

# STATE OF NEW YORK

---

9097

## IN SENATE

June 16, 2018

---

Introduced by COMMITTEE ON RULES -- read twice and ordered printed, and  
when printed to be committed to the Committee on Rules

AN ACT to amend the education law, in relation to state assessments and teacher evaluations; and to amend chapter 56 of the laws of 2014, amending the education law relating to providing that standardized test scores shall not be included on a student's permanent record, in relation to making certain provisions permanent; to amend the transportation law and the highway law, in relation to authorizing an airport mass transit project at LaGuardia airport; and providing for the repeal of such provisions upon expiration thereof; to amend the education law, in relation to the charters issued; in relation to the quality of instruction; to amend the executive law, in relation to expanding the scope of unlawful discriminatory practices to include public educational institutions; to amend the penal law and the criminal procedure law, in relation to sealing records for certain proceedings; to amend the vehicle and traffic law, in relation to photo speed violation monitoring systems in school speed zones in the city of New York; to amend chapter 43 of the laws of 2014, amending the vehicle and traffic law, the public officers law and the general municipal law relating to photo speed violation monitoring systems in school speed zones in the city of New York, in relation to making technical corrections thereto; to amend chapter 189 of the laws of 2013, amending the vehicle and traffic law and the public officers law relating to establishing in a city with a population of one million or more a demonstration program implementing speed violation monitoring systems in school speed zones by means of photo devices, in relation to the effectiveness thereof; to amend the vehicle and traffic law and the public officers law, in relation to establishing in the city of Buffalo a demonstration program implementing speed violation monitoring systems in school speed zones by means of photo devices; and providing for the repeal of certain provisions upon expiration thereof; to amend the vehicle and traffic law, the public officers law, the general municipal law, the state finance law, and the judiciary law, in relation to establishing the adjudication process and owner liability for failure of an operator to comply with traffic-control indications and establishing a traffic and parking violations agency in the county of Westchester; and providing for the repeal of such

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

LBD16314-02-8

provisions upon expiration thereof; to authorize, for certain public works undertaken pursuant to project labor agreements, use of the alternative delivery method known as design-build contracts; to amend the criminal procedure law, in relation to the issuance of securing orders and in relation to making conforming changes; 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. Section 3012-d of the education law is amended by adding a  
2 new subdivision 16 to read as follows:

3 16. a. Notwithstanding any other provision of law, rule or regulation  
4 to the contrary, the grades three through eight English language arts  
5 and mathematics state assessments and all other state-created or admin-  
6 istered tests shall not be required to be utilized in any manner to  
7 determine a teacher or principal evaluation required by this section.

8 b. The commissioner shall promulgate rules and regulations providing  
9 alternative assessments that may be used in grades three through eight  
10 instead of all other state-created or administered tests, which shall  
11 include all of the assessments that have been approved by the commis-  
12 sioner for use in determining transition scores and ratings.

13 c. The selection and use of an assessment in a teacher or principal's  
14 evaluation pursuant to paragraphs a and b of this subdivision and subdivi-  
15 sion four of this section shall be subject to collective bargaining  
16 pursuant to article fourteen of the civil service law.

17 d. Notwithstanding any provision of subdivision twelve of this section  
18 to the contrary, nothing in this section shall be construed to abrogate  
19 any conflicting provisions of any collective bargaining agreement in  
20 effect on the date this subdivision takes effect and until the entry  
21 into a successor collective bargaining agreement, provided that notwith-  
22 standing any other provision of law to the contrary, upon expiration of  
23 such term and the entry into a successor collective bargaining agreement  
24 the provisions of this subdivision shall apply; and, provided further,  
25 however, that any assessments used in determining transition scores and  
26 ratings shall be used in determining scores and ratings pursuant to this  
27 section instead of the grades three through eight English language arts  
28 and mathematics state assessments until the entry into a successor  
29 collective bargaining agreement.

30 § 2. Subparagraphs 1 and 2 of paragraph a of subdivision 4 of section  
31 3012-d of the education law, subparagraph 1 as amended by section 3 of  
32 subpart C of part B of chapter 20 of the laws of 2015 and subparagraph 2  
33 as added by section 2 of subpart E of part EE of chapter 56 of the laws  
34 of 2015, are amended to read as follows:

35 (1) For the first subcomponent, [~~(A) for a teacher whose course ends~~  
36 ~~in a state-created or administered test for which there is a state pro-~~  
37 ~~vided growth model, such teacher shall have a state provided growth~~  
38 ~~score based on such model, which shall take into consideration certain~~  
39 ~~student characteristics, as determined by the commissioner, including~~  
40 ~~but not limited to students with disabilities, poverty, English language~~  
41 ~~learner status and prior academic history and which shall identify~~  
42 ~~educators whose students' growth is well above or well below average~~  
43 ~~compared to similar students for a teacher's or principal's students~~  
44 ~~after the certain student characteristics above are taken into account,~~  
45 ~~and (B) for a teacher whose course does not end in a state-created or~~

~~administered test such teacher~~ a teacher shall have a student learning objective (SLO) consistent with a goal-setting process determined or developed by the commissioner, that results in a student growth score; provided that, for any teacher whose course ends in a state-created or administered assessment ~~[for which there is no state provided growth model]~~, such assessment ~~[must]~~ may be used as the underlying assessment for such SLO;

(2) For the optional second subcomponent, a district may locally select a second measure in accordance with this subparagraph. Such second measure shall apply in a consistent manner, to the extent practicable, across the district and be either: (A) ~~[a second state provided growth score]~~ based on a state-created or administered test ~~[under clause (A) of subparagraph one of this paragraph]~~, or (B) ~~[a growth score]~~ based on a state-designed supplemental assessment~~[, calculated using a state provided or approved growth model]~~. The optional second subcomponent shall provide options for multiple assessment measures that are aligned to existing classroom and school best practices and take into consideration the recommendations in the testing reduction report as required by section one of subpart F of ~~[the chapter]~~ part EE of chapter fifty-six of the laws of two thousand fifteen which added this section regarding the reduction of unnecessary additional testing.

§ 3. Subdivision 5 of section 3012-d of the education law, as added by section 2 of subpart E of part EE of chapter 56 of the laws of 2015, is amended to read as follows:

5. Rating determination. The overall rating determination shall be determined ~~[according to a methodology]~~ as follows:

a. ~~[The following rules shall apply: a teacher or principal who is (1) rated using two subcomponents in the student performance category and receives a rating of ineffective in such category shall be rated ineffective overall; provided, however, that if the measure used in the second subcomponent is a state provided growth score on a state created or administered test pursuant to clause (A) of subparagraph one of paragraph a of subdivision four of this section, a teacher or principal who receives a rating of ineffective in such category shall not be eligible to receive a rating of effective or highly effective overall; (2) rated using only the state measure subcomponent in the student performance category and receives a rating of ineffective in such category shall not be eligible to receive a rating of effective or highly effective overall; and (3) rated ineffective in the teacher observations category shall not be eligible to receive a rating of effective or highly effective overall.]~~

b. ~~Except as otherwise provided in paragraph a of this subdivision, a teacher's composite score shall be determined as follows:~~

~~(1)]~~ If a teacher receives an H in the teacher observation category, and an H in the student performance category, the teacher's composite score shall be H;

~~(2)]~~ b. If a teacher receives an H in the teacher observation category, and an E in the student performance category, the teacher's composite score shall be H;

~~(3)]~~ c. If a teacher receives an H in the teacher observation category, and a D in the student performance category, the teacher's composite score shall be E;

~~(4)]~~ d. If a teacher receives an H in the teacher observation category, and an I in the student performance category, the teacher's composite score shall be D;

1    ~~(5)~~ **e.** If a teacher receives an E in the teacher observation category, and an H in the student performance category, the teacher's composite score shall be H;

2    ~~(6)~~ **f.** If a teacher receives an E in the teacher observation category, and an E in the student performance category, the teacher's composite score shall be E;

3    ~~(7)~~ **g.** If a teacher receives an E in the teacher observation category, and a D in the student performance category, the teacher's composite score shall be E;

4    ~~(8)~~ **h.** If a teacher receives an E in the teacher observation category, and an I in the student performance category, the teacher's composite score shall be D;

5    ~~(9)~~ **i.** If a teacher receives a D in the teacher observation category, and an H in the student performance category, the teacher's composite score shall be E;

6    ~~(10)~~ **j.** If a teacher receives a D in the teacher observation category, and an E in the student performance category, the teacher's composite score shall be E;

7    ~~(11)~~ **k.** If a teacher receives a D in the teacher observation category, and a D in the student performance category, the teacher's composite score shall be D;

8    ~~(12)~~ **l.** If a teacher receives a D in the teacher observation category, and an I in the student performance category, the teacher's composite score shall be I;

9    ~~(13)~~ **m.** If a teacher receives an I in the teacher observation category, and an H in the student performance category, the teacher's composite score shall be D;

10    ~~(14)~~ **n.** If a teacher receives an I in the teacher observation category, and an E in the student performance category, the teacher's composite score shall be D;

11    ~~(15)~~ **o.** If a teacher receives an I in the teacher observation category, and a D in the student performance category, the teacher's composite score shall be I;

12    ~~(16)~~ **p.** If a teacher receives an I in the teacher observation category, and an I in the student performance category, the teacher's composite score shall be I.

13    § 4. Subdivision 7 of section 3012-d of the education law, as added by section 2 of subpart E of part EE of chapter 56 of the laws of 2015, is amended to read as follows:

14    7. The commissioner shall ensure that the process by which weights and scoring ranges are assigned to subcomponents and categories is transparent and available to those being rated before the beginning of each school year. Such process must ensure that it is possible for a teacher or principal to obtain any number of points in the applicable scoring ranges, including zero, in each subcomponent. The superintendent, district superintendent or chancellor and the representative of the collective bargaining unit (where one exists) shall certify in the district's plan that the evaluation process shall use the standards for the scoring ranges provided by the commissioner. ~~[Provided, however, that in any event, the following rules shall apply: a teacher or principal who is:~~

15    ~~a. rated using two subcomponents in the student performance category and receives a rating of ineffective in such category shall be rated ineffective overall, except that if the measure used in the second subcomponent is a second state provided growth score on a state-administered or sponsored test pursuant to clause (A) of subparagraph one of~~

~~paragraph a of subdivision four of this section, a teacher or principal that receives a rating of ineffective in such category shall not be eligible to receive a rating of effective or highly effective overall;~~

~~b. rated using only the state measure subcomponent in the student performance category and receives a rating of ineffective in such category shall not be eligible to receive a rating of effective or highly effective overall; and~~

~~c. rated ineffective in the observations category shall not be eligible to receive a rating of effective or highly effective overall.]~~

§ 5. Subdivision 10 of section 3012-d of the education law, as added by section 2 of subpart E of part EE of chapter 56 of the laws of 2015, is amended to read as follows:

10. The local collective bargaining representative shall negotiate with the district:

a. whether to use a second measure, and, in the event that a second measure is used, which measure to use, pursuant to subparagraph two of paragraph a of subdivision four of this section ~~[and];~~

b. how to implement the provisions of paragraph b of subdivision four of this section, and associated regulations as established by the commissioner, in accordance with article fourteen of the civil service law; and

c. the selection and use of an assessment in a teacher or principal's evaluation pursuant to subdivision four of this section and paragraphs a and b of subdivision sixteen of this section.

§ 6. Section 2 of subpart B of part AA of chapter 56 of the laws of 2014 amending the education law relating to providing that standardized test scores shall not be included on a student's permanent record, as amended by section 35 of part CCC of chapter 59 of the laws of 2018, is amended to read as follows:

§ 2. This act shall take effect immediately ~~[and shall expire and be deemed repealed on December 31, 2019].~~

§ 7. Legislative findings. LaGuardia airport is a pillar of New York state's transportation network and a key driver of economic growth throughout the state and the country. However, LaGuardia airport remains the only major regional airport without a direct rail link. The lack of public transit options forces passengers to rely heavily on private cars, for-hire-vehicles and taxis to reach the airport, which in turn results in higher levels of regional traffic congestion, unpredictable travel time to LaGuardia airport and potential adverse environmental effects. To support this important airport access mass transit project, this act would authorize the acquisition of property interests necessary for the landing of guideway support columns and siting of ancillary facilities for airport access mass transit equipment maintenance, parking for persons using the airport access mass transit facility and additional limited purposes directly related to the operation of an airport access mass transit project, temporary laydown and construction areas, and air rights related to an elevated guideway and related entry, exit and crossing points for pedestrians and vehicles, and utilization by the New York state department of transportation or the transfer to the Port Authority of New York and New Jersey and certain other parties, in either case to permit construction, use, occupancy, operation and maintenance of the airport access mass transit facility; provided however, this legislation does not authorize acquisition of property interests for a self-standing facility constructed to house premises for automobile rental operations. The legislature finds and declares that it is a substantial state concern, with an impact well beyond a single munici-

1 pality, to ensure access to safe and reliable mass transit to LaGuardia  
2 airport, a major transportation hub relied upon by people throughout the  
3 state.

4 § 8. Subdivision 1 of section 14-d of the transportation law is  
5 amended by adding a new paragraph d to read as follows:

6 d. to acquire by eminent domain, pursuant to the eminent domain proce-  
7 dure law and section thirty of the highway law, any property, property  
8 rights or property interests, including easements, air rights and  
9 subsurface rights, whether or not now or previously designated as park-  
10 land, or otherwise dedicated to a public use as parkland, (hereinafter  
11 "property interests"), and, provided with respect to real property now  
12 or previously designated as parkland, just compensation therefor shall  
13 be calculated as an amount equal to the appraised fair market value of  
14 the parkland being discontinued, and further provided only to the extent  
15 that such property interests are, in the judgement of the commissioner,  
16 necessary for the construction, use, occupancy, operation, and mainte-  
17 nance of an airport access mass transit facility for LaGuardia airport  
18 via elevated guideway, and related ancillary facilities for airport  
19 access mass transit maintenance, parking for persons using the airport  
20 access mass transit facility and additional limited purposes directly  
21 related to operation of an airport access mass transit project, tempo-  
22 rary laydown and construction areas, and air rights and subsurface  
23 rights related to an elevated guideway, including appropriate entry and  
24 exit points for users of the airport access mass transit facility and  
25 any property interests necessary for an adjustment of the piers support-  
26 ing the pedestrian bridges crossing the Grand Central Parkway to main-  
27 tain accessibility, and any vehicle entry and exit points to the Grand  
28 Central Parkway located along either side of the corridor, in all cases  
29 running along a route from LaGuardia airport on or near the Grand  
30 Central Parkway, thence along the edge of the Citi Field parking lot  
31 previously alienated for stadium use, next alongside the existing  
32 elevated track for the No. 7 subway and terminating at subway rail yards  
33 and other transportation staging and storage areas within a corridor  
34 more specifically defined pursuant to section three hundred forty-nine-g  
35 of the highway law; and to utilize, or sell, lease, contract, or other-  
36 wise transfer the acquired property interests together with property  
37 interests it otherwise holds and/or grant easements, licenses, permits,  
38 concessions or other authorizations, to the Port Authority of New York  
39 and New Jersey to facilitate the construction (including temporary  
40 laydown), and permanent use, occupancy, operation, and maintenance of  
41 the airport access mass transit facility, related ancillary facilities  
42 for airport access mass transit maintenance, parking for persons using  
43 the airport access mass transit facility and additional limited purposes  
44 directly related to operation of an airport access mass transit project;  
45 provided however, this subdivision does not authorize acquisition of  
46 property interests for a self-standing facility constructed to house  
47 premises for automobile rental operations.

48 § 9. The highway law is amended by adding a new section 349-g to read  
49 as follows:

50 § 349-g. Airport access mass transit for LaGuardia airport. (a)  
51 Notwithstanding any other provision of law, general, special, charter or  
52 local, and consistent with section fourteen-d of the transportation law,  
53 if a property acquisition pursuant to this section occurs by eminent  
54 domain, the commissioner of transportation shall have the authority to  
55 acquire any property, property rights, or property interests, including  
56 easements, air rights and subsurface rights whether or not now or previ-



ously designated as parkland or otherwise dedicated to a public use as parkland (hereinafter referred to as "property interests"), but only to the extent that such property interests are, in the judgment of the commissioner, necessary for the construction, use, occupancy, operation, and maintenance of an airport access mass transit facility via an elevated guideway for LaGuardia airport and related ancillary facilities for airport access mass transit maintenance, parking for persons using the airport access mass transit facility and additional limited purposes directly related to operation of an airport access mass transit project and additional limited purposes directly related to the operation of an airport access mass transit project, temporary laydown and construction areas and air rights and subsurface rights related to an elevated guideway, including appropriate entry and exit points for users of the airport access mass transit facility and any property interests necessary for an adjustment of the piers supporting the pedestrian bridges crossing the Grand Central Parkway to maintain accessibility, and any vehicle entry and exit points to the Grand Central Parkway located along either side of the corridor, running along a route from LaGuardia airport on or near the Grand Central Parkway, thence along the edge of the Citi Field parking lot previously alienated for stadium use, next alongside the existing elevated track for the No. 7 subway and terminating at subway rail yards and other transportation staging and storage areas within a corridor more specifically defined pursuant to subdivision (b) of this section; and to utilize or sell, lease, contract, or otherwise transfer the acquired property interests together with property interests the commissioner otherwise holds and/or grant easements, licenses, permits, concessions or other authorizations, to the Port Authority of New York and New Jersey, to facilitate the construction (including temporary laydown), and permanent use, occupancy, operation, and maintenance of the airport access mass transit facility and related ancillary facilities for airport access transit maintenance, parking for persons using the airport access transit facility and additional limited purposes directly related to operation of an airport access mass transit project, and additional limited purposes directly related to operation of an airport access mass transit project including appropriate entry and exit points for users of the mass transit facility and any property interests necessary for an adjustment of the piers supporting the pedestrian bridges crossing the Grand Central Parkway to maintain accessibility, and any vehicle entry and exit points to the Grand Central Parkway located along either side of the corridor, and temporary use for laydown and construction purposes; provided however, this section does not authorize acquisition of property interests for a self-standing facility constructed to house premises for automobile rental operations.

(b) The corridor defined in subdivision (a) of this section, where the acquisition of such property, property rights, or property interests referred to in this section may occur, is more particularly described as follows:

(i) The following parcels shall be included within a corridor within which acquisition of permanent property interests may be acquired for purposes of this section and paragraph d of subdivision one of section fourteen-d of the transportation law:

(A) Parcel A

All that certain tracts or parcels of land located in the Borough of Queens, State of New York, bounded and described as follows:

Tract 1 - Grand Central Parkway

1 Beginning at a point in the easterly right of way line of Ditmars Boule-  
2 vard at the southwest corner of Tax Map Lot 50 Block 1641, thence along  
3 a line North 15°-10'-31" East, a distance of 493.53' to a point within  
4 the westerly line of Tax Map Lot 1 Block 926, and from said point of  
5 beginning running thence;

6 1. Within the westbound lanes of the Grand Central Parkway South  
7 07°-53'-31" East, a distance of 114.46' to a point within the westbound  
8 lanes of the Grand Central Parkway

9 2. Within the westbound lanes of the Grand Central Parkway South  
10 39°-25'-56" East, a distance of 338.44' to a point in the westbound  
11 lanes of the Grand Central Parkway, thence;

12 3. Within said lands the following six courses; South 34°-46'-30"  
13 East, a distance of 596.00' to a point in the westbound lanes of the  
14 Grand Central Parkway, thence;

15 4. South 32°-52'-42" East, a distance of 284.58' to a point in the  
16 westbound lanes of the Grand Central Parkway, thence;

17 5. South 31°-22'-20" East, a distance of 270.24' to a point in the  
18 westbound lanes of the Grand Central Parkway, thence;

19 6. South 31°-20'-42" East, a distance of 561.27' to a point in the  
20 westbound lanes of the Grand Central Parkway, thence;

21 7. South 31°-24'-15" East, a distance of 479.68' to a point in the  
22 westbound lanes of the Grand Central Parkway, thence;

23 8. South 34°-12'-57" East, a distance of 122.82' to a point in the  
24 westbound lanes of the Grand Central Parkway, thence;

25 9. Within said lands and through the westbound lanes of the Grand  
26 Central Parkway South 47°-22'-46" West, a distance of 81.54' to a point  
27 in the eastbound lanes of the Grand Central Parkway, thence;

28 10. Within the eastbound lanes of the Grand Central Parkway on a curve  
29 to the left, having a radius of 1795.88', an arc length of 814.04', a  
30 central angle of 25°-58'-16", and whose chord bears South 49°-41'-11"  
31 East, a distance of 807.08' to a point in the eastbound lanes of the  
32 Grand Central Parkway, thence;

33 11. Within the eastbound lanes of the Grand Central Parkway on a curve  
34 to the right, having a radius of 4175.45', an arc length of 369.28', a  
35 central angle of 05°-04'-02", and whose chord bears South 60°-46'-11"  
36 East, a distance of 369.16' to a point in the eastbound lanes of the  
37 Grand Central Parkway, thence;

38 12. Through the westbound lanes of Grand Central Parkway and waters of  
39 Flushing Bay North 18°-38'-40" East, a distance of 1016.75' to a point  
40 in the waters of Flushing Bay, thence;

41 13. Within the waters of Flushing Bay North 45°-38'-00" West, a  
42 distance of 2406.73' to a point in the waters of Flushing Bay said point  
43 also being in the southerly line of Tax Map Lot 1 Block 926, thence;

44 14. Along the southerly line of Tax Map Lot 1 Block 926 South  
45 40°-14'-47" West, a distance of 458.89' to a point in the westerly line  
46 of Tax Map Lot 1 Block 926, thence;

47 15. Along the westerly line of Tax Map Lot 1 Block 926 North  
48 39°-47'-03" West, a distance of 685.00' to a point in the westerly line  
49 of Tax Map Lot 1 Block 926, thence;

50 16. Along the westerly line of Tax Map Lot 1 Block 926 on a curve to  
51 the left, having a radius of 9711.30', an arc length of 342.94', a  
52 central angle of 02°-01'-24", and whose chord bears North 40°-47'-45"  
53 West, a distance of 342.93' to a point in the westerly line of Tax Map  
54 Lot 1 Block 926 also the point and place of beginning and containing a  
55 calculated areas of 2,388,737.04 SF or 54.837 acres.

56 (B) Parcel B



1 All that certain tracts or parcels of land located in the Grand Central  
2 Parkway, Borough of Queens, State of New York, bounded and described as  
3 follows:

4 Beginning at a point at the intersection formed by the easterly right of  
5 way line of 114th Street and the northerly right of way line of Roose-  
6 velt Avenue, thence along a line North 23°-03'-48" East, a distance of  
7 575.33' to a point within the westerly line of Tax Map Lot 20 Block  
8 1787, and from said point of beginning running thence:

9 1. Through the westbound lanes of the Grand Central Parkway on a curve  
10 to the right, having a radius of 1200', an arc length of 472.65', a  
11 central angle of 22°-34'-02", and whose chord bears North 46°-30'-24"  
12 West, a distance of 469.60' to a point in the median of the Grand  
13 Central Parkway, thence;

14 2. Within said lands the following three courses, North 07°-32'-34"  
15 West, a distance of 806.64' to a point in the median of the Grand  
16 Central Parkway, thence;

17 3. On a curve to the left, having a radius of 956.60', an arc length  
18 of 1069.45', a central angle of 64°-03'-18", and whose chord bears North  
19 33°-04'-05" West, a distance of 1014.62' to a point in the median of the  
20 Grand Central Parkway, thence;

21 4. North 61°-01'-46" West, a distance of 279.45' to a point in the  
22 median of the Grand Central Parkway, said point also being the easterly  
23 line of lands owned by the New York State Department of Transportation,  
24 thence;

25 5. Along the easterly line of same, North 18°-38'-40" East, a distance  
26 of 1016.75' to a point in the waters of Flushing Bay, thence;

27 6. Within the waters of Flushing Bay South 45°-38'-00" East, a  
28 distance of 1092.05' to a point in the waters of Flushing Bay, said  
29 point also being the westerly line of Tax Map Lot 65 Block 789, thence;

30 7. Along the westerly line of same South 05°-02'-52" East, a distance  
31 of 456.35' to a point in the westerly line of Tax Map Lot 65 Block 789,  
32 thence;

33 8. Within the Grand Central Parkway South 04°-53'-32" West, a distance  
34 of 1348.61' to a point in the median of the Grand Central Parkway,  
35 thence;

36 9. Through the westbound lanes of the Grand Central Parkway South  
37 28°-11'-29" East, a distance of 427.88' to a point within the westerly  
38 line of Tax Map Lot 20 Block 1787, thence;

39 10. Along the westerly line of same, South 05°-00'-28" East, a  
40 distance of 133.39 to the point and place of beginning and containing a  
41 calculated areas of 1,375,044.58 SF or 31.566 acres.

42 (C) Parcel C

43 All that certain tracts or parcels of land located in the Borough of  
44 Queens, State of New York, bounded and described as follows:

45 Beginning at a point at the intersection formed by the easterly right of  
46 way line of 114th Street and the northerly right of way line of Roose-  
47 velt Avenue, thence along a line North 23°-03'-48" East, a distance of  
48 575.33' to a point within the westerly line of Tax Map Lot 20 Block  
49 1787, and from said point of beginning running thence:

50 1. Along the westerly line of same, North 05°-00'-28" West, a distance  
51 of 133.39 to a point within the westerly line of Tax Map Lot 20 Block  
52 1787, thence;

53 2. Within Tax Map Lot 20 Block 1787, South 59°-56'-38" East, a  
54 distance of 584.20' to a point in Lot 20 Block 1787, thence;

3. Through Tax Map Lot 20 Block 1787 and Roosevelt Avenue, South 86°-10'-42" East, a distance of 420.78' to a point in Tax Map Lot 1500 Block 2018, thence;

4. Within said lands, North 68°-23'-55" East, a distance of 607.27' to a point in Tax Map Lot 1500 Block 2018, thence;

5. Within said lands, North 21°-35'-11" West, a distance of 16.75' to a point in the southerly right of way line of Roosevelt Avenue, thence;

6. Along the southerly line of same, North 68°-25'-28" East, a distance of 1025.26' to a point formed by the intersection of the easterly right of way line of 126th Street and the southerly right of way line of Roosevelt Avenue, thence;

7. Along the easterly right of way line of 126th Street, South 21°-35'-11" East, a distance of 259.05' to a point in the easterly right of way line of 126th Street, thence;

8. Along the northerly line of Tax Map Lot 1000 Block 2018, South 68°-25'-28" West, a distance of 610.51' to a point in the northerly line of Tax Map Lot 1000 Block 2018, thence;

9. Along the northerly line of same, South 68°-30'-37" West, a distance of 230.61' to a point in the northerly line of Tax Map Lot 1000 Block 2018, thence;

10. Within Tax Map Lot 1500 Block 2018, North 72°-41'-52" West, a distance of 207.77' to a point in Tax Map Lot 1500 Block 2018, thence;

11. Within Tax Map Lot 1500 Block 2018, South 68°-23'-55" West, a distance of 917.78' to a point in Tax Map Lot 1500 Block 2018, thence;

12. Through Tax Map Lot 1500 Block 2018 and Roosevelt Avenue and Tax Map Lot 20 Block 1787, North 59°-56'-38" West, a distance of 793.76' to the point and place of beginning and containing a calculated areas of 458,276.64 SF or 10.520 acres.

(D) Parcel D

All that certain tracts or parcels of land located in the Borough of Queens, State of New York, bounded and described as follows:

Beginning at a point at the intersection formed by the intersection of the easterly right of way line of 126th Street and the southerly right of way line of Roosevelt Avenue, and from said point of beginning running thence:

1. Along the southerly right of way line of Roosevelt Avenue, North 68°-30'-18" East, a distance of 420.90' to a point in the southerly right of way line of Roosevelt Avenue, thence;

2. Along the southerly right of way line of Roosevelt Avenue, North 62°-00'-28" East, a distance of 263.59' to a point in the southerly right of way line of Roosevelt Avenue, thence;

3. Within Tax Map Lot 300 Block 2018 South 21°-35'-11" East, a distance of 244.87' to a point in Lot 300 Block 2018, thence;

4. Through Tax Map Lot 300 Block 2018 and Tax Map Lot 75 Block 2018 South 68°-30'-18" West, a distance of 682.85' to a point in the easterly right of way line of 126th Street, thence;

5. Along the easterly right of way line of 126th Street, North 21°-35'-11" West, a distance of 215.05' to a point in the easterly right of way line of 126th Street to the point and place of beginning and containing a calculated areas of 150,750.81 SF or 3.46 acres.

(E) Parcel E

All that certain tracts or parcels of land located in the Borough of Queens, State of New York, bounded and described as follows:

Beginning at a point at the intersection formed by the intersection of the westerly right of way line of 126th Street and the southerly right of way line of Roosevelt Avenue, thence along the westerly right of way

line of 126th Street South 21°-35'-11" East, a distance of 259.05' to a point within the northerly line of Tax Map Lot 1000 Block 2018, thence along the northerly line of Tax Map Lot 1000 Block 2018 South 68°-25'-28" West, a distance of 610.51' to a point within the northerly line of Lot 1000 Block 2018, and from said point of beginning running thence;

1. Within Tax Map Lot 1000 Block 2018, South 05°-44'-59" West, a distance of 37.85' to a point in Tax Map Lot 1000 Block 2018, thence;

2. Within said lands the following two courses, South 21°-02'-11" East, a distance of 96.44' to a point in Tax Map Lot 1000 Block 2018, thence;

3. South 47°-44'-48" East, a distance of 127.09' to a point in Tax Map Lot 1000 Block 2018, thence;

4. Through Tax Map Lot 1000 Block 2018 and Tax Map Lot 350R Block 2018 South 38°-51'-17" East, a distance of 330.15' to a point in the northerly line of Tax Map Lot 300R Block 2018, thence;

5. Along the northerly line of Tax Map Lot 300R Block 2018 South 65°-11'-49" West, a distance of 182.95' to a point in the northerly line of Tax Map Lot 300R Block 2018, thence;

6. Through Tax Map Lot 350R Block 2018 and Tax Map Lot 1000 Block 2018 North 38°-51'-17" West, a distance of 556.87' to a point within Tax Map Lot 1000 Block 2018, thence;

7. Within Tax Map Lot 1000 Block 2018 North 47°-13'-34" West, a distance of 42.46' to a point along the southerly line of Tax Map Lot 1500 Block 2018, thence;

8. Along the southerly line of Tax Map Lot 1500 Block 2018 North 68°-30'-37" East, a distance of 230.61' to the point and place of beginning and containing a calculated areas of 104,235.19 SF or 2.392 acres.

(ii) The following parcels shall be included within a corridor within which acquisition of temporary property interests may be acquired for purposes of this section three hundred forty-nine-g and paragraph d of subdivision one of section fourteen-d of the transportation law:

(A) Parcel A

All that certain tracts or parcels of land located in the Borough of Queens, State of New York, bounded and described as follows:

Beginning at a point in the easterly right of way line of Ditmars Boulevard at the southwest corner of Tax Map Lot 50 Block 1641, thence along a line North 12°-36'-04" East, a distance of 509.49' to a point within the westerly line of Tax Map Lot 1 Block 926, and from said point of beginning running thence;

1. Within the westbound lanes of the Grand Central Parkway South 07°-53'-31" East, a distance of 141.88' to a point in the westbound lanes of the Grand Central Parkway, thence;

2. Within the westbound lanes of the Grand Central Parkway South 39°-25'-56" East, a distance of 342.06' to a point in the westbound lanes of the Grand Central Parkway, thence;

3. Within said lands the following six courses; South 34°-46'-30" East, a distance of 595.14' to a point in the westbound lanes of the Grand Central Parkway, thence;

4. South 32°-52'-42" East, a distance of 284.13' to a point in the westbound lanes of the Grand Central Parkway, thence;

5. South 31°-22'-20" East, a distance of 270.04' to a point in the westbound lanes of the Grand Central Parkway, thence;

6. South 31°-20'-42" East, a distance of 561.27' to a point in the westbound lanes of the Grand Central Parkway, thence;

7. South 31°-24'-15" East, a distance of 480.06' to a point in the westbound lanes of the Grand Central Parkway, thence;

8. South 34°-13'-04" East, a distance of 110.24' to a point in the westbound lanes of the Grand Central Parkway, thence;

9. Through the westbound lanes of the Grand Central Parkway South 47°-22'-46" West, a distance of 82.07", to a point in the eastbound lanes of the Grand Central Parkway, thence;

10. Within the eastbound lanes of the Grand Central Parkway on a curve to the left, having a radius of 1778.30', an arc length of 834.73', a central angle of 26°-53'-40", and whose chord bears South 49°-28'-25" East, a distance of 827.08' to a point in the eastbound lanes of the Grand Central Parkway, thence;

11. Within the eastbound lanes of the Grand Central Parkway on a curve to the right, having a radius of 4238.74", an arc length of 371.50', a central angle of 05°-01'-18", and whose chord bears South 60°-46'-13" East, a distance of 371.38' to a point in the eastbound lanes of the Grand Central Parkway, thence;

12. Through the westbound lanes of Grand Central Parkway and waters of Flushing Bay North 18°-38'-40" East, a distance of 1054.19' to a point in the waters of Flushing Bay, thence;

13. Within the waters of Flushing Bay North 45°-38'-00" West, a distance of 2330.21' to a point in the waters of Flushing Bay said point also being in the southerly line of Tax Map Lot 1 Block 926, thence;

14. Along the southerly line of Tax Map Lot 1 Block 926 North 62°-16'-56" West, a distance of 69.81' to a point in the southerly line of Tax Map Lot 1 Block 926, thence;

15. Along the southerly line of Tax Map Lot 1 Block 926 South 40°-14'-47" West, a distance of 458.89' to a point in the westerly line of Tax Map Lot 1 Block 926, thence;

16. Along the westerly line of Tax Map Lot 1 Block 926 North 39°-47'-03" West, a distance of 685.00' to a point in the westerly line of Tax Map Lot 1 Block 926, thence;

17. Along the westerly line of Tax Map Lot 1 Block 926 on a curve to the left, having a radius of 9711.30', an arc length of 342.94', a central angle of 02°-01'-24", and whose chord bears North 40°-47'-45" West, a distance of 342.93' to a point in the westerly line of Tax Map Lot 1 Block 926, thence;

18. Along the westerly line of Tax Map Lot 1 Block 926 North 40°-47'-45" West, a distance of 27.61' to a point in the westerly line of Tax Map Lot 1 Block 926, also the point and place of beginning and containing a calculated areas of 2,497,386.76 SF or 57.332 acres.

(B) Parcel B

All that certain tracts or parcels of land located in the Grand Central Parkway, Borough of Queens, State of New York, bounded and described as follows:

Beginning at a point at the intersection formed by the easterly right of way line of 114th Street and the northerly right of way line of Roosevelt Avenue, thence along a line North 24°-39'-00" East, a distance of 547.13' to a point within the westerly line of Tax Map Lot 20 Block 1787, and from said point of beginning running thence:

1. Through the westbound lanes of the Grand Central Parkway South 77°-38'-22" West, a distance of 287.24', to a point within the median of the Grand Central Parkway, thence;

2. Within the median of the Grand Central Parkway the following two courses; North 10°35'14" West, a distance of 1045.10', to a point in the median of the Grand Central Parkway, thence;

1 3. Within the Grand Central Parkway on a curve to the left, having a  
2 radius of 1993.67', an arc length of 1428.31', a central angle of  
3 41°02'53", and whose chord bears North 33°54'06" West, a distance of  
4 1397.96', to a point in the eastbound lanes of the Grand Central Park-  
5 way, said point also being the easterly line of lands owned by the New  
6 York State Department of Transportation, thence;

7 4. Along the easterly line of lands owned by the New York State  
8 Department of Transportation, North 18°-38'-40" East, a distance of  
9 1054.19' to a point within the waters of Flushing Bay, thence;

10 5. Within the waters of Flushing Bay South 45°-38'-00" East, a  
11 distance of 1109.08', to a point in the waters of Flushing Bay, said  
12 point also being within Tax Map Lot 65 Block 1789, thence;

13 6. Within the waters of Flushing Bay South 05°-02'-53" East, a  
14 distance of 465.40', to a point within Tax Map Lot 65 Block 1789,  
15 thence;

16 7. Within the Grand Central Parkway South 04°-53'-30" West, a distance  
17 of 1336.32', to a point in the median of the Grand Central Parkway,  
18 thence;

19 8. Through the westbound lanes of the Grand Central Parkway, South  
20 76°-53'-58" East, a distance of 198.10', to a point in the westerly line  
21 of Tax Map Lot 20 Block 1787, thence;

22 9. Along the westerly line of same, the following three courses; South  
23 03°-28'-07" West, a distance of 240.75', to a point in the westerly line  
24 of Tax Map Lot 20 Block 1787, thence;

25 10. South 01°-26'-38" East, a distance of 104.30', to a point in the  
26 westerly line of Tax Map Lot 20 Block 1787, thence;

27 11. South 05°-00'-28" East, a distance of 165.58', to the point and  
28 place of beginning and containing a calculated areas of 1,699,154.25 SF  
29 or 39.007 acres.

30 (C) Parcel C

31 All that certain tracts or parcels of land located in the Borough of  
32 Queens, State of New York, bounded and described as follows:

33 Beginning at a point at the intersection formed by the easterly right of  
34 way line of 114th Street and the northerly right of way line of Roose-  
35 velt Avenue, thence along a line North 24°-39'-00" East, a distance of  
36 547.13' to a point within the westerly line of Tax Map Lot 20 Block  
37 1787, and from said point of beginning running thence:

38 1. Along the westerly line of same the following two course; North  
39 05°-00'-28" West, a distance of 165.58', to a point within the westerly  
40 line of Tax Map Lot 20 Block 1787, thence;

41 2. North 01°-26'-38" West, a distance of 104.30', to a point within  
42 the westerly line of Tax Map Lot 20 Block 1787, thence;

43 3. Within Tax Map Lot 20 Block 1787, South 59°-56'-38" East, a  
44 distance of 163.06', to a point in Lot 20 Block 1787, thence;

45 4. Within Tax Map Lot 20 Block 1787, North 68°-47'-17" East, a  
46 distance of 198.49', to a point in Lot 20 Block 1787, thence;

47 5. Within Tax Map Lot 20 Block 1787, South 22°-21'-18" East, a  
48 distance of 381.93', to a point in Lot 20 Block 1787, thence;

49 6. Within Tax Map Lot 20 Block 1787, South 59°-56'-38" East, a  
50 distance of 48.54', to a point in Lot 20 Block 1787, thence;

51 7. Through Tax Map Lot 20 Block 1787 and Roosevelt Avenue, South  
52 86°-10'-42" East, a distance of 398.17', to a point in the northerly  
53 line of Tax Map Lot 1500 Block 2018, said point also being in the south-  
54 erly right of way line of Roosevelt Avenue, thence;



1 8. Along the southerly right of way line of Roosevelt Avenue North  
2 68°-23'-55" East, a distance of 609.39', to a point in the southerly  
3 right of way line of Roosevelt Avenue, thence;

4 9. Within Roosevelt Avenue, North 21°-35'-11" West, a distance of  
5 10.14', to a point within Roosevelt Avenue, thence;

6 10. Within Roosevelt Avenue North 68°-25'-28" East, a distance of  
7 1035.26', to a point within Roosevelt Avenue, thence;

8 11. Within Roosevelt Avenue and along the easterly right of way line  
9 of 126th Street, South 21°-35'-11" East, a distance of 289.03', to a  
10 point within Tax Map Lot 1000 Block 2018, thence;

11 12. Within Tax Map Lot 1000 Block 2018, South 68°-25'-28" West, a  
12 distance of 620.84', to a point in Tax Map Lot 1000 Block 2018, thence;

13 13. Within Tax Map Lot 1000 Block 2018 North 05°-44'-59" East, a  
14 distance of 22.49', to a point in the southerly line of Tax Map Lot 1500  
15 Block 2018, thence;

16 14. Along the southerly line of same, South 68°-30'-37" West, a  
17 distance of 241.71', to a point in the southerly line of Tax Map Lot  
18 1500 Block 2018, thence;

19 15. Within Tax Map Lot 1500 Block 2018, North 72°-41'-52" West, a  
20 distance of 175.88', to a point in Tax Map Lot 1500 Block 2018, thence;

21 16. Within Tax Map Lot 1500 Block 2018, South 68°-23'-55" West, a  
22 distance of 949.27', to a point in Tax Map Lot 1500 Block 2018, thence;

23 17. Through Tax Map Lot 1500 Block 2018 and Roosevelt Avenue and Tax  
24 Map Lot 20 Block 1787, North 59°-56'-38" West, a distance of 779.92', to  
25 the point and place of beginning and containing a calculated areas of  
26 607,660.66 SF or 13.949 acres.

27 (D) Parcel D

28 All that certain tracts or parcels of land located in the Borough of  
29 Queens, State of New York, bounded and described as follows:

30 Beginning at a point at the intersection formed by the intersection of  
31 the easterly right of way line of 126th Street and the southerly right  
32 of way line of Roosevelt Avenue, thence along a line North 21°-35'-11"  
33 West, a distance of 10.00' to a point within Roosevelt Avenue and from  
34 said point of beginning running thence:

35 1. Within the right of way of Roosevelt Avenue, North 68°-30'-18"  
36 East, a distance of 420.35' to a point in the right of way of Roosevelt  
37 Avenue, thence;

38 2. Within the right of way of Roosevelt Avenue, North 62°-00'-28"  
39 East, a distance of 264.15' to a point in the right of way of Roosevelt  
40 Avenue, thence;

41 3. Through Roosevelt Avenue and Tax Map Lot 300 Block 2018 South  
42 21°-35'-11" East, a distance of 254.94' to a point in Lot 300 Block  
43 2018, thence;

44 4. Through Tax Map Lot 300 Block 2018 South 58°-00'-57" West, a  
45 distance of 386.69', to a point in the southeasterly line of Tax Map Lot  
46 75 Block 2018, thence;

47 5. Within Tax Map Lot 75 Block 2018 South 77°-57'-39" West, a distance  
48 of 162.28' to a point in Tax Map Lot 75 Block 2018, thence;

49 6. Within Tax Map Lot 75 Block 2018 South 68°-23'-55" West, a distance  
50 of 142.47' to a point in Tax Map Lot 75 Block 2018, said point also  
51 being along the easterly line of 126th Street, thence;

52 7. Along the easterly right of way line of 126th Street, North  
53 21°-35'-11" West, a distance of 269.04' to the point and place of begin-  
54 ning and containing a calculated areas of 186,365.46 SF or 4.278 acres.

55 (E) Parcel E

1 All that certain tracts or parcels of land located in the Borough of  
2 Queens, State of New York, bounded and described as follows:  
3 Beginning at a point at the intersection formed by the intersection of  
4 the westerly right of way line of 126th Street and the southerly right  
5 of way line of Roosevelt Avenue, thence along the westerly right of way  
6 line of 126th Street South 21°-35'-11" East, a distance of 259.05' to a  
7 point within the northerly line of Tax Map Lot 1000 Block 2018, thence  
8 along the northerly line of Tax Map Lot 1000 Block 2018 South  
9 68°-25'-28" West, a distance of 610.51' to a point within the northerly  
10 line of Lot 1000 Block 2018, and from said point of beginning running  
11 thence:

12 1. Within Tax Map Lot 1000 Block 2018, South 05°-44'-59" West, a  
13 distance of 37.84', to a point in Tax Map Lot 1000 Block 2018, thence;

14 2. Within said lands the following three courses, South 21°-02'-11"  
15 East, a distance of 96.44', to a point in Tax Map Lot 1000 Block 2018,  
16 thence;

17 3. South 47°-44'-48" East, a distance of 71.01', to a point in Tax Map  
18 Lot 1000 Block 2018, thence;

19 4. North 68°-23'-55" East, a distance of 489.48', to a point in the  
20 northerly line of Tax Map Lot 350R Block 2018, thence

21 5. Within Tax Map Lot 350R Block 2018 the following two courses, South  
22 43°-22'-54" East, a distance of 39.27', to a point in Lot 350R Block  
23 2018, thence;

24 6. South 42°-24'-34" West, a distance of 391.74', to a point in the  
25 northerly line of Lot 350R Block 2018, thence;

26 7. Through Tax Map Lot 350R Block 2018, South 46°-00'-42" East, a  
27 distance of 166.93', to a point in the southerly line of Lot 350R Block  
28 2018, said point also being in the northerly line of Lot 300R Block  
29 2018, thence;

30 8. Along the northerly line of Tax Map Lot 300R Block 2018 South  
31 65°-11'-49" West, a distance of 556.87', to a point in the northerly  
32 line of Tax Map Lot 300R Block 2018, thence;

33 9. Through Tax Map Lot 350R Block 2018 and Tax Map Lot 1000 Block  
34 2018, North 24°-48'-11" West, a distance of 164.72', to a point within  
35 Tax Map Lot 1000 Block 2018, thence;

36 10. Within Tax Map Lot 1000 Block 2018 the following three courses;  
37 North 51°-08'-46" East, a distance of 217.28', to a point within Tax Map  
38 Lot 1000 Block 2018, thence;

39 11. North 38°-51'-17" West, a distance of 329.46', to a point within  
40 Tax Map Lot 1000 Block 2018, thence;

41 12. North 47°-13'-34" West, a distance of 46.55' to a point along the  
42 southerly line of Tax Map Lot 1500 Block 2018, thence;

43 13. Along the southerly line of Tax Map Lot 1500 Block 2018 North  
44 68°-30'-37" East, a distance of 241.71' to the point and place of begin-  
45 ning and containing a calculated areas of 236,272.08 SF or 5.424 acres.

46 (F) Any property interests necessary for an adjustment of the piers  
47 supporting the pedestrian bridges crossing the Grand Central Parkway to  
48 maintain accessibility, and any vehicle entry and exit points to the  
49 Grand Central Parkway located along either side of the above described  
50 corridor.

51 (c) Notwithstanding any other provision of law, general, special,  
52 charter or local, following acquisition, the commissioner of transporta-  
53 tion may use such property interests together with property interests  
54 already owned or held within the corridor described in subdivision (b)  
55 of this section or enter into contracts to sell, or lease to, contract  
56 with or otherwise transfer to, and/or exchange with, and/or grant ease-

1 ments, licenses, permits, concessions, or other authorizations to, the  
2 Port Authority of New York and New Jersey, to construct (including  
3 utilizing temporary laydown areas), and permanently use, occupy, oper-  
4 ate, and maintain the airport access mass transit facility, related  
5 ancillary facilities for airport access mass transit maintenance, park-  
6 ing for persons using the airport access mass transit facility and addi-  
7 tional limited purposes directly related to operation of an airport  
8 access mass transit project; provided however, this section does not  
9 authorize use of property interests for a self-standing facility  
10 constructed to house premises for automobile rental operations; and  
11 provided further that, the Port Authority of New York and New Jersey  
12 may, notwithstanding any other provision of law, general, special, char-  
13 ter or local, transfer any property interests to the city of New York,  
14 in accordance with the terms and conditions for the lease of airport  
15 premises by the city of New York to the Port Authority of New York and  
16 New Jersey and the city of New York may, following such transfer, lease-  
17 back the property interests under those terms and conditions.

18 (d) Upon completion of any modifications to the Grand Central Parkway,  
19 the commissioner of transportation shall by official order transfer  
20 jurisdiction over the central express artery and adjacent landscape  
21 areas and over adjacent service roads to the city of New York as set  
22 forth in subdivision 3.4 of section three hundred forty-nine-c of this  
23 article.

24 (e) Authorization is hereby given to the commissioner of transporta-  
25 tion to do all things necessary, within the judgment of the commission-  
26 er, to carry out the purposes of this section.

27 (f) During the construction of any airport access mass transit facili-  
28 ty for LaGuardia airport and related ancillary facilities on any proper-  
29 ty interests acquired pursuant to this section, section fourteen-d of  
30 the transportation law, or pursuant to any other section of law, the  
31 constructing party shall provide for the on-going monitoring of  
32 vibrations, noise and air quality during construction.

33 (g) The constructing party shall ensure the provision of just compen-  
34 sation to a property owner of any property or building within the vicin-  
35 ity of the construction of any airport access mass transit facility for  
36 LaGuardia airport and related ancillary facilities that has been phys-  
37 ically damaged as a result of action taken by the constructing party or  
38 its agent during such construction, however, nothing herein shall estab-  
39 lish a cause of action for such damages.

40 § 10. (A) The use of any property, property rights, or property inter-  
41 ests including easements, air rights and subsurface rights, acquired  
42 pursuant to paragraph d of subdivision 1 of section 14-d of the trans-  
43 portation law, as added by section eight of this act, for any essential  
44 facilities necessary for the construction, operation, and maintenance of  
45 an airport access mass transit facility for LaGuardia airport including:  
46 temporary and permanent stairways; pedestrian walkways/bridges other  
47 than the Passerelle; and vertical movement (i.e. elevators, escala-  
48 tors); guideway superstructure, columns, and foundations; guideway and  
49 station equipment such as track, third rail, walkways, handrails, noise  
50 wall, lighting, blue light stations, CCTV, fare collection systems and  
51 security equipment and provisions; facility ingress and egress installa-  
52 tions; all utilities necessary for an airport access mass transit facil-  
53 ity such as high and low voltage electric, grounding, natural gas,  
54 water, sewer, drainage, cable, fiber, communication towers, antennae,  
55 temporary utilities and miscellaneous utilities and services; utilities  
56 facilities including, but not limited to, substations, transformers,

1 mechanical, and pumping facilities; temporary and permanent public  
2 access roads, pedestrian bridges other than the Passerelle, sidewalks,  
3 pathways, and traffic facilities; temporary and permanent security fenc-  
4 ing, guard booths, CCTV systems, security equipment/provisions as well  
5 as bollards and walls of various materials; landscaping features,  
6 sustainable design installations, and mitigation elements required  
7 through the environmental or regulatory approval process(es), or as a  
8 result of recommendations from local community outreach; temporary and  
9 permanent lighting fixtures including any aviation warning lights;  
10 temporary infrastructure to support construction; temporary and perma-  
11 nent signage and signage structures; temporary and permanent facilities  
12 and buildings such as operations, storage and maintenance facilities,  
13 passenger stations, as well as other miscellaneous support facilities  
14 and buildings, which include all equipment required to provide a fully  
15 functional installation including elements such as oil separation, fuel  
16 storage, vehicle cleaning, backup power systems, and other associated  
17 equipment; corrosion and erosion control monitoring and mitigating  
18 installations; temporary parking during construction and parking for  
19 employees of an access mass transit facility; concessions and small  
20 business facilities; temporary construction equipment and facilities;  
21 public announcement and other annunciating equipment and facilities;  
22 temporary storage facilities; temporary and permanent systems support  
23 installations (i.e. communications and train control); lightning  
24 protection installation; storage facilities to support the airport  
25 access mass transit facility and airport operations; all interfaces with  
26 the NYCT 7 line and MTA/LIRR; all rearrangements related to MTA bus and  
27 rail operations at Willets Point; alternative/sustainable energy systems  
28 (i.e. solar panels, electric vehicle charging stations, energy storage,  
29 etc.); waste/refuse storage and processing associated with airport  
30 access mass transit facility operations (i.e. trash compactors and dump-  
31 sters); storm water treatment and storage facilities (above and/or  
32 underground); and flood mitigation installations shall be authorized.

33 (B) The use of any property, property rights, or property interests  
34 including easements, air rights and subsurface rights acquired pursuant  
35 to paragraph d of subdivision 1 of section 14-d of the transportation  
36 law, as added by section eight of this act, for any nonessential facili-  
37 ties including: permanent parking facilities; and other nonessential  
38 facilities not directly related to the construction, operation, and  
39 maintenance of an airport access mass transit facility for LaGuardia  
40 airport and not necessary for such facility's operation shall be author-  
41 ized only upon the condition that a memorandum of understanding is  
42 executed between the Mayor of the City of New York and the port authori-  
43 ty of New York and New Jersey.

44 (C) The acquisition of any property, property rights, or property  
45 interests including easements, air rights and subsurface rights author-  
46 ized pursuant to paragraph d of subdivision 1 of section 14-d of the  
47 transportation law, as added by section eight of this act, shall take  
48 effect only upon the condition that a memorandum of understanding is  
49 executed between the mayor of the city of New York and the port authori-  
50 ty of New York and New Jersey for the renovation of the Passerelle  
51 bridge and the interfaces with the Passerelle structures.

52 § 11. If property interests acquired on real property currently desig-  
53 nated as parkland or that is currently used for park purposes pursuant  
54 to the authorization contained in this act are not used within fifteen  
55 years of their acquisition or shall ever be used for a purpose other  
56 than for the use authorized pursuant to this act, such property shall

1 revert back to the city of New York department of parks and recreation  
2 to be used for park and recreational purposes or for the purposes that  
3 are consistent with those provided by chapter 729 of the laws of 1961.

4 § 12. New York City shall dedicate an amount equal to or greater than  
5 the fair market value received from the department of transportation's  
6 acquisition of parklands pursuant to the authorization in paragraph d of  
7 subdivision 1 of section 14-d of the transportation law, as added by  
8 section eight of this act, toward the acquisition of new parkland and/or  
9 capital improvements to existing parkland and recreational facilities  
10 provided, however, that if any such parkland is waterfront parkland the  
11 fair market value may only be used for the acquisition of new waterfront  
12 parklands and/or capital improvements to existing waterfront parkland  
13 and recreational facilities.

14 § 13. Subdivision 9 of section 2852 of the education law, as amended  
15 by section 2 of subpart A of part B of chapter 20 of the laws of 2015,  
16 is amended to read as follows:

17 9. The total number of charters issued pursuant to this article state-  
18 wide shall not exceed four hundred sixty. (a) All charters issued on or  
19 after July first, two thousand fifteen and counted toward the numerical  
20 limits established by this subdivision shall be issued by the board of  
21 regents upon application directly to the board of regents or on the  
22 recommendation of the board of trustees of the state university of New  
23 York pursuant to a competitive process in accordance with subdivision  
24 nine-a of this section. ~~[Fifty of such charters issued on or after July~~  
25 ~~first, two thousand fifteen, and no more, shall be granted to a charter~~  
26 ~~for a school to be located in a city having a population of one million~~  
27 ~~or more.]~~ The failure of any body to issue the regulations authorized  
28 pursuant to this article shall not affect the authority of a charter  
29 entity to propose a charter to the board of regents or the board of  
30 regents' authority to grant such charter. A conversion of an existing  
31 public school to a charter school, or the renewal or extension of a  
32 charter approved by any charter entity, shall not be counted toward the  
33 numerical limits established by this subdivision.

34 (b) A charter that has been surrendered, revoked or terminated ~~[on or~~  
35 ~~before July first, two thousand fifteen]~~, including a charter that has  
36 not been renewed by action of its charter entity, may be reissued pursu-  
37 ant to paragraph (a) of this subdivision by the board of regents either  
38 upon application directly to the board of regents or on the recommenda-  
39 tion of the board of trustees of the state university of New York pursu-  
40 ant to a competitive process in accordance with subdivision nine-a of  
41 this section. Provided that such reissuance shall not be counted toward  
42 the statewide numerical limit established by this subdivision~~[, and~~  
43 ~~provided further that no more than twenty-two charters may be reissued~~  
44 ~~pursuant to this paragraph]~~.

45 (c) For purposes of determining the total number of charters issued  
46 within the numerical limits established by this subdivision, the  
47 approval date of the charter entity shall be the determining factor.

48 (d) Notwithstanding any provision of this article to the contrary, any  
49 charter authorized to be issued by chapter fifty-seven of the laws of  
50 two thousand seven effective July first, two thousand seven, and that  
51 remains unissued as of July first, two thousand fifteen, may be issued  
52 pursuant to the provisions of law applicable to a charter authorized to  
53 be issued by such chapter in effect as of June fifteenth, two thousand  
54 fifteen~~[, provided however that nothing in this paragraph shall be~~  
55 ~~construed to increase the numerical limit applicable to a city having a~~  
56 ~~population of one million or more as provided in paragraph (a) of this~~



~~subdivision, as amended by a chapter of the laws of two thousand fifteen which added this paragraph~~].

§ 14. Subdivision 2 of section 3204 of the education law, as amended by section 1 of part SSS of chapter 59 of the laws of 2018, is amended to read as follows:

2. Quality and language of instruction; text-books. (i) Instruction may be given only by a competent teacher. In the teaching of the subjects of instruction prescribed by this section, English shall be the language of instruction, and text-books used shall be written in English, except that for a period of three years, which period may be extended by the commissioner with respect to individual pupils, upon application therefor by the appropriate school authorities, to a period not in excess of six years, from the date of enrollment in school, pupils who, by reason of foreign birth or ancestry have limited English proficiency, shall be provided with instructional programs as specified in subdivision two-a of this section and the regulations of the commissioner. The purpose of providing such pupils with instruction shall be to enable them to develop academically while achieving competence in the English language. Instruction given to a minor elsewhere than at a public school shall be at least substantially equivalent to the instruction given to minors of like age and attainments at the public schools of the city or district where the minor resides.

(ii) For purposes of considering substantial equivalence pursuant to this subdivision for nonpublic elementary and middle schools that are: (1) non-profit corporations, (2) have a bi-lingual program, and (3) have an educational program that extends from no later than nine a.m. until no earlier than four p.m. for grades one through ~~three, and no earlier than five thirty p.m. for grades four through~~ eight, on the majority of weekdays to meet the requirements of this section, the department shall consider the following, but not limited to: if the curriculum provides academically rigorous instruction that develops critical thinking skills in the school's students, taking into account the entirety of the curriculum, over the course of elementary and middle school, including instruction in English ~~[that will]~~ to prepare pupils to read fiction and nonfiction text for information and to use that information to construct written essays that state a point of view or support an argument; instruction in mathematics ~~[that will]~~ to prepare pupils to solve real world problems using both number sense and fluency with mathematical functions and operations; instruction in history ~~[by being able]~~ to prepare pupils to interpret and analyze primary text to identify and explore important events in history, to construct written arguments using the supporting information they get from primary source material, demonstrate an ~~[understating]~~ understanding of the role of geography and economics in the actions of world civilizations, and an understanding of civics and the responsibilities of citizens in world communities; and instruction in science ~~[by learning]~~ to teach pupils how to gather, analyze and interpret observable data to make informed decisions and solve problems mathematically, using deductive and inductive reasoning to support a hypothesis, and how to differentiate between correlational and causal relationships.

(iii) For purposes of considering substantial equivalence pursuant to this subdivision for nonpublic high schools that: (1) are established for pupils in high school who have graduated from an elementary school that provides instruction as described in this section, (2) are a non-profit corporation, (3) have a bi-lingual program, and (4) have an educational program that extends from no later than nine a.m. until no

earlier than ~~[six]~~ four-thirty p.m. on the majority of weekdays to meet the requirements of this section the department shall consider the following but not limited to: if the curriculum provides academically rigorous instruction that develops critical thinking skills in the school's students, the outcomes of which, taking into account the entirety of the curriculum, result in a sound basic education.

(iv) Nothing herein shall be construed to entitle or permit any school to receive an increase in mandated services aid pursuant to 8 NYCRR 176 on account of providing a longer school day.

(v) ~~[The commissioner shall be the entity that determines whether nonpublic elementary and secondary schools are in compliance with the academic requirements set forth in paragraphs (ii) and (iii) of this subdivision.]~~ In determining compliance with the academic requirements set forth in paragraphs (ii) and (iii) of this subdivision, the commissioner shall designate an entity or entities with expertise in the curriculum of the schools described in paragraphs (ii) and (iii) of this subdivision to evaluate the schools' compliance with said requirements, and shall defer to such entity's expertise in making such evaluation.

(vi) For purposes of determining compliance with the academic requirements set forth in paragraphs (ii) and (iii) of this subdivision, the determination shall be based solely on teaching the enumerated requirements contained therein; provided, however, that nothing in this paragraph shall prohibit schools from providing instruction in areas not enumerated within paragraphs (ii) and (iii) of this subdivision.

(vii) Upon a finding of non-compliance the following steps may be taken:

(a) The commissioner may issue a report recommending corrective actions to satisfy the academic requirements established herein.

(b) Such school may accept and implement the recommended corrective actions or establish its own plan for resolving the stated deficiencies, and be afforded adequate time to implement such corrective actions. Upon failure of a school to remedy the non-compliance, the commissioner may deem the school's curriculum to be deficient and place the school on probation for a period of one year. During such probationary period the school shall be required to retain and work with a curriculum specialist to further address and resolve the deficiencies and shall be subject to further and periodic monitoring by the commissioner until the deficiencies are resolved pursuant to this subdivision.

(c) If a school is deemed not to be in compliance after the probationary period described above, the commissioner shall inform parents of students enrolled in such school that the instruction provided by the school was determined not to be in compliance.

§ 15. Section 292 of the executive law is amended by adding a new subdivision 35 to read as follows:

35. The term "educational institution" shall mean:

(a) any education corporation or association which holds itself out to the public to be non-secretarian and exempt from taxation pursuant to the provisions of article four of the real property tax law; or

(b) any public school, including any school district, board of cooperative education services, public college or public university.

§ 16. Subdivision 4 of section 296 of the executive law, as amended by chapter 106 of the laws of 2003, is amended to read as follows:

4. It shall be an unlawful discriminatory practice for an ~~[education corporation or association which holds itself out to the public to be non-sectarian and exempt from taxation pursuant to the provisions of article four of the real property tax law]~~ educational institution to

1 deny the use of its facilities to any person otherwise qualified, or to  
2 permit the harassment of any student or applicant, by reason of his  
3 race, color, religion, disability, national origin, sexual orientation,  
4 military status, sex, age or marital status, except that any such insti-  
5 tution which establishes or maintains a policy of educating persons of  
6 one sex exclusively may admit students of only one sex.

7 § 17. Section 221.05 of the penal law, as added by chapter 360 of the  
8 laws of 1977, is amended to read as follows:

9 § 221.05 Unlawful possession of marihuana.

10 A person is guilty of unlawful possession of marihuana when he know-  
11 ingly and unlawfully possesses marihuana.

12 Unlawful possession of marihuana is a violation punishable only by a  
13 fine of not more than one hundred dollars. However, where the defendant  
14 has previously been convicted of [~~an offense~~] a crime defined in this  
15 article, except a crime defined in section 221.10 of this article  
16 provided, however, that the record of such conviction does not demon-  
17 strate a conviction under subdivision two of such section 221.10, or  
18 article 220 of this chapter, committed within the three years immedi-  
19 ately preceding such violation, it shall be punishable (a) only by a fine  
20 of not more than two hundred dollars, if the defendant was previously  
21 convicted of one such offense committed during such period, and (b) by a  
22 fine of not more than two hundred fifty dollars or a term of imprison-  
23 ment not in excess of fifteen days or both, if the defendant was previ-  
24 ously convicted of two such offenses committed during such period.

25 § 18. Paragraph (k) of subdivision 3 of section 160.50 of the criminal  
26 procedure law, as added by chapter 835 of the laws of 1977 and as relet-  
27 tered by chapter 192 of the laws of 1980, is amended to read as follows:

28 (k) (i) The accusatory instrument alleged a violation of article two  
29 hundred twenty or section 240.36 of the penal law, prior to the taking  
30 effect of article two hundred twenty-one of the penal law, or a  
31 violation of article two hundred twenty-one of the penal law; (ii) the  
32 sole controlled substance involved is marijuana; and (iii) the  
33 conviction was only for a violation or violations[~~, and (iv) at least~~  
34 ~~three years have passed since the offense occurred~~] of section 221.10 of  
35 the penal law provided, however, that the record of such conviction does  
36 not demonstrate a conviction under subdivision two of such section  
37 221.10, or for a petty offense or offenses. No defendant shall be  
38 required or permitted to waive eligibility for sealing pursuant to this  
39 paragraph as part of a plea of guilty, sentence or any agreement related  
40 to a conviction for a violation of section 221.05 or section 221.10 of  
41 the penal law and any such waiver shall be deemed void and wholly unen-  
42 forceable.

43 § 19. Section 160.50 of the criminal procedure law is amended by  
44 adding three new subdivisions 5, 6 and 7 to read as follows:

45 5. A person convicted of a violation of section 221.10 of the penal  
46 law, other than a conviction after trial of, or plea of guilty to,  
47 subdivision two of such section 221.10, prior to the effective date of  
48 this subdivision may upon motion apply to the court in which such termi-  
49 nation occurred, upon not less than twenty days notice to the district  
50 attorney, for an order granting to such person the relief set forth in  
51 subdivision one of this section, and such order shall be granted unless  
52 the district attorney demonstrates that the interests of justice require  
53 otherwise.

54 6. (a) Notwithstanding any other provision of law except as provided  
55 in paragraph (d) of subdivision one of this section and paragraph (e) of  
56 subdivision four of section eight hundred thirty-seven of the executive

1 law: (i) when the division of criminal justice services conducts a  
2 search of its criminal history records, maintained pursuant to subdivi-  
3 sion six of section eight hundred thirty-seven of the executive law, and  
4 returns a report thereon, all references to a conviction for a violation  
5 of section 221.10 of the penal law, other than a conviction after trial  
6 of, or plea of guilty to, subdivision two of such section 221.10, shall  
7 be excluded from such report; and (ii) the chief administrator of the  
8 courts shall develop and promulgate rules as may be necessary to ensure  
9 that no written or electronic report of a criminal history record search  
10 conducted by the office of court administration contains information  
11 relating to a conviction for a violation of section 221.10 of the penal  
12 law, other than a conviction after trial of, or plea of guilty to,  
13 subdivision two of such section 221.10, unless such search is conducted  
14 solely for a bona fide research purpose, provided that such information,  
15 if so disseminated, shall be disseminated in accordance with procedures  
16 established by the chief administrator of the courts to assure the secu-  
17 rity and privacy of identification and information data, which shall  
18 include the execution of an agreement which protects the confidentiality  
19 of the information and reasonably protects against data linkage to indi-  
20 viduals.

21 (b) Nothing contained in this subdivision shall be deemed to permit or  
22 require the release, disclosure or other dissemination by the division  
23 of criminal justice services or the office of court administration of  
24 criminal history record information that has been sealed in accordance  
25 with law.

26 7. A person convicted of a violation of section 221.05 of the penal  
27 law shall, on the effective date of this subdivision, have such  
28 conviction immediately sealed pursuant to subdivision one of this  
29 section if such conviction occurred less than three years prior to such  
30 effective date.

31 § 20. Paragraph 1 of subdivision (a) of section 1180-b of the vehicle  
32 and traffic law, as amended by chapter 43 of the laws of 2014, is  
33 amended to read as follows:

34 1. Notwithstanding any other provision of law, the city of New York is  
35 hereby authorized to establish a demonstration program imposing monetary  
36 liability on the owner of a vehicle for failure of an operator thereof  
37 to comply with posted maximum speed limits in a school speed zone within  
38 ~~the~~ such city (i) when a school speed limit is in effect as provided  
39 in paragraphs one and two of subdivision (c) of section eleven hundred  
40 eighty of this article or (ii) when other speed limits are in effect as  
41 provided in subdivision (b), (d), (f) or (g) of section eleven hundred  
42 eighty of this article during the following times: (A) on school days  
43 during school hours and one hour before and one hour after the school  
44 day, and (B) a period during student activities at the school and up to  
45 thirty minutes immediately before and up to thirty minutes immediately  
46 after such student activities. Such demonstration program shall empower  
47 the city of New York to install photo speed violation monitoring systems  
48 within no more than ~~one hundred forty~~ two hundred ninety school speed  
49 zones within ~~the~~ such city at any one time and to operate such systems  
50 within such zones (iii) when a school speed limit is in effect as  
51 provided in paragraphs one and two of subdivision (c) of section eleven  
52 hundred eighty of this article or (iv) when other speed limits are in  
53 effect as provided in subdivision (b), (d), (f) or (g) of section eleven  
54 hundred eighty of this article during the following times: (A) on school  
55 days during school hours and one hour before and one hour after the  
56 school day, and (B) a period during student activities at the school and

up to thirty minutes immediately before and up to thirty minutes immediately after such student activities. In selecting a school speed zone in which to install and operate a photo speed violation monitoring system, the city of New York shall consider criteria including, but not limited to, the speed data, crash history, and the roadway geometry applicable to such school speed zone. Such city shall prioritize the placement of photo speed violation monitoring systems in school speed zones based upon speed data or the crash history of a school speed zone. A photo speed violation monitoring system shall not be installed or operated on a controlled-access highway exit ramp or within three hundred feet along a highway that continues from the end of a controlled-access highway exit ramp.

§ 21. Paragraph 2 of subdivision (a) of section 1180-b of the vehicle and traffic law, as added by chapter 189 of the laws of 2013, is amended to read as follows:

2. No photo speed violation monitoring system shall be used in a school speed zone unless (i) on the day it is to be used it has successfully passed a self-test of its functions; and (ii) it has undergone an annual calibration check performed pursuant to paragraph four of this subdivision. The city ~~may~~ shall install signs giving notice that a photo speed violation monitoring system is in use to be mounted on advance warning signs notifying approaching motor vehicle operators of such upcoming school speed zone and/or on speed limit signs applicable within such school speed zone, in conformance with standards established in the MUTCD. Such advance warning signs shall also, to the extent authorized by the MUTCD, contain the words "speed camera ahead" and be no more than three hundred feet from such photo speed violation monitoring system.

§ 22. Paragraph 4 of subdivision (c) of section 1180-b of the vehicle and traffic law, as added by chapter 189 of the laws of 2013, is amended to read as follows:

4. "school speed zone" shall mean a radial distance not to exceed one thousand three hundred twenty feet ~~[on a highway passing]~~ from a school building, entrance, or exit ~~[of a school abutting on the highway]~~.

§ 23. Subdivision (n) of section 1180-b of the vehicle and traffic law, as added by chapter 189 of the laws of 2013, is amended to read as follows:

(n) If the city adopts a demonstration program pursuant to subdivision ~~[one]~~ (a) of this section it shall conduct a study and submit ~~[a]~~ an annual report on the results of the use of photo devices to the governor, the temporary president of the senate and the speaker of the assembly on or before June first, two thousand nineteen and on the same date in each succeeding year in which the demonstration program is operable. Such report shall include:

1. the locations where and dates when photo speed violation monitoring systems were used;

2. the aggregate number, type and severity of crashes, fatalities, injuries and property damage reported within all school speed zones within the city, to the extent the information is maintained by the department of motor vehicles of this state;

3. the aggregate number, type and severity of crashes, fatalities, injuries and property damage reported within school speed zones where photo speed violation monitoring systems were used, to the extent the information is maintained by the department of motor vehicles of this state;



1 4. the number of violations recorded within all school speed zones  
2 within the city, in the aggregate on a daily, weekly and monthly basis;

3 5. the number of violations recorded within each school speed zone  
4 where a photo speed violation monitoring system is used, in the aggregate on a daily, weekly and monthly basis;

5 6. the number of violations recorded within all school speed zones  
6 within the city that were:

7 (i) more than ten but not more than twenty miles per hour over the  
8 posted speed limit;

9 (ii) more than twenty but not more than thirty miles per hour over the  
10 posted speed limit;

11 (iii) more than thirty but not more than forty miles per hour over the  
12 posted speed limit; and

13 (iv) more than forty miles per hour over the posted speed limit;

14 7. the number of violations recorded within each school speed zone  
15 where a photo speed violation monitoring system is used that were:

16 (i) more than ten but not more than twenty miles per hour over the  
17 posted speed limit;

18 (ii) more than twenty but not more than thirty miles per hour over the  
19 posted speed limit;

20 (iii) more than thirty but not more than forty miles per hour over the  
21 posted speed limit; and

22 (iv) more than forty miles per hour over the posted speed limit;

23 8. the total number of notices of liability issued for violations  
24 recorded by such systems;

25 9. the number of fines and total amount of fines paid after the first  
26 notice of liability issued for violations recorded by such systems;

27 10. the number of violations adjudicated and the results of such adjudications including breakdowns of dispositions made for violations  
28 recorded by such systems;

29 11. the total amount of revenue realized by the city in connection  
30 with the program;

31 12. the expenses incurred by the city in connection with the program;

32 [and]

33 13. the quality of the adjudication process and its results; and

34 14. the effectiveness and adequacy of the hours of operation for such  
35 program to determine the impact on speeding violations and prevention of  
36 crashes.

37 § 24. The opening paragraph of section 12 of chapter 43 of the laws of  
38 2014, amending the vehicle and traffic law, the public officers law and  
39 the general municipal law relating to photo speed violation monitoring  
40 systems in school speed zones in the city of New York, is amended to  
41 read as follows:

42 This act shall take effect on the thirtieth day after it shall have  
43 become a law [and]; provided that sections one through ten of this act  
44 shall expire 4 years after such effective date when upon such date the  
45 provisions of such sections of this act shall be deemed repealed; and  
46 provided further that any rules necessary for the implementation of this  
47 act on its effective date shall be promulgated on or before such effective date, provided that:

48 § 25. The opening paragraph of section 15 of chapter 189 of the laws  
49 of 2013, amending the vehicle and traffic law and the public officers  
50 law relating to establishing in a city with a population of one million  
51 or more a demonstration program implementing speed violation monitoring  
52 systems in school speed zones by means of photo devices, is amended to  
53 read as follows:

1 This act shall take effect on the thirtieth day after it shall have  
2 become a law and shall expire [~~5 years after such effective date when~~  
3 ~~upon such date the provisions of this act shall~~] and be deemed repealed  
4 July 1, 2022; and provided further that any rules necessary for the  
5 implementation of this act on its effective date shall be promulgated on  
6 or before such effective date, provided that:

7 § 26. Photo speed violation monitoring systems within the additional  
8 150 school speed zones authorized for the city of New York by paragraph  
9 1 of subdivision (a) of section 1180-b of the vehicle and traffic law,  
10 as amended by section one of this act, shall be authorized to be  
11 installed over the 3 year period following the effective date of this  
12 act as follows:

13 (a) in no more than 50 school speed zones during the first such year;

14 (b) in no more than 50 additional school speed zones during the second  
15 such year; and

16 (c) in no more than 50 additional school speed zones during the third  
17 such year.

18 § 27. Subdivision 1 of section 235 of the vehicle and traffic law, as  
19 amended by section 1 of chapter 222 of the laws of 2015, is amended to  
20 read as follows:

21 1. Notwithstanding any inconsistent provision of any general, special  
22 or local law or administrative code to the contrary, in any city which  
23 heretofore or hereafter is authorized to establish an administrative  
24 tribunal to hear and determine complaints of traffic infractions consti-  
25 tuting parking, standing or stopping violations, or to adjudicate the  
26 liability of owners for violations of subdivision (d) of section eleven  
27 hundred eleven of this chapter in accordance with section eleven hundred  
28 eleven-a of this chapter, or to adjudicate the liability of owners for  
29 violations of subdivision (d) of section eleven hundred eleven of this  
30 chapter in accordance with sections eleven hundred eleven-b of this  
31 chapter as added by sections sixteen of chapters twenty, twenty-one, and  
32 twenty-two of the laws of two thousand nine, or to adjudicate the  
33 liability of owners for violations of subdivision (d) of section eleven  
34 hundred eleven of this chapter in accordance with section eleven hundred  
35 eleven-d of this chapter, or to adjudicate the liability of owners for  
36 violations of subdivision (d) of section eleven hundred eleven of this  
37 chapter in accordance with section eleven hundred eleven-e of this chap-  
38 ter, or to adjudicate the liability of owners for violations of toll  
39 collection regulations as defined in and in accordance with the  
40 provisions of section two thousand nine hundred eighty-five of the  
41 public authorities law and sections sixteen-a, sixteen-b and sixteen-c  
42 of chapter seven hundred seventy-four of the laws of nineteen hundred  
43 fifty, or to adjudicate liability of owners in accordance with section  
44 eleven hundred eleven-c of this chapter for violations of bus lane  
45 restrictions as defined in subdivision (b), (c), (d), (f) or (g) of such  
46 section, or to adjudicate the liability of owners for violations of  
47 section eleven hundred eighty of this chapter in accordance with section  
48 eleven hundred eighty-b of this chapter, or to adjudicate the liability  
49 of owners for violations of section eleven hundred eighty of this chap-  
50 ter in accordance with section eleven hundred eighty-d of this chapter,  
51 such tribunal and the rules and regulations pertaining thereto shall be  
52 constituted in substantial conformance with the following sections.

53 § 28. Section 235 of the vehicle and traffic law, as amended by  
54 section 1-a of chapter 222 of the laws of 2015, is amended to read as  
55 follows:

§ 235. Jurisdiction. Notwithstanding any inconsistent provision of any general, special or local law or administrative code to the contrary, in any city which heretofore or hereafter is authorized to establish an administrative tribunal to hear and determine complaints of traffic infractions constituting parking, standing or stopping violations, or to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a of this chapter, or to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven of this chapter in accordance with sections eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty, twenty-one, and twenty-two of the laws of two thousand nine, or to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-d of this chapter, or to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-e of this chapter, or to adjudicate the liability of owners for violations of toll collection regulations as defined in and in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, or to adjudicate liability of owners in accordance with section eleven hundred eleven-c of this chapter for violations of bus lane restrictions as defined in such section, or to adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-b of this chapter, or to adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-d of this chapter, such tribunal and the rules and regulations pertaining thereto shall be constituted in substantial conformance with the following sections.

§ 28-a. Section 235 of the vehicle and traffic law, as amended by section 1-b of chapter 222 of the laws of 2015, is amended to read as follows:

§ 235. Jurisdiction. Notwithstanding any inconsistent provision of any general, special or local law or administrative code to the contrary, in any city which heretofore or hereafter is authorized to establish an administrative tribunal to hear and determine complaints of traffic infractions constituting parking, standing or stopping violations, or to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven of this chapter in accordance with sections eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty, twenty-one, and twenty-two of the laws of two thousand nine, or to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-d of this chapter, or to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-e of this chapter, or to adjudicate the liability of owners for violations of toll collection regulations as defined in and in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, or to adjudicate liability of

1 owners in accordance with section eleven hundred eleven-c of this chap-  
2 ter for violations of bus lane restrictions as defined in such section,  
3 or to adjudicate the liability of owners for violations of subdivision  
4 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-  
5 ter in accordance with section eleven hundred eighty-b of this chapter,  
6 or to adjudicate the liability of owners for violations of subdivision  
7 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-  
8 ter in accordance with section eleven hundred eighty-d of this chapter,  
9 such tribunal and the rules and regulations pertaining thereto shall be  
10 constituted in substantial conformance with the following sections.

11 § 28-b. Section 235 of the vehicle and traffic law, as amended by  
12 section 1-c of chapter 222 of the laws of 2015, is amended to read as  
13 follows:

14 § 235. Jurisdiction. Notwithstanding any inconsistent provision of any  
15 general, special or local law or administrative code to the contrary, in  
16 any city which heretofore or hereafter is authorized to establish an  
17 administrative tribunal to hear and determine complaints of traffic  
18 infractions constituting parking, standing or stopping violations, or to  
19 adjudicate the liability of owners for violations of subdivision (d) of  
20 section eleven hundred eleven of this chapter in accordance with section  
21 eleven hundred eleven-d of this chapter, or to adjudicate the liability  
22 of owners for violations of subdivision (d) of section eleven hundred  
23 eleven of this chapter in accordance with section eleven hundred  
24 eleven-e of this chapter, or to adjudicate the liability of owners for  
25 violations of toll collection regulations as defined in and in accord-  
26 ance with the provisions of section two thousand nine hundred eighty-  
27 five of the public authorities law and sections sixteen-a, sixteen-b and  
28 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen  
29 hundred fifty, or to adjudicate liability of owners in accordance with  
30 section eleven hundred eleven-c of this chapter for violations of bus  
31 lane restrictions as defined in such section, or to adjudicate the  
32 liability of owners for violations of subdivision (b), (c), (d), (f) or  
33 (g) of section eleven hundred eighty of this chapter in accordance with  
34 section eleven hundred eighty-b of this chapter, or to adjudicate the  
35 liability of owners for violations of subdivision (b), (c), (d), (f) or  
36 (g) of section eleven hundred eighty of this chapter in accordance with  
37 section eleven hundred eighty-d of this chapter, such tribunal and the  
38 rules and regulations pertaining thereto shall be constituted in  
39 substantial conformance with the following sections.

40 § 28-c. Section 235 of the vehicle and traffic law, as amended by  
41 section 1-d of chapter 222 of the laws of 2015, is amended to read as  
42 follows:

43 § 235. Jurisdiction. Notwithstanding any inconsistent provision of any  
44 general, special or local law or administrative code to the contrary, in  
45 any city which heretofore or hereafter is authorized to establish an  
46 administrative tribunal to hear and determine complaints of traffic  
47 infractions constituting parking, standing or stopping violations, or to  
48 adjudicate the liability of owners for violations of subdivision (d) of  
49 section eleven hundred eleven of this chapter in accordance with section  
50 eleven hundred eleven-d of this chapter, or to adjudicate the liability  
51 of owners for violations of subdivision (d) of section eleven hundred  
52 eleven of this chapter in accordance with section eleven hundred  
53 eleven-e of this chapter, or to adjudicate the liability of owners for  
54 violations of toll collection regulations as defined in and in accord-  
55 ance with the provisions of section two thousand nine hundred eighty-  
56 five of the public authorities law and sections sixteen-a, sixteen-b and

1 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen  
2 hundred fifty, or to adjudicate liability of owners for violations of  
3 subdivisions (c) and (d) of section eleven hundred eighty of this chap-  
4 ter in accordance with section eleven hundred eighty-b of this chapter,  
5 or to adjudicate the liability of owners for violations 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-d of this chapter,  
8 such tribunal and the rules and regulations pertaining thereto shall be  
9 constituted in substantial conformance with the following sections.

10 § 28-d. Section 235 of the vehicle and traffic law, as amended by  
11 section 1-e of chapter 222 of the laws of 2015, is amended to read as  
12 follows:

13 § 235. Jurisdiction. Notwithstanding any inconsistent provision of any  
14 general, special or local law or administrative code to the contrary, in  
15 any city which heretofore or hereafter is authorized to establish an  
16 administrative tribunal to hear and determine complaints of traffic  
17 infractions constituting parking, standing or stopping violations, or to  
18 adjudicate the liability of owners for violations of subdivision (d) of  
19 section eleven hundred eleven of this chapter in accordance with section  
20 eleven hundred eleven-d of this chapter, or to adjudicate the liability  
21 of owners for violations of subdivision (d) of section eleven hundred  
22 eleven of this chapter in accordance with section eleven hundred  
23 eleven-e of this chapter, or to adjudicate the liability of owners for  
24 violations of toll collection regulations as defined in and in accord-  
25 ance with the provisions of section two thousand nine hundred eighty-  
26 five of the public authorities law and sections sixteen-a, sixteen-b and  
27 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen  
28 hundred fifty, or to adjudicate the liability of owners for violations  
29 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred  
30 eighty of this chapter in accordance with section eleven hundred eight-  
31 y-d of this chapter, such tribunal and the rules and regulations  
32 pertaining thereto shall be constituted in substantial conformance with  
33 the following sections.

34 § 28-e. Section 235 of the vehicle and traffic law, as amended by  
35 section 1-f of chapter 222 of the laws of 2015, is amended to read as  
36 follows:

37 § 235. Jurisdiction. Notwithstanding any inconsistent provision of any  
38 general, special or local law or administrative code to the contrary, in  
39 any city which heretofore or hereafter is authorized to establish an  
40 administrative tribunal to hear and determine complaints of traffic  
41 infractions constituting parking, standing or stopping violations, or to  
42 adjudicate the liability of owners for violations of subdivision (d) of  
43 section eleven hundred eleven of this chapter in accordance with section  
44 eleven hundred eleven-e of this chapter, or to adjudicate the liability  
45 of owners for violations of toll collection regulations as defined in  
46 and in accordance with the provisions of section two thousand nine  
47 hundred eighty-five of the public authorities law and sections  
48 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four  
49 of the laws of nineteen hundred fifty, or to adjudicate the liability of  
50 owners for violations of subdivision (b), (c), (d), (f) or (g) of  
51 section eleven hundred eighty of this chapter in accordance with section  
52 eleven hundred eighty-d of this chapter, such tribunal and the rules and  
53 regulations pertaining thereto shall be constituted in substantial  
54 conformance with the following sections.



1 § 28-f. Section 235 of the vehicle and traffic law, as separately  
2 amended by chapter 715 of the laws of 1972 and chapter 379 of the laws  
3 of 1992, is amended to read as follows:

4 § 235. Jurisdiction. Notwithstanding any inconsistent provision of any  
5 general, special or local law or administrative code to the contrary, in  
6 any city which heretofore or hereafter is authorized to establish an  
7 administrative tribunal to hear and determine complaints of traffic  
8 infractions constituting parking, standing or stopping violations, or to  
9 adjudicate the liability of owners for violations of toll collection  
10 regulations as defined in and in accordance with the provisions of  
11 section two thousand nine hundred eighty-five of the public authorities  
12 law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven  
13 hundred seventy-four of the laws of nineteen hundred fifty, or to adju-  
14 dicade the liability of owners for violations of subdivision (b), (c),  
15 (d), (f) or (g) of section eleven hundred eighty of this chapter in  
16 accordance with section eleven hundred eighty-d of this chapter, such  
17 tribunal and the rules and regulations pertaining thereto shall be  
18 constituted in substantial conformance with the following sections.

19 § 29. Subdivision 1 of section 236 of the vehicle and traffic law, as  
20 amended by section 2 of chapter 222 of the laws of 2015, is amended to  
21 read as follows:

22 1. Creation. In any city as hereinbefore or hereafter authorized such  
23 tribunal when created shall be known as the parking violations bureau  
24 and shall have jurisdiction of traffic infractions which constitute a  
25 parking violation and, where authorized by local law adopted pursuant to  
26 subdivision (a) of section eleven hundred eleven-a of this chapter or  
27 subdivisions (a) of sections eleven hundred eleven-b of this chapter as  
28 added by sections sixteen of chapters twenty, twenty-one, and twenty-two  
29 of the laws of two thousand nine, or subdivision (a) of section eleven  
30 hundred eleven-d of this chapter, or subdivision (a) of section eleven  
31 hundred eleven-e of this chapter, shall adjudicate the liability of  
32 owners for violations of subdivision (d) of section eleven hundred elev-  
33 en of this chapter in accordance with such section eleven hundred  
34 eleven-a, sections eleven hundred eleven-b as added by sections sixteen  
35 of chapters twenty, twenty-one, and twenty-two of the laws of two thou-  
36 sand nine, or section eleven hundred eleven-d or section eleven hundred  
37 eleven-e and shall adjudicate the liability of owners for violations of  
38 toll collection regulations as defined in and in accordance with the  
39 provisions of section two thousand nine hundred eighty-five of the  
40 public authorities law and sections sixteen-a, sixteen-b and sixteen-c  
41 of chapter seven hundred seventy-four of the laws of nineteen hundred  
42 fifty and shall adjudicate liability of owners in accordance with  
43 section eleven hundred eleven-c of this chapter for violations of bus  
44 lane restrictions as defined in such section and shall adjudicate the  
45 liability of owners for violations of subdivision (b), (c), (d), (f) or  
46 (g) of section eleven hundred eighty of this chapter in accordance with  
47 section eleven hundred eighty-b of this chapter and shall adjudicate the  
48 liability of owners for violations of subdivision (b), (c), (d), (f) or  
49 (g) of section eleven hundred eighty of this chapter in accordance with  
50 section eleven hundred eighty-d of this chapter. Such tribunal, except  
51 in a city with a population of one million or more, shall also have  
52 jurisdiction of abandoned vehicle violations. For the purposes of this  
53 article, a parking violation is the violation of any law, rule or regu-  
54 lation providing for or regulating the parking, stopping or standing of  
55 a vehicle. In addition for purposes of this article, "commissioner"

1 shall mean and include the commissioner of traffic of the city or an  
2 official possessing authority as such a commissioner.

3 § 29-a. Subdivision 1 of section 236 of the vehicle and traffic law,  
4 as amended by section 2-a of chapter 222 of the laws of 2015, is amended  
5 to read as follows:

6 1. Creation. In any city as hereinbefore or hereafter authorized such  
7 tribunal when created shall be known as the parking violations bureau  
8 and shall have jurisdiction of traffic infractions which constitute a  
9 parking violation and, where authorized by local law adopted pursuant to  
10 subdivisions (a) of sections eleven hundred eleven-b of this chapter as  
11 added by sections sixteen of chapters twenty, twenty-one, and twenty-two  
12 of the laws of two thousand nine, or subdivision (a) of section eleven  
13 hundred eleven-d of this chapter, or subdivision (a) of section eleven  
14 hundred eleven-e of this chapter, shall adjudicate the liability of  
15 owners for violations of subdivision (d) of section eleven hundred elev-  
16 en of this chapter in accordance with such sections eleven hundred  
17 eleven-b as added by sections sixteen of chapters twenty, twenty-one,  
18 and twenty-two of the laws of two thousand nine or section eleven  
19 hundred eleven-d or section eleven hundred eleven-e; and shall adjudi-  
20 cate liability of owners in accordance with section eleven hundred  
21 eleven-c of this chapter for violations of bus lane restrictions as  
22 defined in such section and shall adjudicate liability of owners for  
23 violations of subdivisions (c) and (d) of section eleven hundred eighty  
24 of this chapter in accordance with section eleven hundred eighty-b of  
25 this chapter and shall adjudicate the liability of owners for violations  
26 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred  
27 eighty of this chapter in accordance with section eleven hundred eight-  
28 y-d of this chapter. For the purposes of this article, a parking  
29 violation is the violation of any law, rule or regulation providing for  
30 or regulating the parking, stopping or standing of a vehicle. In addi-  
31 tion for purposes of this article, "commissioner" shall mean and include  
32 the commissioner of traffic of the city or an official possessing  
33 authority as such a commissioner.

34 § 29-b. Subdivision 1 of section 236 of the vehicle and traffic law,  
35 as amended by section 2-b of chapter 222 of the laws of 2015, is amended  
36 to read as follows:

37 1. Creation. In any city as hereinbefore or hereafter authorized such  
38 tribunal when created shall be known as the parking violations bureau  
39 and shall have jurisdiction of traffic infractions which constitute a  
40 parking violation and, where authorized by local law adopted pursuant to  
41 subdivision (a) of section eleven hundred eleven-d or subdivision (a) of  
42 section eleven hundred eleven-e of this chapter, shall adjudicate  
43 liability of owners in accordance with section eleven hundred eleven-c  
44 of this chapter for violations of bus lane restrictions as defined in  
45 such section; and shall adjudicate the liability of owners for  
46 violations of subdivision (b), (c), (d), (f) or (g) of section eleven  
47 hundred eighty of this chapter in accordance with section eleven hundred  
48 eighty-b of this chapter; and shall adjudicate the liability of owners  
49 for violations of subdivision (b), (c), (d), (f) or (g) of section elev-  
50 en hundred eighty of this chapter in accordance with section eleven  
51 hundred eighty-d of this chapter. For the purposes of this article, a  
52 parking violation is the violation of any law, rule or regulation  
53 providing for or regulating the parking, stopping or standing of a vehi-  
54 cle. In addition for purposes of this article, "commissioner" shall mean  
55 and include the commissioner of traffic of the city or an official  
56 possessing authority as such a commissioner.

1 § 29-c. Subdivision 1 of section 236 of the vehicle and traffic law,  
2 as amended by section 2-c of chapter 222 of the laws of 2015, is amended  
3 to read as follows:

4 1. Creation. In any city as hereinbefore or hereafter authorized such  
5 tribunal when created shall be known as the parking violations bureau  
6 and, where authorized by local law adopted pursuant to subdivision (a)  
7 of section eleven hundred eleven-d of this chapter or subdivision (a) of  
8 section eleven hundred eleven-e of this chapter, shall have jurisdiction  
9 of traffic infractions which constitute a parking violation and shall  
10 adjudicate the liability of owners for violations of subdivision (b),  
11 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in  
12 accordance with section eleven hundred eighty-b of this chapter and  
13 shall adjudicate the liability of owners for violations of subdivision  
14 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-  
15 ter in accordance with section eleven hundred eighty-d of this chapter.  
16 For the purposes of this article, a parking violation is the violation  
17 of any law, rule or regulation providing for or regulating the parking,  
18 stopping or standing of a vehicle. In addition for purposes of this  
19 article, "commissioner" shall mean and include the commissioner of traf-  
20 fic of the city or an official possessing authority as such a commis-  
21 sioner.

22 § 29-d. Subdivision 1 of section 236 of the vehicle and traffic law,  
23 as amended by section 2-d of chapter 222 of the laws of 2015, is amended  
24 to read as follows:

25 1. Creation. In any city as hereinbefore or hereafter authorized such  
26 tribunal when created shall be known as the parking violations bureau  
27 and, where authorized by local law adopted pursuant to subdivision (a)  
28 of section eleven hundred eleven-d of this chapter or subdivision (a) of  
29 section eleven hundred eleven-e of this chapter, shall have jurisdiction  
30 of traffic infractions which constitute a parking violation and shall  
31 adjudicate the liability of owners for violations of subdivision (b),  
32 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in  
33 accordance with section eleven hundred eighty-d of this chapter. For  
34 the purposes of this article, a parking violation is the violation of  
35 any law, rule or regulation providing for or regulating the parking,  
36 stopping or standing of a vehicle. In addition for purposes of this  
37 article, "commissioner" shall mean and include the commissioner of traf-  
38 fic of the city or an official possessing authority as such a commis-  
39 sioner.

40 § 29-e. Subdivision 1 of section 236 of the vehicle and traffic law,  
41 as amended by section 2-e of chapter 222 of the laws of 2015, is amended  
42 to read as follows:

43 1. Creation. In any city as hereinbefore or hereafter authorized such  
44 tribunal when created shall be known as the parking violations bureau  
45 and where authorized by local law adopted pursuant to subdivision (a) of  
46 section eleven hundred eleven-e of this chapter, shall have jurisdiction  
47 of traffic infractions which constitute a parking violation and shall  
48 adjudicate the liability of owners for violations of subdivision (b),  
49 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in  
50 accordance with section eleven hundred eighty-d of this chapter. For the  
51 purposes of this article, a parking violation is the violation of any  
52 law, rule or regulation providing for or regulating the parking, stop-  
53 ping or standing of a vehicle. In addition for purposes of this article,  
54 "commissioner" shall mean and include the commissioner of traffic of the  
55 city or an official possessing authority as such a commissioner.

§ 29-f. Subdivision 1 of section 236 of the vehicle and traffic law, as added by chapter 715 of the laws of 1972, is amended to read as follows:

1. Creation. In any city as hereinbefore or hereafter authorized such tribunal when created shall be known as the parking violations bureau and shall have jurisdiction of traffic infractions which constitute a parking violation and shall adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-d of this chapter. For the purposes of this article, a parking violation is the violation of any law, rule or regulation providing for or regulating the parking, stopping or standing of a vehicle. In addition for purposes of this article, "commissioner" shall mean and include the commissioner of traffic of the city or an official possessing authority as such a commissioner.

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

16. To adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-d of this chapter.

§ 31. Paragraph f of subdivision 1 of section 239 of the vehicle and traffic law, as amended by section 4 of chapter 222 of the laws of 2015, is amended to read as follows:

f. "Notice of violation" means a notice of violation as defined in subdivision nine of section two hundred thirty-seven of this article, but shall not be deemed to include a notice of liability issued pursuant to authorization set forth in section eleven hundred eleven-a of this chapter, or sections eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty, twenty-one, and twenty-two of the laws of two thousand nine, or section eleven hundred eleven-d of this chapter, or section eleven hundred eleven-e of this chapter, and shall not be deemed to include a notice of liability issued pursuant to section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eleven-c of this chapter and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eighty-b of this chapter and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eighty-d of this chapter.

§ 31-a. Paragraph f of subdivision 1 of section 239 of the vehicle and traffic law, as amended by section 4-a of chapter 222 of the laws of 2015, is amended to read as follows:

f. "Notice of violation" means a notice of violation as defined in subdivision nine of section two hundred thirty-seven of this article but shall not be deemed to include a notice of liability issued pursuant to authorization set forth in sections eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty, twenty-one, and twenty-two of the laws of two thousand nine or section eleven hundred eleven-d of this chapter or section eleven hundred eleven-e of this chapter and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eleven-c of this chapter and shall not be deemed to include a notice of liability issued pursuant to section eleven hundred eighty-b of this chapter and shall not be deemed

1 to include a notice of liability issued pursuant to section eleven  
2 hundred eighty-d of this chapter.

3 § 31-b. Paragraph f of subdivision 1 of section 239 of the vehicle and  
4 traffic law, as amended by section 4-b of chapter 222 of the laws of  
5 2015, is amended to read as follows:

6 f. "Notice of violation" means a notice of violation as defined in  
7 subdivision nine of section two hundred thirty-seven of this article and  
8 shall not be deemed to include a notice of liability issued pursuant to  
9 authorization set forth in section eleven hundred eleven-d of this chap-  
10 ter or to a notice of liability issued pursuant to authorization set  
11 forth in section eleven hundred eleven-e of this chapter and shall not  
12 be deemed to include a notice of liability issued pursuant to section  
13 eleven hundred eleven-c of this chapter and shall not be deemed to  
14 include a notice of liability issued pursuant to section eleven hundred  
15 eighty-b of this chapter and shall not be deemed to include a notice of  
16 liability issued pursuant to section eleven hundred eighty-d of this  
17 chapter.

18 § 31-c. Paragraph f of subdivision 1 of section 239 of the vehicle and  
19 traffic law, as amended by section 4-c of chapter 222 of the laws of  
20 2015, is amended to read as follows:

21 f. "Notice of violation" means a notice of violation as defined in  
22 subdivision nine of section two hundred thirty-seven of this article and  
23 shall not be deemed to include a notice of liability issued pursuant to  
24 authorization set forth in section eleven hundred eleven-d of this chap-  
25 ter or to a notice of liability issued pursuant to authorization set  
26 forth in section eleven hundred eleven-e of this chapter and shall not  
27 be deemed to include a notice of liability issued pursuant to section  
28 eleven hundred eighty-b of this chapter and shall not be deemed to  
29 include a notice of liability issued pursuant to section eleven hundred  
30 eighty-d of this chapter.

31 § 31-d. Paragraph f of subdivision 1 of section 239 of the vehicle and  
32 traffic law, as amended by section 4-d of chapter 222 of the laws of  
33 2015, is amended to read as follows:

34 f. "Notice of violation" means a notice of violation as defined in  
35 subdivision nine of section two hundred thirty-seven of this article and  
36 shall not be deemed to include a notice of liability issued pursuant to  
37 authorization set forth in section eleven hundred eleven-d of this chap-  
38 ter or to a notice of liability issued pursuant to authorization set  
39 forth in section eleven hundred eleven-e of this chapter and shall not  
40 be deemed to include a notice of liability issued pursuant to section  
41 eleven hundred eighty-d of this chapter.

42 § 31-e. Paragraph f of subdivision 1 of section 239 of the vehicle and  
43 traffic law, as amended by section 4-e of chapter 222 of the laws of  
44 2015, is amended to read as follows:

45 f. "Notice of violation" means a notice of violation as defined in  
46 subdivision nine of section two hundred thirty-seven of this article and  
47 shall not be deemed to include a notice of liability issued pursuant to  
48 authorization set forth in section eleven hundred eleven-e of this chap-  
49 ter and shall not be deemed to include a notice of liability issued  
50 pursuant to section eleven hundred eighty-d of this chapter.

51 § 31-f. Paragraph f of subdivision 1 of section 239 of the vehicle and  
52 traffic law, as added by chapter 180 of the laws of 1980, is amended to  
53 read as follows:

54 f. "Notice of violation" means a notice of violation as defined in  
55 subdivision nine of section two hundred thirty-seven of this article and



1 shall not be deemed to include a notice of liability issued pursuant to  
2 section eleven hundred eighty-d of this chapter.

3 § 32. Subdivisions 1 and 1-a of section 240 of the vehicle and traffic  
4 law, as amended by section 5 of chapter 222 of the laws of 2015, are  
5 amended to read as follows:

6 1. Notice of hearing. Whenever a person charged with a parking  
7 violation enters a plea of not guilty or a person alleged to be liable  
8 in accordance with section eleven hundred eleven-a of this chapter or  
9 sections eleven hundred eleven-b of this chapter as added by sections  
10 sixteen of chapters twenty, twenty-one, and twenty-two of the laws of  
11 two thousand nine or section eleven hundred eleven-d of this chapter, or  
12 section eleven hundred eleven-e of this chapter, for a violation of  
13 subdivision (d) of section eleven hundred eleven of this chapter  
14 contests such allegation, or a person alleged to be liable in accordance  
15 with the provisions of section two thousand nine hundred eighty-five of  
16 the public authorities law or sections sixteen-a, sixteen-b and  
17 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen  
18 hundred fifty, or a person alleged to be liable in accordance with the  
19 provisions of section eleven hundred eleven-c of this chapter for a  
20 violation of a bus lane restriction as defined in such section contests  
21 such allegation, or a person alleged to be liable in accordance with the  
22 provisions of section eleven hundred eighty-b of this chapter for a  
23 violation of subdivision (b), (c), (d), (f) or (g) of section eleven  
24 hundred eighty of this chapter contests such allegation, or a person  
25 alleged to be liable in accordance with the provisions of section eleven  
26 hundred eighty-d of this chapter for a violation of subdivision (b),  
27 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter  
28 contests such allegation, the bureau shall advise such person personally  
29 by such form of first class mail as the director may direct of the date  
30 on which he or she must appear to answer the charge at a hearing. The  
31 form and content of such notice of hearing shall be prescribed by the  
32 director, and shall contain a warning to advise the person so pleading  
33 or contesting that failure to appear on the date designated, or on any  
34 subsequent adjourned date, shall be deemed an admission of liability,  
35 and that a default judgment may be entered thereon.

36 1-a. Fines and penalties. Whenever a plea of not guilty has been  
37 entered, or the bureau has been notified that an allegation of liability  
38 in accordance with section eleven hundred eleven-a of this chapter or  
39 sections eleven hundred eleven-b of this chapter as added by sections  
40 sixteen of chapters twenty, twenty-one, and twenty-two of the laws of  
41 two thousand nine or section eleven hundred eleven-d of this chapter or  
42 section eleven hundred eleven-e of this chapter or an allegation of  
43 liability in accordance with section two thousand nine hundred eighty-  
44 five of the public authorities law or sections sixteen-a, sixteen-b and  
45 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen  
46 hundred fifty or an allegation of liability in accordance with section  
47 eleven hundred eleven-c of this chapter or an allegation of liability in  
48 accordance with section eleven hundred eighty-b of this chapter or an  
49 allegation of liability in accordance with section eleven hundred eight-  
50 y-d of this chapter, is being contested, by a person in a timely fashion  
51 and a hearing upon the merits has been demanded, but has not yet been  
52 held, the bureau shall not issue any notice of fine or penalty to that  
53 person prior to the date of the hearing.

54 § 32-a. Subdivisions 1 and 1-a of section 240 of the vehicle and traf-  
55 fic law, as amended by section 5-a of chapter 222 of the laws of 2015,  
56 are amended to read as follows:

1 1. Notice of hearing. Whenever a person charged with a parking  
2 violation enters a plea of not guilty or a person alleged to be liable  
3 in accordance with sections eleven hundred eleven-b of this chapter as  
4 added by sections sixteen of chapters twenty, twenty-one, and twenty-two  
5 of the laws of two thousand nine or section eleven hundred eleven-d of  
6 this chapter or section eleven hundred eleven-e of this chapter for a  
7 violation of subdivision (d) of section eleven hundred eleven of this  
8 chapter, or a person alleged to be liable in accordance with the  
9 provisions of section eleven hundred eleven-c of this chapter for a  
10 violation of a bus lane restriction as defined in such section contests  
11 such allegation, or a person alleged to be liable in accordance with the  
12 provisions of section eleven hundred eighty-b of this chapter for  
13 violations of subdivision (b), (c), (d), (f) or (g) of section eleven  
14 hundred eighty of this chapter contests such allegation, or a person  
15 alleged to be liable in accordance with the provisions of section eleven  
16 hundred eighty-d of this chapter for a violation of subdivision (b),  
17 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter  
18 contests such allegation, the bureau shall advise such person personally  
19 by such form of first class mail as the director may direct of the date  
20 on which he or she must appear to answer the charge at a hearing. The  
21 form and content of such notice of hearing shall be prescribed by the  
22 director, and shall contain a warning to advise the person so pleading  
23 or contesting that failure to appear on the date designated, or on any  
24 subsequent adjourned date, shall be deemed an admission of liability,  
25 and that a default judgment may be entered thereon.

26 1-a. Fines and penalties. Whenever a plea of not guilty has been  
27 entered, or the bureau has been notified that an allegation of liability  
28 in accordance with sections eleven hundred eleven-b of this chapter, as  
29 added by sections sixteen of chapters twenty, twenty-one, and twenty-two  
30 of the laws of two thousand nine or in accordance with section eleven  
31 hundred eleven-d of this chapter, or in accordance with section eleven  
32 hundred eleven-e of this chapter or an allegation of liability in  
33 accordance with section eleven hundred eleven-c of this chapter or an  
34 allegation of liability in accordance with section eleven hundred eight-  
35 y-b of this chapter or an allegation of liability in accordance with  
36 section eleven hundred eighty-d of this chapter is being contested, by a  
37 person in a timely fashion and a hearing upon the merits has been  
38 demanded, but has not yet been held, the bureau shall not issue any  
39 notice of fine or penalty to that person prior to the date of the hear-  
40 ing.

41 § 32-b. Subdivisions 1 and 1-a of section 240 of the vehicle and traf-  
42 fic law, as amended by section 5-b of chapter 222 of the laws of 2015,  
43 are amended to read as follows:

44 1. Notice of hearing. Whenever a person charged with a parking  
45 violation enters a plea of not guilty or a person alleged to be liable  
46 in accordance with section eleven hundred eleven-d of this chapter or in  
47 accordance with section eleven hundred eleven-e of this chapter or in  
48 accordance with the provisions of section eleven hundred eleven-c of  
49 this chapter for a violation of a bus lane restriction as defined in  
50 such section, contests such allegation, or a person alleged to be liable  
51 in accordance with the provisions of section eleven hundred eighty-b of  
52 this chapter for violations of subdivision (b), (c), (d), (f) or (g) of  
53 section eleven hundred eighty of this chapter contests such allegation,  
54 or a person alleged to be liable in accordance with the provisions of  
55 section eleven hundred eighty-d of this chapter for a violation of  
56 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty

1 of this chapter contests such allegation, the bureau shall advise such  
2 person personally by such form of first class mail as the director may  
3 direct of the date on which he or she must appear to answer the charge  
4 at a hearing. The form and content of such notice of hearing shall be  
5 prescribed by the director, and shall contain a warning to advise the  
6 person so pleading that failure to appear on the date designated, or on  
7 any subsequent adjourned date, shall be deemed an admission of liability,  
8 ity, and that a default judgment may be entered thereon.

9 1-a. Fines and penalties. Whenever a plea of not guilty has been  
10 entered, or the bureau has been notified that an allegation of liability  
11 in accordance with section eleven hundred eleven-d of this chapter or in  
12 accordance with section eleven hundred eleven-e of this chapter or in  
13 accordance with section eleven hundred eleven-c of this chapter or an  
14 allegation of liability in accordance with section eleven hundred eighty-  
15 y-b of this chapter or an allegation of liability in accordance with  
16 section eleven hundred eighty-d of this chapter is being contested, by a  
17 person in a timely fashion and a hearing upon the merits has been  
18 demanded, but has not yet been held, the bureau shall not issue any  
19 notice of fine or penalty to that person prior to the date of the hear-  
20 ing.

21 § 32-c. Subdivisions 1 and 1-a of section 240 of the vehicle and traf-  
22 fic law, as amended by section 5-c of chapter 222 of the laws of 2015,  
23 are amended to read as follows:

24 1. Notice of hearing. Whenever a person charged with a parking  
25 violation enters a plea of not guilty, or a person alleged to be liable  
26 in accordance with section eleven hundred eleven-d of this chapter, or a  
27 person alleged to be liable in accordance with section eleven hundred  
28 eleven-e of this chapter, or a person alleged to be liable in accordance  
29 with the provisions of section eleven hundred eighty-b of this chapter  
30 for violations of subdivision (b), (c), (d), (f) or (g) of section eleven  
31 hundred eighty of this chapter contests such allegation, or a person  
32 alleged to be liable in accordance with the provisions of section eleven  
33 hundred eighty-d of this chapter for a violation of subdivision (b),  
34 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter  
35 contests such allegation, the bureau shall advise such person personally  
36 by such form of first class mail as the director may direct of the date  
37 on which he or she must appear to answer the charge at a hearing. The  
38 form and content of such notice of hearing shall be prescribed by the  
39 director, and shall contain a warning to advise the person so pleading  
40 that failure to appear on the date designated, or on any subsequent  
41 adjourned date, shall be deemed an admission of liability, and that a  
42 default judgment may be entered thereon.

43 1-a. Fines and penalties. Whenever a plea of not guilty has been  
44 entered, or the bureau has been notified that an allegation of liability  
45 in accordance with section eleven hundred eleven-d of this chapter, or  
46 the bureau has been notified that an allegation of liability in accord-  
47 ance with section eleven hundred eleven-e of this chapter, or the bureau  
48 has been notified that an allegation of liability in accordance with  
49 section eleven hundred eighty-b of this chapter, or an allegation of  
50 liability in accordance with section eleven hundred eighty-d of this  
51 chapter, is being contested, by a person in a timely fashion and a hear-  
52 ing upon the merits has been demanded, but has not yet been held, the  
53 bureau shall not issue any notice of fine or penalty to that person  
54 prior to the date of the hearing.

§ 32-d. Subdivisions 1 and 1-a of section 240 of the vehicle and traffic law, as amended by section 5-d of chapter 222 of the laws of 2015, are amended to read as follows:

1. Notice of hearing. Whenever a person charged with a parking violation enters a plea of not guilty, or a person alleged to be liable in accordance with section eleven hundred eleven-d of this chapter contests such allegation, or a person alleged to be liable in accordance with section eleven hundred eleven-e of this chapter contests such allegation, or a person alleged to be liable in accordance with the provisions of section eleven hundred eighty-d of this chapter for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter contests such allegation, the bureau shall advise such person personally by such form of first class mail as the director may direct of the date on which he or she must appear to answer the charge at a hearing. The form and content of such notice of hearing shall be prescribed by the director, and shall contain a warning to advise the person so pleading that failure to appear on the date designated, or on any subsequent adjourned date, shall be deemed an admission of liability, and that a default judgment may be entered thereon.

1-a. Fines and penalties. Whenever a plea of not guilty has been entered, or the bureau has been notified that an allegation of liability in accordance with section eleven hundred eleven-d of this chapter, is being contested, or the bureau has been notified that an allegation of liability in accordance with section eleven hundred eleven-e of this chapter, or an allegation of liability in accordance with section eleven hundred eighty-d of this chapter, is being contested, by a person in a timely fashion and a hearing upon the merits has been demanded, but has not yet been held, the bureau shall not issue any notice of fine or penalty to that person prior to the date of the hearing.

§ 32-e. Subdivisions 1 and 1-a of section 240 of the vehicle and traffic law, as amended by section 5-e of chapter 222 of the laws of 2015, are amended to read as follows:

1. Notice of hearing. Whenever a person charged with a parking violation enters a plea of not guilty, or a person alleged to be liable in accordance with section eleven hundred eleven-e of this chapter contests such allegation, or a person alleged to be liable in accordance with the provisions of section eleven hundred eighty-d of this chapter for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter contests such allegation, the bureau shall advise such person personally by such form of first class mail as the director may direct of the date on which he or she must appear to answer the charge at a hearing. The form and content of such notice of hearing shall be prescribed by the director, and shall contain a warning to advise the person so pleading that failure to appear on the date designated, or on any subsequent adjourned date, shall be deemed an admission of liability, and that a default judgment may be entered thereon.

1-a. Fines and penalties. Whenever a plea of not guilty has been entered, or the bureau has been notified that an allegation of liability in accordance with section eleven hundred eleven-e of this chapter, or an allegation of liability in accordance with section eleven hundred eighty-d of this chapter, is being contested, by a person in a timely fashion and a hearing upon the merits has been demanded, but has not yet been held, the bureau shall not issue any notice of fine or penalty to that person prior to the date of the hearing.

§ 32-f. Subdivisions 1 and 1-a of section 240 of the vehicle and traffic law, subdivision 1 as added by chapter 715 of the laws of 1972, and subdivision 1-a as added by chapter 365 of the laws of 1978, are amended to read as follows:

1. Notice of hearing. Whenever a person charged with a parking violation enters a plea of not guilty, or a person alleged to be liable in accordance with the provisions of section eleven hundred eighty-d of this chapter for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter contests such allegation, the bureau shall advise such person personally by such form of first class mail as the director may direct of the date on which he must appear to answer the charge at a hearing. The form and content of such notice of hearing shall be prescribed by the director, and shall contain a warning to advise the person so pleading that failure to appear on the date designated, or on any subsequent adjourned date, shall be deemed an admission of liability, and that a default judgment may be entered thereon.

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

§ 33. Paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law, as amended by section 6 of chapter 222 of the laws of 2015, are amended to read as follows:

a. Every hearing for the adjudication of a charge of parking violation or an allegation of liability in accordance with section eleven hundred eleven-a of this chapter or in accordance with sections eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty, twenty-one, and twenty-two of the laws of two thousand nine or in accordance with section eleven hundred eleven-d of this chapter or in accordance with section eleven hundred eleven-e of this chapter or an allegation of liability in accordance with section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty or an allegation of liability in accordance with section eleven hundred eleven-c of this chapter or an allegation of liability in accordance with section eleven hundred eighty-b of this chapter, or an allegation of liability in accordance with section eleven hundred eighty-d of this chapter, shall be held before a hearing examiner in accordance with rules and regulations promulgated by the bureau.

g. A record shall be made of a hearing on a plea of not guilty or of a hearing at which liability in accordance with section eleven hundred eleven-a of this chapter or in accordance with sections eleven hundred eleven-b of this chapter as added by sections sixteen of chapters twenty, twenty-one, and twenty-two of the laws of two thousand nine or in accordance with section eleven hundred eleven-d of this chapter is contested or in accordance with section eleven hundred eleven-e of this chapter is contested or of a hearing at which liability in accordance with section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty is contested or of a hearing at which liability in accordance with section



1 eleven hundred eleven-c of this chapter or of a hearing at which liability  
2 ity in accordance with section eleven hundred eighty-b of this chapter  
3 or of a hearing at which liability in accordance with section eleven  
4 hundred eighty-d of this chapter is contested. Recording devices may be  
5 used for the making of the record.

6 § 33-a. Paragraphs a and g of subdivision 2 of section 240 of the  
7 vehicle and traffic law, as amended by section 6-a of chapter 222 of the  
8 laws of 2015, are amended to read as follows:

9 a. Every hearing for the adjudication of a charge of parking violation  
10 or an allegation of liability in accordance with sections eleven hundred  
11 eleven-b of this chapter, as added by sections sixteen of chapters twenty,  
12 twenty-one, and twenty-two of the laws of two thousand nine or in  
13 accordance with section eleven hundred eleven-d of this chapter or in  
14 accordance with section eleven hundred eleven-e of this chapter or an  
15 allegation of liability in accordance with section eleven hundred  
16 eleven-c of this chapter or an allegation of liability in accordance  
17 with section eleven hundred eighty-b of this chapter or an allegation of  
18 liability in accordance with section eleven hundred eighty-d of this  
19 chapter, shall be held before a hearing examiner in accordance with  
20 rules and regulations promulgated by the bureau.

21 g. A record shall be made of a hearing on a plea of not guilty or of a  
22 hearing at which liability in accordance with sections eleven hundred  
23 eleven-b of this chapter, as added by sections sixteen of chapters twenty,  
24 twenty-one, and twenty-two of the laws of two thousand nine or in  
25 accordance with section eleven hundred eleven-d of this chapter or in  
26 accordance with section eleven hundred eleven-e of this chapter or of a  
27 hearing at which liability in accordance with section eleven hundred  
28 eleven-c of this chapter or of a hearing at which liability in accordance  
29 with section eleven hundred eighty-b of this chapter or of a hear-  
30 ing at which liability in accordance with section eleven hundred eight-  
31 y-d of this chapter is contested. Recording devices may be used for the  
32 making of the record.

33 § 33-b. Paragraphs a and g of subdivision 2 of section 240 of the  
34 vehicle and traffic law, as amended by section 6-b of chapter 222 of the  
35 laws of 2015, are amended to read as follows:

36 a. Every hearing for the adjudication of a charge of parking violation  
37 or an allegation of liability in accordance with section eleven hundred  
38 eleven-e of this chapter or an allegation of liability in accordance  
39 with section eleven hundred eleven-d of this chapter or an allegation of  
40 liability in accordance with section eleven hundred eleven-c of this  
41 chapter or an allegation of liability in accordance with section eleven  
42 hundred eighty-b of this chapter or an allegation of liability in  
43 accordance with section eleven hundred eighty-d of this chapter shall be  
44 held before a hearing examiner in accordance with rules and regulations  
45 promulgated by the bureau.

46 g. A record shall be made of a hearing on a plea of not guilty or of a  
47 hearing at which liability in accordance with section eleven hundred  
48 eleven-e of this chapter or of a hearing at which liability in accordance  
49 with section eleven hundred eleven-d of this chapter or of a hearing  
50 at which liability in accordance with section eleven hundred  
51 eleven-c of this chapter or of a hearing at which liability in accordance  
52 with section eleven hundred eighty-b of this chapter or of a hear-  
53 ing at which liability in accordance with section eleven hundred eight-  
54 y-d of this chapter is contested. Recording devices may be used for the  
55 making of the record.

§ 33-c. Paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law, as amended by section 6-c of chapter 222 of the laws of 2015, are amended to read as follows:

a. Every hearing for the adjudication of a charge of parking violation or an allegation of liability in accordance with section eleven hundred eleven-e of this chapter or an allegation of liability in accordance with section eleven hundred eleven-d of this chapter or an allegation of liability in accordance with section eleven hundred eighty-b of this chapter or an allegation of liability in accordance with section eleven hundred eighty-d of this chapter shall be held before a hearing examiner in accordance with rules and regulations promulgated by the bureau.

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

§ 33-d. Paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law, as amended by section 6-d of chapter 222 of the laws of 2015, are amended to read as follows:

a. Every hearing for the adjudication of a charge of parking violation or an allegation of liability in accordance with section eleven hundred eleven-e of this chapter or an allegation of liability in accordance with section eleven hundred eleven-d of this chapter or an allegation of liability in accordance with section eleven hundred eighty-d of this chapter shall be held before a hearing examiner in accordance with rules and regulations promulgated by the bureau.

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

§ 33-e. Paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law, as amended by section 6-e of chapter 222 of the laws of 2015, are amended to read as follows:

a. Every hearing for the adjudication of a charge of parking violation or an allegation of liability in accordance with section eleven hundred eleven-e of this chapter or an allegation of liability in accordance with section eleven hundred eighty-d of this chapter shall be held before a hearing examiner in accordance with rules and regulations promulgated by the bureau.

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

§ 33-f. Paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law, as added by chapter 715 of the laws of 1972, are amended to read as follows:

a. Every hearing for the adjudication of a charge of parking violation or an allegation of liability in accordance with section eleven hundred

1 eighty-d of this chapter shall be held before a hearing examiner in  
2 accordance with rules and regulations promulgated by the bureau.

3 g. A record shall be made of a hearing on a plea of not guilty or a  
4 hearing at which liability in accordance with section eleven hundred  
5 eighty-d of this chapter. Recording devices may be used for the making  
6 of the record.

7 § 34. Subdivisions 1 and 2 of section 241 of the vehicle and traffic  
8 law, as amended by section 7 of chapter 222 of the laws of 2015, are  
9 amended to read as follows:

10 1. The hearing examiner shall make a determination on the charges,  
11 either sustaining or dismissing them. Where the hearing examiner deter-  
12 mines that the charges have been sustained he or she may examine either  
13 the prior parking violations record or the record of liabilities  
14 incurred in accordance with section eleven hundred eleven-a of this  
15 chapter or in accordance with sections eleven hundred eleven-b of this  
16 chapter as added by sections sixteen of chapters twenty, twenty-one, and  
17 twenty-two of the laws of two thousand nine or in accordance with  
18 section eleven hundred eleven-d of this chapter or in accordance with  
19 section eleven hundred eleven-e of this chapter or the record of liabil-  
20 ities incurred in accordance with section two thousand nine hundred  
21 eighty-five of the public authorities law or sections sixteen-a,  
22 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the  
23 laws of nineteen hundred fifty of the person charged, or the record of  
24 liabilities incurred in accordance with section eleven hundred eleven-c  
25 of this chapter, or the record of liabilities incurred in accordance  
26 with section eleven hundred eighty-b of this chapter, or in the record  
27 of liabilities incurred in accordance with section eleven hundred eight-  
28 y-d of this chapter of the person charged, as applicable prior to  
29 rendering a final determination. Final determinations sustaining or  
30 dismissing charges shall be entered on a final determination roll main-  
31 tained by the bureau together with records showing payment and nonpay-  
32 ment of penalties.

33 2. Where an operator or owner fails to enter a plea to a charge of a  
34 parking violation or contest an allegation of liability in accordance  
35 with section eleven hundred eleven-a of this chapter or in accordance  
36 with sections eleven hundred eleven-b of this chapter as added by  
37 sections sixteen of chapters twenty, twenty-one, and twenty-two of the  
38 laws of two thousand nine or in accordance with section eleven hundred  
39 eleven-d of this chapter or in accordance with section eleven hundred  
40 eleven-e of this chapter or fails to contest an allegation of liability  
41 in accordance with section two thousand nine hundred eighty-five of the  
42 public authorities law or sections sixteen-a, sixteen-b and sixteen-c of  
43 chapter seven hundred seventy-four of the laws of nineteen hundred  
44 fifty, or fails to contest an allegation of liability in accordance with  
45 section eleven hundred eleven-c of this chapter or fails to contest an  
46 allegation of liability in accordance with section eleven hundred eight-  
47 y-b of this chapter or fails to contest an allegation of liability in  
48 accordance with section eleven hundred eighty-d of this chapter or fails  
49 to appear on a designated hearing date or subsequent adjourned date or  
50 fails after a hearing to comply with the determination of a hearing  
51 examiner, as prescribed by this article or by rule or regulation of the  
52 bureau, such failure to plead or contest, appear or comply shall be  
53 deemed, for all purposes, an admission of liability and shall be grounds  
54 for rendering and entering a default judgment in an amount provided by  
55 the rules and regulations of the bureau. However, after the expiration  
56 of the original date prescribed for entering a plea and before a default

1 judgment may be rendered, in such case the bureau shall pursuant to the  
2 applicable provisions of law notify such operator or owner, by such form  
3 of first class mail as the commission may direct; (1) of the violation  
4 charged, or liability in accordance with section eleven hundred eleven-a  
5 of this chapter or in accordance with sections eleven hundred eleven-b  
6 of this chapter as added by sections sixteen of chapters twenty, twenty-  
7 ty-one, and twenty-two of the laws of two thousand nine or in accordance  
8 with section eleven hundred eleven-d of this chapter or in accordance  
9 with section eleven hundred eleven-e of this chapter alleged or liability  
10 in accordance with section two thousand nine hundred eighty-five of  
11 the public authorities law or sections sixteen-a, sixteen-b and  
12 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen  
13 hundred fifty alleged or liability in accordance with section eleven  
14 hundred eleven-c of this chapter or liability in accordance with section  
15 eleven hundred eighty-b of this chapter alleged, or liability in accord-  
16 ance with section eleven hundred eighty-d of this chapter alleged, (2)  
17 of the impending default judgment, (3) that such judgment will be  
18 entered in the Civil Court of the city in which the bureau has been  
19 established, or other court of civil jurisdiction or any other place  
20 provided for the entry of civil judgments within the state of New York,  
21 and (4) that a default may be avoided by entering a plea or contesting  
22 an allegation of liability in accordance with section eleven hundred  
23 eleven-a of this chapter or in accordance with sections eleven hundred  
24 eleven-b of this chapter as added by sections sixteen of chapters twenty,  
25 ty-one, and twenty-two of the laws of two thousand nine or in  
26 accordance with section eleven hundred eleven-d of this chapter or in  
27 accordance with section eleven hundred eleven-e of this chapter or  
28 contesting an allegation of liability in accordance with section two  
29 thousand nine hundred eighty-five of the public authorities law or  
30 sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred  
31 seventy-four of the laws of nineteen hundred fifty or contesting an  
32 allegation of liability in accordance with section eleven hundred  
33 eleven-c of this chapter or contesting an allegation of liability in  
34 accordance with section eleven hundred eighty-b of this chapter or  
35 contesting an allegation of liability in accordance with section eleven  
36 hundred eighty-d of this chapter, as appropriate, or making an appear-  
37 ance within thirty days of the sending of such notice. Pleas entered and  
38 allegations contested within that period shall be in the manner  
39 prescribed in the notice and not subject to additional penalty or fee.  
40 Such notice of impending default judgment shall not be required prior to  
41 the rendering and entry thereof in the case of operators or owners who  
42 are non-residents of the state of New York. In no case shall a default  
43 judgment be rendered or, where required, a notice of impending default  
44 judgment be sent, more than two years after the expiration of the time  
45 prescribed for entering a plea or contesting an allegation. When a  
46 person has demanded a hearing, no fine or penalty shall be imposed for  
47 any reason, prior to the holding of the hearing. If the hearing examiner  
48 shall make a determination on the charges, sustaining them, he or she  
49 shall impose no greater penalty or fine than those upon which the person  
50 was originally charged.

51 § 34-a. Subdivisions 1 and 2 of section 241 of the vehicle and traffic  
52 law, as amended by section 7-a of chapter 222 of the laws of 2015, are  
53 amended to read as follows:

54 1. The hearing examiner shall make a determination on the charges,  
55 either sustaining or dismissing them. Where the hearing examiner deter-  
56 mines that the charges have been sustained he or she may examine either

1 the prior parking violations record or the record of liabilities  
2 incurred in accordance with sections eleven hundred eleven-b of this  
3 chapter as added by sections sixteen of chapters twenty, twenty-one, and  
4 twenty-two of the laws of two thousand nine or in accordance with  
5 section eleven hundred eleven-d of this chapter or in accordance with  
6 section eleven hundred eleven-e of this chapter of the person charged,  
7 or the record of liabilities incurred in accordance with section eleven  
8 hundred eleven-c of this chapter, or the record of liabilities incurred  
9 in accordance with section eleven hundred eighty-b of this chapter, or  
10 the record of liabilities incurred in accordance with section eleven  
11 hundred eighty-d of this chapter of the person charged, as applicable  
12 prior to rendering a final determination. Final determinations sustain-  
13 ing or dismissing charges shall be entered on a final determination roll  
14 maintained by the bureau together with records showing payment and  
15 nonpayment of penalties.

16 2. Where an operator or owner fails to enter a plea to a charge of a  
17 parking violation or contest an allegation of liability in accordance  
18 with sections eleven hundred eleven-b of this chapter as added by  
19 sections sixteen of chapters twenty, twenty-one, and twenty-two of the  
20 laws of two thousand nine or in accordance with section eleven hundred  
21 eleven-d of this chapter, or in accordance with section eleven hundred  
22 eleven-e of this chapter, or fails to contest an allegation of liability  
23 in accordance with section eleven hundred eleven-c of this chapter, or  
24 fails to contest an allegation of liability incurred in accordance with  
25 section eleven hundred eighty-b of this chapter, or fails to contest an  
26 allegation of liability incurred in accordance with section eleven  
27 hundred eighty-d of this chapter, or fails to appear on a designated  
28 hearing date or subsequent adjourned date or fails after a hearing to  
29 comply with the determination of a hearing examiner, as prescribed by  
30 this article or by rule or regulation of the bureau, such failure to  
31 plead, contest, appear or comply shall be deemed, for all purposes, an  
32 admission of liability and shall be grounds for rendering and entering a  
33 default judgment in an amount provided by the rules and regulations of  
34 the bureau. However, after the expiration of the original date  
35 prescribed for entering a plea and before a default judgment may be  
36 rendered, in such case the bureau shall pursuant to the applicable  
37 provisions of law notify such operator or owner, by such form of first  
38 class mail as the commission may direct; (1) of the violation charged,  
39 or liability in accordance with sections eleven hundred eleven-b of this  
40 chapter, as added by sections sixteen of chapters twenty, twenty-one,  
41 and twenty-two of the laws of two thousand nine or in accordance with  
42 section eleven hundred eleven-d of this chapter, or in accordance with  
43 section eleven hundred eleven-e of this chapter, or liability in accord-  
44 ance with section eleven hundred eleven-c of this chapter or liability  
45 in accordance with section eleven hundred eighty-b of this chapter  
46 alleged, or liability in accordance with section eleven hundred eighty-d  
47 of this chapter alleged, (2) of the impending default judgment, (3) that  
48 such judgment will be entered in the Civil Court of the city in which  
49 the bureau has been established, or other court of civil jurisdiction or  
50 any other place provided for the entry of civil judgments within the  
51 state of New York, and (4) that a default may be avoided by entering a  
52 plea or contesting an allegation of liability in accordance with  
53 sections eleven hundred eleven-b of this chapter as added by sections  
54 sixteen of chapters twenty, twenty-one, and twenty-two of the laws of  
55 two thousand nine or in accordance with section eleven hundred eleven-d  
56 of this chapter or in accordance with section eleven hundred eleven-e of



1 this chapter, or contesting an allegation of liability in accordance  
2 with section eleven hundred eleven-c of this chapter or contesting an  
3 allegation of liability in accordance with section eleven hundred eight-  
4 y-b of this chapter or contesting an allegation of liability in accord-  
5 ance with section eleven hundred eighty-d of this chapter, as appropri-  
6 ate, or making an appearance within thirty days of the sending of such  
7 notice. Pleas entered and allegations contested within that period shall  
8 be in the manner prescribed in the notice and not subject to additional  
9 penalty or fee. Such notice of impending default judgment shall not be  
10 required prior to the rendering and entry thereof in the case of opera-  
11 tors or owners who are non-residents of the state of New York. In no  
12 case shall a default judgment be rendered or, where required, a notice  
13 of impending default judgment be sent, more than two years after the  
14 expiration of the time prescribed for entering a plea or contesting an  
15 allegation. When a person has demanded a hearing, no fine or penalty  
16 shall be imposed for any reason, prior to the holding of the hearing. If  
17 the hearing examiner shall make a determination on the charges, sustain-  
18 ing them, he or she shall impose no greater penalty or fine than those  
19 upon which the person was originally charged.

20 § 34-b. Subdivisions 1 and 2 of section 241 of the vehicle and traffic  
21 law, as amended by section 7-b of chapter 222 of the laws of 2015, are  
22 amended to read as follows:

23 1. The hearing examiner shall make a determination on the charges,  
24 either sustaining or dismissing them. Where the hearing examiner deter-  
25 mines that the charges have been sustained he or she may examine the  
26 prior parking violations record or the record of liabilities incurred in  
27 accordance with section eleven hundred eleven-e of this chapter of the  
28 person charged, or the record of liabilities incurred in accordance with  
29 section eleven hundred eleven-d of this chapter of the person charged,  
30 or the record of liabilities incurred in accordance with section eleven  
31 hundred eleven-c of this chapter, or the record of liabilities incurred  
32 in accordance with section eleven hundred eighty-b of this chapter, or  
33 the record of liabilities incurred in accordance with section eleven  
34 hundred eighty-d of this chapter of the person charged, as applicable,  
35 prior to rendering a final determination. Final determinations sustain-  
36 ing or dismissing charges shall be entered on a final determination roll  
37 maintained by the bureau together with records showing payment and  
38 nonpayment of penalties.

39 2. Where an operator or owner fails to enter a plea to a charge of a  
40 parking violation or contest an allegation of liability in accordance  
41 with section eleven hundred eleven-e of this chapter, or contest an  
42 allegation of liability in accordance with section eleven hundred  
43 eleven-d of this chapter, or fails to contest an allegation of liability  
44 in accordance with section eleven hundred eleven-c of this chapter, or  
45 fails to contest an allegation of liability incurred in accordance with  
46 section eleven hundred eighty-b of this chapter, or fails to contest an  
47 allegation of liability incurred in accordance with section eleven  
48 hundred eighty-d of this chapter, or fails to appear on a designated  
49 hearing date or subsequent adjourned date or fails after a hearing to  
50 comply with the determination of a hearing examiner, as prescribed by  
51 this article or by rule or regulation of the bureau, such failure to  
52 plead, appear or comply shall be deemed, for all purposes, an admission  
53 of liability and shall be grounds for rendering and entering a default  
54 judgment in an amount provided by the rules and regulations of the  
55 bureau. However, after the expiration of the original date prescribed  
56 for entering a plea and before a default judgment may be rendered, in

1 such case the bureau shall pursuant to the applicable provisions of law  
2 notify such operator or owner, by such form of first class mail as the  
3 commission may direct; (1) of the violation charged, or liability in  
4 accordance with section eleven hundred eleven-e of this chapter, or  
5 liability in accordance with section eleven hundred eleven-d of this  
6 chapter, or alleged liability in accordance with section eleven hundred  
7 eleven-c of this chapter or alleged liability in accordance with section  
8 eleven hundred eighty-b of this chapter, or alleged liability in accord-  
9 ance with section eleven hundred eighty-d of this chapter, (2) of the  
10 impending default judgment, (3) that such judgment will be entered in  
11 the Civil Court of the city in which the bureau has been established, or  
12 other court of civil jurisdiction or any other place provided for the  
13 entry of civil judgments within the state of New York, and (4) that a  
14 default may be avoided by entering a plea or contesting an allegation of  
15 liability in accordance with section eleven hundred eleven-e of this  
16 chapter or contesting an allegation of liability in accordance with  
17 section eleven hundred eleven-d of this chapter or contesting an allega-  
18 tion of liability in accordance with section eleven hundred eleven-c of  
19 this chapter or contesting an allegation of liability in accordance with  
20 section eleven hundred eighty-b of this chapter or contesting an allega-  
21 tion of liability in accordance with section eleven hundred eighty-d of  
22 this chapter or making an appearance within thirty days of the sending  
23 of such notice. Pleas entered within that period shall be in the manner  
24 prescribed in the notice and not subject to additional penalty or fee.  
25 Such notice of impending default judgment shall not be required prior to  
26 the rendering and entry thereof in the case of operators or owners who  
27 are non-residents of the state of New York. In no case shall a default  
28 judgment be rendered or, where required, a notice of impending default  
29 judgment be sent, more than two years after the expiration of the time  
30 prescribed for entering a plea. When a person has demanded a hearing,  
31 no fine or penalty shall be imposed for any reason, prior to the holding  
32 of the hearing. If the hearing examiner shall make a determination on  
33 the charges, sustaining them, he or she shall impose no greater penalty  
34 or fine than those upon which the person was originally charged.

35 § 34-c. Subdivisions 1 and 2 of section 241 of the vehicle and traffic  
36 law, as amended by section 7-c of chapter 222 of the laws of 2015, are  
37 amended to read as follows:

38 1. The hearing examiner shall make a determination on the charges,  
39 either sustaining or dismissing them. Where the hearing examiner deter-  
40 mines that the charges have been sustained he or she may examine either  
41 the prior parking violations record or the record of liabilities  
42 incurred in accordance with section eleven hundred eleven-d of this  
43 chapter of the person charged, or the record of liabilities incurred in  
44 accordance with section eleven hundred eleven-e of this chapter of the  
45 person charged or the record of liabilities incurred in accordance with  
46 section eleven hundred eighty-b of this chapter, or the record of  
47 liabilities incurred in accordance with section eleven hundred eighty-d  
48 of this chapter of the person charged, as applicable, prior to rendering  
49 a final determination. Final determinations sustaining or dismissing  
50 charges shall be entered on a final determination roll maintained by the  
51 bureau together with records showing payment and nonpayment of penal-  
52 ties.

53 2. Where an operator or owner fails to enter a plea to a charge of a  
54 parking violation or contest an allegation of liability in accordance  
55 with section eleven hundred eleven-e of this chapter or contest an alle-  
56 gation of liability in accordance with section eleven hundred eleven-d

1 of this chapter or fails to contest an allegation of liability incurred  
2 in accordance with section eleven hundred eighty-b of this chapter or  
3 fails to contest an allegation of liability incurred in accordance with  
4 section eleven hundred eighty-d of this chapter or fails to appear on a  
5 designated hearing date or subsequent adjourned date or fails after a  
6 hearing to comply with the determination of a hearing examiner, as  
7 prescribed by this article or by rule or regulation of the bureau, such  
8 failure to plead, appear or comply shall be deemed, for all purposes, an  
9 admission of liability and shall be grounds for rendering and entering a  
10 default judgment in an amount provided by the rules and regulations of  
11 the bureau. However, after the expiration of the original date  
12 prescribed for entering a plea and before a default judgment may be  
13 rendered, in such case the bureau shall pursuant to the applicable  
14 provisions of law notify such operator or owner, by such form of first  
15 class mail as the commission may direct; (1) of the violation charged or  
16 liability in accordance with section eleven hundred eleven-e of this  
17 chapter or liability in accordance with section eleven hundred eleven-d  
18 of this chapter or liability in accordance with section eleven hundred  
19 eighty-b of this chapter alleged, or liability in accordance with  
20 section eleven hundred eighty-d of this chapter alleged, (2) of the  
21 impending default judgment, (3) that such judgment will be entered in  
22 the Civil Court of the city in which the bureau has been established, or  
23 other court of civil jurisdiction or any other place provided for the  
24 entry of civil judgments within the state of New York, and (4) that a  
25 default may be avoided by entering a plea or contesting an allegation of  
26 liability in accordance with section eleven hundred eleven-e of this  
27 chapter or contesting an allegation of liability in accordance with  
28 section eleven hundred eleven-d of this chapter or contesting an allega-  
29 tion of liability in accordance with section eleven hundred eighty-b of  
30 this chapter or contesting an allegation of liability in accordance with  
31 section eleven hundred eighty-d of this chapter or making an appearance  
32 within thirty days of the sending of such notice. Pleas entered within  
33 that period shall be in the manner prescribed in the notice and not  
34 subject to additional penalty or fee. Such notice of impending default  
35 judgment shall not be required prior to the rendering and entry thereof  
36 in the case of operators or owners who are non-residents of the state of  
37 New York. In no case shall a default judgment be rendered or, where  
38 required, a notice of impending default judgment be sent, more than two  
39 years after the expiration of the time prescribed for entering a plea.  
40 When a person has demanded a hearing, no fine or penalty shall be  
41 imposed for any reason, prior to the holding of the hearing. If the  
42 hearing examiner shall make a determination on the charges, sustaining  
43 them, he shall impose no greater penalty or fine than those upon which  
44 the person was originally charged.

45 § 34-d. Subdivisions 1 and 2 of section 241 of the vehicle and traffic  
46 law, as amended by section 7-d of chapter 222 of the laws of 2015, are  
47 amended to read as follows:

48 1. The hearing examiner shall make a determination on the charges,  
49 either sustaining or dismissing them. Where the hearing examiner deter-  
50 mines that the charges have been sustained he or she may examine either  
51 the prior parking violations record or the record of liabilities  
52 incurred in accordance with section eleven hundred eleven-e of this  
53 chapter of the person charged or the record of liabilities incurred in  
54 accordance with section eleven hundred eleven-d of this chapter of the  
55 person charged or the record of liabilities incurred in accordance with  
56 section eleven hundred eighty-d of this chapter of the person charged,

1 as applicable, prior to rendering a final determination. Final determi-  
2 nations sustaining or dismissing charges shall be entered on a final  
3 determination roll maintained by the bureau together with records show-  
4 ing payment and nonpayment of penalties.

5 2. Where an operator or owner fails to enter a plea to a charge of a  
6 parking violation or contest an allegation of liability in accordance  
7 with section eleven hundred eleven-e of this chapter or contest an alle-  
8 gation of liability in accordance with section eleven hundred eleven-d  
9 of this chapter or contest an allegation of liability incurred in  
10 accordance with section eleven hundred eighty-d of this chapter or fails  
11 to appear on a designated hearing date or subsequent adjourned date or  
12 fails after a hearing to comply with the determination of a hearing  
13 examiner, as prescribed by this article or by rule or regulation of the  
14 bureau, such failure to plead, appear or comply shall be deemed, for all  
15 purposes, an admission of liability and shall be grounds for rendering  
16 and entering a default judgment in an amount provided by the rules and  
17 regulations of the bureau. However, after the expiration of the original  
18 date prescribed for entering a plea and before a default judgment may be  
19 rendered, in such case the bureau shall pursuant to the applicable  
20 provisions of law notify such operator or owner, by such form of first  
21 class mail as the commission may direct; (1) of the violation charged or  
22 liability in accordance with section eleven hundred eleven-e of this  
23 chapter alleged or liability in accordance with section eleven hundred  
24 eleven-d of this chapter alleged or liability in accordance with section  
25 eleven hundred eighty-d of this chapter alleged, (2) of the impending  
26 default judgment, (3) that such judgment will be entered in the Civil  
27 Court of the city in which the bureau has been established, or other  
28 court of civil jurisdiction or any other place provided for the entry of  
29 civil judgments within the state of New York, and (4) that a default may  
30 be avoided by entering a plea or contesting an allegation of liability  
31 in accordance with section eleven hundred eleven-e of this chapter or  
32 contesting an allegation of liability in accordance with section eleven  
33 hundred eleven-d of this chapter or contesting an allegation of liabil-  
34 ity in accordance with section eleven hundred eighty-d of this chapter  
35 or making an appearance within thirty days of the sending of such  
36 notice. Pleas entered within that period shall be in the manner  
37 prescribed in the notice and not subject to additional penalty or fee.  
38 Such notice of impending default judgment shall not be required prior to  
39 the rendering and entry thereof in the case of operators or owners who  
40 are non-residents of the state of New York. In no case shall a default  
41 judgment be rendered or, where required, a notice of impending default  
42 judgment be sent, more than two years after the expiration of the time  
43 prescribed for entering a plea. When a person has demanded a hearing, no  
44 fine or penalty shall be imposed for any reason, prior to the holding of  
45 the hearing. If the hearing examiner shall make a determination on the  
46 charges, sustaining them, he shall impose no greater penalty or fine  
47 than those upon which the person was originally charged.

48 § 34-e. Subdivisions 1 and 2 of section 241 of the vehicle and traffic  
49 law, as amended by section 7-e of chapter 222 of the laws of 2015, are  
50 amended to read as follows:

51 1. The hearing examiner shall make a determination on the charges,  
52 either sustaining or dismissing them. Where the hearing examiner deter-  
53 mines that the charges have been sustained he or she may examine the  
54 prior parking violations record or the record of liabilities incurred in  
55 accordance with section eleven hundred eleven-e of this chapter of the  
56 person charged or the record of liabilities incurred in accordance with

1 section eleven hundred eighty-d of this chapter of the person charged,  
2 as applicable, prior to rendering a final determination. Final determi-  
3 nations sustaining or dismissing charges shall be entered on a final  
4 determination roll maintained by the bureau together with records show-  
5 ing payment and nonpayment of penalties.

6 2. Where an operator or owner fails to enter a plea to a charge of a  
7 parking violation or contest an allegation of liability in accordance  
8 with section eleven hundred eleven-e of this chapter or contest an alle-  
9 gation of liability incurred in accordance with section eleven hundred  
10 eighty-d of this chapter or fails to appear on a designated hearing date  
11 or subsequent adjourned date or fails after a hearing to comply with the  
12 determination of a hearing examiner, as prescribed by this article or by  
13 rule or regulation of the bureau, such failure to plead, appear or  
14 comply shall be deemed, for all purposes, an admission of liability and  
15 shall be grounds for rendering and entering a default judgment in an  
16 amount provided by the rules and regulations of the bureau. However,  
17 after the expiration of the original date prescribed for entering a plea  
18 and before a default judgment may be rendered, in such case the bureau  
19 shall pursuant to the applicable provisions of law notify such operator  
20 or owner, by such form of first class mail as the commission may direct;  
21 (1) of the violation charged or liability in accordance with section  
22 eleven hundred eleven-e of this chapter alleged or liability in accord-  
23 ance with section eleven hundred eighty-d of this chapter alleged, (2)  
24 of the impending default judgment, (3) that such judgment will be  
25 entered in the Civil Court of the city in which the bureau has been  
26 established, or other court of civil jurisdiction or any other place  
27 provided for the entry of civil judgments within the state of New York,  
28 and (4) that a default may be avoided by entering a plea or contesting  
29 an allegation of liability in accordance with section eleven hundred  
30 eleven-e of this chapter or contesting an allegation of liability in  
31 accordance with section eleven hundred eighty-d of this chapter or  
32 making an appearance within thirty days of the sending of such notice.  
33 Pleas entered within that period shall be in the manner prescribed in  
34 the notice and not subject to additional penalty or fee. Such notice of  
35 impending default judgment shall not be required prior to the rendering  
36 and entry thereof in the case of operators or owners who are non-resi-  
37 dents of the state of New York. In no case shall a default judgment be  
38 rendered or, where required, a notice of impending default judgment be  
39 sent, more than two years after the expiration of the time prescribed  
40 for entering a plea. When a person has demanded a hearing, no fine or  
41 penalty shall be imposed for any reason, prior to the holding of the  
42 hearing. If the hearing examiner shall make a determination on the  
43 charges, sustaining them, he shall impose no greater penalty or fine  
44 than those upon which the person was originally charged.

45 § 34-f. Subdivisions 1 and 2 of section 241 of the vehicle and traffic  
46 law, subdivision 1 as added by chapter 715 of the laws of 1972, and  
47 subdivision 2 as amended by chapter 365 of the laws of 1978, are amended  
48 to read as follows:

49 1. The hearing examiner shall make a determination on the charges,  
50 either sustaining or dismissing them. Where the hearing examiner deter-  
51 mines that the charges have been sustained he may examine the prior  
52 parking violations record or the record of liabilities incurred in  
53 accordance with section eleven hundred eighty-d of this chapter of the  
54 person charged, as applicable, prior to rendering a final determination.  
55 Final determinations sustaining or dismissing charges shall be entered



1 on a final determination roll maintained by the bureau together with  
2 records showing payment and nonpayment of penalties.

3 2. Where an operator or owner fails to enter a plea to a charge of a  
4 parking violation or contest an allegation of liability incurred in  
5 accordance with section eleven hundred eighty-d of this chapter or fails  
6 to appear on a designated hearing date or subsequent adjourned date or  
7 fails after a hearing to comply with the determination of a hearing  
8 examiner, as prescribed by this article or by rule or regulation of the  
9 bureau, such failure to plead, appear or comply shall be deemed, for all  
10 purposes, an admission of liability and shall be grounds for rendering  
11 and entering a default judgment in an amount provided by the rules and  
12 regulations of the bureau. However, after the expiration of the original  
13 date prescribed for entering a plea and before a default judgment may be  
14 rendered, in such case the bureau shall pursuant to the applicable  
15 provisions of law notify such operator or owner, by such form of first  
16 class mail as the commission may direct; (1) of the violation charged or  
17 liability in accordance with section eleven hundred eighty-d of this  
18 chapter alleged, (2) of the impending default judgment, (3) that such  
19 judgment will be entered in the Civil Court of the city in which the  
20 bureau has been established, or other court of civil jurisdiction or any  
21 other place provided for the entry of civil judgments within the state  
22 of New York, and (4) that a default may be avoided by entering a plea or  
23 contesting an allegation of liability in accordance with section eleven  
24 hundred eighty-d of this chapter or making an appearance within thirty  
25 days of the sending of such notice. Pleas entered within that period  
26 shall be in the manner prescribed in the notice and not subject to addi-  
27 tional penalty or fee. Such notice of impending default judgment shall  
28 not be required prior to the rendering and entry thereof in the case of  
29 operators or owners who are non-residents of the state of New York. In  
30 no case shall a default judgment be rendered or, where required, a  
31 notice of impending default judgment be sent, more than two years after  
32 the expiration of the time prescribed for entering a plea. When a person  
33 has demanded a hearing, no fine or penalty shall be imposed for any  
34 reason, prior to the holding of the hearing. If the hearing examiner  
35 shall make a determination on the charges, sustaining them, he shall  
36 impose no greater penalty or fine than those upon which the person was  
37 originally charged.

38 § 35. The vehicle and traffic law is amended by adding a new section  
39 1180-d to read as follows:

40 § 1180-d. Owner liability for failure of operator to comply with  
41 certain posted maximum speed limits. (a) 1. Notwithstanding any other  
42 provision of law, the city of Buffalo is hereby authorized to establish  
43 a demonstration program imposing monetary liability on the owner of a  
44 vehicle for failure of an operator thereof to comply with posted maximum  
45 speed limits in a school speed zone within the city (i) when a school  
46 speed limit is in effect as provided in paragraphs one and two of subdi-  
47 vision (c) of section eleven hundred eighty of this article or (ii) when  
48 other speed limits are in effect as provided in subdivision (b), (d),  
49 (f) or (g) of section eleven hundred eighty of this article during the  
50 following times: (A) on school days during school hours and one hour  
51 before and one hour after the school day, and (B) a period during  
52 student activities at the school and up to thirty minutes immediately  
53 before and up to thirty minutes immediately after such student activ-  
54 ities. Such demonstration program shall empower the city to install  
55 photo speed violation monitoring systems within no more than twenty  
56 school speed zones within the city at any one time and to operate such

1 systems within such zones (iii) when a school speed limit is in effect  
2 as provided in paragraphs one and two of subdivision (c) of section  
3 eleven hundred eighty of this article or (iv) when other speed limits  
4 are in effect as provided in subdivision (b), (d), (f) or (g) of section  
5 eleven hundred eighty of this article during the following times: (A) on  
6 school days during school hours and one hour before and one hour after  
7 the school day, and (B) a period during student activities at the school  
8 and up to thirty minutes immediately before and up to thirty minutes  
9 immediately after such student activities. In selecting a school speed  
10 zone in which to install and operate a photo speed violation monitoring  
11 system, the city shall consider criteria including, but not limited to  
12 the speed data, crash history, and the roadway geometry applicable to  
13 such school speed zone.

14 2. No photo speed violation monitoring system shall be used in a  
15 school speed zone unless (i) on the day it is to be used it has success-  
16 fully passed a self-test of its functions; and (ii) it has undergone an  
17 annual calibration check performed pursuant to paragraph four of this  
18 subdivision. The city shall install signs giving notice that a photo  
19 speed violation monitoring system is in use to be mounted on advance  
20 warning signs notifying motor vehicle operators of such upcoming school  
21 speed zone and/or on speed limit signs applicable within such school  
22 speed zone, in conformance with standards established in the MUTCD.

23 3. Operators of photo speed violation monitoring systems shall have  
24 completed training in the procedures for setting up, testing, and oper-  
25 ating such systems. Each such operator shall complete and sign a daily  
26 set-up log for each such system that he or she operates that (i) states  
27 the date and time when, and the location where, the system was set up  
28 that day, and (ii) states that such operator successfully performed, and  
29 the system passed, the self-tests of such system before producing a  
30 recorded image that day. The city shall retain each such daily log  
31 until the later of the date on which the photo speed violation monitor-  
32 ing system to which it applies has been permanently removed from use or  
33 the final resolution of all cases involving notices of liability issued  
34 based on photographs, microphotographs, video or other recorded images  
35 produced by such system.

36 4. Each photo speed violation monitoring system shall undergo an annu-  
37 al calibration check performed by an independent calibration laboratory  
38 which shall issue a signed certificate of calibration. The city shall  
39 keep each such annual certificate of calibration on file until the final  
40 resolution of all cases involving a notice of liability issued during  
41 such year which were based on photographs, microphotographs, videotape  
42 or other recorded images produced by such photo speed violation monitor-  
43 ing system.

44 5. (i) Such demonstration program shall utilize necessary technologies  
45 to ensure, to the extent practicable, that photographs, microphoto-  
46 graphs, videotape or other recorded images produced by such photo speed  
47 violation monitoring systems shall not include images that identify the  
48 driver, the passengers, or the contents of the vehicle. Provided, howev-  
49 er, that no notice of liability issued pursuant to this section shall be  
50 dismissed solely because such a photograph, microphotograph, videotape  
51 or other recorded image allows for the identification of the driver, the  
52 passengers, or the contents of vehicles where the city shows that it  
53 made reasonable efforts to comply with the provisions of this paragraph  
54 in such case.

55 (ii) Photographs, microphotographs, videotape or any other recorded  
56 image from a photo speed violation monitoring system shall be for the

1 exclusive use of the city for the purpose of the adjudication of liabil-  
2 ity imposed pursuant to this section and of the owner receiving a notice  
3 of liability pursuant to this section, and shall be destroyed by the  
4 city upon the final resolution of the notice of liability to which such  
5 photographs, microphotographs, videotape or other recorded images  
6 relate, or one year following the date of issuance of such notice of  
7 liability, whichever is later. Notwithstanding the provisions of any  
8 other law, rule or regulation to the contrary, photographs, microphoto-  
9 graphs, videotape or any other recorded image from a photo speed  
10 violation monitoring system shall not be open to the public, nor subject  
11 to civil or criminal process or discovery, nor used by any court or  
12 administrative or adjudicatory body in any action or proceeding therein  
13 except that which is necessary for the adjudication of a notice of  
14 liability issued pursuant to this section, and no public entity or  
15 employee, officer or agent thereof shall disclose such information,  
16 except that such photographs, microphotographs, videotape or any other  
17 recorded images from such systems:

18 (A) shall be available for inspection and copying and use by the motor  
19 vehicle owner and operator for so long as such photographs, microphoto-  
20 graphs, videotape or other recorded images are required to be maintained  
21 or are maintained by such public entity, employee, officer or agent; and

22 (B) (1) shall be furnished when described in a search warrant issued  
23 by a court authorized to issue such a search warrant pursuant to article  
24 six hundred ninety of the criminal procedure law or a federal court  
25 authorized to issue such a search warrant under federal law, where such  
26 search warrant states that there is reasonable cause to believe such  
27 information constitutes evidence of, or tends to demonstrate that, a  
28 misdemeanor or felony offense was committed in this state or another  
29 state, or that a particular person participated in the commission of a  
30 misdemeanor or felony offense in this state or another state, provided,  
31 however, that if such offense was against the laws of another state, the  
32 court shall only issue a warrant if the conduct comprising such offense  
33 would, if occurring in this state, constitute a misdemeanor or felony  
34 against the laws of this state; and

35 (2) shall be furnished in response to a subpoena duces tecum signed by  
36 a judge of competent jurisdiction and issued pursuant to article six  
37 hundred ten of the criminal procedure law or a judge or magistrate of a  
38 federal court authorized to issue such a subpoena duces tecum under  
39 federal law, where the judge finds and the subpoena states that there is  
40 reasonable cause to believe such information is relevant and material to  
41 the prosecution, or the defense, or the investigation by an authorized  
42 law enforcement official, of the alleged commission of a misdemeanor or  
43 felony in this state or another state, provided, however, that if such  
44 offense was against the laws of another state, such judge or magistrate  
45 shall only issue such subpoena if the conduct comprising such offense  
46 would, if occurring in this state, constitute a misdemeanor or felony in  
47 this state; and

48 (3) may, if lawfully obtained pursuant to this clause and clause (A)  
49 of this subparagraph and otherwise admissible, be used in such criminal  
50 action or proceeding.

51 (b) If the city of Buffalo establishes a demonstration program pursu-  
52 ant to subdivision (a) of this section, the owner of a vehicle shall be  
53 liable for a penalty imposed pursuant to this section if such vehicle  
54 was used or operated with the permission of the owner, express or  
55 implied, within a school speed zone in violation of subdivision (c) or  
56 during the times authorized pursuant to subdivision (a) of this section

1 in violation of subdivision (b), (d), (f) or (g) of section eleven  
2 hundred eighty of this article, such vehicle was traveling at a speed of  
3 more than ten miles per hour above the posted speed limit in effect  
4 within such school speed zone, and such violation is evidenced by infor-  
5 mation obtained from a photo speed violation monitoring system; provided  
6 however that no owner of a vehicle shall be liable for a penalty imposed  
7 pursuant to this section where the operator of such vehicle has been  
8 convicted of the underlying violation of subdivision (b), (c), (d), (f)  
9 or (g) of section eleven hundred eighty of this article.

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

12 1. "manual on uniform traffic control devices" or "MUTCD" shall mean  
13 the manual and specifications for a uniform system of traffic control  
14 devices maintained by the commissioner of transportation pursuant to  
15 section sixteen hundred eighty of this chapter;

16 2. "owner" shall have the meaning provided in article two-B of this  
17 chapter;

18 3. "photo speed violation monitoring system" shall mean a vehicle  
19 sensor installed to work in conjunction with a speed measuring device  
20 which automatically produces two or more photographs, two or more micro-  
21 photographs, a videotape or other recorded images of each vehicle at the  
22 time it is used or operated in a school speed zone in violation of  
23 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty  
24 of this article in accordance with the provisions of this section; and

25 4. "school speed zone" shall mean a distance not to exceed one thou-  
26 sand three hundred twenty feet on a highway passing a school building,  
27 entrance or exit of a school abutting on the highway.

28 (d) A certificate, sworn to or affirmed by a technician employed by  
29 the city of Buffalo, or a facsimile thereof, based upon inspection of  
30 photographs, microphotographs, videotape or other recorded images  
31 produced by a photo speed violation monitoring system, shall be prima  
32 facie evidence of the facts contained therein. Any photographs, micro-  
33 photographs, videotape or other recorded images evidencing such a  
34 violation shall include at least two date and time stamped images of the  
35 rear of the motor vehicle that include the same stationary object near  
36 the motor vehicle and shall be available for inspection reasonably in  
37 advance of and at any proceeding to adjudicate the liability for such  
38 violation pursuant to this section.

39 (e) An owner liable for a violation of subdivision (b), (c), (d), (f)  
40 or (g) of section eleven hundred eighty of this article pursuant to a  
41 demonstration program established pursuant to this section shall be  
42 liable for monetary penalties in accordance with a schedule of fines and  
43 penalties to be promulgated by the parking violations bureau of the city  
44 of Buffalo. The liability of the owner pursuant to this section shall  
45 not exceed fifty dollars for each violation; provided, however, that  
46 such parking violations bureau may provide for an additional penalty not  
47 in excess of twenty-five dollars for each violation for the failure to  
48 respond to a notice of liability within the prescribed time period.

49 (f) An imposition of liability under the demonstration program estab-  
50 lished pursuant to this section shall not be deemed a conviction as an  
51 operator and shall not be made part of the operating record of the  
52 person upon whom such liability is imposed nor shall it be used for  
53 insurance purposes in the provision of motor vehicle insurance coverage.

54 (g) 1. A notice of liability shall be sent by first class mail to each  
55 person alleged to be liable as an owner for a violation of subdivision  
56 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this arti-

1 cle pursuant to this section, within fourteen business days if such  
2 owner is a resident of this state and within forty-five business days if  
3 such owner is a non-resident. Personal delivery on the owner shall not  
4 be required. A manual or automatic record of mailing prepared in the  
5 ordinary course of business shall be prima facie evidence of the facts  
6 contained therein.

7 2. A notice of liability shall contain the name and address of the  
8 person alleged to be liable as an owner for a violation of subdivision  
9 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this arti-  
10 cle pursuant to this section, the registration number of the vehicle  
11 involved in such violation, the location where such violation took  
12 place, the date and time of such violation, the identification number of  
13 the camera which recorded the violation or other document locator  
14 number, at least two date and time stamped images of the rear of the  
15 motor vehicle that include the same stationary object near the motor  
16 vehicle, and the certificate charging the liability.

17 3. The notice of liability shall contain information advising the  
18 person charged of the manner and the time in which he or she may contest  
19 the liability alleged in the notice. Such notice of liability shall also  
20 contain a prominent warning to advise the person charged that failure to  
21 contest in the manner and time provided shall be deemed an admission of  
22 liability and that a default judgment may be entered thereon.

23 4. The notice of liability shall be prepared and mailed by the city of  
24 Buffalo, or by any other entity authorized by the city to prepare and  
25 mail such notice of liability.

26 (h) Adjudication of the liability imposed upon owners of this section  
27 shall be by the city of Buffalo parking violations bureau.

28 (i) If an owner receives a notice of liability pursuant to this  
29 section for any time period during which the vehicle or the number plate  
30 or plates of such vehicle was reported to the police department as  
31 having been stolen, it shall be a valid defense to an allegation of  
32 liability for a violation of subdivision (b), (c), (d), (f) or (g) of  
33 section eleven hundred eighty of this article pursuant to this section  
34 that the vehicle or the number plate or plates of such vehicle had been  
35 reported to the police as stolen prior to the time the violation  
36 occurred and had not been recovered by such time. For purposes of  
37 asserting the defense provided by this subdivision, it shall be suffi-  
38 cient that a certified copy of the police report on the stolen vehicle  
39 or number plate or plates of such vehicle be sent by first class mail to  
40 the city of Buffalo parking violations bureau or by any other entity  
41 authorized by the city to prepare and mail such notice of liability.

42 (j) Adjudication of the liability imposed upon owners of this section  
43 shall be by the city of Buffalo parking violations bureau.

44 (k) 1. An owner who is a lessor of a vehicle to which a notice of  
45 liability was issued pursuant to subdivision (g) of this section shall  
46 not be liable for the violation of subdivision (b), (c), (d), (f) or (g)  
47 of section eleven hundred eighty of this article pursuant to this  
48 section, provided that:

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

52 (ii) within thirty-seven days after receiving notice from such divi-  
53 sion of the date and time of a liability, together with the other infor-  
54 mation contained in the original notice of liability, the lessor submits  
55 to such division the correct name and address of the lessee of the vehi-  
56 cle identified in the notice of liability at the time of such violation,



1 together with such other additional information contained in the rental,  
2 lease or other contract document, as may be reasonably required by such  
3 division pursuant to regulations that may be promulgated for such  
4 purpose.

5 2. Failure to comply with subparagraph (ii) of paragraph one of this  
6 subdivision shall render the owner liable for the penalty prescribed in  
7 this section.

8 3. Where the lessor complies with the provisions of paragraph one of  
9 this subdivision, the lessee of such vehicle on the date of such  
10 violation shall be deemed to be the owner of such vehicle for purposes  
11 of this section, shall be subject to liability for such violation pursu-  
12 ant to this section and shall be sent a notice of liability pursuant to  
13 subdivision (i) of this section.

14 (1) 1. If the owner liable for a violation of subdivision (c) or (d)  
15 of section eleven hundred eighty of this article pursuant to this  
16 section was not the operator of the vehicle at the time of the  
17 violation, the owner may maintain an action for indemnification against  
18 the operator.

19 2. Notwithstanding any other provision of this section, no owner of a  
20 vehicle shall be subject to a monetary fine imposed pursuant to this  
21 section if the operator of such vehicle was operating such vehicle with-  
22 out the consent of the owner at the time such operator operated such  
23 vehicle in violation of subdivision (b), (c), (d), (f) or (g) of section  
24 eleven hundred eighty of this article. For purposes of this subdivision  
25 there shall be a presumption that the operator of such vehicle was oper-  
26 ating such vehicle with the consent of the owner at the time of such  
27 operator operated such vehicle in violation of subdivision (b), (c),  
28 (d), (f) or (g) of section eleven hundred eighty of this article.

29 (m) Nothing in this section shall be construed to limit the liability  
30 of an operator of a vehicle for any violation of subdivision (c) or (d)  
31 of section eleven hundred eighty of this article.

32 (n) If the city adopts a demonstration program pursuant to subdivision  
33 (a) of this section it shall conduct a study and submit a report on the  
34 results of the use of photo devices to the governor, the temporary pres-  
35 ident of the senate and the speaker of the assembly. Such report shall  
36 include:

37 1. the locations where and dates when photo speed violation monitoring  
38 systems were used;

39 2. the aggregate number, type and severity of crashes, fatalities,  
40 injuries and property damage reported within all school speed zones  
41 within the city, to the extent the information is maintained by the  
42 department of motor vehicles of this state;

43 3. the aggregate number, type and severity of crashes, fatalities,  
44 injuries and property damage reported within school speed zones where  
45 photo speed violation monitoring systems were used, to the extent the  
46 information is maintained by the department of motor vehicles of this  
47 state;

48 4. the number of violations recorded within all school speed zones  
49 within the city, in the aggregate on a daily, weekly and monthly basis;

50 5. the number of violations recorded within each school speed zone  
51 where a photo speed violation monitoring system is used, in the aggre-  
52 gate on a daily, weekly and monthly basis;

53 6. the number of violations recorded within all school speed zones  
54 within the city that were:

55 (i) more than ten but not more than twenty miles per hour over the  
56 posted speed limit;

1 (ii) more than twenty but not more than thirty miles per hour over the  
2 posted speed limit;

3 (iii) more than thirty but not more than forty miles per hour over the  
4 posted speed limit; and

5 (iv) more than forty miles per hour over the posted speed limit;

6 7. the number of violations recorded within each school speed zone  
7 where a photo speed violation monitoring system is used that were:

8 (i) more than ten but not more than twenty miles per hour over the  
9 posted speed limit;

10 (ii) more than twenty but not more than thirty miles per hour over the  
11 posted speed limit;

12 (iii) more than thirty but not more than forty miles per hour over the  
13 posted speed limit; and

14 (iv) more than forty miles per hour over the posted speed limit;

15 8. the total number of notices of liability issued for violations  
16 recorded by such systems;

17 9. the number of fines and total amount of fines paid after the first  
18 notice of liability issued for violations recorded by such systems;

19 10. the number of violations adjudicated and the results of such adju-  
20 dications including breakdowns of dispositions made for violations  
21 recorded by such systems;

22 11. the total amount of revenue realized by the city in connection  
23 with the program;

24 12. the expenses incurred by the city in connection with the program;  
25 and

26 13. the quality of the adjudication process and its results.

27 (o) It shall be a defense to any prosecution for a violation of subdi-  
28 vision (b), (c), (d), (f) or (g) of section eleven hundred eighty of  
29 this article pursuant to this section that such photo speed violation  
30 monitoring system was malfunctioning at the time of the alleged  
31 violation.

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

35 Whenever proceedings in an administrative tribunal or a court of this  
36 state result in a conviction for an offense under this chapter or a  
37 traffic infraction under this chapter, or a local law, ordinance, rule  
38 or regulation adopted pursuant to this chapter, other than a traffic  
39 infraction involving standing, stopping, or parking or violations by  
40 pedestrians or bicyclists, or other than an adjudication of liability of  
41 an owner for a violation of subdivision (d) of section eleven hundred  
42 eleven of this chapter in accordance with section eleven hundred  
43 eleven-a of this chapter, or other than an adjudication of liability of  
44 an owner for a violation of subdivision (d) of section eleven hundred  
45 eleven of this chapter in accordance with section eleven hundred  
46 eleven-b of this chapter, or other than an adjudication in accordance  
47 with section eleven hundred eleven-c of this chapter for a violation of  
48 a bus lane restriction as defined in such section, or other than an  
49 adjudication of liability of an owner for a violation of subdivision (d)  
50 of section eleven hundred eleven of this chapter in accordance with  
51 section eleven hundred eleven-d of this chapter, or other than an adju-  
52 dication of liability of an owner for a violation of subdivision (b),  
53 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in  
54 accordance with section eleven hundred eighty-b of this chapter, or  
55 other than an adjudication of liability of an owner for a violation of  
56 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty

1 of this chapter in accordance with section eleven hundred eighty-c of  
2 this chapter, or other than an adjudication of liability of an owner for  
3 a violation of subdivision (d) of section eleven hundred eleven of this  
4 chapter in accordance with section eleven hundred eleven-e of this chap-  
5 ter, or other than an adjudication of liability of an owner for a  
6 violation of subdivision (b), (c), (d), (f) or (g) of section eleven  
7 hundred eighty of this chapter in accordance with section eleven hundred  
8 eighty-d of this chapter, there shall be levied a crime victim assist-  
9 ance fee and a mandatory surcharge, in addition to any sentence required  
10 or permitted by law, in accordance with the following schedule:

11 (c) Whenever proceedings in an administrative tribunal or a court of  
12 this state result in a conviction for an offense under this chapter  
13 other than a crime pursuant to section eleven hundred ninety-two of this  
14 chapter, or a traffic infraction under this chapter, or a local law,  
15 ordinance, rule or regulation adopted pursuant to this chapter, other  
16 than a traffic infraction involving standing, stopping, or parking 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-a 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-b of this chapter, or other than an adjudication of  
24 liability of an owner for a violation of subdivision (d) of section  
25 eleven hundred eleven of this chapter in accordance with section eleven  
26 hundred eleven-d of this chapter, or other than an infraction pursuant  
27 to article nine of this chapter or other than an adjudication of liabil-  
28 ity of an owner for a violation of toll collection regulations pursuant  
29 to section two thousand nine hundred eighty-five of the public authori-  
30 ties law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven  
31 hundred seventy-four of the laws of nineteen hundred fifty or other than  
32 an adjudication in accordance with section eleven hundred eleven-c of  
33 this chapter for a violation of a bus lane restriction as defined in  
34 such section, or other than an adjudication of liability of an owner for  
35 a violation of subdivision (b), (c), (d), (f) or (g) of section eleven  
36 hundred eighty of this chapter in accordance with section eleven hundred  
37 eighty-b of this chapter, or other than an adjudication of liability of  
38 an owner for a violation of subdivision (b), (c), (d), (f) or (g) of  
39 section eleven hundred eighty of this chapter in accordance with section  
40 eleven hundred eighty-c of this chapter, or other than an adjudication  
41 of 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-e of this chapter, or other than an adjudication of  
44 liability of an owner for a violation of subdivision (b), (c), (d), (f)  
45 or (g) of section eleven hundred eighty of this chapter in accordance  
46 with section eleven hundred eighty-d of this chapter, there shall be  
47 levied a crime victim assistance fee in the amount of five dollars and a  
48 mandatory surcharge, in addition to any sentence required or permitted  
49 by law, in the amount of fifty-five dollars.

50 § 36-a. Subdivision 1 of section 1809 of the vehicle and traffic law,  
51 as amended by section 10-a of chapter 222 of the laws of 2015, is  
52 amended to read as follows:

53 1. Whenever proceedings in an administrative tribunal or a court of  
54 this state result in a conviction for a crime under this chapter or a  
55 traffic infraction under this chapter, or a local law, ordinance, rule  
56 or regulation adopted pursuant to this chapter, other than a traffic

1 infraction involving standing, stopping, parking or motor vehicle equip-  
2 ment or violations by pedestrians or bicyclists, or other than an adju-  
3 dication of liability of an owner for a violation of subdivision (d) of  
4 section eleven hundred eleven of this chapter in accordance with section  
5 eleven hundred eleven-a of this chapter, or other than an adjudication  
6 of liability of an owner for a violation of subdivision (d) of section  
7 eleven hundred eleven of this chapter in accordance with section eleven  
8 hundred eleven-b of this chapter, or other than an adjudication in  
9 accordance with section eleven hundred eleven-c of this chapter for a  
10 violation of a bus lane restriction as defined in such section, or other  
11 than an adjudication of liability of an owner for a violation of subdivi-  
12 sion (d) of section eleven hundred eleven of this chapter in accord-  
13 ance with section eleven hundred eleven-d of this chapter, or other than  
14 an adjudication of liability of an owner for a violation of subdivision  
15 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-  
16 ter in accordance with section eleven hundred eighty-b of this chapter,  
17 or other than an adjudication of liability of an owner for a violation  
18 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred  
19 eighty of this chapter in accordance with section eleven hundred eight-  
20 y-c of this chapter, or other than an adjudication of liability of an  
21 owner for a violation of subdivision (b), (c), (d), (f) or (g) of  
22 section eleven hundred eighty of this chapter in accordance with section  
23 eleven hundred eighty-d of this chapter, or other than an adjudication  
24 of liability of an owner for a violation of subdivision (d) of section  
25 eleven hundred eleven of this chapter in accordance with section eleven  
26 hundred eleven-e 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 twenty-five dollars.

29 § 36-b. Subdivision 1 of section 1809 of the vehicle and traffic law,  
30 as amended by section 10-b 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 in accordance with section eleven hundred eleven-c of this chapter for a  
38 violation of a bus lane restriction as defined in such section, or other  
39 than an adjudication of liability of an owner for a violation of subdivi-  
40 sion (d) of section eleven hundred eleven of this chapter in accord-  
41 ance with section eleven hundred eleven-d of this chapter, or other than  
42 an adjudication of liability of an owner for a violation of subdivision  
43 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-  
44 ter in accordance with section eleven hundred eighty-b of this chapter,  
45 or other than an adjudication of liability of an owner for a violation  
46 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred  
47 eighty of this chapter in accordance with section eleven hundred eight-  
48 y-c of this chapter, or other than an adjudication of liability of an  
49 owner for a violation of subdivision (b), (c), (d), (f) or (g) of  
50 section eleven hundred eighty of this chapter in accordance with section  
51 eleven hundred eighty-d of this chapter, or other than an adjudication  
52 of liability of an owner for a violation of subdivision (d) of section  
53 eleven hundred eleven of this chapter in accordance with section eleven  
54 hundred eleven-e of this chapter, there shall be levied a mandatory  
55 surcharge, in addition to any sentence required or permitted by law, in  
56 the amount of seventeen dollars.

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

1. Whenever proceedings in an administrative tribunal or a court of this state result in a conviction for a crime under this chapter or a traffic infraction under this chapter other than a traffic infraction involving standing, stopping, parking or motor vehicle equipment or violations by pedestrians or bicyclists, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-b of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-c of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-d of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-d of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-e of this chapter, there shall be levied a mandatory surcharge, in addition to any sentence required or permitted by law, in the amount of seventeen dollars.

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

1. Whenever proceedings in an administrative tribunal or a court of this state result in a conviction for a crime under this chapter or a traffic infraction under this chapter other than a traffic infraction involving standing, stopping, parking or motor vehicle equipment or violations by pedestrians or bicyclists, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-c of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-d of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-d of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-e of this chapter, there shall be levied a mandatory surcharge, in addition to any sentence required or permitted by law, in the amount of seventeen dollars.

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

1. Whenever proceedings in an administrative tribunal or a court of this state result in a conviction for a crime under this chapter or a traffic infraction under this chapter other than a traffic infraction involving standing, stopping, parking or motor vehicle equipment or violations by pedestrians or bicyclists, or other than an adjudication



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

12 § 36-f. Subdivision 1 of section 1809 of the vehicle and traffic law,  
13 as amended by section 10-f of chapter 222 of the laws of 2015, is  
14 amended to read as follows:

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

28 § 36-g. Subdivision 1 of section 1809 of the vehicle and traffic law,  
29 as separately amended by chapter 16 of the laws of 1983 and chapter 62  
30 of the laws of 1989, is amended to read as follows:

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

41 § 37. Paragraph a of subdivision 1 of section 1809-e of the vehicle  
42 and traffic law, as amended by section 11 of chapter 222 of the laws of  
43 2015, is amended to read as follows:

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

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

22 § 37-a. Paragraph a of subdivision 1 of section 1809-e of the vehicle  
23 and traffic law, as amended by section 11-a of chapter 222 of the laws  
24 of 2015, is amended to read as follows:

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

1 § 37-b. Paragraph a of subdivision 1 of section 1809-e of the vehicle  
2 and traffic law, as amended by section 11-b of chapter 222 of the laws  
3 of 2015, is amended to read as follows:

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

33 § 37-c. Paragraph a of subdivision 1 of section 1809-e of the vehicle  
34 and traffic law, as amended by section 11-c of chapter 222 of the laws  
35 of 2015, is amended to read as follows:

36 a. Notwithstanding any other provision of law, whenever proceedings in  
37 a court or an administrative tribunal of this state result in a  
38 conviction for an offense under this chapter, except a conviction pursu-  
39 ant to section eleven hundred ninety-two of this chapter, or for a traf-  
40 fic infraction under this chapter, or a local law, ordinance, rule or  
41 regulation adopted pursuant to this chapter, except a traffic infraction  
42 involving standing, stopping, or parking or violations by pedestrians or  
43 bicyclists, and except an adjudication of liability of an owner for a  
44 violation of subdivision (d) of section eleven hundred eleven of this  
45 chapter in accordance with section eleven hundred eleven-a of this chap-  
46 ter or in accordance with section eleven hundred eleven-d of this chap-  
47 ter or in accordance with section eleven hundred eleven-e of this chap-  
48 ter, and except an adjudication of liability of an owner for a violation  
49 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred  
50 eighty of this chapter in accordance with section eleven hundred eight-  
51 y-c of this chapter, and except an adjudication of liability of an owner  
52 for a violation of subdivision (b), (c), (d), (f) or (g) of section  
53 eleven hundred eighty of this chapter in accordance with section eleven  
54 hundred eighty-d of this chapter, and except an adjudication of liabil-  
55 ity of an owner for a violation of toll collection regulations pursuant  
56 to section two thousand nine hundred eighty-five of the public authori-

1 ties law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven  
2 hundred seventy-four of the laws of nineteen hundred fifty, there shall  
3 be levied in addition to any sentence, penalty or other surcharge  
4 required or permitted by law, an additional surcharge of twenty-eight  
5 dollars.

6 § 37-d. Paragraph a of subdivision 1 of section 1809-e of the vehicle  
7 and traffic law, as amended by section 11-d of chapter 222 of the laws  
8 of 2015, is amended to read as follows:

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

31 § 37-e. Paragraph a of subdivision 1 of section 1809-e of the vehicle  
32 and traffic law, as amended by section 11-e of chapter 222 of the laws  
33 of 2015, is amended to read as follows:

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

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

a. Notwithstanding any other provision of law, whenever proceedings in a court or an administrative tribunal of this state result in a conviction for an offense under this chapter, except a conviction pursuant to section eleven hundred ninety-two of this chapter, or for a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, except a traffic infraction involving standing, stopping, or parking or violations by pedestrians or bicyclists, and except an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a of this chapter, and except an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-d of this chapter, and except an adjudication of liability of an owner for a violation of toll collection regulations pursuant to section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, there shall be levied in addition to any sentence, penalty or other surcharge required or permitted by law, an additional surcharge of twenty-eight dollars.

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

(i) If at the time of application for a registration or renewal thereof there is a certification from a court, parking violations bureau, traffic and parking violations agency 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 either that: (i) 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 (ii) the registrant was liable in accordance with section eleven hundred eleven-a, section eleven hundred eleven-b or section eleven hundred eleven-d of this chapter for a violation of subdivision (d) of section eleven hundred eleven of this chapter; or (iii) the registrant was liable in accordance with section eleven hundred eleven-c of this chapter for a violation of a bus lane restriction as defined in such section, or (iv) the registrant was liable in accordance with section eleven hundred eighty-b of this chapter for a violation of subdivision (c) or (d) of section eleven hundred eighty of this chapter, or (v) the registrant was liable in accordance with section eleven hundred eighty-c of this chapter for a violation of subdivision (c) or (d) of section eleven hundred eighty of this chapter; or (vi) 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 (vii) the registrant was liable in accordance with section eleven hundred eighty-d of this chapter for a violation of subdivision



1 (c) or (d) of section eleven hundred eighty of this chapter, the commis-  
2 sioner or his or her agent shall deny the registration or renewal appli-  
3 cation until the applicant provides proof from the court, traffic and  
4 parking violations agency or administrative tribunal wherein the charges  
5 are pending that an appearance or answer has been made or in the case of  
6 an administrative tribunal that he or she has complied with the rules  
7 and regulations of said tribunal following entry of a final decision.  
8 Where an application is denied pursuant to this section, the commission-  
9 er may, in his or her discretion, deny a registration or renewal appli-  
10 cation to any other person for the same vehicle and may deny a registra-  
11 tion or renewal application for any other motor vehicle registered in  
12 the name of the applicant where the commissioner has determined that  
13 such registrant's intent has been to evade the purposes of this subdivi-  
14 sion and where the commissioner has reasonable grounds to believe that  
15 such registration or renewal will have the effect of defeating the  
16 purposes of this subdivision. Such denial shall only remain in effect as  
17 long as the summonses remain unanswered, or in the case of an adminis-  
18 trative tribunal, the registrant fails to comply with the rules and  
19 regulations following entry of a final decision.

20 § 38-a. Paragraph a of subdivision 5-a of section 401 of the vehicle  
21 and traffic law, as amended by section 8-a of chapter 222 of the laws of  
22 2015, is amended to read as follows:

23 a. If at the time of application for a registration or renewal thereof  
24 there is a certification from a court or administrative tribunal of  
25 appropriate jurisdiction that the registrant or his or her represen-  
26 tative failed to appear on the return date or any subsequent adjourned  
27 date or failed to comply with the rules and regulations of an adminis-  
28 trative tribunal following entry of a final decision in response to a  
29 total of three or more summonses or other process in the aggregate,  
30 issued within an eighteen month period, charging either that: (i) such  
31 motor vehicle was parked, stopped or standing, or that such motor vehi-  
32 cle was operated for hire by the registrant or his or her agent without  
33 being licensed as a motor vehicle for hire by the appropriate local  
34 authority, in violation of any of the provisions of this chapter or of  
35 any law, ordinance, rule or regulation made by a local authority; or  
36 (ii) the registrant was liable in accordance with section eleven hundred  
37 eleven-b of this chapter for a violation of subdivision (d) of section  
38 eleven hundred eleven of this chapter; or (iii) the registrant was  
39 liable in accordance with section eleven hundred eleven-c of this chap-  
40 ter for a violation of a bus lane restriction as defined in such  
41 section; or (iv) the registrant was liable in accordance with section  
42 eleven hundred eleven-d of this chapter for a violation of subdivision  
43 (d) of section eleven hundred eleven of this chapter or (v) the regis-  
44 trant was liable in accordance with section eleven hundred eighty-b of  
45 this chapter for a violation of subdivision (b), (c), (d), (f) or (g) of  
46 section eleven hundred eighty of this chapter; or (v) the registrant was  
47 liable in accordance with section eleven hundred eighty-c of this chap-  
48 ter for a violation of subdivision (b), (c), (d), (f) or (g) of section  
49 eleven hundred eighty of this chapter; or (vi) the registrant was liable  
50 in accordance with section eleven hundred eleven-e of this chapter for a  
51 violation of subdivision (d) of section eleven hundred eleven of this  
52 chapter; or (vii) the registrant was liable in accordance with section  
53 eleven hundred eighty-d of this chapter for a violation of subdivision  
54 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-  
55 ter, the commissioner or his or her agent shall deny the registration or  
56 renewal application until the applicant provides proof from the court 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 § 38-b. Paragraph a of subdivision 5-a of section 401 of the vehicle  
18 and traffic law, as amended by section 8-b 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  
26 three or more summonses or other process, issued within an eighteen  
27 month period, charging that: (i) such motor vehicle was parked, stopped  
28 or standing, or that such motor vehicle was operated for hire by the  
29 registrant or his or her agent without being licensed as a motor vehicle  
30 for hire by the appropriate local authority, in violation of any of the  
31 provisions of this chapter or of any law, ordinance, rule or regulation  
32 made by a local authority; or (ii) the registrant was liable in accord-  
33 ance with section eleven hundred eleven-c of this chapter for a  
34 violation of a bus lane restriction as defined in such section; or (iii)  
35 the registrant was liable in accordance with section eleven hundred  
36 eleven-d of this chapter for a violation of subdivision (d) of section  
37 eleven hundred eleven of this chapter; or (iv) the registrant was liable  
38 in accordance with section eleven hundred eighty-b of this chapter for a  
39 violation of subdivision (b), (c), (d), (f) or (g) of section eleven  
40 hundred eighty of this chapter, or the registrant was liable in accord-  
41 ance with section eleven hundred eighty-c of this chapter for a  
42 violation of subdivision (b), (c), (d), (f) or (g) of section eleven  
43 hundred eighty of this chapter, or the registrant was liable in accord-  
44 ance with section eleven hundred eighty-d of this chapter for a  
45 violation of subdivision (b), (c), (d), (f) or (g) of section eleven  
46 hundred eighty of this chapter; or (v) the registrant was liable in  
47 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, the commissioner or his or her agent shall deny the registra-  
50 tion or renewal application until the applicant provides proof from the  
51 court or administrative tribunal wherein the charges are pending that an  
52 appearance or answer has been made or in the case of an administrative  
53 tribunal that he or she has complied with the rules and regulations of  
54 said tribunal following entry of a final decision. Where an application  
55 is denied pursuant to this section, the commissioner may, in his or her  
56 discretion, deny a registration or renewal application to any other

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

11 § 38-c. Paragraph a of subdivision 5-a of section 401 of the vehicle  
12 and traffic law, as amended by section 8-c of chapter 222 of the laws of  
13 2015, is amended to read as follows:

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

1 registrant fails to comply with the rules and regulations following  
2 entry of a final decision.

3 § 38-d. Paragraph a of subdivision 5-a of section 401 of the vehicle  
4 and traffic law, as amended by section 8-d of chapter 222 of the laws of  
5 2015, is amended to read as follows:

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

47 § 38-e. Paragraph a of subdivision 5-a of section 401 of the vehicle  
48 and traffic law, as amended by section 8-e of chapter 222 of the laws of  
49 2015, is amended to read as follows:

50 a. If at the time of application for a registration or renewal thereof  
51 there is a certification from a court or administrative tribunal of  
52 appropriate jurisdiction that the registrant or his or her represen-  
53 tative failed to appear on the return date or any subsequent adjourned  
54 date or failed to comply with the rules and regulations of an adminis-  
55 trative tribunal following entry of a final decision in response to  
56 three or more summonses or other process, issued within an eighteen

1 month period, charging that such motor vehicle was parked, stopped or  
2 standing, or that such motor vehicle was operated for hire by the regis-  
3 trant or his or her agent without being licensed as a motor vehicle for  
4 hire by the appropriate local authority, in violation of any of the  
5 provisions of this chapter or of any law, ordinance, rule or regulation  
6 made by a local authority, or the registrant was liable in accordance  
7 with section eleven hundred eighty-d of this chapter for violations of  
8 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty  
9 of this chapter, or the registrant was liable in accordance with section  
10 eleven hundred eleven-d of this chapter for a violation of subdivision  
11 (d) of section eleven hundred eleven of this chapter, or the registrant  
12 was liable in accordance with section eleven hundred eleven-e of this  
13 chapter for a violation of subdivision (d) of section eleven hundred  
14 eleven of this chapter, the commissioner or his or her agent shall deny  
15 the registration or renewal application until the applicant provides  
16 proof from the court or administrative tribunal wherein the charges are  
17 pending that an appearance or answer has been made or in the case of an  
18 administrative tribunal that he has complied with the rules and regu-  
19 lations of said tribunal following entry of a final decision. Where an  
20 application is denied pursuant to this section, the commissioner may, in  
21 his or her discretion, deny a registration or renewal application to any  
22 other person for the same vehicle and may deny a registration or renewal  
23 application for any other motor vehicle registered in the name of the  
24 applicant where the commissioner has determined that such registrant's  
25 intent has been to evade the purposes of this subdivision and where the  
26 commissioner has reasonable grounds to believe that such registration or  
27 renewal will have the effect of defeating the purposes of this subdivi-  
28 sion. Such denial shall only remain in effect as long as the summonses  
29 remain unanswered, or in the case of an administrative tribunal, the  
30 registrant fails to comply with the rules and regulations following  
31 entry of a final decision.

32 § 38-f. Paragraph a of subdivision 5-a of section 401 of the vehicle  
33 and traffic law, as amended by section 8-f of chapter 222 of the laws of  
34 2015, is amended to read as follows:

35 a. If at the time of application for a registration or renewal thereof  
36 there is a certification from a court or administrative tribunal of  
37 appropriate jurisdiction that the registrant or his or her represen-  
38 tative failed to appear on the return date or any subsequent adjourned  
39 date or failed to comply with the rules and regulations of an adminis-  
40 trative tribunal following entry of a final decision in response to  
41 three or more summonses or other process, issued within an eighteen  
42 month period, charging that such motor vehicle was parked, stopped or  
43 standing, or that such motor vehicle was operated for hire by the regis-  
44 trant or his or her agent without being licensed as a motor vehicle for  
45 hire by the appropriate local authority, in violation of any of the  
46 provisions of this chapter or of any law, ordinance, rule or regulation  
47 made by a local authority, or the registrant was liable in accordance  
48 with section eleven hundred eighty-d of this chapter for violations of  
49 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty  
50 of this chapter, or the registrant was liable in accordance with section  
51 eleven hundred eleven-e of this chapter for a violation of subdivision  
52 (d) of section eleven hundred eleven of this chapter, the commissioner  
53 or his or her agent shall deny the registration or renewal application  
54 until the applicant provides proof from the court or administrative  
55 tribunal wherein the charges are pending that an appearance or answer  
56 has been made or in the case of an administrative tribunal that he has



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

14 § 38-g. Paragraph a of subdivision 5-a of section 401 of the vehicle  
15 and traffic law, as separately amended by chapters 339 and 592 of the  
16 laws of 1987, is amended to read as follows:

17 a. If at the time of application for a registration or renewal thereof  
18 there is a certification from a court or administrative tribunal of  
19 appropriate jurisdiction that the registrant or his representative  
20 failed to appear on the return date or any subsequent adjourned date or  
21 failed to comply with the rules and regulations of an administrative  
22 tribunal following entry of a final decision in response to three or  
23 more summonses or other process, issued within an eighteen month period,  
24 charging that such motor vehicle was parked, stopped or standing, or  
25 that such motor vehicle was operated for hire by the registrant or his  
26 agent without being licensed as a motor vehicle for hire by the appro-  
27 priate local authority, in violation of any of the provisions of this  
28 chapter or of any law, ordinance, rule or regulation made by a local  
29 authority, or the registrant was liable in accordance with section eleven  
30 hundred eighty-d of this chapter for violations of subdivision (b),  
31 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter,  
32 the commissioner or his agent shall deny the registration or renewal  
33 application until the applicant provides proof from the court or admin-  
34 istrative tribunal wherein the charges are pending that an appearance or  
35 answer has been made or in the case of an administrative tribunal that  
36 he has complied with the rules and regulations of said tribunal follow-  
37 ing entry of a final decision. Where an application is denied pursuant  
38 to this section, the commissioner may, in his 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 § 39. Subdivision 2 of section 87 of the public officers law is  
50 amended by adding a new paragraph (p) to read as follows:

51 (p) are photographs, microphotographs, videotape or other recorded  
52 images prepared under the authority of section eleven hundred eighty-d  
53 of the vehicle and traffic law.

54 § 40. The purchase or lease of equipment for a demonstration program  
55 pursuant to section 1180-d of the vehicle and traffic law shall be  
56 subject to the provisions of section 103 of the general municipal law.

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

(i) If at the time of application for a registration or renewal thereof there is a certification from a court, parking violations bureau, traffic and parking violations agency 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 either that: (i) 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 (ii) the registrant was liable in accordance with section eleven hundred eleven-a, section eleven hundred eleven-b or section eleven hundred eleven-d of this chapter for a violation of subdivision (d) of section eleven hundred eleven of this chapter; or (iii) the registrant was liable in accordance with section eleven hundred eleven-c of this chapter for a violation of a bus lane restriction as defined in such section[~~7~~]; or (iv) the registrant was liable in accordance with section eleven hundred eighty-b of this chapter for a violation of subdivision (c) or (d) of section eleven hundred eighty of this chapter[~~7~~]; or (v) the registrant was liable in accordance with section eleven hundred eighty-c of this chapter for a violation of subdivision (c) or (d) of section eleven hundred eighty of this chapter; or (vi) 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 (vii) the registrant was liable in accordance with section eleven hundred eleven-f of this chapter for a violation of subdivision (d) of section eleven hundred eleven 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, traffic and parking violations agency 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.

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

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

50 § 41-b. Paragraph a of subdivision 5-a of section 401 of the vehicle  
51 and traffic law, as amended by section 8-b of chapter 222 of the laws of  
52 2015, is amended to read as follows:

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

1 date or failed to comply with the rules and regulations of an adminis-  
2 trative tribunal following entry of a final decision in response to  
3 three or more summonses or other process, issued within an eighteen  
4 month period, charging that: (i) such motor vehicle was parked, stopped  
5 or standing, or that such motor vehicle was operated for hire by the  
6 registrant or his or her agent without being licensed as a motor vehicle  
7 for hire by the appropriate local authority, in violation of any of the  
8 provisions of this chapter or of any law, ordinance, rule or regulation  
9 made by a local authority; or (ii) the registrant was liable in accord-  
10 ance with section eleven hundred eleven-c of this chapter for a  
11 violation of a bus lane restriction as defined in such section; or (iii)  
12 the registrant was liable in accordance with section eleven hundred  
13 eleven-d of this chapter for a violation of subdivision (d) of section  
14 eleven hundred eleven of this chapter; or (iv) the registrant was liable  
15 in accordance with section eleven hundred eighty-b of this chapter for a  
16 violation of subdivision (b), (c), (d), (f) or (g) of section eleven  
17 hundred eighty of this chapter, or the registrant was liable in accord-  
18 ance with section eleven hundred eighty-c of this chapter for a  
19 violation of subdivision (b), (c), (d), (f) or (g) of section eleven  
20 hundred eighty of this chapter; or (v) the registrant was liable in  
21 accordance with section eleven hundred eleven-e of this chapter for a  
22 violation of subdivision (d) of section eleven hundred eleven of this  
23 chapter; or (vi) the registrant was liable in accordance with section  
24 eleven hundred eleven-f of this chapter for a violation of subdivision  
25 (d) of section eleven hundred eleven of this chapter, the commissioner  
26 or his or her agent shall deny the registration or renewal application  
27 until the applicant provides proof from the court or administrative  
28 tribunal wherein the charges are pending that an appearance or answer  
29 has been made or in the case of an administrative tribunal that he or  
30 she has complied with the rules and regulations of said tribunal follow-  
31 ing entry of a final decision. Where an application is denied pursuant  
32 to this section, the commissioner may, in his or her discretion, deny a  
33 registration or renewal application to any other person for the same  
34 vehicle and may deny a registration or renewal application for any other  
35 motor vehicle registered in the name of the applicant where the commis-  
36 sioner has determined that such registrant's intent has been to evade  
37 the purposes of this subdivision and where the commissioner has reason-  
38 able grounds to believe that such registration or renewal will have the  
39 effect of defeating the purposes of this subdivision. Such denial shall  
40 only remain in effect as long as the summonses remain unanswered, or in  
41 the case of an administrative tribunal, the registrant fails to comply  
42 with the rules and regulations following entry of a final decision.

43 § 41-c. Paragraph a of subdivision 5-a of section 401 of the vehicle  
44 and traffic law, as amended by section 8-c of chapter 222 of the laws of  
45 2015, is amended to read as follows:

46 a. If at the time of application for a registration or renewal thereof  
47 there is a certification from a court or administrative tribunal of  
48 appropriate jurisdiction that the registrant or his or her represen-  
49 tative failed to appear on the return date or any subsequent adjourned  
50 date or failed to comply with the rules and regulations of an adminis-  
51 trative tribunal following entry of a final decision in response to  
52 three or more summonses or other process, issued within an eighteen  
53 month period, charging that: (i) such motor vehicle was parked, stopped  
54 or standing, or that such motor vehicle was operated for hire by the  
55 registrant or his or her agent without being licensed as a motor vehicle  
56 for hire by the appropriate local authority, in violation of any of the

1 provisions of this chapter or of any law, ordinance, rule or regulation  
2 made by a local authority; or (ii) the registrant was liable in accord-  
3 ance with section eleven hundred eleven-d of this chapter for a  
4 violation of subdivision (d) of section eleven hundred eleven of this  
5 chapter; or (iii) the registrant was liable in accordance with section  
6 eleven hundred eighty-b of this chapter for violations of subdivision  
7 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-  
8 ter, or the registrant was liable in accordance with section eleven  
9 hundred eighty-c of this chapter for violations of subdivision (b), (c),  
10 (d), (f) or (g) of section eleven hundred eighty of this chapter; or  
11 (iv) the registrant was liable in accordance with section eleven hundred  
12 eleven-e of this chapter for a violation of subdivision (d) of section  
13 eleven hundred eleven of this chapter; or (v) the registrant was liable  
14 in accordance with section eleven hundred eleven-f of this chapter for a  
15 violation of subdivision (d) of section eleven hundred eleven of this  
16 chapter, the commissioner or his or her agent shall deny the registra-  
17 tion or renewal application until the applicant provides proof from the  
18 court or administrative tribunal wherein the charges are pending that an  
19 appearance or answer has been made or in the case of an administrative  
20 tribunal that he has complied with the rules and regulations of said  
21 tribunal following entry of a final decision. Where an application is  
22 denied pursuant to this section, the commissioner may, in his or her  
23 discretion, deny a registration or renewal application to any other  
24 person for the same vehicle and may deny a registration or renewal  
25 application for any other motor vehicle registered in the name of the  
26 applicant where the commissioner has determined that such registrant's  
27 intent has been to evade the purposes of this subdivision and where the  
28 commissioner has reasonable grounds to believe that such registration or  
29 renewal will have the effect of defeating the purposes of this subdivi-  
30 sion. Such denial shall only remain in effect as long as the summonses  
31 remain unanswered, or in the case of an administrative tribunal, the  
32 registrant fails to comply with the rules and regulations following  
33 entry of a final decision.

34 § 41-d. Paragraph a of subdivision 5-a of section 401 of the vehicle  
35 and traffic law, as amended by section 8-d of chapter 222 of the laws of  
36 2015, is amended to read as follows:

37 a. If at the time of application for a registration or renewal thereof  
38 there is a certification from a court or administrative tribunal of  
39 appropriate jurisdiction that the registrant or his or her represen-  
40 tative failed to appear on the return date or any subsequent adjourned  
41 date or failed to comply with the rules and regulations of an adminis-  
42 trative tribunal following entry of a final decision in response to  
43 three or more summonses or other process, issued within an eighteen  
44 month period, charging that such motor vehicle was parked, stopped or  
45 standing, or that such motor vehicle was operated for hire by the regis-  
46 trant or his agent without being licensed as a motor vehicle for hire by  
47 the appropriate local authority, in violation of any of the provisions  
48 of this chapter or of any law, ordinance, rule or regulation made by a  
49 local authority, or the registrant was liable in accordance with section  
50 eleven hundred eighty-c of this chapter for violations of subdivision  
51 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-  
52 ter, or the registrant was liable in accordance with section eleven  
53 hundred eleven-d of this chapter for a violation of subdivision (d) of  
54 section eleven hundred eleven of this chapter, or the registrant was  
55 liable in accordance with section eleven hundred eleven-e of this chap-  
56 ter for a violation of subdivision (d) of section eleven hundred eleven



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

21 § 41-e. Paragraph a of subdivision 5-a of section 401 of the vehicle  
22 and traffic law, as amended by section 8-e of chapter 222 of the laws of  
23 2015, is amended to read as follows:

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

1 renewal will have the effect of defeating the purposes of this subdivi-  
2 sion. Such denial shall only remain in effect as long as the summonses  
3 remain unanswered, or in the case of an administrative tribunal, the  
4 registrant fails to comply with the rules and regulations following  
5 entry of a final decision.

6 § 41-f. Paragraph a of subdivision 5-a of section 401 of the vehicle  
7 and traffic law, as amended by section 8-f of chapter 222 of the laws of  
8 2015, is amended to read as follows:

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

44 § 41-g. Paragraph a of subdivision 5-a of section 401 of the vehicle  
45 and traffic law, as separately amended by chapters 339 and 592 of the  
46 laws of 1987, is amended to read as follows:

47 a. If at the time of application for a registration or renewal thereof  
48 there is a certification from a court or administrative tribunal of  
49 appropriate jurisdiction that the registrant or his representative  
50 failed to appear on the return date or any subsequent adjourned date or  
51 failed to comply with the rules and regulations of an administrative  
52 tribunal following entry of a final decision in response to three or  
53 more summonses or other process, issued within an eighteen month period,  
54 charging that such motor vehicle was parked, stopped or standing, or  
55 that such motor vehicle was operated for hire by the registrant or his  
56 agent without being licensed as a motor vehicle for hire by the appro-

1 priate local authority, in violation of any of the provisions of this  
2 chapter or of any law, ordinance, rule or regulation made by a local  
3 authority, or the registrant was liable in accordance with section eleven  
4 hundred eleven-f of this chapter for a violation of subdivision (d)  
5 of section eleven hundred eleven of this chapter, the commissioner or  
6 his agent shall deny the registration or renewal application until the  
7 applicant provides proof from the court or administrative tribunal wher-  
8 ein the charges are pending that an appearance or answer has been made  
9 or in the case of an administrative tribunal that he has complied with  
10 the rules and regulations of said tribunal following entry of a final  
11 decision. Where an application is denied pursuant to this section, the  
12 commissioner may, in his discretion, deny a registration or renewal  
13 application to any other person for the same vehicle and may deny a  
14 registration or renewal application for any other motor vehicle regis-  
15 tered in the name of the applicant where the commissioner has determined  
16 that such registrant's intent has been to evade the purposes of this  
17 subdivision and where the commissioner has reasonable grounds to believe  
18 that such registration or renewal will have the effect of defeating the  
19 purposes of this subdivision. Such denial shall only remain in effect as  
20 long as the summonses remain unanswered, or in the case of an adminis-  
21 trative tribunal, the registrant fails to comply with the rules and  
22 regulations following entry of a final decision.

23 § 42. The vehicle and traffic law is amended by adding a new section  
24 1111-f to read as follows:

25 § 1111-f. Owner liability for failure of operator to comply with  
26 traffic-control indications. (a) 1. Notwithstanding any other provision  
27 of law, the county of Westchester is hereby authorized and empowered to  
28 adopt and amend a local law or ordinance establishing a demonstration  
29 program imposing monetary liability on the owner of a vehicle for fail-  
30 ure of an operator thereof to comply with traffic-control indications in  
31 such county in accordance with the provisions of this section. Such  
32 demonstration program shall empower such county to install and operate  
33 traffic-control signal photo violation-monitoring devices at no more  
34 than one hundred intersections within and under the jurisdiction of such  
35 county at any one time.

36 2. Such demonstration program shall utilize necessary technologies to  
37 ensure, to the extent practicable, that photographs produced by such  
38 traffic-control signal photo violation-monitoring systems shall not  
39 include images that identify the driver, the passengers, or the contents  
40 of the vehicle. Provided, however, that no notice of liability issued  
41 pursuant to this section shall be dismissed solely because a photograph  
42 or photographs allow for the identification of the contents of a vehi-  
43 cle, provided that such county has made a reasonable effort to comply  
44 with the provisions of this paragraph.

45 (b) In any such county which has adopted a local law or ordinance  
46 pursuant to subdivision (a) of this section, the owner of a vehicle  
47 shall be liable for a penalty imposed pursuant to this section if such  
48 vehicle was used or operated with the permission of the owner, express  
49 or implied, in violation of subdivision (d) of section eleven hundred  
50 eleven of this article, and such violation is evidenced by information  
51 obtained from a traffic-control signal photo violation-monitoring  
52 system; provided however that no owner of a vehicle shall be liable for  
53 a penalty imposed pursuant to this section where the operator of such  
54 vehicle has been convicted of the underlying violation of subdivision  
55 (d) of section eleven hundred eleven of this article.

1 (c) For purposes of this section, "owner" shall have the meaning  
2 provided in article two-B of this chapter. For purposes of this section,  
3 "traffic-control signal photo violation-monitoring system" shall mean a  
4 vehicle sensor installed to work in conjunction with a traffic-control  
5 signal which automatically produces two or more photographs, two or more  
6 microphotographs, a videotape or other recorded images of each vehicle  
7 at the time it is used or operated in violation of subdivision (d) of  
8 section eleven hundred eleven of this article.

9 (d) A certificate, sworn to or affirmed by a technician employed by  
10 Westchester county in which the charged violation occurred, or a facsim-  
11 ile thereof, based upon inspection of photographs, microphotographs,  
12 videotape or other recorded images produced by a traffic-control signal  
13 photo violation-monitoring system, shall be prima facie evidence of the  
14 facts contained therein. Any photographs, microphotographs, videotape or  
15 other recorded images evidencing such a violation shall be available for  
16 inspection in any proceeding to adjudicate the liability for such  
17 violation pursuant to a local law or ordinance adopted pursuant to this  
18 section.

19 (e) An owner liable for a violation of subdivision (d) of section  
20 eleven hundred eleven of this article pursuant to a local law or ordi-  
21 nance adopted pursuant to this section shall be liable for monetary  
22 penalties in accordance with a schedule of fines and penalties to be set  
23 forth in such local law or ordinance. The liability of the owner pursu-  
24 ant to this section shall not exceed fifty dollars for each violation;  
25 provided, however, that such local law or ordinance may provide for an  
26 additional penalty not in excess of twenty-five dollars for each  
27 violation for the failure to respond to a notice of liability within the  
28 prescribed time period.

29 (f) An imposition of liability under a local law or ordinance adopted  
30 pursuant to this section shall not be deemed a conviction as an operator  
31 and shall not be made part of the operating record of the person upon  
32 whom such liability is imposed nor shall it be used for insurance  
33 purposes in the provision of motor vehicle insurance coverage.

34 (g) 1. A notice of liability shall be sent by first class mail to each  
35 person alleged to be liable as an owner for a violation of subdivision  
36 (d) of section eleven hundred eleven of this article pursuant to this  
37 section. Personal delivery on the owner shall not be required. A manual  
38 or automatic record of mailing prepared in the ordinary course of busi-  
39 ness shall be prima facie evidence of the facts contained therein.

40 2. A notice of liability shall contain the name and address of the  
41 person alleged to be liable as an owner for a violation of subdivision  
42 (d) of section eleven hundred eleven of this article pursuant to this  
43 section, the registration number of the vehicle involved in such  
44 violation, the location where such violation took place, the date and  
45 time of such violation and the identification number of the camera which  
46 recorded the violation or other document locator number.

47 3. The notice of liability shall contain information advising the  
48 person charged of the manner and the time in which he or she may contest  
49 the liability alleged in the notice. Such notice of liability shall also  
50 contain a warning to advise the persons charged that failure to contest  
51 in the manner and time provided shall be deemed an admission of liabil-  
52 ity and that a default judgment may be entered thereon.

53 4. The notice of liability shall be prepared and mailed by Westchester  
54 county or by any other entity authorized by such county to prepare and  
55 mail such notification of violation.

1 (h) Adjudication of the liability imposed upon owners by this section  
2 shall be by the court having jurisdiction over traffic infractions.

3 (i) If an owner receives a notice of liability pursuant to this  
4 section for any time period during which the vehicle was reported to the  
5 police department as having been stolen, it shall be a valid defense to  
6 an allegation of liability for a violation of subdivision (d) of section  
7 eleven hundred eleven of this article pursuant to this section that the  
8 vehicle had been reported to the police as stolen prior to the time the  
9 violation occurred and had not been recovered by such time. For  
10 purposes of asserting the defense provided by this subdivision it shall  
11 be sufficient that a certified copy of the police report on the stolen  
12 vehicle be sent by first class mail to the court having jurisdiction.

13 (j) An owner who is a lessor of a vehicle to which a notice of liabil-  
14 ity was issued pursuant to subdivision (g) of this section shall not be  
15 liable for the violation of subdivision (d) of section eleven hundred  
16 eleven of this article, provided that he or she sends to the court  
17 having jurisdiction a copy of the rental, lease or other such contract  
18 document covering such vehicle on the date of the violation, with the  
19 name and address of the lessee clearly legible, within thirty-seven days  
20 after receiving notice from the court of the date and time of such  
21 violation, together with the other information contained in the original  
22 notice of liability. Failure to send such information within such thir-  
23 ty-seven day time period shall render the owner liable for the penalty  
24 prescribed by this section. Where the lessor complies with the  
25 provisions of this paragraph, the lessee of such vehicle on the date of  
26 such violation shall be deemed to be the owner of such vehicle for  
27 purposes of this section, shall be subject to liability for the  
28 violation of subdivision (d) of section eleven hundred eleven of this  
29 article pursuant to this section and shall be sent a notice of liability  
30 pursuant to subdivision (g) of this section.

31 (k) 1. If the owner liable for a violation of subdivision (d) of  
32 section eleven hundred eleven of this article pursuant to this section  
33 was not the operator of the vehicle at the time of the violation, the  
34 owner may maintain an action for indemnification against the operator.

35 2. Notwithstanding any other provision of this section, no owner of a  
36 vehicle shall be subject to a monetary fine imposed pursuant to this  
37 section if the operator of such vehicle was operating such vehicle with-  
38 out the consent of the owner at the time such operator failed to obey a  
39 traffic-control indication. For purposes of this subdivision there shall  
40 be a presumption that the operator of such vehicle was operating such  
41 vehicle with the consent of the owner at the time such operator failed  
42 to obey a traffic-control indication.

43 (l) Nothing in this section shall be construed to limit the liability  
44 of an operator of a vehicle for any violation of subdivision (d) of  
45 section eleven hundred eleven of this article.

46 (m) When a county has established a demonstration program pursuant to  
47 this section, all fines and penalties collected under such program shall  
48 be made to the county commissioner of finance within the first ten days  
49 of the month following collection.

50 (n) In any such county which adopts a demonstration program pursuant  
51 to subdivision (a) of this section, such county shall submit an annual  
52 report on the results of the use of a traffic-control signal photo  
53 violation-monitoring system to the governor, the temporary president of  
54 the senate and the speaker of the assembly on or before June first, two  
55 thousand nineteen and on the same date in each succeeding year in which



1 the demonstration program is operable. Such report shall include, but  
2 not be limited to:

3 1. a description of the locations where traffic-control signal photo  
4 violation-monitoring systems were used;

5 2. the aggregate number, type and severity of accidents reported at  
6 intersections where a traffic-control signal photo violation-monitoring  
7 system is used for the year preceding the installation of such system,  
8 to the extent the information is maintained by the department of motor  
9 vehicles of this state;

10 3. the aggregate number, type and severity of accidents reported at  
11 intersections where a traffic-control signal photo violation-monitoring  
12 system is used, to the extent the information is maintained by the  
13 department of motor vehicles of this state;

14 4. the number of violations recorded at each intersection where a  
15 traffic-control signal photo violation-monitoring system is used and in  
16 the aggregate on a daily, weekly and monthly basis;

17 5. the total number of notices of liability issued for violations  
18 recorded by such systems;

19 6. the number of fines and total amount of fines paid after first  
20 notice of liability;

21 7. the number of violations adjudicated and results of such adjudi-  
22 cations including breakdowns of disposition made for violations recorded  
23 by such systems;

24 8. the total amount of revenue realized by such county from such adju-  
25 dications;

26 9. expenses incurred by such county in connection with the program;  
27 and

28 10. quality of the adjudication process and its results.

29 (o) It shall be a defense to any prosecution for a violation of subdivi-  
30 vision (d) of section eleven hundred eleven of this article pursuant to  
31 a local law or ordinance adopted pursuant to this section that such  
32 traffic-control indications were malfunctioning at the time of the  
33 alleged violation.

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

37 Whenever proceedings in an administrative tribunal or a court of this  
38 state result in a conviction for an offense under this chapter or a  
39 traffic infraction under this chapter, or a local law, ordinance, rule  
40 or regulation adopted pursuant to this chapter, other than a traffic  
41 infraction involving standing, stopping, or parking or violations by  
42 pedestrians or bicyclists, or other than an adjudication of liability of  
43 an owner for a violation of subdivision (d) of section eleven hundred  
44 eleven of this chapter in accordance with section eleven hundred  
45 eleven-a of this chapter, or other than an adjudication of liability of  
46 an owner for a violation of subdivision (d) of section eleven hundred  
47 eleven of this chapter in accordance with section eleven hundred  
48 eleven-b of this chapter, or other than an adjudication in accordance  
49 with section eleven hundred eleven-c of this chapter for a violation of  
50 a bus lane restriction as defined in such section, or other than an  
51 adjudication of liability of an owner for a violation of subdivision (d)  
52 of section eleven hundred eleven of this chapter in accordance with  
53 section eleven hundred eleven-d of this chapter, or other than an adju-  
54 dication of liability of an owner for a violation of subdivision (b),  
55 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in  
56 accordance with section eleven hundred eighty-b of this chapter, or

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

13 (c) Whenever proceedings in an administrative tribunal or a court of  
14 this state result in a conviction for an offense under this chapter  
15 other than a crime pursuant to section eleven hundred ninety-two of this  
16 chapter, or a traffic infraction under this chapter, or a local law,  
17 ordinance, rule or regulation adopted pursuant to this chapter, other  
18 than a traffic infraction involving standing, stopping, or parking or  
19 violations by pedestrians or bicyclists, or other than an adjudication  
20 of liability of an owner for a violation of subdivision (d) of section  
21 eleven hundred eleven of this chapter in accordance with section eleven  
22 hundred eleven-a of this chapter, or other than an adjudication of  
23 liability of an owner for a violation of subdivision (d) of section  
24 eleven hundred eleven of this chapter in accordance with section eleven  
25 hundred eleven-b of this chapter, or other than an adjudication of  
26 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-d of this chapter, or other than an infraction pursuant  
29 to article nine of this chapter or other than an adjudication of liabil-  
30 ity of an owner for a violation of toll collection regulations pursuant  
31 to section two thousand nine hundred eighty-five of the public authori-  
32 ties law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven  
33 hundred seventy-four of the laws of nineteen hundred fifty or other than  
34 an adjudication in accordance with section eleven hundred eleven-c of  
35 this chapter for a violation of a bus lane restriction as defined in  
36 such section, or other than an adjudication of liability of an owner for  
37 a violation of subdivision (b), (c), (d), (f) or (g) of section eleven  
38 hundred eighty of this chapter in accordance with section eleven hundred  
39 eighty-b of this chapter, or other than an adjudication of liability of  
40 an owner for a violation of subdivision (b), (c), (d), (f) or (g) of  
41 section eleven hundred eighty of this chapter in accordance with section  
42 eleven hundred eighty-c of this chapter, or other than an adjudication  
43 of liability of an owner for a violation of subdivision (d) of section  
44 eleven hundred eleven of this chapter in accordance with section eleven  
45 hundred eleven-e of this chapter, or other than an adjudication of  
46 liability of an owner for a violation of subdivision (d) of section  
47 eleven hundred eleven of this chapter in accordance with section eleven  
48 hundred eleven-f of this chapter, there shall be levied a crime victim  
49 assistance fee in the amount of five dollars and a mandatory surcharge,  
50 in addition to any sentence required or permitted by law, in the amount  
51 of fifty-five dollars.

52 § 43-a. Subdivision 1 of section 1809 of the vehicle and traffic law,  
53 as amended by section 10-a of chapter 222 of the laws of 2015, is  
54 amended to read as follows:

55 1. Whenever proceedings in an administrative tribunal or a court of  
56 this state result in a conviction for a crime 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, parking or motor vehicle equip-  
4 ment or violations by pedestrians or bicyclists, or other than an adju-  
5 dication of liability of an owner for a violation of subdivision (d) of  
6 section eleven hundred eleven of this chapter in accordance with section  
7 eleven hundred eleven-a of this chapter, or other than an adjudication  
8 of liability of an owner for a violation of subdivision (d) of section  
9 eleven hundred eleven of this chapter in accordance with section eleven  
10 hundred eleven-b of this chapter, or other than an adjudication in  
11 accordance with section eleven hundred eleven-c of this chapter for a  
12 violation of a bus lane restriction as defined in such section, or other  
13 than an adjudication of liability of an owner for a violation of subdivi-  
14 sion (d) of section eleven hundred eleven of this chapter in accord-  
15 ance with section eleven hundred eleven-d of this chapter, or other than  
16 an adjudication of liability of an owner for a violation of subdivision  
17 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-  
18 ter in accordance with section eleven hundred eighty-b of this chapter,  
19 or other than an adjudication of liability of an owner for a violation  
20 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred  
21 eighty of this chapter in accordance with section eleven hundred eight-  
22 y-c of this chapter, or other than an adjudication of liability of an  
23 owner for a violation of subdivision (d) of section eleven hundred elev-  
24 en of this chapter in accordance with section eleven hundred eleven-e of  
25 this chapter, or other than an adjudication of liability of an owner for  
26 a violation of subdivision (d) of section eleven hundred eleven of this  
27 chapter in accordance with section eleven hundred eleven-f of this chap-  
28 ter, there shall be levied a mandatory surcharge, in addition to any  
29 sentence required or permitted by law, in the amount of twenty-five  
30 dollars.

31 § 43-b. Subdivision 1 of section 1809 of the vehicle and traffic law,  
32 as amended by section 10-b of chapter 222 of the laws of 2015, is  
33 amended to read as follows:

34 1. Whenever proceedings in an administrative tribunal or a court of  
35 this state result in a conviction for a crime under this chapter or a  
36 traffic infraction under this chapter other than a traffic infraction  
37 involving standing, stopping, parking or motor vehicle equipment or  
38 violations by pedestrians or bicyclists, or other than an adjudication  
39 in accordance with section eleven hundred eleven-c of this chapter for a  
40 violation of a bus lane restriction as defined in such section, or other  
41 than an adjudication of liability of an owner for a violation of subdivi-  
42 sion (d) of section eleven hundred eleven of this chapter in accord-  
43 ance with section eleven hundred eleven-d of this chapter, or other than  
44 an adjudication of liability of an owner for a violation of subdivision  
45 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-  
46 ter in accordance with section eleven hundred eighty-b of this chapter,  
47 or other than an adjudication of liability of an owner for a violation  
48 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred  
49 eighty of this chapter in accordance with section eleven hundred eight-  
50 y-c of this chapter, or other than an adjudication of liability of an  
51 owner for a violation of subdivision (d) of section eleven hundred elev-  
52 en of this chapter in accordance with section eleven hundred eleven-e of  
53 this chapter, or other than an adjudication of liability of an owner for  
54 a violation of subdivision (d) of section eleven hundred eleven of this  
55 chapter in accordance with section eleven hundred eleven-f of this chap-  
56 ter, there shall be levied a mandatory surcharge, in addition to any

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

3 § 43-c. Subdivision 1 of section 1809 of the vehicle and traffic law,  
4 as amended by section 10-c of chapter 222 of the laws of 2015, is  
5 amended to read as follows:

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

28 § 43-d. Subdivision 1 of section 1809 of the vehicle and traffic law,  
29 as amended by section 10-d of chapter 222 of the laws of 2015, is  
30 amended to read as follows:

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

50 § 43-e. Subdivision 1 of section 1809 of the vehicle and traffic law,  
51 as amended by section 10-e of chapter 222 of the laws of 2015, is  
52 amended to read as follows:

53 1. Whenever proceedings in an administrative tribunal or a court of  
54 this state result in a conviction for a crime under this chapter or a  
55 traffic infraction under this chapter other than a traffic infraction  
56 involving standing, stopping, parking or motor vehicle equipment or

violations by pedestrians or bicyclists, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-d of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-e of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-f of this chapter, there shall be levied a mandatory surcharge, in addition to any sentence required or permitted by law, in the amount of seventeen dollars.

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

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

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

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

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

a. Notwithstanding any other provision of law, whenever proceedings in a court or an administrative tribunal of this state result in a conviction for an offense under this chapter, except a conviction pursuant to section eleven hundred ninety-two of this chapter, or for a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, except a traffic infraction involving standing, stopping, or parking or violations by pedestrians or bicyclists, and except an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a of this chapter or in accordance with section eleven hundred eleven-d of this chapter, or in accordance with section eleven hundred eleven-e of this chap-



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

21 § 44-a. Paragraph a of subdivision 1 of section 1809-e of the vehicle  
22 and traffic law, as amended by section 11-a 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 or in accordance with section eleven hundred eleven-f of this  
37 chapter, and except an adjudication in accordance with section eleven  
38 hundred eleven-c of this chapter of a violation of a bus lane  
39 restriction as defined in such section, and except an adjudication of  
40 liability of an owner for a violation of subdivision (b), (c), (d), (f)  
41 or (g) of section eleven hundred eighty of this chapter in accordance  
42 with section eleven hundred eighty-b of this chapter, and except an  
43 adjudication of liability of an owner for a violation of subdivision  
44 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-  
45 ter in accordance with section eleven hundred eighty-c of this chapter,  
46 and except an adjudication of liability of an owner for a violation of  
47 toll collection regulations pursuant to section two thousand nine  
48 hundred eighty-five of the public authorities law or sections sixteen-a,  
49 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the  
50 laws of nineteen hundred fifty, there shall be levied in addition to any  
51 sentence, penalty or other surcharge required or permitted by law, an  
52 additional surcharge of twenty-eight dollars.

53 § 44-b. Paragraph a of subdivision 1 of section 1809-e of the vehicle  
54 and traffic law, as amended by section 11-b of chapter 222 of the laws  
55 of 2015, is amended to read as follows:

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

28 § 44-c. Paragraph a of subdivision 1 of section 1809-e of the vehicle  
29 and traffic law, as amended by section 11-c of chapter 222 of the laws  
30 of 2015, is amended to read as follows:

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

54 § 44-d. Paragraph a of subdivision 1 of section 1809-e of the vehicle  
55 and traffic law, as amended by section 11-d of chapter 222 of the laws  
56 of 2015, is amended to read as follows:

1 a. Notwithstanding any other provision of law, whenever proceedings in  
2 a court or an administrative tribunal of this state result in a  
3 conviction for an offense under this chapter, except a conviction pursu-  
4 ant to section eleven hundred ninety-two of this chapter, or for a traf-  
5 fic infraction under this chapter, or a local law, ordinance, rule or  
6 regulation adopted pursuant to this chapter, except a traffic infraction  
7 involving standing, stopping, or parking or violations by pedestrians or  
8 bicyclists, and except an adjudication of liability of an owner for a  
9 violation of subdivision (d) of section eleven hundred eleven of this  
10 chapter in accordance with section eleven hundred eleven-a of this chap-  
11 ter or in accordance with section eleven hundred eleven-d of this chap-  
12 ter or in accordance with section eleven hundred eleven-e of this chap-  
13 ter or in accordance with section eleven hundred eleven-f of this  
14 chapter, and except an adjudication of liability of an owner for a  
15 violation of toll collection regulations pursuant to section two thou-  
16 sand nine hundred eighty-five of the public authorities law or sections  
17 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four  
18 of the laws of nineteen hundred fifty, 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 § 44-e. Paragraph a of subdivision 1 of section 1809-e of the vehicle  
22 and traffic law, as amended by section 11-e 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-e of this chap-  
35 ter or in accordance with section eleven hundred eleven-f 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, there shall be levied in addition to any  
41 sentence, penalty or other surcharge required or permitted by law, an  
42 additional surcharge of twenty-eight dollars.

43 § 44-f. Paragraph a of subdivision 1 of section 1809-e of the vehicle  
44 and traffic law, as amended by section 5 of part C of chapter 55 of the  
45 laws of 2013, is amended to read as follows:

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

1 ter, and except an adjudication of liability of an owner for a violation  
2 of toll collection regulations pursuant to section two thousand nine  
3 hundred eighty-five of the public authorities law or sections sixteen-a,  
4 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the  
5 laws of nineteen hundred fifty, there shall be levied in addition to any  
6 sentence, penalty or other surcharge required or permitted by law, an  
7 additional surcharge of twenty-eight dollars.

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

10 (p) are photographs, microphotographs, videotape or other recorded  
11 images prepared under authority of section eleven hundred eleven-f of  
12 the vehicle and traffic law.

13 § 46. Section 370 of the general municipal law is amended by adding a  
14 new subdivision 6 to read as follows:

15 6. There shall be a department of the Westchester county government  
16 known as the Westchester county traffic and parking violations agency,  
17 which shall operate under the direction and control of the county execu-  
18 tive.

19 § 47. Subdivision 1 of section 370-a of the general municipal law, as  
20 amended by chapter 388 of the laws of 2012, is amended and a new subdi-  
21 vision 2-b is added to read as follows:

22 1. "Traffic and parking violations agency" shall mean a department of  
23 the Nassau county government established pursuant to subdivision two of  
24 section three hundred seventy of this article or a department in the  
25 Suffolk county government established pursuant to subdivision three of  
26 such section or a department in the Westchester county government estab-  
27 lished pursuant to subdivision six of such section to administer and  
28 dispose of traffic and parking infractions.

29 2-b. "Traffic prosecutor" shall also mean an attorney duly admitted to  
30 practice law in the state of New York who has the responsibility of  
31 prosecuting any traffic infractions returnable before any of the local  
32 courts in Westchester county having jurisdiction over parking and traf-  
33 fic infractions which occur on roads or property owned by, or under the  
34 control of Westchester county pursuant to the jurisdictional limitations  
35 of section three hundred seventy-one-a of this article.

36 § 48. The general municipal law is amended by adding a new section  
37 371-a to read as follows:

38 § 371-a. Jurisdiction and procedure; Westchester county. 1. The West-  
39 chester county traffic and parking violations agency, as established  
40 under subdivision six of section three hundred seventy of this article,  
41 may be authorized to dispose of violations of traffic laws, ordinances,  
42 rules and regulations when such offense shall not constitute the traffic  
43 infraction known as speeding or a misdemeanor or felony, and, if author-  
44 ized by local law, to adjudicate the liability of owners for violations  
45 of subdivision (d) of section eleven hundred eleven of the vehicle and  
46 traffic law in accordance with section eleven hundred eleven-f of such  
47 law. The Westchester county traffic and parking violations agency may  
48 also be authorized to assist the local courts in Westchester county  
49 having jurisdiction over parking and traffic infractions which occur on  
50 roads or property owned by, or under the control of Westchester county,  
51 in the disposition and administration of infractions of traffic and  
52 parking laws, ordinances, rules and regulations and the liability of  
53 owners for violations of subdivision (d) of section eleven hundred elev-  
54 en of the vehicle and traffic law in accordance with section eleven  
55 hundred eleven-f of such law, except that such agencies shall not have  
56 jurisdiction over (a) the traffic infraction defined under subdivision

1 one of section eleven hundred ninety-two of the vehicle and traffic law;  
2 (b) the traffic infraction defined under subdivision five of section  
3 eleven hundred ninety-two of the vehicle and traffic law; (c) the  
4 violation defined under paragraph (b) of subdivision four of section  
5 fourteen-f of the transportation law and the violation defined under  
6 clause (b) of subparagraph (iii) of paragraph c of subdivision two of  
7 section one hundred forty of the transportation law; (d) the traffic  
8 infraction defined under section three hundred ninety-seven-a of the  
9 vehicle and traffic law and the traffic infraction defined under subdivi-  
10 vision (g) of section eleven hundred eighty of the vehicle and traffic  
11 law; (e) any misdemeanor or felony; or (f) any offense that is part of  
12 the same criminal transaction, as that term is defined in subdivision  
13 two of section 40.10 of the criminal procedure law, as a violation of  
14 subdivision one of section eleven hundred ninety-two of the vehicle and  
15 traffic law, a violation of subdivision five of section eleven hundred  
16 ninety-two of the vehicle and traffic law, a violation of paragraph (b)  
17 of subdivision four of section fourteen-f of the transportation law, a  
18 violation of clause (b) of subparagraph (iii) of paragraph c of subdivi-  
19 sion two of section one hundred forty of the transportation law, a  
20 violation of section three hundred ninety-seven-a of the vehicle and  
21 traffic law, a violation of subdivision (g) of section eleven hundred  
22 eighty of the vehicle and traffic law or any misdemeanor or felony.

23 2. A person charged with an infraction which shall be disposed of by  
24 the Westchester county traffic and parking violations agency may be  
25 permitted to answer, within a specified time, at the traffic and  
26 violations agency either in person or by written power of attorney in  
27 such form as may be prescribed in the local law creating the agency, by  
28 paying a prescribed fine and, in writing, waiving a hearing in court,  
29 pleading guilty to the charge or admitting liability as an owner for the  
30 violation of subdivision (d) of section eleven hundred eleven of the  
31 vehicle and traffic law, as the case may be, and authorizing the person  
32 in charge of the agency to enter such a plea or admission and accept  
33 payment of said fine. Acceptance of the prescribed fine and power of  
34 attorney by the agency shall be deemed complete satisfaction for the  
35 violation or of the liability, and the violator or owner liable for a  
36 violation of subdivision (d) of section eleven hundred eleven of the  
37 vehicle and traffic law shall be given a receipt which so states. If a  
38 person charged with a traffic violation does not answer as hereinbefore  
39 prescribed, within a designated time, the agency may cause a complaint  
40 to be entered against him forthwith and a warrant to be issued for his  
41 arrest and appearance before the court having jurisdiction over the  
42 traffic infraction, such summons to be predicated upon the personal  
43 service of said summons upon the person charged with the infraction. Any  
44 person who shall have been, within the preceding twelve months, guilty  
45 of a number of parking violations in excess of such maximum number as  
46 may be designated by the court, or of three or more violations other  
47 than parking violations, shall not be permitted to appear and answer to  
48 a subsequent violation at the traffic and parking violations agency, but  
49 must appear in court at a time specified by the agency. Such agency  
50 shall not be authorized to deprive a person of his right to counsel or  
51 to prevent him from exercising his right to appear in court to answer  
52 to, explain, or defend any charge of a violation of any traffic law,  
53 ordinance, rule or regulation.

54 3. Notwithstanding any inconsistent provision of law, fines, penalties  
55 and forfeitures collected by the Westchester county traffic and parking  
56 violations agency shall be distributed as provided in section eighteen



hundred three of the vehicle and traffic law. All fines, penalties and forfeitures for violations adjudicated by the Westchester county traffic and parking violations agency pursuant to subdivision one of this section, with the exception of parking violations shall be paid by such agency to the state comptroller within the first ten days of the month following collection. Each such payment shall be accompanied by a true and complete report in such form and detail as the comptroller shall prescribe.

§ 49. Section 99-1 of the general municipal law is amended by adding a new subdivision 3 to read as follows:

3. The county of Westchester shall be entitled to receive the amounts set forth in subdivision one of this section for the services of the Westchester county traffic and parking violations agency and for all other services instituted and triable in and by such agency wherein a fine is imposed, a surcharge of ten dollars.

§ 50. Subdivision 3 of section 99-a of the state finance law, as amended by section 4 of part I of chapter 58 of the laws of 2018, is amended to read as follows:

3. The comptroller is hereby authorized to implement alternative procedures, including guidelines in conjunction therewith, relating to the remittance of fines, penalties, forfeitures and other moneys by town and village justice courts, and by the Nassau ~~and~~, Suffolk and Westchester counties traffic and parking violations agencies, and by the city of Buffalo traffic violations agency, and by the city of Rochester traffic violations agency, to the justice court fund and for the distribution of such moneys by the justice court fund. Notwithstanding any law to the contrary, the alternative procedures utilized may include:

- a. electronic funds transfer;
- b. remittance of funds by the justice court to the chief fiscal office of the town or village, or, in the case of the Nassau ~~and~~, Suffolk and Westchester counties traffic and parking violations agencies, to the county treasurer, or, in the case of the Buffalo traffic violations agency, to the city of Buffalo comptroller, or in the case of the Rochester traffic violations agency, to the city of Rochester treasurer for distribution in accordance with instructions by the comptroller; and/or
- c. monthly, rather than quarterly, distribution of funds.

The comptroller may require such reporting and record keeping as he or she deems necessary to ensure the proper distribution of moneys in accordance with applicable laws. A justice court or the Nassau ~~and~~, Suffolk and Westchester counties traffic and parking violations agencies or the city of Buffalo traffic violations agency or the city of Rochester traffic violations agency may utilize these procedures only when permitted by the comptroller, and such permission, once given, may subsequently be withdrawn by the comptroller on due notice.

§ 51. Subdivision 3 of section 99-a of the state finance law, as amended by chapter 157 of the laws of 2017, is amended to read as follows:

3. The comptroller is hereby authorized to implement alternative procedures, including guidelines in conjunction therewith, relating to the remittance of fines, penalties, forfeitures and other moneys by town and village justice courts, and by the Nassau ~~and~~, Suffolk and Westchester counties traffic and parking violations agencies, and by the city of Buffalo traffic violations agency, and by the city of Rochester traffic violations agency to the justice court fund and for the distrib-

1 ution of such moneys by the justice court fund. Notwithstanding any law  
2 to the contrary, the alternative procedures utilized may include:

3 a. electronic funds transfer;

4 b. remittance of funds by the justice court to the chief fiscal office  
5 of the town or village, or, in the case of the Nassau ~~[and]~~, Suffolk ~~and~~  
6 Westchester counties traffic and parking violations agencies, to the  
7 county treasurer, or, in the case of the Buffalo traffic violations  
8 agency, to the city of Buffalo comptroller, or in the case of the  
9 Rochester traffic violations agency, to the city of Rochester treasurer,  
10 for distribution in accordance with instructions by the comptroller;  
11 and/or

12 c. monthly, rather than quarterly, distribution of funds.

13 The comptroller may require such reporting and record keeping as he or  
14 she deems necessary to ensure the proper distribution of moneys in  
15 accordance with applicable laws. A justice court or the Nassau ~~[and]~~,  
16 Suffolk ~~and~~ Westchester counties traffic and parking violations agencies  
17 or the city of Buffalo traffic violations agency or the city of Roches-  
18 ter traffic violations agency may utilize these procedures only when  
19 permitted by the comptroller, and such permission, once given, may  
20 subsequently be withdrawn by the comptroller on due notice.

21 § 52. Paragraph (e) of subdivision 2 of section 39 of the judiciary  
22 law, as amended by section 4 of part K of chapter 56 of the laws of  
23 2010, is amended to read as follows:

24 (e) All fees collected pursuant to sections eighteen hundred three,  
25 eighteen hundred three-A and nineteen hundred eleven of the New York  
26 city civil court act, all fees collected pursuant to state law by the  
27 county clerks in the city of New York, except as otherwise provided  
28 herein with respect to fees collected pursuant to subdivision (a) of  
29 section eight thousand eighteen of the civil practice law and rules and  
30 except those fees collected by the clerk of Richmond county which in the  
31 other counties of the city of New York are collected by the city regis-  
32 ters, all fees collected pursuant to section eight thousand eighteen of  
33 the civil practice law and rules except only to the extent of one  
34 hundred sixty-five dollars of any fee collected pursuant to subparagraph  
35 (i) of paragraph one of subdivision (a) of such section and except for  
36 those collected pursuant to subparagraph (ii) of paragraph one ~~[of para-~~  
37 ~~graph three]~~ of such subdivision (a), all fees collected pursuant to  
38 section eight thousand twenty of the civil practice law and rules except  
39 for those collected pursuant to subdivisions (f), (g) and (h) of said  
40 section, all fees collected pursuant to section eight thousand twenty-  
41 two of the civil practice law and rules, all fees collected pursuant to  
42 section twenty-four hundred two of the surrogate's court procedure act,  
43 all fees collected pursuant to section eighteen hundred three, eighteen  
44 hundred three-A and subdivision (a) of section nineteen hundred eleven  
45 of the uniform district court act, all fees collected pursuant to  
46 section eighteen hundred three, eighteen hundred three-A and subdivision  
47 (a) of section nineteen hundred eleven of the uniform city court act and  
48 all fines, penalties and forfeitures collected pursuant to subdivision  
49 eight of section eighteen hundred three of the vehicle and traffic law,  
50 except such fines, penalties and forfeitures collected by the Nassau  
51 county and Westchester county traffic and parking violations ~~[agency]~~  
52 agencies, section 71-0211 of the environmental conservation law, section  
53 two hundred one of the navigation law and subdivision one of section  
54 27.13 of the parks, recreation and historic preservation law shall be  
55 paid to the state commissioner of taxation and finance on a monthly  
56 basis no later than ten days after the last day of each month. The

1 additional fee of five dollars collected by county clerks in New York  
2 city pursuant to paragraph three of subdivision (a) of section eight  
3 thousand eighteen of the civil practice law and rules shall be distrib-  
4 uted monthly by the county clerks as follows: four dollars and seventy-  
5 five cents to the commissioner of education for deposit into the local  
6 government records management improvement funds; and twenty-five cents  
7 to the city of New York.

8 § 53. The purchase or lease of equipment for a demonstration program  
9 established pursuant to section 1111-f of the vehicle and traffic law  
10 shall be subject to the provisions of section 103 of the general municipi-  
11 pal law.

12 § 54. Notwithstanding any provision of law to the contrary no non-ju-  
13 dicial employee of any local court located in the county of Westchester  
14 shall suffer a diminution of salary, employment status or rights solely  
15 by operation of this act provided that nothing herein shall limit the  
16 legal authority of the chief administrator of the courts to supervise  
17 the administration and operation of the unified court system.

18 § 55. The administrative judge of Westchester county shall issue on an  
19 annual basis, beginning eighteen months following the creation of the  
20 Westchester county traffic and parking violations agency pursuant to  
21 Westchester county local law, a report detailing the progress, develop-  
22 ment and operations of the traffic and parking violations agency. The  
23 report shall be provided to the governor, the temporary president of the  
24 senate, the speaker of the assembly, the Westchester county executive,  
25 the legislature of the county of Westchester, the presiding judge of the  
26 Westchester county district court and the Westchester county district  
27 attorney.

28 § 56. 1. This section shall be known and may be cited as the "New  
29 York city public works investment act".

30 2. For the purposes of this section:

31 (a) "Authorized entity" shall mean the New York city department of  
32 design and construction, the New York city department of transportation  
33 and the New York city health and hospitals corporation.

34 (b) "Best value" shall mean the basis for awarding contracts for  
35 services to a proposer that optimizes quality, cost and efficiency,  
36 price and performance criteria, which may include, but is not limited  
37 to:

38 (1) The quality of the proposer's performance on previous projects;

39 (2) The timeliness of the proposer's performance on previous projects;

40 (3) The level of customer satisfaction with the proposer's performance  
41 on previous projects;

42 (4) The proposer's record of performing previous projects on budget  
43 and ability to minimize cost overruns;

44 (5) The proposer's ability to limit change orders;

45 (6) The proposer's ability to prepare appropriate project plans;

46 (7) The proposer's technical capacities;

47 (8) The individual qualifications of the proposer's key personnel;

48 (9) The proposer's ability to assess and manage risk and minimize risk  
49 impact;

50 (10) The proposer's financial capability;

51 (11) The proposer's ability to comply with applicable requirements,  
52 including the provisions of articles 145, 147 and 148 of the education  
53 law;

54 (12) The proposer's past record of compliance with federal, state and  
55 local laws, rules, licensing requirements, where applicable, and execu-  
56 tive orders, including but not limited to compliance with the labor law

1 and other applicable labor and prevailing wage laws, article 15-A of the  
2 executive law, and any other applicable laws concerning minority- and  
3 women-owned business enterprise participation;

4 (13) The proposer's record of complying with existing labor standards,  
5 maintaining harmonious labor relations, and protecting the health and  
6 safety of workers and payment of wages above any locally-defined living  
7 wage; and

8 (14) A quantitative factor to be used in evaluation of bids or offers  
9 for awarding of contracts for bidders or offerers that are certified as  
10 minority- or women-owned business enterprises as defined in subdivisions  
11 1, 7, 15 and 20 of section 310 of the executive law, or certified pursu-  
12 ant to local law as minority- or women-owned business enterprises.

13 Such basis shall reflect, wherever possible, objective and quantifi-  
14 able analysis.

15 (c) "Cost plus" shall mean compensating a contractor for the cost to  
16 complete a contract by reimbursing actual costs for labor, equipment and  
17 materials plus an additional amount for overhead and profit.

18 (d) "Design-build contract" shall mean a contract for the design and  
19 construction of a public work with a single entity, which may be a team  
20 comprised of separate entities.

21 (e) "Project labor agreement" shall have the meaning set forth in  
22 subdivision 1 of section 222 of the labor law. A project labor agreement  
23 shall require participation in apprentice training programs in accord-  
24 ance with paragraph (e) of subdivision 2 of such section.

25 (f) "Public work" shall mean a public work related to one of the  
26 following, and shall refer to any of these public works:

27 (1) the Rodman's Neck firearms and tactical training facility;

28 (2) the Crossroads youth facility in the Brownsville section of Kings  
29 county;

30 (3) the Horizons adolescent facility in the Mott Haven section of  
31 Bronx county;

32 (4) a new police department precinct in Southeast Queens;

33 (5) the Staten Island ferry terminal and related facilities resiliency  
34 efforts;

35 (6) the Elmhurst Hospital emergency room renovation in Queens county;

36 (7) Franklin D. Roosevelt East River Drive bridge northbound from the  
37 vicinity of 42nd street to the vicinity of 49th street in New York coun-  
38 ty,

39 (8) Bridges along the Belt parkway from the vicinity of Sheepshead Bay  
40 to the vicinity of Nostrand avenue in Kings county,

41 (9) Property clerk storage and operations facility for the police  
42 department of the city of New York in Queens county,

43 (10) Kensico-Eastview connection water tunnel from the Kensico Reser-  
44 voir to the Catskill Delaware Ultraviolet Facility at Eastview in West-  
45 chester county, or

46 (11) Hillview Central Distribution Facility at Hillview Reservoir in  
47 Westchester county.

48 3. Any contract for a public work undertaken pursuant to a project  
49 labor agreement in accordance with section 222 of the labor law may be a  
50 design-build contract in accordance with this section.

51 4. Notwithstanding any general, special or local law, rule or regu-  
52 lation to the contrary, including but not limited to article 5-A of the  
53 general municipal law and section 8 of the New York city health and  
54 hospitals corporation act, and in conformity with the requirements of  
55 this section, for any public work that has an estimated total cost of  
56 not less than ten million dollars and is undertaken pursuant to a

1 project labor agreement in accordance with section 222 of the labor law,  
2 an authorized entity charged with awarding a contract for public work  
3 may use the alternative delivery method referred to as design-build  
4 contracts.

5 (a) A contractor selected by such authorized entity to enter into a  
6 design-build contract shall be selected through a two-step method, as  
7 follows:

8 (1) Step one. Generation of a list of responding entities that have  
9 demonstrated the general capability to perform the design-build  
10 contract. Such list shall consist of a specified number of responding  
11 entities, as determined by an authorized entity, and shall be generated  
12 based upon the authorized entity's review of responses to a publicly  
13 advertised request for qualifications. The authorized entity's request  
14 for qualifications shall include a general description of the public  
15 work, the maximum number of responding entities to be included on the  
16 list, the selection criteria to be used and the relative weight of each  
17 criteria in generating the list. Such selection criteria shall include  
18 the qualifications and experience of the design and construction team,  
19 organization, demonstrated responsibility, ability of the team or of a  
20 member or members of the team to comply with applicable requirements,  
21 including the provisions of articles 145, 147 and 148 of the education  
22 law, past record of compliance with the labor law, and such other quali-  
23 fications the authorized entity deems appropriate, which may include but  
24 are not limited to project understanding, financial capability and  
25 record of past performance. The authorized entity shall evaluate and  
26 rate all responding entities to the request for qualifications. Based  
27 upon such ratings, the authorized entity shall list the responding enti-  
28 ties that shall receive a request for proposals in accordance with  
29 subparagraph two of this paragraph. To the extent consistent with appli-  
30 cable federal law, the authorized entity shall consider, when awarding  
31 any contract pursuant to this subdivision, the participation of (i)  
32 responding entities that are certified as minority- or women-owned busi-  
33 ness enterprises as defined in subdivisions 1, 7, 15 and 20 of section  
34 310 of the executive law, or certified pursuant to local law as minori-  
35 ty- or women-owned business enterprises; and (ii) small business  
36 concerns identified pursuant to subdivision (b) of section 139-g of the  
37 state finance law; and

38 (2) Step two. Selection of the proposal which is the best value to the  
39 authorized entity. The authorized entity shall issue a request for  
40 proposals to the responding entities listed pursuant to subparagraph one  
41 of this paragraph. If such a responding entity consists of a team of  
42 separate entities, the entities that comprise such a team must remain  
43 unchanged from the responding entity as listed pursuant to subparagraph  
44 one of this paragraph unless otherwise approved by the authorized enti-  
45 ty. The request for proposals shall set forth the public work's scope of  
46 work, and other requirements, as determined by the authorized entity,  
47 which may include separate goals for work under the contract to be  
48 performed by businesses certified as minority- or women-owned business  
49 enterprises as defined in subdivisions 1, 7, 15 and 20 of section 310 of  
50 the executive law, or certified pursuant to local law as minority- or  
51 women-owned business enterprises. The request for proposals shall also  
52 specify the criteria to be used to evaluate the responses and the rela-  
53 tive weight of each of such criteria. Such criteria shall include the  
54 proposal's cost, the quality of the proposal's solution, the qualifica-  
55 tions and experience of the proposer, and other factors deemed pertinent  
56 by the authorized entity, which may include, but shall not be limited



1 to, the proposal's manner and schedule of project implementation, the  
2 proposer's ability to complete the work in a timely and satisfactory  
3 manner, maintenance costs of the completed public work, maintenance of  
4 traffic approach, and community impact. Any contract awarded pursuant to  
5 this section shall be awarded to a responsive and responsible proposer,  
6 which, in consideration of these and other specified criteria deemed  
7 pertinent, offers the best value, as determined by the authorized enti-  
8 ty. The request for proposals shall include a statement that proposers  
9 shall designate in writing those portions of the proposal that contain  
10 trade secrets or other proprietary information that are to remain confi-  
11 dential; that the material designated as confidential shall be readily  
12 separable from the proposal. Nothing in this paragraph shall be  
13 construed to prohibit the authorized entity from negotiating final  
14 contract terms and conditions including cost. All proposals submitted  
15 shall be scored according to the criteria listed in the request for  
16 proposals and such final scores shall be published on the authorized  
17 entity's website.

18 (b) An authorized entity awarding a design-build contract to a  
19 contractor offering the best value may but shall not be required to use  
20 the following types of contracts:

21 (1) A cost-plus not to exceed guaranteed maximum price form of  
22 contract in which the authorized entity shall be entitled to monitor and  
23 audit all costs. In establishing the schedule and process for determin-  
24 ing a guaranteed maximum price, the contract between the authorized  
25 entity and the contractor shall:

26 (i) Describe the scope of the work and the cost of performing such  
27 work,

28 (ii) Include a detailed line item cost breakdown,

29 (iii) Include a list of all drawings, specifications and other infor-  
30 mation on which the guaranteed maximum price is based,

31 (iv) Include the dates of substantial and final completion on which  
32 the guaranteed maximum price is based, and

33 (v) Include a schedule of unit prices; or

34 (2) A lump sum contract in which the contractor agrees to accept a set  
35 dollar amount for a contract which comprises a single bid without  
36 providing a cost breakdown for all costs such as for equipment, labor,  
37 materials, as well as such contractor's profit for completing all items  
38 of work comprising the public work.

39 5. Any contract entered into pursuant to this section shall include a  
40 clause requiring that any professional services regulated by articles  
41 145, 147 and 148 of the education law shall be performed and stamped and  
42 sealed, where appropriate, by a professional licensed in accordance with  
43 the appropriate article.

44 6. Construction with respect to each contract entered into by an  
45 authorized entity pursuant to this section shall be deemed a "public  
46 work" to be performed in accordance with the provisions of article 8 of  
47 the labor law, as well as subject to sections 200, 240, 241 and 242 of  
48 such law and enforcement of prevailing wage requirements pursuant to  
49 applicable law or, for projects or public works receiving federal aid,  
50 applicable federal requirements for prevailing wage. Any contract  
51 entered into pursuant to this section shall include a clause requiring  
52 the selected design builder to obligate every tier of contractor working  
53 on the public work to comply with the project labor agreement referenced  
54 in subdivision three of this section, and shall include project labor  
55 agreement compliance monitoring and enforcement provisions consistent  
56 with the applicable project labor agreement.

7. Each contract entered into by an authorized entity pursuant to this section shall comply with the objectives and goals with regard to minority- and women-owned business enterprises pursuant to, as applicable, section 6-129 of the administrative code of the city of New York and subdivision 6 of section 8 of the New York city health and hospitals corporation act, or, for projects or public works receiving federal aid, applicable federal requirements for disadvantaged business enterprises or minority- and women-owned business enterprises.

8. Public works undertaken by an authorized entity pursuant to this section shall be subject to the requirements of article 8 of the environmental conservation law, and, where applicable, the requirements of the National Environmental Policy Act.

9. (a) Notwithstanding any provision of law to the contrary, all rights or benefits, including terms and conditions of employment, and protection of civil service and collective bargaining status of all employees of authorized entities solely in connection with the public works identified in paragraph (f) of subdivision two of this section, shall be preserved and protected.

(b) Nothing in this section shall result in the: (1) displacement of any currently employed worker or loss of position (including partial displacement such as a reduction in the hours of non-overtime work, wages or employment benefits), or result in the impairment of existing collective bargaining agreements; and (2) transfer of existing duties and functions related to maintenance and operations currently performed by existing employees of authorized entities to a contractor.

(c) Employees of authorized entities using design-build contracts serving in positions in newly created titles shall be assigned to the appropriate bargaining unit. Nothing contained in this section shall be construed to affect (1) the existing rights of employees of such entities pursuant to an existing collective bargaining agreement, (2) the existing representational relationships among employee organizations representing employees of such entities, or (3) the bargaining relationships between such entities and such employee organizations.

10. The submission of a proposal or responses or the execution of a design-build contract pursuant to this section shall not be construed to be a violation of section 6512 of the education law.

11. Nothing contained in this section shall limit the right or obligation of any authorized entity to comply with the provisions of any existing contract or to award contracts as otherwise provided by law.

§ 57. Subdivisions 1, 2, 4, 5, 6, 7, 8 and 9 of section 500.10 of the criminal procedure law are amended and a new subdivision 3-a is added to read as follows:

1. "Principal" means a defendant in a criminal action or proceeding, or a person adjudged a material witness therein, or any other person so involved therein that ~~he~~ the principal may by law be compelled to appear before a court for the purpose of having such court exercise control over ~~his~~ the principal's person to secure ~~his~~ the principal's future attendance at the action or proceeding when required, and who in fact either is before the court for such purpose or has been before it and been subjected to such control.

2. "Release on own recognizance." A court releases a principal on ~~his~~ the principal's own recognizance when, having acquired control over ~~his~~ the principal's person, it permits ~~him~~ the principal to be at liberty during the pendency of the criminal action or proceeding involved upon condition that ~~he~~ the principal will appear thereat whenever ~~his~~ the principal's attendance may be required and will at

1 all times render [~~himself~~] the principal amenable to the orders and  
2 processes of the court.

3 3-a. "Release under non-monetary conditions." A court releases a prin-  
4 cipal under non-monetary conditions when, having acquired control over a  
5 person, it authorizes the person to be at liberty during the pendency of  
6 the criminal action or proceeding involved under conditions ordered by  
7 the court, that will reasonably assure the principal's return to court.  
8 A principal shall not be required to pay for any part of the cost of  
9 release on non-monetary conditions.

10 4. "Commit to the custody of the sheriff." A court commits a principal  
11 to the custody of the sheriff when, having acquired control over [~~his~~]  
12 the principal's person, it orders that [~~he~~] the principal be confined in  
13 the custody of the sheriff during the pendency of the criminal action or  
14 proceeding involved.

15 5. "Securing order" means an order of a court committing a principal  
16 to the custody of the sheriff, or fixing bail, or releasing [~~him-on-his~~]  
17 the principal on the principal's own recognizance or releasing the prin-  
18 cipal under non-monetary conditions.

19 6. "Order of recognizance or bail" means a securing order releasing a  
20 principal on [~~his~~] the principal's own recognizance or under non-mone-  
21 tary conditions or fixing bail.

22 7. "Application for recognizance or bail" means an application by a  
23 principal that the court, instead of committing [~~him~~] the principal to  
24 or retaining [~~him~~] the principal in the custody of the sheriff, either  
25 release [~~him-on-his-own~~] the principal on the principal's own recogni-  
26 zance [~~or~~], release under non-monetary conditions, or fix bail.

27 8. "Post bail" means to deposit bail in the amount and form fixed by  
28 the court, with the court or with some other authorized public servant  
29 or agency.

30 9. "Bail" means cash bail [~~or~~], a bail bond or money paid with a cred-  
31 it card.

32 § 58. Section 510.10 of the criminal procedure law, as amended by  
33 chapter 459 of the laws of 1984, is amended to read as follows:

34 § 510.10 Securing order; when required; alternatives available; standard  
35 to be applied.

36 1. When a principal, whose future court attendance at a criminal  
37 action or proceeding is or may be required, [~~initially~~] comes under the  
38 control of a court, such court [~~must~~] shall, in accordance with this  
39 title, by a securing order[~~, either~~] release [~~him~~] the principal on  
40 [~~his~~] the principal's own recognizance, release the principal under  
41 non-monetary conditions, or fix bail or commit [~~him~~] the principal to  
42 the custody of the sheriff.

43 2. A principal is entitled to representation by counsel under this  
44 chapter in preparing an application for release, when a securing order  
45 is being considered and when a securing order is being reviewed for  
46 modification, revocation or termination. If the principal is financially  
47 unable to obtain counsel, counsel shall be assigned to the principal.

48 3. In cases where the most serious offense with which the defendant  
49 stands charged in the case before the court or a pending case is a  
50 misdemeanor offense the court shall release the principal pending trial  
51 on the principal's own recognizance, unless the court finds on the  
52 record or in writing that release on the principal's own recognizance  
53 will not reasonably assure the principal's return to court. In such  
54 instances, the court shall release the principal under non-monetary  
55 conditions or fix bail, selecting the least restrictive alternative and  
56 conditions that will reasonably assure the principal's return to court.

1 The court shall explain its choice of alternative and conditions on the  
2 record or in writing.

3 4. With respect to any charge for which bail or remand is not  
4 ordered, a defendant may, at any time, request that the court set bail  
5 in a nominal amount requested by the defendant in the form specified in  
6 paragraph (a) of subdivision one of section 520.10 of this title; if the  
7 court is satisfied that the request is voluntary, the court shall set  
8 such bail in such amount.

9 5. When a securing order is revoked or otherwise terminated in the  
10 course of an uncompleted action or proceeding but the principal's future  
11 court attendance still is or may be required and [he] the principal is  
12 still under the control of a court, a new securing order must be issued.  
13 When the court revokes or otherwise terminates a securing order which  
14 committed the principal to the custody of the sheriff, the court shall  
15 give written notification to the sheriff of such revocation or termi-  
16 nation of the securing order.

17 § 59. Section 510.20 of the criminal procedure law is amended to read  
18 as follows:

19 § 510.20 Application for [~~recognizance or bail; making and determi-~~  
20 ~~nation thereof in general~~] a change in securing order.

21 1. Upon any occasion when a court [~~is required to issue~~] has issued a  
22 securing order with respect to a principal[, or at any time when a] and  
23 the principal is confined in the custody of the sheriff as a result of  
24 the securing order or a previously issued securing order, [~~he~~] the prin-  
25 cipal may make an application for recognizance, release under non-mone-  
26 tary conditions or bail.

27 2. (a) The principal is entitled to representation by counsel in the  
28 making and presentation of such application. If the principal is finan-  
29 cially unable to obtain counsel, counsel shall be assigned to the prin-  
30 cipal.

31 (b) Upon such application, the principal must be accorded an opportu-  
32 nity to be heard, and to contend that an order of recognizance, release  
33 under non-monetary conditions or, bail must or should issue, that the  
34 court should release [~~him on his~~] the principal on the principal's own  
35 recognizance or under non-monetary conditions rather than fix bail, and  
36 that if bail is authorized and fixed it should be in a suggested amount  
37 and form.

38 § 60. Section 510.30 of the criminal procedure law, subparagraph (v)  
39 of paragraph (a) of subdivision 2 as amended by chapter 920 of the laws  
40 of 1982, subparagraph (vi) of paragraph (a) of subdivision 2 as renum-  
41 bered by chapter 447 of the laws of 1977, subparagraph (vii) as added  
42 and subparagraphs (viii) and (ix) of paragraph (a) of subdivision 2 as  
43 renumbered by section 1 of part D of chapter 491 of the laws of 2012,  
44 and subdivision 3 as added by chapter 788 of the laws of 1981, is  
45 amended to read as follows:

46 § 510.30 Application for recognizance or bail; rules of law and criteria  
47 controlling determination.

48 1. Determinations of applications for recognizance, release on non-  
49 monetary conditions, or bail are not in all cases discretionary but are  
50 subject to rules, prescribed in article five hundred thirty and other  
51 provisions of law relating to specific kinds of criminal actions and  
52 proceedings, providing (a) that in some circumstances such an applica-  
53 tion must as a matter of law be granted, (b) that in others it must as a  
54 matter of law be denied and the principal committed to or retained in  
55 the custody of the sheriff, and (c) that in others the granting or  
56 denial thereof is a matter of judicial discretion.

2. To the extent that the issuance of an order of recognizance, release on non-monetary conditions, or bail and the terms thereof are matters of discretion rather than of law, an application is determined on the basis of the following factors and criteria:

(a) With respect to any principal, the court must consider the kind and degree of control or restriction that is necessary to secure ~~[his]~~ the principal's court attendance when required. In determining that matter, the court must, on the basis of available information, consider and take into account:

(i) The principal's character, reputation, habits and mental condition;

(ii) ~~[His]~~ The principal's employment and financial resources; and

(iii) ~~[His]~~ The principal's family ties and the length of ~~[his]~~ the principal's residence if any in the community; and

(iv) ~~[His]~~ The principal's criminal record if any; and

(v) ~~[His]~~ The principal's record of previous adjudication as a juvenile delinquent, as retained pursuant to section 354.2 of the family court act, or, of pending cases where fingerprints are retained pursuant to section 306.1 of such act, or a youthful offender, if any; and

(vi) ~~[His]~~ The principal's previous record if any in responding to court appearances when required or with respect to flight to avoid criminal prosecution; and

(vii) Where the principal is charged with a crime or crimes against a member or members of the same family or household as that term is defined in subdivision one of section 530.11 of this title, the following factors:

(A) any violation by the principal of an order of protection issued by any court for the protection of a member or members of the same family or household as that term is defined in subdivision one of section 530.11 of this title, whether or not such order of protection is currently in effect; and

(B) the principal's history of use or possession of a firearm; and

(viii) If ~~[he]~~ the principal is a defendant, the weight of the evidence against him or her in the pending criminal action and any other factor indicating probability or improbability of conviction; or, in the case of an application for bail or recognizance pending appeal, the merit or lack of merit of the appeal; and

(ix) If ~~[he]~~ the principal is a defendant, the sentence which may be or has been imposed upon conviction.

(b) Where the principal is a defendant-appellant in a pending appeal from a judgment of conviction, the court must also consider the likelihood of ultimate reversal of the judgment. A determination that the appeal is palpably without merit alone justifies, but does not require, a denial of the application, regardless of any determination made with respect to the factors specified in paragraph (a).

3. When bail or recognizance is ordered, the court shall inform the principal, if he or she is a defendant charged with the commission of a felony, that the release is conditional and that the court may revoke the order of release and commit the principal to the custody of the sheriff in accordance with the provisions of subdivision two of section 530.60 of this chapter if he or she commits a subsequent felony while at liberty upon such order.

§ 61. Section 510.40 of the criminal procedure law is amended to read as follows:

§ 510.40 ~~[Application for recognizance or bail, determination thereof, form of securing order and execution thereof]~~ Court notifi-



cation to principal of conditions of release and of alleged violations of conditions of release.

1. An application for recognizance or bail must be determined by a securing order which either:

(a) Grants the application and releases the principal on his or her own recognizance; or

(a-1) Grants the application and releases the principal under non-monetary conditions; or

(b) Grants the application and fixes bail; or

(c) Denies the application and commits the principal to, or retains him in, the custody of the sheriff.

2. Upon ordering that a principal be released on [~~his~~] the principal's own recognizance, or released under non-monetary conditions, or, if bail has been fixed, upon the posting of bail, the court must direct [~~him~~] the principal to appear in the criminal action or proceeding involved whenever [~~his~~] the principal's attendance may be required and to [~~render himself~~] be at all times amenable to the orders and processes of the court. If such principal is in the custody of the sheriff or at liberty upon bail at the time of the order, the court must direct that [~~he~~] the principal be discharged from such custody or, as the case may be, that [~~his~~] the principal's bail be exonerated.

3. Upon the issuance of an order fixing bail, and upon the posting thereof, the court must examine the bail to determine whether it complies with the order. If it does, the court must, in the absence of some factor or circumstance which in law requires or authorizes disapproval thereof, approve the bail and must issue a certificate of release, authorizing the principal to be at liberty, and, if [~~he~~] the principal is in the custody of the sheriff at the time, directing the sheriff to discharge [~~him~~] the principal therefrom. If the bail fixed is not posted, or is not approved after being posted, the court must order that the principal be committed to the custody of the sheriff.

4. Non-monetary conditions of release shall be individualized and established in writing by the court. At future court appearances, the court shall consider a lessening of conditions or modification of conditions to a less burdensome form based on the principal's compliance with such conditions of release. In the event of alleged non-compliance with the conditions of release pursuant to this subdivision, additional conditions may be imposed by the court, on the record or in writing, only after notice of the facts and circumstances of such alleged non-compliance, reasonable under the circumstances, affording the principal and the principal's attorney and the people an opportunity to be heard. Following such a finding, in determining whether to impose additional conditions for non-compliance, the court shall consider and may select conditions. The court shall explain on the record or in writing the reasons for its determination and for any changes to the conditions imposed.

5. (a) Electronic monitoring of a principal's location may be ordered if the court finds, after notice, an opportunity to be heard and an individualized determination explained on the record or in writing, that the defendant qualifies for electronic monitoring in accordance with subdivision twenty-one of section 500.10 of this title.

(b) The specific method of electronic monitoring of the principal's location must be approved by the court.

(c) Electronic monitoring of the location of a principal may be conducted only by a public entity under the supervision and control of a county or municipality. A county or municipality shall be authorized to

1 enter into a contract with another county or municipality in the state  
2 to monitor principals under non-monetary conditions of release in its  
3 county.

4 (d) Electronic monitoring of a principal's location may be for a maxi-  
5 mum period of sixty days, and may be renewed for such period, after  
6 notice, an opportunity to be heard and a de novo, individualized deter-  
7 mination in accordance with this subdivision, which shall be explained  
8 on the record or in writing.

9 6. If a principal is released under non-monetary conditions, the court  
10 shall, on the record and in an individualized written document provided  
11 to the principal, notify the principal, in plain language and a manner  
12 sufficiently clear and specific:

13 (a) of any conditions to which the principal is subject, to serve as a  
14 guide for the principal's conduct; and

15 (b) that the possible consequences for violation of such a condition  
16 may include revocation of the securing order and the ordering of a more  
17 restrictive securing order.

18 § 62. Section 510.50 of the criminal procedure law is amended to read  
19 as follows:

20 § 510.50 Enforcement of securing order.

21 When the attendance of a principal confined in the custody of the  
22 sheriff is required at the criminal action or proceeding at a particular  
23 time and place, the court may compel such attendance by directing the  
24 sheriff to produce ~~him~~ the principal at such time and place. If the  
25 principal is at liberty on ~~his~~ the principal's own recognizance or  
26 non-monetary conditions or on bail, ~~his~~ the principal's attendance  
27 may be achieved or compelled by various methods, including notification  
28 and the issuance of a bench warrant, prescribed by law in provisions  
29 governing such matters with respect to the particular kind of action or  
30 proceeding involved.

31 § 63. Paragraph (b) of subdivision 2 of section 520.10 of the criminal  
32 procedure law, as amended by chapter 784 of the laws of 1972, is amended  
33 to read as follows:

34 (b) The court ~~may~~ shall direct that the bail be posted in any one of  
35 ~~two~~ three or more of the forms specified in subdivision one of this  
36 section, designated in the alternative, and may designate different  
37 amounts varying with the forms~~], except that one of the forms shall be~~  
38 either an unsecured or partially secured surety bond, as selected by the  
39 court.

40 § 64. Section 530.10 of the criminal procedure law is amended to read  
41 as follows:

42 § 530.10 Order of recognizance release under non-monetary conditions or  
43 bail; in general.

44 Under circumstances prescribed in this article, a court, upon applica-  
45 tion of a defendant charged with or convicted of an offense, is required  
46 ~~[or authorized to order bail or recognizance]~~ to issue a securing order  
47 ~~for [the release or prospective release of]~~ such defendant during the  
48 pendency of either:

49 1. A criminal action based upon such charge; or

50 2. An appeal taken by the defendant from a judgment of conviction or  
51 a sentence or from an order of an intermediate appellate court affirming  
52 or modifying a judgment of conviction or a sentence.

53 § 65. Subdivision 4 of section 530.11 of the criminal procedure law,  
54 as added by chapter 186 of the laws of 1997, is amended to read as  
55 follows:

1 4. When a person is arrested for an alleged family offense or an  
2 alleged violation of an order of protection or temporary order of  
3 protection or arrested pursuant to a warrant issued by the supreme or  
4 family court, and the supreme or family court, as applicable, is not in  
5 session, such person shall be brought before a local criminal court in  
6 the county of arrest or in the county in which such warrant is return-  
7 able pursuant to article one hundred twenty of this chapter. Such local  
8 criminal court may issue any order authorized under subdivision eleven  
9 of section 530.12 of this article, section one hundred fifty-four-d or  
10 one hundred fifty-five of the family court act or subdivision three-b of  
11 section two hundred forty or subdivision two-a of section two hundred  
12 fifty-two of the domestic relations law, in addition to discharging  
13 other arraignment responsibilities as set forth in this chapter. In  
14 making such order, the local criminal court shall consider de novo the  
15 ~~[bail]~~ recommendation and securing order, if any, made by the supreme or  
16 family court as indicated on the warrant or certificate of warrant.  
17 Unless the petitioner or complainant requests otherwise, the court, in  
18 addition to scheduling further criminal proceedings, if any, regarding  
19 such alleged family offense or violation allegation, shall make such  
20 matter returnable in the supreme or family court, as applicable, on the  
21 next day such court is in session.

22 § 66. Paragraph (a) of subdivision 8 of section 530.13 of the criminal  
23 procedure law, as added by chapter 388 of the laws of 1984, is amended  
24 to read as follows:

25 (a) revoke an order of recognizance, release under non-monetary condi-  
26 tions or bail and commit the defendant to custody; or

27 § 67. The opening paragraph of subdivision 1 of section 530.13 of the  
28 criminal procedure law, as amended by chapter 137 of the laws of 2007,  
29 is amended to read as follows:

30 When any criminal action is pending, and the court has not issued a  
31 temporary order of protection pursuant to section 530.12 of this arti-  
32 cle, the court, in addition to the other powers conferred upon it by  
33 this chapter, may for good cause shown issue a temporary order of  
34 protection in conjunction with any securing order ~~[committing the~~  
35 ~~defendant to the custody of the sheriff or as a condition of a pre-trial~~  
36 ~~release, or as a condition of release on bail]~~ or an adjournment in  
37 contemplation of dismissal. In addition to any other conditions, such an  
38 order may require that the defendant:

39 § 68. Subdivision 11 of section 530.12 of the criminal procedure law,  
40 as amended by chapter 498 of the laws of 1993, the opening paragraph as  
41 amended by chapter 597 of the laws of 1998, paragraph (a) as amended by  
42 chapter 222 of the laws of 1994, paragraph (d) as amended by chapter 644  
43 of the laws of 1996, is amended to read as follows:

44 11. If a defendant is brought before the court for failure to obey any  
45 lawful order issued under this section, or an order of protection issued  
46 by a court of competent jurisdiction in another state, territorial or  
47 tribal jurisdiction, and if, after hearing, the court is satisfied by  
48 competent proof that the defendant has willfully failed to obey any such  
49 order, the court may:

50 (a) revoke an order of recognizance or release under non-monetary  
51 conditions or revoke an order of bail or order forfeiture of such bail  
52 and commit the defendant to custody; or

53 (b) restore the case to the calendar when there has been an adjourn-  
54 ment in contemplation of dismissal and commit the defendant to custody;  
55 or

(c) revoke a conditional discharge in accordance with section 410.70 of this chapter and impose probation supervision or impose a sentence of imprisonment in accordance with the penal law based on the original conviction; or

(d) revoke probation in accordance with section 410.70 of this chapter and impose a sentence of imprisonment in accordance with the penal law based on the original conviction. In addition, if the act which constitutes the violation of the order of protection or temporary order of protection is a crime or a violation the defendant may be charged with and tried for that crime or violation.

§ 69. Subdivision 2 of section 530.20 of the criminal procedure law, as amended by chapter 531 of the laws of 1975, subparagraph (ii) of paragraph (b) as amended by chapter 218 of the laws of 1979, is amended to read as follows:

2. When the defendant is charged, by felony complaint, with a felony, the court may, in its discretion, order recognizance, release under non-monetary conditions, or bail or commit the defendant to the custody of the sheriff except as otherwise provided in this subdivision:

(a) A city court, a town court or a village court may not order recognizance or bail when (i) the defendant is charged with a class A felony, or (ii) it appears that the defendant has two previous felony convictions;

(b) No local criminal court may order recognizance, release under non-monetary conditions or bail with respect to a defendant charged with a felony unless and until:

(i) The district attorney has been heard in the matter or, after knowledge or notice of the application and reasonable opportunity to be heard, has failed to appear at the proceeding or has otherwise waived his right to do so; and

(ii) The court has been furnished with a report of the division of criminal justice services concerning the defendant's criminal record, if any, or with a police department report with respect to the defendant's prior arrest and conviction record, if any. If neither report is available, the court, with the consent of the district attorney, may dispense with this requirement; provided, however, that in an emergency, including but not limited to a substantial impairment in the ability of such division or police department to timely furnish such report, such consent shall not be required if, for reasons stated on the record, the court deems it unnecessary. When the court has been furnished with any such report or record, it shall furnish a copy thereof to counsel for the defendant or, if the defendant is not represented by counsel, to the defendant.

§ 70. The section heading and subdivisions 1 and 2 of section 530.30 of the criminal procedure law, subdivision 2 as amended by chapter 762 of the laws of 1971, are amended to read as follows:

Order of recognizance, release under non-monetary conditions or bail; by superior court judge when action is pending in local criminal court.

1. When a criminal action is pending in a local criminal court, other than one consisting of a superior court judge sitting as such, a judge of a superior court holding a term thereof in the county, upon application of a defendant, may order recognizance, release under non-monetary conditions or bail when such local criminal court:

(a) Lacks authority to issue such an order, pursuant to [~~paragraph (a) of subdivision two~~] the relevant provisions of section 530.20 of this article; or

(b) Has denied an application for recognizance, release under non-monetary conditions or bail; or

(c) Has fixed bail which is excessive; or

(d) Has set a securing order of release under non-monetary conditions which are more restrictive than necessary to reasonably assure the defendant's return to court.

In such case, such superior court judge may vacate the order of such local criminal court and release the defendant on [~~his own~~] recognizance or under non-monetary conditions, or fix bail in a lesser amount or in a less burdensome form. The court shall explain its choice of alternative and conditions on the record or in writing.

2. Notwithstanding the provisions of subdivision one of this section, when the defendant is charged with a felony in a local criminal court, a superior court judge may not order recognizance, release under non-monetary conditions or bail unless and until the district attorney has had an opportunity to be heard in the matter and such judge has been furnished with a report as described in subparagraph (ii) of paragraph (b) of subdivision two of section 530.20 of this article.

§ 71. Section 530.40 of the criminal procedure law, subdivision 3 as amended by chapter 264 of the laws of 2003, and subdivision 4 as amended by chapter 762 of the laws of 1971, is amended to read as follows:

§ 530.40 Order of recognizance, release under non-monetary conditions or bail; by superior court when action is pending therein.

When a criminal action is pending in a superior court, such court, upon application of a defendant, must or may order recognizance or bail as follows:

1. When the defendant is charged with an offense or offenses of less than felony grade only, the court must order recognizance or [~~bail~~] release under non-monetary conditions, or bail in accordance with this section.

2. When the defendant is charged with a felony, the court may, in its discretion, order recognizance [~~or~~], release under non-monetary conditions or bail. In any such case in which an indictment (a) has resulted from an order of a local criminal court holding the defendant for the action of the grand jury, or (b) was filed at a time when a felony complaint charging the same conduct was pending in a local criminal court, and in which such local criminal court or a superior court judge has issued an order of recognizance [~~or~~], release under non-monetary conditions or bail which is still effective, the superior court's order may be in the form of a direction continuing the effectiveness of the previous order.

3. With respect to any charge for which bail or remand is not ordered, a defendant may, at any time, request that the court set bail in a nominal amount requested by the defendant in the form specified in paragraph (a) of subdivision one of section 520.10 of this title; if the court is satisfied that the request is voluntary, the court shall set such bail in such amount.

4. Notwithstanding the provisions of subdivision two of this section, a superior court may not order recognizance, release under non-monetary conditions or bail, or permit a defendant to remain at liberty pursuant to an existing order, after [~~he~~] the defendant has been convicted of either: (a) a class A felony or (b) any class B or class C felony as defined in article one hundred thirty of the penal law committed or attempted to be committed by a person eighteen years of age or older against a person less than eighteen years of age. In either case the court must commit or remand the defendant to the custody of the sheriff.



[4-] 5. Notwithstanding the provisions of subdivision two of this section, a superior court may not order recognizance, release under non-monetary conditions or bail when the defendant is charged with a felony unless and until the district attorney has had an opportunity to be heard in the matter and such court has been furnished with a report as described in subparagraph (ii) of paragraph (b) of subdivision two of section 530.20 of this article.

§ 72. Subdivision 1 of section 530.45 of the criminal procedure law, as amended by chapter 264 of the laws of 2003, is amended to read as follows:

1. When the defendant is at liberty in the course of a criminal action as a result of a prior order of recognizance, release under non-monetary conditions or bail and the court revokes such order and then ~~[either]~~, where authorized, fixes no bail or fixes bail in a greater amount or in a more burdensome form than was previously fixed and remands or commits defendant to the custody of the sheriff, or issues a more restrictive securing order, a judge designated in subdivision two of this section, upon application of the defendant following conviction of an offense other than a class A felony or a class B or class C felony offense as defined in article one hundred thirty of the penal law committed or attempted to be committed by a person eighteen years of age or older against a person less than eighteen years of age, and before sentencing, may issue a securing order and ~~[either]~~ release the defendant on [his] the defendant's own recognizance, release the defendant under non-monetary conditions, or fix bail~~[7]~~ or fix bail in a lesser amount or in a less burdensome form, or issue a less restrictive securing order, than fixed by the court in which the conviction was entered.

§ 73. Section 530.60 of the criminal procedure law, subdivision 1 as amended by chapter 565 of the laws of 2011, subdivision 2 as added by chapter 788 of the laws of 1981 and paragraph (a) of subdivision 2 as amended by chapter 794 of the laws of 1986, is amended to read as follows:

§ 530.60 ~~[Order of recognizance or bail, revocation thereof]~~ Certain modifications of a securing order.

1. Whenever in the course of a criminal action or proceeding a defendant is at liberty as a result of an order of recognizance, release under non-monetary conditions or bail issued pursuant to this chapter, and the court considers it necessary to review such order, it may, and by a bench warrant if necessary, require the defendant to appear before the court. Upon such appearance, the court, for good cause shown, may revoke the order of recognizance, release under non-monetary conditions, or bail. If the defendant is entitled to recognizance, release under non-monetary conditions, or bail as a matter of right, the court must issue another such order. If ~~[he or she]~~ the defendant is not, the court may either issue such an order or commit the defendant to the custody of the sheriff in accordance with this section.

Where the defendant is committed to the custody of the sheriff and is held on a felony complaint, a new period as provided in section 180.80 of this chapter shall commence to run from the time of the defendant's commitment under this subdivision.

2. (a) Whenever in the course of a criminal action or proceeding a defendant charged with the commission of a felony is at liberty as a result of an order of recognizance, release under non-monetary conditions or bail issued pursuant to this article it shall be grounds for revoking such order that the court finds reasonable cause to believe the defendant committed one or more specified class A or violent felony

1 offenses or intimidated a victim or witness in violation of [~~sections~~  
2 section 215.15, 215.16 or 215.17 of the penal law while at liberty.

3 (b) Before revoking an order of recognizance, release under non-mone-  
4 tary conditions, or bail pursuant to this subdivision, the court must  
5 hold a hearing and shall receive any relevant, admissible evidence not  
6 legally privileged. The defendant may cross-examine witnesses and may  
7 present relevant, admissible evidence on his own behalf. Such hearing  
8 may be consolidated with, and conducted at the same time as, a felony  
9 hearing conducted pursuant to article one hundred eighty of this chap-  
10 ter. A transcript of testimony taken before the grand jury upon presen-  
11 tation of the subsequent offense shall be admissible as evidence during  
12 the hearing. The district attorney may move to introduce grand jury  
13 testimony of a witness in lieu of that witness' appearance at the hear-  
14 ing.

15 [~~(b)~~] (c) Revocation of an order of recognizance, release under non-  
16 monetary conditions or bail and a new securing order fixing bail or  
17 commitment, as specified in this paragraph and pursuant to this subdivi-  
18 sion shall be for the following periods, either:

19 (i) For a period not to exceed ninety days exclusive of any periods of  
20 adjournment requested by the defendant; or

21 (ii) Until the charges contained within the accusatory instrument have  
22 been reduced or dismissed such that no count remains which charges the  
23 defendant with commission of a felony; or

24 (iii) Until reduction or dismissal of the charges contained within the  
25 accusatory instrument charging the subsequent offense such that no count  
26 remains which charges the defendant with commission of a class A or  
27 violent felony offense.

28 Upon expiration of any of the three periods specified within this  
29 paragraph, whichever is shortest, the court may grant or deny release  
30 upon an order of bail or recognizance in accordance with the provisions  
31 of this article. Upon conviction to an offense the provisions of article  
32 five hundred thirty of this chapter shall apply.

33 (d) Notwithstanding the provisions of paragraph (a) of this subdivi-  
34 sion a defendant, against whom a felony complaint has been filed which  
35 charges the defendant with commission of a class A or violent felony  
36 offense or violation of section 215.15, 215.16 or 215.17 of the penal  
37 law committed while he was at liberty as specified therein, may be  
38 committed to the custody of the sheriff pending a revocation hearing for  
39 a period not to exceed seventy-two hours. An additional period not to  
40 exceed seventy-two hours may be granted by the court upon application of  
41 the district attorney upon a showing of good cause or where the failure  
42 to commence the hearing was due to the defendant's request or occurred  
43 with his consent. Such good cause must consist of some compelling fact  
44 or circumstance which precluded conducting the hearing within the  
45 initial prescribed period.

46 § 74. Paragraph (a) of subdivision 9 of section 216.05 of the criminal  
47 procedure law, as amended by chapter 258 of the laws of 2015, is amended  
48 to read as follows:

49 (a) If at any time during the defendant's participation in the judi-  
50 cial diversion program, the court has reasonable grounds to believe that  
51 the defendant has violated a release condition or has failed to appear  
52 before the court as requested, the court, shall direct the defendant to  
53 appear or issue a bench warrant to a police officer or an appropriate  
54 peace officer directing him or her to take the defendant into custody  
55 and bring the defendant before the court without unnecessary delay;  
56 provided, however, that under no circumstances shall a defendant who

1 requires treatment for opioid abuse or dependence be deemed to have  
2 violated a release condition on the basis of his or her participation in  
3 medically prescribed drug treatments under the care of a health care  
4 professional licensed or certified under title eight of the education  
5 law, acting within his or her lawful scope of practice. The provisions  
6 of subdivision one of section 530.60 of this chapter relating to [~~revo-~~  
7 ~~cation of recognizance or bail~~] issuance of securing orders shall apply  
8 to such proceedings under this subdivision.

9 § 75. Section 410.60 of the criminal procedure law, as amended by  
10 chapter 652 of the laws of 2008, is amended to read as follows:

11 § 410.60 Appearance before court.

12 A person who has been taken into custody pursuant to section 410.40 or  
13 section 410.50 of this article for violation of a condition of a  
14 sentence of probation or a sentence of conditional discharge must forth-  
15 with be brought before the court that imposed the sentence. Where a  
16 violation of probation petition and report has been filed and the person  
17 has not been taken into custody nor has a warrant been issued, an  
18 initial court appearance shall occur within ten business days of the  
19 court's issuance of a notice to appear. If the court has reasonable  
20 cause to believe that such person has violated a condition of the  
21 sentence, it may commit [~~him~~] such person to the custody of the sheriff  
22 [~~or~~], fix bail, release such person under non-monetary conditions or  
23 release such person on [~~his~~] such person's own recognizance for future  
24 appearance at a hearing to be held in accordance with section 410.70 of  
25 this article. If the court does not have reasonable cause to believe  
26 that such person has violated a condition of the sentence, it must  
27 direct that [~~he~~] such person be released.

28 § 76. This act shall take effect immediately; provided, however,  
29 that:

30 (a) sections seven, eight, nine, ten, eleven and twelve of this act  
31 shall expire and be deemed repealed ten years after such date, provided,  
32 however, that such repeal shall only occur if no property interests have  
33 been acquired pursuant to such sections; provided further that the  
34 commissioner of the department of transportation shall notify the legis-  
35 lative bill drafting commission upon the occurrence of the repeal of the  
36 legislation provided for in such sections in order that the commission  
37 may maintain an accurate and timely effective data base of the official  
38 text of the laws of the state of New York in furtherance of effectuating  
39 the provisions of section 44 of the legislative law and section 70-b of  
40 the public officers law;

41 (a-1) the amendments to section 1180-b of the vehicle and traffic law  
42 made by sections twenty, twenty-one, twenty-two and twenty-three of this  
43 act shall not affect the repeal of such section and shall be deemed  
44 repealed therewith; and provided further that the amendments to para-  
45 graph 2 of subdivision (a) of section 1180-b of the vehicle and traffic  
46 law made by section twenty-one of this act shall take effect on the  
47 ninetieth day after this act shall have become a law; and provided  
48 further that sections twenty-seven through forty of this act shall take  
49 effect on the thirtieth day after it shall have become a law and shall  
50 expire 4 years after such effective date when upon such date the  
51 provisions of sections twenty-seven through forty of this act shall be  
52 deemed repealed; and provided further that any rules necessary for the  
53 implementation of this act on its effective date shall be promulgated on  
54 or before such effective date, provided that:

55 (a-2) the amendments to subdivision 1 of section 235 of the vehicle  
56 and traffic law made by section twenty-seven of this act shall not

1 affect the expiration of such section and shall be deemed to expire  
2 therewith, when upon such date the provisions of section twenty-eight of  
3 this act shall take effect;

4 (a-3) the amendments to section 235 of the vehicle and traffic law  
5 made by section twenty-eight of this act shall not affect the expiration  
6 of such section and shall be deemed to expire therewith, when upon such  
7 date the provisions of section twenty-eight-a of this act shall take  
8 effect;

9 (a-4) the amendments to section 235 of the vehicle and traffic law  
10 made by section twenty-eight-a of this act shall not affect the expira-  
11 tion of such section and shall be deemed to expire therewith, when upon  
12 such date the provisions of section twenty-eight-b of this act shall  
13 take effect;

14 (a-5) the amendments to section 235 of the vehicle and traffic law  
15 made by section twenty-eight-b of this act shall not affect the expira-  
16 tion of such section and shall be deemed to expire therewith, when upon  
17 such date the provisions of section twenty-eight-c of this act shall  
18 take effect;

19 (a-6) the amendments to section 235 of the vehicle and traffic law  
20 made by section twenty-eight-c of this act shall not affect the expira-  
21 tion of such section and shall be deemed to expire therewith, when upon  
22 such date the provisions of section twenty-eight-d of this act shall  
23 take effect;

24 (a-7) the amendments to section 235 of the vehicle and traffic law  
25 made by section twenty-eight-d of this act shall not affect the expira-  
26 tion of such section and shall be deemed to expire therewith, when upon  
27 such date the provisions of section twenty-eight-e of this act shall  
28 take effect;

29 (a-8) the amendments to section 235 of the vehicle and traffic law  
30 made by section twenty-eight-e of this act shall not affect the expira-  
31 tion of such section and shall be deemed to expire therewith, when upon  
32 such date the provisions of section twenty-eight-f of this act shall  
33 take effect;

34 (b) the amendments to subdivision 1 of section 236 of the vehicle and  
35 traffic law made by section twenty-nine of this act shall not affect the  
36 expiration of such subdivision and shall be deemed to expire therewith,  
37 when upon such date the provisions of section twenty-nine-a of this act  
38 shall take effect;

39 (b-1) the amendments to subdivision 1 of section 236 of the vehicle  
40 and traffic law made by section twenty-nine-a of this act shall not  
41 affect the expiration of such subdivision and shall be deemed to expire  
42 therewith, when upon such date the provisions of section twenty-nine-b  
43 of this act shall take effect;

44 (b-2) the amendments to subdivision 1 of section 236 of the vehicle  
45 and traffic law made by section twenty-nine-b of this act shall not  
46 affect the expiration of such subdivision and shall be deemed to expire  
47 therewith, when upon such date the provisions of section twenty-nine-c  
48 of this act shall take effect;

49 (b-3) the amendments to subdivision 1 of section 236 of the vehicle  
50 and traffic law made by section twenty-nine-c of this act shall not  
51 affect the expiration of such subdivision and shall be deemed to expire  
52 therewith, when upon such date the provisions of section twenty-nine-d  
53 of this act shall take effect;

54 (b-4) the amendments to subdivision 1 of section 236 of the vehicle  
55 and traffic law made by section twenty-nine-d of this act shall not  
56 affect the expiration of such subdivision and shall be deemed to expire

1 therewith, when upon such date the provisions of section twenty-nine-e  
2 of this act shall take effect;

3 (b-5) the amendments to subdivision 1 of section 236 of the vehicle  
4 and traffic law made by section twenty-nine-e of this act shall not  
5 affect the expiration of such subdivision and shall be deemed to expire  
6 therewith, when upon such date the provisions of section twenty-nine-f  
7 of this act shall take effect;

8 (c) the amendments to paragraph f of subdivision 1 of section 239 of  
9 the vehicle and traffic law made by section thirty-one of this act shall  
10 not affect the expiration of such paragraph and shall be deemed to  
11 expire therewith, when upon such date the provisions of section thirty-  
12 one-a of this act shall take effect;

13 (c-1) the amendments to paragraph f of subdivision 1 of section 239 of  
14 the vehicle and traffic law made by section thirty-one-a of this act  
15 shall not affect the expiration of such paragraph and shall be deemed to  
16 expire therewith, when upon such date the provisions of section thirty-  
17 one-b of this act shall take effect;

18 (c-2) the amendments to paragraph f of subdivision 1 of section 239 of  
19 the vehicle and traffic law made by section thirty-one-b of this act  
20 shall not affect the expiration of such paragraph and shall be deemed to  
21 expire therewith, when upon such date the provisions of section thirty-  
22 one-c of this act shall take effect;

23 (c-3) the amendments to paragraph f of subdivision 1 of section 239 of  
24 the vehicle and traffic law made by section thirty-one-c of this act  
25 shall not affect the expiration of such paragraph and shall be deemed to  
26 expire therewith, when upon such date the provisions of section thirty-  
27 one-d of this act shall take effect;

28 (c-4) the amendments to paragraph f of subdivision 1 of section 239 of  
29 the vehicle and traffic law made by section thirty-one-d of this act  
30 shall not affect the expiration of such paragraph and shall be deemed to  
31 expire therewith, when upon such date the provisions of section thirty-  
32 one-e of this act shall take effect;

33 (c-5) the amendments to paragraph f of subdivision 1 of section 239 of  
34 the vehicle and traffic law made by section thirty-one-e of this act  
35 shall not affect the expiration of such paragraph and shall be deemed to  
36 expire therewith, when upon such date the provisions of section thirty-  
37 one-f of this act shall take effect;

38 (d) the amendments to subdivisions 1 and 1-a of section 240 of the  
39 vehicle and traffic law made by section thirty-two of this act shall not  
40 affect the expiration of such subdivisions and shall be deemed to expire  
41 therewith, when upon such date the provisions of section thirty-two-a of  
42 this act shall take effect;

43 (d-1) the amendments to subdivisions 1 and 1-a of section 240 of the  
44 vehicle and traffic law made by section thirty-two-a of this act shall  
45 not affect the expiration of such subdivisions and shall be deemed to  
46 expire therewith, when upon such date the provisions of section thirty-  
47 two-b of this act shall take effect;

48 (d-2) the amendments to subdivisions 1 and 1-a of section 240 of the  
49 vehicle and traffic law made by section thirty-two-b of this act shall  
50 not affect the expiration of such subdivisions and shall be deemed to  
51 expire therewith, when upon such date the provisions of section thirty-  
52 two-c of this act shall take effect;

53 (d-3) the amendments to subdivisions 1 and 1-a of section 240 of the  
54 vehicle and traffic law made by section thirty-two-c of this act shall  
55 not affect the expiration of such subdivisions and shall be deemed to



1 expire therewith, when upon such date the provisions of section thirty-  
2 two-d of this act shall take effect;

3 (d-4) the amendments to subdivisions 1 and 1-a of section 240 of the  
4 vehicle and traffic law made by section thirty-two-d of this act shall  
5 not affect the expiration of such subdivisions and shall be deemed to  
6 expire therewith, when upon such date the provisions of section thirty-  
7 two-e of this act shall take effect;

8 (d-5) the amendments to subdivisions 1 and 1-a of section 240 of the  
9 vehicle and traffic law made by section thirty-two-e of this act shall  
10 not affect the expiration of such subdivisions and shall be deemed to  
11 expire therewith, when upon such date the provisions of section thirty-  
12 two-f of this act shall take effect;

13 (e) the amendments to paragraphs a and g of subdivision 2 of section  
14 240 of the vehicle and traffic law made by section thirty-three of this  
15 act shall not affect the expiration of such paragraphs and shall be  
16 deemed to expire therewith, when upon such date the provisions of  
17 section thirty-three-a of this act shall take effect;

18 (e-1) the amendments to paragraphs a and g of subdivision 2 of section  
19 240 of the vehicle and traffic law made by section thirty-three-a of  
20 this act shall not affect the expiration of such paragraphs and shall be  
21 deemed to expire therewith, when upon such date the provisions of  
22 section thirty-three-b of this act shall take effect;

23 (e-2) the amendments to paragraphs a and g of subdivision 2 of section  
24 240 of the vehicle and traffic law made by section thirty-three-b of  
25 this act shall not affect the expiration of such paragraphs and shall be  
26 deemed to expire therewith, when upon such date the provisions of  
27 section thirty-three-c of this act shall take effect;

28 (e-3) the amendments to paragraphs a and g of subdivision 2 of section  
29 240 of the vehicle and traffic law made by section thirty-three-c of  
30 this act shall not affect the expiration of such paragraphs and shall be  
31 deemed to expire therewith, when upon such date the provisions of  
32 section thirty-three-d of this act shall take effect;

33 (e-4) the amendments to paragraphs a and g of subdivision 2 of section  
34 240 of the vehicle and traffic law made by section thirty-three-d of  
35 this act shall not affect the expiration of such paragraphs and shall be  
36 deemed to expire therewith, when upon such date the provisions of  
37 section thirty-three-e of this act shall take effect;

38 (e-5) the amendments to paragraphs a and g of subdivision 2 of section  
39 240 of the vehicle and traffic law made by section thirty-three-e of  
40 this act shall not affect the expiration of such paragraphs and shall be  
41 deemed to expire therewith, when upon such date the provisions of  
42 section thirty-three-f of this act shall take effect;

43 (f) the amendments to subdivisions 1 and 2 of section 241 of the vehi-  
44 cle and traffic law made by section thirty-four of this act shall not  
45 affect the expiration of such subdivisions and shall be deemed to expire  
46 therewith, when upon such date the provisions of section thirty-four-a  
47 of this act shall take effect;

48 (f-1) the amendments to subdivisions 1 and 2 of section 241 of the  
49 vehicle and traffic law made by section thirty-four-a of this act shall  
50 not affect the expiration of such subdivisions and shall be deemed to  
51 expire therewith, when upon such date the provisions of section thirty-  
52 four-b of this act shall take effect;

53 (f-2) the amendments to subdivisions 1 and 2 of section 241 of the  
54 vehicle and traffic law made by section thirty-four-b of this act shall  
55 not affect the expiration of such subdivisions and shall be deemed to

1 expire therewith, when upon such date the provisions of section thirty-  
2 four-c of this act shall take effect;

3 (f-3) the amendments to subdivisions 1 and 2 of section 241 of the  
4 vehicle and traffic law made by section thirty-four-c of this act shall  
5 not affect the expiration of such subdivisions and shall be deemed to  
6 expire therewith, when upon such date the provisions of section thirty-  
7 four-d of this act shall take effect;

8 (f-4) the amendments to subdivisions 1 and 2 of section 241 of the  
9 vehicle and traffic law made by section thirty-four-d of this act shall  
10 not affect the expiration of such subdivisions and shall be deemed to  
11 expire therewith, when upon such date the provisions of section thirty-  
12 four-e of this act shall take effect;

13 (f-5) the amendments to subdivisions 1 and 2 of section 241 of the  
14 vehicle and traffic law made by section thirty-four-e of this act shall  
15 not affect the expiration of such subdivisions and shall be deemed to  
16 expire therewith, when upon such date the provisions of section thirty-  
17 four-f of this act shall take effect;

18 (g) the amendments to subdivision 1 of section 1809 of the vehicle and  
19 traffic law made by section thirty-six of this act shall not affect the  
20 expiration of such subdivision and shall be deemed to expire therewith,  
21 when upon such date the provisions of section thirty-six-a of this act  
22 shall take effect;

23 (g-1) the amendments to subdivision 1 of section 1809 of the vehicle  
24 and traffic law made by section thirty-six-a of this act shall not  
25 affect the expiration of such subdivision and shall be deemed to expire  
26 therewith, when upon such date the provisions of section thirty-six-b of  
27 this act shall take effect;

28 (g-2) the amendments to subdivision 1 of section 1809 of the vehicle  
29 and traffic law made by section thirty-six-b of this act shall not  
30 affect the expiration of such subdivision and shall be deemed to expire  
31 therewith, when upon such date the provisions of section thirty-six-c of  
32 this act shall take effect;

33 (g-3) the amendments to subdivision 1 of section 1809 of the vehicle  
34 and traffic law made by section thirty-six-c of this act shall not  
35 affect the expiration of such subdivision and shall be deemed to expire  
36 therewith, when upon such date the provisions of section thirty-six-d of  
37 this act shall take effect;

38 (g-4) the amendments to subdivision 1 of section 1809 of the vehicle  
39 and traffic law made by section thirty-six-d of this act shall not  
40 affect the expiration of such subdivision and shall be deemed to expire  
41 therewith, when upon such date the provisions of section thirty-six-e of  
42 this act shall take effect;

43 (g-5) the amendments to subdivision 1 of section 1809 of the vehicle  
44 and traffic law made by section thirty-six-e of this act shall not  
45 affect the expiration of such subdivision and shall be deemed to expire  
46 therewith, when upon such date the provisions of section thirty-six-f of  
47 this act shall take effect;

48 (g-6) the amendments to subdivision 1 of section 1809 of the vehicle  
49 and traffic law made by section thirty-six-f of this act shall not  
50 affect the expiration of such subdivision and shall be deemed to expire  
51 therewith, when upon such date the provisions of section thirty-six-g of  
52 this act shall take effect;

53 (h) the amendments to paragraph a of subdivision 1 of section 1809-e  
54 of the vehicle and traffic law made by section thirty-seven of this act  
55 shall not affect the expiration of such paragraph and shall be deemed to

1 expire therewith, when upon such date the provisions of section thirty-seven-a of this act shall take effect;

2 (h-1) the amendments to paragraph a of subdivision 1 of section 1809-e of the vehicle and traffic law made by section thirty-seven-a of this act shall not affect the expiration of such paragraph and shall be deemed to expire therewith, when upon such date the provisions of section thirty-seven-b of this act shall take effect;

3 (h-2) the amendments to paragraph a of subdivision 1 of section 1809-e of the vehicle and traffic law made by section thirty-seven-b of this act shall not affect the expiration of such paragraph and shall be deemed to expire therewith, when upon such date the provisions of section thirty-seven-c of this act shall take effect;

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

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

6 (h-5) the amendments to paragraph a of subdivision 1 of section 1809-e of the vehicle and traffic law made by section thirty-seven-e of this act shall not affect the expiration of such paragraph and shall be deemed to expire therewith, when upon such date the provisions of section thirty-seven-f of this act shall take effect;

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

8 (i-1) the amendments to paragraph a of subdivision 5-a of section 401 of the vehicle and traffic law made by section thirty-eight-a of this act shall not affect the expiration of such paragraph and shall be deemed to expire therewith, when upon such date the provisions of section thirty-eight-b of this act shall take effect;

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

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

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

12 (i-5) the amendments to paragraph a of subdivision 5-a of section 401 of the vehicle and traffic law made by section thirty-eight-e of this act shall not affect the expiration of such paragraph and shall be

1 deemed to expire therewith, when upon such date the provisions of  
2 section thirty-eight-f of this act shall take effect; and

3 (i-6) the amendments to paragraph a of subdivision 5-a of section 401  
4 of the vehicle and traffic law made by section thirty-eight-f of this  
5 act shall not affect the expiration of such paragraph and shall be  
6 deemed to expire therewith, when upon such date the provisions of  
7 section thirty-eight-g of this act shall take effect;

8 (j) sections forty-one through fifty-five of this act shall take  
9 effect on the thirtieth day after it shall have become a law and shall  
10 expire 5 years after such effective date when upon such date the  
11 provisions of sections forty-one through fifty-five of this act shall be  
12 deemed repealed; and provided further that any rules necessary for the  
13 implementation of this act on its effective date shall be promulgated on  
14 or before such effective date, provided that:

15 (j-1) the amendments to subparagraph (i) of paragraph a of subdivision  
16 5-a of section 401 of the vehicle and traffic law made by section  
17 forty-one of this act shall not affect the expiration of such paragraph  
18 and shall be deemed to expire therewith, when upon such date the  
19 provisions of section one-a of this act shall take effect;

20 (k) the amendments to paragraph a of subdivision 5-a of section 401 of  
21 the vehicle and traffic law made by section forty-one-a of this act  
22 shall not affect the expiration of such paragraph and shall be deemed to  
23 expire therewith, when upon such date the provisions of section forty-  
24 one-b of this act shall take effect;

25 (l) the amendments to paragraph a of subdivision 5-a of section 401 of  
26 the vehicle and traffic law made by section forty-one-b of this act  
27 shall not affect the expiration of such paragraph and shall be deemed to  
28 expire therewith, when upon such date the provisions of section forty-  
29 one-c of this act shall take effect;

30 (m) the amendments to paragraph a of subdivision 5-a of section 401 of  
31 the vehicle and traffic law made by section forty-one-c of this act  
32 shall not affect the expiration of such paragraph and shall be deemed to  
33 expire therewith, when upon such date the provisions of section forty-  
34 one-d of this act shall take effect;

35 (n) the amendments to paragraph a of subdivision 5-a of section 401 of  
36 the vehicle and traffic law made by section forty-one-d of this act  
37 shall not affect the expiration of such paragraph and shall be deemed to  
38 expire therewith, when upon such date the provisions of section forty-  
39 one-e of this act shall take effect;

40 (o) the amendments to paragraph a of subdivision 5-a of section 401 of  
41 the vehicle and traffic law made by section forty-one-e of this act  
42 shall not affect the expiration of such paragraph and shall be deemed to  
43 expire therewith, when upon such date the provisions of section forty-  
44 one-f of this act shall take effect;

45 (p) the amendments to paragraph a of subdivision 5-a of section 401 of  
46 the vehicle and traffic law made by section forty-one-f of this act  
47 shall not affect the expiration of such paragraph and shall be deemed to  
48 expire therewith, when upon such date the provisions of section forty-  
49 one-g of this act shall take effect;

50 (q) the amendments to subdivision 1 of section 1809 of the vehicle and  
51 traffic law made by section forty-three of this act shall not affect the  
52 expiration of such subdivision and shall be deemed to expire therewith,  
53 when upon such date the provisions of section forty-three-a of this act  
54 shall take effect;

55 (r) the amendments to subdivision 1 of section 1809 of the vehicle and  
56 traffic law made by section forty-three-a of this act shall not affect

1 the expiration of such subdivision and shall be deemed to expire there-  
2 with, when upon such date the provisions of section forty-three-b of  
3 this act shall take effect;

4 (s) the amendments to subdivision 1 of section 1809 of the vehicle and  
5 traffic law made by section forty-three-b of this act shall not affect  
6 the expiration of such subdivision and shall be deemed to expire there-  
7 with, when upon such date the provisions of section forty-three-c of  
8 this act shall take effect;

9 (t) the amendments to subdivision 1 of section 1809 of the vehicle and  
10 traffic law made by section forty-three-c of this act shall not affect  
11 the expiration of such subdivision and shall be deemed to expire there-  
12 with, when upon such date the provisions of section forty-three-d of  
13 this act shall take effect;

14 (u) the amendments to subdivision 1 of section 1809 of the vehicle and  
15 traffic law made by section forty-three-d of this act shall not affect  
16 the expiration of such subdivision and shall be deemed to expire there-  
17 with, when upon such date the provisions of section forty-three-e of  
18 this act shall take effect;

19 (v) the amendments to subdivision 1 of section 1809 of the vehicle and  
20 traffic law made by section forty-three-e of this act shall not affect  
21 the expiration of such subdivision and shall be deemed to expire there-  
22 with, when upon such date the provisions of section forty-three-f of  
23 this act shall take effect;

24 (w) the amendments to subdivision 1 of section 1809 of the vehicle and  
25 traffic law made by section forty-three-f of this act shall not affect  
26 the expiration of such subdivision and shall be deemed to expire there-  
27 with, when upon such date the provisions of section forty-three-g of  
28 this act shall take effect;

29 (x) the amendments to paragraph a of subdivision 1 of section 1809-e  
30 of the vehicle and traffic law made by section forty-four of this act  
31 shall not affect the expiration of such paragraph and shall be deemed to  
32 expire therewith, when upon such date the provisions of section forty-  
33 four-a of this act shall take effect;

34 (y) the amendments to paragraph a of subdivision 1 of section 1809-e  
35 of the vehicle and traffic law made by section forty-four-a of this act  
36 shall not affect the expiration of such paragraph and shall be deemed to  
37 expire therewith, when upon such date the provisions of section forty-  
38 four-b of this act shall take effect;

39 (z) the amendments to paragraph a of subdivision 1 of section 1809-e  
40 of the vehicle and traffic law made by section forty-four-b of this act  
41 shall not affect the expiration of such paragraph and shall be deemed to  
42 expire therewith, when upon such date the provisions of section forty-  
43 four-c of this act shall take effect;

44 (aa) the amendments to paragraph a of subdivision 1 of section 1809-e  
45 of the vehicle and traffic law made by section forty-four-c of this act  
46 shall not affect the expiration of such paragraph and shall be deemed to  
47 expire therewith, when upon such date the provisions of section forty-  
48 four-d of this act shall take effect;

49 (bb) the amendments to paragraph a of subdivision 1 of section 1809-e  
50 of the vehicle and traffic law made by section forty-four-d of this act  
51 shall not affect the expiration of such paragraph and shall be deemed to  
52 expire therewith, when upon such date the provisions of section forty-  
53 four-e of this act shall take effect;

54 (cc) the amendments to paragraph a of subdivision 1 of section 1809-e  
55 of the vehicle and traffic law made by section forty-four-e of this act  
56 shall not affect the expiration of such paragraph and shall be deemed to



1 expire therewith, when upon such date the provisions of section forty-  
2 four-f of this act shall take effect; and  
3 (dd) the amendments to subdivision 3 of section 99-a of the state  
4 finance law made by section fifty of this act shall not affect the expi-  
5 ration of such subdivision and shall be deemed to expire therewith, when  
6 upon such date the provisions of section fifty-one of this act shall  
7 take effect;  
8 (ee) section fifty-six of this act shall expire and be deemed repealed  
9 4 years after such date; provided that, public works with requests for  
10 qualifications issued prior to such repeal shall be permitted to contin-  
11 ue under this act notwithstanding such repeal; and  
12 (ff) sections seventeen, eighteen, nineteen, fifty-seven, fifty-eight,  
13 fifty-nine, sixty, sixty-one, sixty-two, sixty-three, sixty-four,  
14 sixty-five, sixty-six, sixty-seven, sixty-eight, sixty-nine, seventy,  
15 seventy-one, seventy-two, seventy-three, seventy-four and seventy-five  
16 of this act shall take effect on the sixtieth day after it shall have  
17 become a law.