

# STATE OF NEW YORK

---

2066

2019-2020 Regular Sessions

## IN ASSEMBLY

January 22, 2019

---

Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to requiring vehicle inspection renewal notification thirty days prior to expiration

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

1 Section 1. Section 304 of the vehicle and traffic law is amended by  
2 adding a new subdivision (d) to read as follows:

3 (d)(1) The department of motor vehicles shall notify individuals via  
4 postal mail that their vehicle inspection is subject to expiration thirty  
5 days before such expiration. Every owner of a motor vehicle which  
6 shall be operated or driven upon the public highways of this state  
7 shall, except as otherwise expressly provided, be contacted by mail or  
8 otherwise.

9 (2) The renewal notification shall contain: (A) a brief description of  
10 the motor vehicle that has an inspection that needs to be renewed,  
11 including the name and factory number of such vehicle, and such other  
12 facts as the commissioner shall require; (B) the name and residence,  
13 including county of the owner of such motor vehicle; (C) notification  
14 that such inspection shall expire at the end of the current month; and  
15 (D) such additional facts or evidence as the commissioner may require in  
16 connection with the letter of notification.

17 (3) The commissioner shall register the notification sent regarding  
18 such motor vehicle or trailer and maintain a record of such renewal  
19 notifications and the addresses to which such notifications were sent.

20 (4) It shall be the duty of every owner holding a certificate of  
21 registration to notify the commissioner in writing of any change of  
22 residence of such person within ten days after such change occurs, and  
23 to inscribe on such certificate, in the place provided by the commis-  
24 sioner, a record of such change of residence.

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

LBD01694-01-9

1 (5) Inspection renewal notifications shall take effect on the date  
2 determined by the commissioner.

3 (6) The commissioner may promulgate such regulations as are necessary  
4 to effectuate the provisions of this subdivision.

5 § 2. Subdivision (b) of section 306 of the vehicle and traffic law, as  
6 amended by chapter 608 of the laws of 1993, is amended to read as  
7 follows:

8 (b) No motor vehicle shall be operated or parked on the public high-  
9 ways of this state unless a certificate or certificates of inspection,  
10 as required by this article, is or are displayed upon the vehicle or  
11 affixed to the registration certificate for the vehicle as may be deter-  
12 mined by the commissioner. The commissioner may, by regulation, provide  
13 for a temporary indicia of inspection to be placed on a motor vehicle  
14 which shall be valid as a certificate of inspection for a period not to  
15 exceed fifteen days upon the loss, theft, mutilation or destruction of a  
16 certificate of inspection. Any violation of this section that occurs  
17 while a motor vehicle is parked on the public highways of this state  
18 shall constitute a parking violation. Every agreement for the lease or  
19 rental of a motor vehicle for a period of not more than thirty days  
20 shall be deemed to provide that the lessor of such vehicle shall, in all  
21 respects, be substituted for the lessee or any person operating the  
22 vehicle in conformity with the lease or rental agreement in connection  
23 with any charge of violating this section, provided that any summons  
24 issued to the operator for violation of this section is turned over to  
25 the lessor. A violation of this subdivision shall be punishable by a  
26 fine of not less than fifty nor more than one hundred dollars for a  
27 first offense, and by a fine of not less than fifty nor more than two  
28 hundred dollars or by imprisonment for not more than fifteen days, or by  
29 both such fine and imprisonment, for each subsequent offense; provided  
30 however, that if the vehicle bears a certificate or certificates of  
31 inspection which was or were valid within the last sixty days, such  
32 violation shall be punishable by a fine of not less than twenty-five nor  
33 more than fifty dollars; provided further however, there shall be a five  
34 day grace period after the expiration of such certificate, wherein oper-  
35 ators of such vehicle shall not be found to be in violation of this  
36 subdivision. Such grace period shall be a complete defense to liability  
37 under this section.

38 § 3. This act shall take effect on the first of January next succeed-  
39 ing the date on which it shall have become a law.