalent position
24 in the authority was an employee, consultant or independent contractor
25 of that certified independent public accounting firm and participated in
26 any capacity in the audit of the authority at any time in the past.

27 5. The certified independent public accounting firm contracted to
28 perform the independent comprehensive, forensic audit of the authority
29 shall, on or before January first, two thousand twenty, report its find-
30 ings, conclusions and recommendations to the governor, the state comp-
31 troller, the temporary president of the senate, the speaker of the
32 assembly, the chair and ranking minority member of the senate finance
33 committee, the chair and ranking minority member of the assembly ways
34 and means committee, the chairs and ranking minority members of the
35 senate and the assembly corporations, authorities and commissions
36 committees, and the chairs and ranking minority members of the senate
37 and the assembly transportation committees.

38 § 11. This act shall take effect immediately provided, however, that
39 section seven of this act shall take effect on the first of January next
40 succeeding the date on which it shall have become a law; and provided
41 further:

42 (a) the amendments to subparagraph (i) of paragraph a of subdivision
43 5-a of section 401 of the vehicle and traffic law made by section six of
44 this act shall not affect the expiration of such paragraph and shall be
45 deemed to expire therewith, when upon such date the provisions of
46 section six-a of this act shall take effect;

47 (b) the amendments to paragraph a of subdivision 5-a of section 401 of
48 the vehicle and traffic law made by section six-a of this act shall not
49 affect the expiration of such paragraph and shall be deemed to expire
50 therewith, when upon such date the provisions of section six-b of this
51 act shall take effect;

52 (c) the amendments to paragraph a of subdivision 5-a of section 401 of
53 the vehicle and traffic law made by section six-b of this act shall not
54 affect the expiration of such paragraph and shall be deemed to expire
55 therewith, when upon such date the provisions of section six-c of this
56 act shall take effect;

1 (d) the amendments to paragraph a of subdivision 5-a of section 401 of
2 the vehicle and traffic law made by section six-c of this act shall not
3 affect the expiration of such paragraph and shall be deemed to expire
4 therewith, when upon such date the provisions of section six-d of this
5 act shall take effect;

6 (e) the amendments to paragraph a of subdivision 5-a of section 401 of
7 the vehicle and traffic law made by section six-d of this act shall not
8 affect the expiration of such paragraph and shall be deemed to expire
9 therewith, when upon such date the provisions of section six-e of this
10 act shall take effect;

11 (f) the amendments to paragraph a of subdivision 5-a of section 401 of
12 the vehicle and traffic law made by section six-e of this act shall not
13 affect the expiration of such paragraph and shall be deemed to expire
14 therewith, when upon such date the provisions of section six-f of this
15 act shall take effect;

16 (g) the amendments to paragraph a of subdivision 5-a of section 401 of
17 the vehicle and traffic law made by section six-f of this act shall not
18 affect the expiration of such paragraph and shall be deemed to expire
19 therewith, when upon such date the provisions of section six-g of this
20 act shall take effect; and

21 (h) section ten of this act shall expire and be deemed repealed Janu-
22 ary 2, 2020.