

STATE OF NEW YORK

6493

2019-2020 Regular Sessions

IN SENATE

June 14, 2019

Introduced by Sen. STEWART-COUSINS -- read twice and ordered printed,
and when printed to be committed to the Committee on Rules

AN ACT to amend the vehicle and traffic law, the general municipal law
and the public officers law, in relation to adjudications and owner
liability for a violation of traffic-control signal indications; and
providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. Subparagraph (i) of paragraph a of subdivision 5-a of
2 section 401 of the vehicle and traffic law, as amended by section 8 of
3 chapter 222 of the laws of 2015, is amended to read as follows:
4 (i) If at the time of application for a registration or renewal there-
5 of there is a certification from a court, parking violations bureau,
6 traffic and parking violations agency or administrative tribunal of
7 appropriate jurisdiction or [~~administrative~~] 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 a
12 total of three or more summonses or other process in the aggregate,
13 issued within an eighteen month period, charging either that: (i) such
14 motor vehicle was parked, stopped or standing, or that such motor vehi-
15 cle was operated for hire by the registrant or his or her agent without
16 being licensed as a motor vehicle for hire by the appropriate local
17 authority, in violation of any of the provisions of this chapter or of
18 any law, ordinance, rule or regulation made by a local authority; or
19 (ii) the registrant was liable in accordance with section eleven hundred
20 eleven-a, section eleven hundred eleven-b or section eleven hundred
21 eleven-d of this chapter for a violation of subdivision (d) of section
22 eleven hundred eleven of this chapter; or (iii) the registrant was
23 liable in accordance with section eleven hundred eleven-c of this chap-

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

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ter 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 (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.

§ 1-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:

a. If at the time of application for a registration or renewal thereof there is a certification from a court or administrative tribunal of appropriate jurisdiction that the registrant or his or her representative failed to appear on the return date or any subsequent adjourned date or failed to comply with the rules and regulations of an administrative tribunal following entry of a final decision in response to 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-b 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 eleven-d of this chapter for a violation of subdivision (d) of section eleven hundred eleven of this chapter; or (v) the registrant was liable in accordance with section eleven hundred eighty-b of this chapter for a violation of subdivision (b), (c), (d), (f) or (g) 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 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.

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

a. If at the time of application for a registration or renewal thereof there is a certification from a court or administrative tribunal of appropriate jurisdiction that the registrant or his or her representative failed to appear on the return date or any subsequent adjourned date or failed to comply with the rules and regulations of an administrative tribunal following entry of a final decision in response to three or more summonses or other process, issued within an eighteen month period, charging that: (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-c of this chapter for a violation of a bus lane restriction as defined in such section; or (iii) the registrant was liable in accordance with section eleven hundred eleven-d of this chapter for a violation of subdivision (d) of section eleven hundred eleven of this chapter; or (iv) the registrant was liable in accordance with section eleven hundred eighty-b of this chapter for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter[~~7~~]; or (v) 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 (vi) 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 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

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

12 § 1-c. Paragraph a of subdivision 5-a of section 401 of the vehicle
13 and traffic law, as amended by section 8-c of chapter 222 of the laws of
14 2015, is amended to read as follows:

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

1 § 1-d. Paragraph a of subdivision 5-a of section 401 of the vehicle
2 and traffic law, as amended by section 8-d of chapter 222 of the laws of
3 2015, is amended to read as follows:

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

42 § 1-e. Paragraph a of subdivision 5-a of section 401 of the vehicle
43 and traffic law, as amended by section 8-f of chapter 222 of the laws of
44 2015, is amended to read as follows:

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

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

24 § 1-f. Paragraph a of subdivision 5-a of section 401 of the vehicle
25 and traffic law, as separately amended by chapters 339 and 592 of the
26 laws of 1987, is amended to read as follows:

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

trative tribunal, the registrant fails to comply with the rules and regulations following entry of a final decision.

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

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

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

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

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

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

(e) An owner liable for a violation of subdivision (d) of section eleven hundred eleven of this article pursuant to a local law or ordinance adopted pursuant to this section shall be liable for monetary

1 penalties in accordance with a schedule of fines and penalties to be set
2 forth in such local law or ordinance. The liability of the owner pursu-
3 ant to this section shall not exceed fifty dollars for each violation;
4 provided, however, that such local law or ordinance may provide for an
5 additional penalty not in excess of twenty-five dollars for each
6 violation for the failure to respond to a notice of liability within the
7 prescribed time period.

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

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

19 2. A notice of liability shall contain the name and address of the
20 person alleged to be liable as an owner for a violation of subdivision
21 (d) of section eleven hundred eleven of this article pursuant to this
22 section, the registration number of the vehicle involved in such
23 violation, the location where such violation took place, the date and
24 time of such violation and the identification number of the camera which
25 recorded the violation or other document locator number.

26 3. The notice of liability shall contain information advising the
27 person charged of the manner and the time in which he or she may contest
28 the liability alleged in the notice. Such notice of liability shall also
29 contain a warning to advise the persons charged that failure to contest
30 in the manner and time provided shall be deemed an admission of liabil-
31 ity and that a default judgment may be entered thereon.

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

35 (h) Adjudication of the liability imposed upon owners by this section
36 shall be by a traffic violations bureau established pursuant to section
37 three hundred seventy of the general municipal law where the violation
38 occurred or, if there be none, by the court having jurisdiction over
39 traffic infractions.

40 (i) If an owner receives a notice of liability pursuant to this
41 section for any time period during which the vehicle was reported to the
42 police department as having been stolen, it shall be a valid defense to
43 an allegation of liability for a violation of subdivision (d) of section
44 eleven hundred eleven of this article pursuant to this section that the
45 vehicle had been reported to the police as stolen prior to the time the
46 violation occurred and had not been recovered by such time. For purposes
47 of asserting the defense provided by this subdivision it shall be suffi-
48 cient that a certified copy of the police report on the stolen vehicle
49 be sent by first class mail to the court having jurisdiction.

50 (j) An owner who is a lessor of a vehicle to which a notice of liabil-
51 ity was issued pursuant to subdivision (g) of this section shall not be
52 liable for the violation of subdivision (d) of section eleven hundred
53 eleven of this article, provided that he or she sends to the court
54 having jurisdiction a copy of the rental, lease or other such contract
55 document covering such vehicle on the date of the violation, with the
56 name and address of the lessee clearly legible, within thirty-seven days

1 after receiving notice from the court of the date and time of such
2 violation, together with the other information contained in the original
3 notice of liability. Failure to send such information within such thir-
4 ty-seven day time period shall render the owner liable for the penalty
5 prescribed by this section. Where the lessor complies with the
6 provisions of this subdivision, the lessee of such vehicle on the date
7 of such violation shall be deemed to be the owner of such vehicle for
8 purposes of this section, shall be subject to liability for the
9 violation of subdivision (d) of section eleven hundred eleven of this
10 article pursuant to this section and shall be sent a notice of liability
11 pursuant to subdivision (g) of this section.

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

16 2. Notwithstanding any other provision of this section, no owner of a
17 vehicle shall be subject to a monetary fine imposed pursuant to this
18 section if the operator of such vehicle was operating such vehicle with-
19 out the consent of the owner at the time such operator failed to obey a
20 traffic-control indication. For purposes of this subdivision there shall
21 be a presumption that the operator of such vehicle was operating such
22 vehicle with the consent of the owner at the time such operator failed
23 to obey a traffic-control indication.

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

27 (m) When a county has established a demonstration program pursuant to
28 this section, all fines and penalties collected under such program shall
29 be distributed in accordance with subdivision ten of section eighteen
30 hundred three of this chapter.

31 (n) Any county that adopts a demonstration program pursuant to subdi-
32 vision (a) of this section shall submit an annual report detailing the
33 results of the use of such traffic-control signal photo violation-monit-
34 oring system to the governor, the temporary president of the senate and
35 the speaker of the assembly on or before June first, two thousand twenty
36 and on the same date in each succeeding year in which the demonstration
37 program is operable. Such report shall include, but not be limited to:

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

40 2. the aggregate number, type and severity of accidents reported at
41 intersections where a traffic-control signal photo violation-monitoring
42 system is used for the three years preceding the installation of such
43 system, to the extent the information is maintained by the department;

44 3. the aggregate number, type and severity of accidents reported at
45 intersections where a traffic-control signal photo violation-monitoring
46 system is used for the reporting year, as well as for each year that the
47 traffic-control signal photo violation-monitoring system has been opera-
48 tional, to the extent the information is maintained by the department;

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

53 5. the number of notices of liability issued for violations recorded
54 by such system at each intersection where a traffic-control signal photo
55 violation-monitoring system is used;

1 6. the number of fines imposed and total amount of fines paid after
2 first notice of liability;

3 7. the number and percentage of violations adjudicated and results of
4 such adjudications including breakdowns of disposition made for
5 violations recorded by such systems which shall be provided at least
6 annually to such county by the respective courts and bureaus conducting
7 such adjudications;

8 8. the total amount of revenue realized by such county from such adju-
9 dications including a breakdown of revenue realized by such county for
10 each year since deployment of its traffic-control signal photo viola-
11 tion-monitoring system;

12 9. expenses incurred by such county in connection with the program;
13 and

14 10. quality of the adjudication process and its results which shall be
15 provided at least annually to such county by the respective courts and
16 bureaus conducting such adjudications.

17 (o) It shall be a defense to any prosecution for a violation of subdivi-
18 sion (d) of section eleven hundred eleven of this article pursuant to
19 a local law or ordinance adopted pursuant to this section that such
20 traffic-control indications were malfunctioning at the time of the
21 alleged violation.

22 § 3. Subdivision 3 of section 1803 of the vehicle and traffic law, as
23 amended by chapter 679 of the laws of 1970, is amended and a new subdivi-
24 sion 10 is added read as follows:

25 3. All fines, penalties and forfeitures paid to a city, town or
26 village pursuant to the provisions of paragraph a of subdivision one of
27 this section and subdivision ten of this section shall be credited to
28 the general fund of such city, town or village, unless a different
29 disposition is prescribed by charter, special law, local law or ordi-
30 nance.

31 10. Notwithstanding the provisions of subdivision three of section
32 ninety-nine-a of the state finance law, where the county of Westchester
33 has established a demonstration program imposing monetary liability on
34 the owner of a vehicle for failure of an operator thereof to comply with
35 subdivision (d) of section eleven hundred eleven of this chapter in
36 accordance with section eleven hundred eleven-f of this chapter, any
37 fine or penalty collected by a court, judge, magistrate or other officer
38 for an imposition of liability which occurs within a town or village
39 within such county pursuant to such program shall be paid to the state
40 comptroller within the first ten days of the month following collection.
41 Every such payment shall be accompanied by a statement in such form and
42 detail as the comptroller shall provide. The comptroller shall pay
43 eighty percent of any such fine or penalty imposed for such liability to
44 the county of Westchester, and twenty percent of any such fine or penal-
45 ty to the town or village in which the violation giving rise to the
46 liability occurred.

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

50 Whenever proceedings in an administrative tribunal or a court of this
51 state result in a conviction for an offense under this chapter or a
52 traffic infraction under this chapter, or a local law, ordinance, rule
53 or regulation adopted pursuant to this chapter, other than a traffic
54 infraction involving standing, stopping, or parking or violations by
55 pedestrians or bicyclists, or other than an adjudication of liability of
56 an owner for a violation of subdivision (d) of section eleven hundred

1 eleven of this chapter in accordance with section eleven hundred
2 eleven-a of this chapter, or other than an adjudication of liability of
3 an owner for a violation of subdivision (d) of section eleven hundred
4 eleven of this chapter in accordance with section eleven hundred
5 eleven-b of this chapter, or other than an adjudication in accordance
6 with section eleven hundred eleven-c of this chapter for a violation of
7 a bus lane restriction as defined in such section, or other than an
8 adjudication of liability of an owner for a violation of subdivision (d)
9 of section eleven hundred eleven of this chapter in accordance with
10 section eleven hundred eleven-d of this chapter, or other than an adju-
11 dication of liability of an owner for a violation of subdivision (b),
12 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in
13 accordance with section eleven hundred eighty-b of this chapter, or
14 other than an adjudication of liability of an owner for a violation of
15 subdivision (d) of section eleven hundred eleven of this chapter in
16 accordance with section eleven hundred eleven-e of this chapter, or
17 other than an adjudication of liability of an owner for a violation of
18 subdivision (d) of section eleven hundred eleven of this chapter in
19 accordance with section eleven hundred eleven-f of this chapter, there
20 shall be levied a crime victim assistance fee and a mandatory surcharge,
21 in addition to any sentence required or permitted by law, in accordance
22 with the following schedule:

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

1 addition to any sentence required or permitted by law, in the amount of
2 fifty-five dollars.

3 § 4-a. Subdivision 1 of section 1809 of the vehicle and traffic law,
4 as amended by section 10-a 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, or a local law, ordinance, rule
9 or regulation adopted pursuant to this chapter, other than a traffic
10 infraction involving standing, stopping, parking or motor vehicle equip-
11 ment or violations by pedestrians or bicyclists, or other than an adju-
12 dication of liability of an owner for a violation of subdivision (d) of
13 section eleven hundred eleven of this chapter in accordance with section
14 eleven hundred eleven-a of this chapter, or other than an adjudication
15 of liability of an owner for a violation of subdivision (d) of section
16 eleven hundred eleven of this chapter in accordance with section eleven
17 hundred eleven-b of this chapter, or other than an adjudication in
18 accordance with section eleven hundred eleven-c of this chapter for a
19 violation of a bus lane restriction as defined in such section, or other
20 than an adjudication of liability of an owner for a violation of subdi-
21 vision (d) of section eleven hundred eleven of this chapter in accord-
22 ance with section eleven hundred eleven-d of this chapter, or other than
23 an adjudication of liability of an owner for a violation of subdivision
24 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-
25 ter in accordance with section eleven hundred eighty-b of this chapter,
26 or other than an adjudication of liability of an owner for a violation
27 of subdivision (d) of section eleven hundred eleven of this chapter in
28 accordance with section eleven hundred eleven-e of this chapter, or
29 other than an adjudication of liability of an owner for a violation of
30 subdivision (d) of section eleven hundred eleven of this chapter in
31 accordance with section eleven hundred eleven-f of this chapter, there
32 shall be levied a mandatory surcharge, in addition to any sentence
33 required or permitted by law, in the amount of twenty-five dollars.

34 § 4-b. Subdivision 1 of section 1809 of the vehicle and traffic law,
35 as amended by section 10-b of chapter 222 of the laws of 2015, is
36 amended to read as follows:

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

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

3 § 4-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 (d) of section eleven hundred eleven of this chapter in accordance with
16 section eleven hundred eleven-d of this chapter, or other than an adju-
17 dication of liability of an owner for a violation of subdivision (d) of
18 section eleven hundred eleven of this chapter in accordance with section
19 eleven hundred eleven-e of this chapter, 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-f of this chapter, there shall be levied a mandatory
23 surcharge, in addition to any sentence required or permitted by law, in
24 the amount of seventeen dollars.

25 § 4-d. Subdivision 1 of section 1809 of the vehicle and traffic law,
26 as amended by section 10-d of chapter 222 of the laws of 2015, is
27 amended to read as follows:

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

44 § 4-e. Subdivision 1 of section 1809 of the vehicle and traffic law,
45 as amended by section 10-f of chapter 222 of the laws of 2015, is
46 amended to read as follows:

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

1 hundred eleven-f of this chapter, there shall be levied a mandatory
2 surcharge, in addition to any sentence required or permitted by law, in
3 the amount of seventeen dollars.

4 § 4-f. Subdivision 1 of section 1809 of the vehicle and traffic law,
5 as separately amended by chapter 16 of the laws of 1983 and chapter 62
6 of the laws of 1989, is amended to read as follows:

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

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

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

49 § 5-a. Paragraph a of subdivision 1 of section 1809-e of the vehicle
50 and traffic law, as amended by section 11-a of chapter 222 of the laws
51 of 2015, is amended to read as follows:

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

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

22 § 5-b. Paragraph a of subdivision 1 of section 1809-e of the vehicle
23 and traffic law, as amended by section 11-b 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 or in accordance with section eleven hundred eleven-f of this
38 chapter, and except an adjudication of liability of an owner for a
39 violation of subdivision (b), (c), (d), (f) or (g) of section eleven
40 hundred eighty of this chapter in accordance with section eleven hundred
41 eighty-b of this chapter, and except an adjudication of liability of an
42 owner for a violation of toll collection regulations pursuant to section
43 two thousand nine hundred eighty-five of the public authorities law or
44 sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred
45 seventy-four of the laws of nineteen hundred fifty, there shall be
46 levied in addition to any sentence, penalty or other surcharge required
47 or permitted by law, an additional surcharge of twenty-eight dollars.

48 § 5-c. Paragraph a of subdivision 1 of section 1809-e of the vehicle
49 and traffic law, as amended by section 11-c of chapter 222 of the laws
50 of 2015, is amended to read as follows:

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

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

15 § 5-d. Paragraph a of subdivision 1 of section 1809-e of the vehicle
16 and traffic law, as amended by section 11-e of chapter 222 of the laws
17 of 2015, is amended to read as follows:

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

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

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

1 sentence, penalty or other surcharge required or permitted by law, an
2 additional surcharge of twenty-eight dollars.

3 § 6. Subdivision 1 of section 371 of the general municipal law, as
4 amended by section 12 of chapter 222 of the laws of 2015, is amended to
5 read as follows:

6 1. A traffic violations bureau so established may be authorized to
7 dispose of violations of traffic laws, ordinances, rules and regulations
8 when such offenses shall not constitute the traffic infraction known as
9 speeding or a misdemeanor or felony, and, if authorized by local law or
10 ordinance, to adjudicate the liability of owners for violations of
11 subdivision (d) of section eleven hundred eleven of the vehicle and
12 traffic law in accordance with section eleven hundred eleven-a of such
13 law or section eleven hundred eleven-b of such law as added by sections
14 sixteen of chapters twenty, [~~twenty-one,~~] and twenty-two of the laws of
15 two thousand nine which amended this subdivision, or section eleven
16 hundred eleven-d of such law, or section eleven hundred eleven-e of such
17 law or section eleven hundred eleven-f of such law.

18 § 6-a. Section 371 of the general municipal law, as amended by section
19 12-a of chapter 222 of the laws of 2015, is amended to read as follows:

20 § 371. Jurisdiction and procedure. A traffic violations bureau so
21 established may be authorized to dispose of violations of traffic laws,
22 ordinances, rules and regulations when such offenses shall not consti-
23 tute the traffic infraction known as speeding or a misdemeanor or felo-
24 ny, and, if authorized by local law or ordinance, to adjudicate the
25 liability of owners for violations of subdivision (d) of section eleven
26 hundred eleven of the vehicle and traffic law in accordance with section
27 eleven hundred eleven-b of such law as added by sections sixteen of
28 chapters twenty, [~~twenty-one,~~] and twenty-two of the laws of two thou-
29 sand nine which amended this section or section eleven hundred eleven-d
30 of such law or section eleven hundred eleven-e of such law, or section
31 eleven hundred eleven-f of such law, by permitting a person charged with
32 an offense within the limitations herein stated, to answer, within a
33 specified time, at the traffic violations bureau, either in person or by
34 written power of attorney in such form as may be prescribed in the ordi-
35 nance creating the bureau, by paying a prescribed fine and, in writing,
36 waiving a hearing in court, pleading guilty to the charge or admitting
37 liability as an owner for the violation of subdivision (d) of section
38 eleven hundred eleven of the vehicle and traffic law, as the case may
39 be, and authorizing the person in charge of the bureau to make such a
40 plea or admission and pay such a fine in court. Acceptance of the
41 prescribed fine and power of attorney by the bureau shall be deemed
42 complete satisfaction for the violation or of the liability, and the
43 violator or owner liable for a violation of subdivision (d) of section
44 eleven hundred eleven of the vehicle and traffic law shall be given a
45 receipt which so states. If a person charged with a traffic violation
46 does not answer as hereinbefore prescribed, within a designated time,
47 the bureau shall cause a complaint to be entered against him or her
48 forthwith and a warrant to be issued for his or her arrest and appear-
49 ance before the court. Any person who shall have been, within the
50 preceding twelve months, guilty of a number of parking violations in
51 excess of such maximum number as may be designated by the court, or of
52 three or more violations other than parking violations, shall not be
53 permitted to appear and answer to a subsequent violation at the traffic
54 violations bureau, but must appear in court at a time specified by the
55 bureau. Such traffic violations bureau shall not be authorized to
56 deprive a person of his or her right to counsel or to prevent him or her

1 from exercising his or her right to appear in court to answer to,
2 explain, or defend any charge of a violation of any traffic law, ordi-
3 nance, rule or regulation.

4 § 6-b. Section 371 of the general municipal law, as amended by section
5 12-b of chapter 222 of the laws of 2015, is amended to read as follows:

6 § 371. Jurisdiction and procedure. A traffic violations bureau so
7 established may be authorized to dispose of violations of traffic laws,
8 ordinances, rules and regulations when such offenses shall not consti-
9 tute the traffic infraction known as speeding or a misdemeanor or felo-
10 ny, and, if authorized by local law or ordinance, to adjudicate the
11 liability of owners for violations of subdivision (d) of section eleven
12 hundred eleven of the vehicle and traffic law in accordance with section
13 eleven hundred eleven-d or section eleven hundred eleven-e or section
14 eleven hundred eleven-f of the vehicle and traffic law, by permitting a
15 person charged with an offense within the limitations herein stated, to
16 answer, within a specified time, at the traffic violations bureau,
17 either in person or by written power of attorney in such form as may be
18 prescribed in the ordinance creating the bureau, by paying a prescribed
19 fine and, in writing, waiving a hearing in court, pleading guilty to the
20 charge or admitting liability as an owner for the violation of subdivi-
21 sion (d) of section eleven hundred eleven of the vehicle and traffic
22 law, as the case may be, and authorizing the person in charge of the
23 bureau to make such a plea or admission and pay such a fine in court.
24 Acceptance of the prescribed fine and power of attorney by the bureau
25 shall be deemed complete satisfaction for the violation or of the
26 liability, and the violator or owner liable for a violation of subdivi-
27 sion (d) of section eleven hundred eleven of the vehicle and traffic law
28 shall be given a receipt which so states. If a person charged with a
29 traffic violation does not answer as hereinbefore prescribed, within a
30 designated time, the bureau shall cause a complaint to be entered
31 against him or her forthwith and a warrant to be issued for his or her
32 arrest and appearance before the court. Any person who shall have been,
33 within the preceding twelve months, guilty of a number of parking
34 violations in excess of such maximum number as may be designated by the
35 court, or of three or more violations other than parking violations,
36 shall not be permitted to appear and answer to a subsequent violation at
37 the traffic violations bureau, but must appear in court at a time speci-
38 fied by the bureau. Such traffic violations bureau shall not be author-
39 ized to deprive a person of his or her right to counsel or to prevent
40 him or her from exercising his or her right to appear in court to answer
41 to, explain, or defend any charge of a violation of any traffic law,
42 ordinance, rule or regulation.

43 § 6-c. Section 371 of the general municipal law, as amended by section
44 12-c of chapter 222 of the laws of 2015, is amended to read as follows:

45 § 371. Jurisdiction and procedure. A traffic violations bureau so
46 established may be authorized to dispose of violations of traffic laws,
47 ordinances, rules and regulations when such offenses shall not consti-
48 tute the traffic infraction known as speeding or a misdemeanor or felo-
49 ny, and, if authorized by local law or ordinance, to adjudicate the
50 liability of owners for violations of subdivision (d) of section eleven
51 hundred eleven of the vehicle and traffic law in accordance with section
52 eleven hundred eleven-e of the vehicle and traffic law, and, if author-
53 ized by local law or ordinance, to adjudicate the liability of owners
54 for violations of subdivision (d) of section eleven hundred eleven of
55 the vehicle and traffic law in accordance with section eleven hundred
56 eleven-f of the vehicle and traffic law by permitting a person charged

1 with an offense within the limitations herein stated, to answer, within
2 a specified time, at the traffic violations bureau, either in person or
3 by written power of attorney in such form as may be prescribed in the
4 ordinance creating the bureau, by paying a prescribed fine and, in writ-
5 ing, waiving a hearing in court, pleading guilty to the charge or admit-
6 ting liability as an owner for violation of subdivision (d) of section
7 eleven hundred eleven of the vehicle and traffic law, as the case may
8 be, and authorizing the person in charge of the bureau to make such a
9 plea or admission and pay such a fine in court. Acceptance of the
10 prescribed fine and power of attorney by the bureau shall be deemed
11 complete satisfaction for the violation or of the liability, and the
12 violator or owner liable for a violation of subdivision (d) of section
13 eleven hundred eleven of the vehicle and traffic law shall be given a
14 receipt which so states. If a person charged with a traffic violation
15 does not answer as hereinbefore prescribed, within a designated time,
16 the bureau shall cause a complaint to be entered against him or her
17 forthwith and a warrant to be issued for his or her arrest and appear-
18 ance before the court. Any person who shall have been, within the
19 preceding twelve months, guilty of a number of parking violations in
20 excess of such maximum number as may be designated by the court, or of
21 three or more violations other than parking violations, shall not be
22 permitted to appear and answer to a subsequent violation at the traffic
23 violations bureau, but must appear in court at a time specified by the
24 bureau. Such traffic violations bureau shall not be authorized to
25 deprive a person of his or her right to counsel or to prevent him or her
26 from exercising his or her right to appear in court to answer to,
27 explain, or defend any charge of a violation of any traffic law, ordi-
28 nance, rule or regulation.

29 § 6-d. Section 371 of the general municipal law, as amended by chapter
30 802 of the laws of 1949, is amended to read as follows:

31 § 371. Jurisdiction and procedure. A traffic violations bureau so
32 established may be authorized to dispose of violations of traffic laws,
33 ordinances, rules and regulations when such offenses shall not consti-
34 tute the traffic infraction known as speeding or a misdemeanor or felo-
35 ny, and, if authorized by local law or ordinance, to adjudicate the
36 liability of owners for violations of subdivision (d) of section eleven
37 hundred eleven of the vehicle and traffic law in accordance with section
38 eleven hundred eleven-f of the vehicle and traffic law by permitting a
39 person charged with an offense within the limitations herein stated, to
40 answer, within a specified time, at the traffic violations bureau,
41 either in person or by written power of attorney in such form as may be
42 prescribed in the ordinance creating the bureau, by paying a prescribed
43 fine and, in writing, waiving a hearing in court, pleading guilty to the
44 charge, or admitting liability as an owner for a violation of subdivi-
45 sion (d) of section eleven hundred eleven of the vehicle and traffic
46 law, as the case may be and authorizing the person in charge of the
47 bureau to make such a plea or admission and pay such a fine in court.
48 Acceptance of the prescribed fine and power of attorney by the bureau
49 shall be deemed complete satisfaction for the violation, and the viola-
50 tor or owner liable for a violation of subdivision (d) of section eleven
51 hundred eleven of the vehicle and traffic law shall be given a receipt
52 which so states. If a person charged with a traffic violation does not
53 answer as hereinbefore prescribed, within a designated time, the bureau
54 shall cause a complaint to be entered against him or her forthwith and a
55 warrant to be issued for his or her arrest and appearance before the
56 court. Any person who shall have been, within the preceding twelve

1 months, guilty of a number of parking violations in excess of such maxi-
2 mum number as may be designated by the court, or of three or more
3 violations other than parking violations, shall not be permitted to
4 appear and answer to a subsequent violation at the traffic violations
5 bureau, but must appear in court at a time specified by the bureau. Such
6 traffic violations bureau shall not be authorized to deprive a person of
7 his or her right to counsel or to prevent him or her from exercising his
8 or her right to appear in court to answer to, explain, or defend any
9 charge of a violation of any traffic law, ordinance, rule or regulation.

10 § 7. Subdivision 2 of section 87 of the public officers law is amended
11 by adding a new paragraph (q) to read as follows:

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

15 § 8. The purchase or lease of equipment for a demonstration program
16 established pursuant to section 1111-f of the vehicle and traffic law
17 shall be subject to the provisions of section 103 of the general municip-
18 al law.

19 § 9. This act shall take effect on the thirtieth day after it shall
20 have become law and shall expire on December 1, 2024, when upon such
21 date the provisions of this act shall be deemed repealed; provided that
22 any such local law as may be enacted pursuant to this act shall remain
23 in full force and effect only until December 1, 2024 and provided,
24 further, that:

25 (a) the amendments to subparagraph (i) of paragraph a of subdivision
26 5-a of section 401 of the vehicle and traffic law made by section one of
27 this act shall not affect the expiration of such paragraph and shall be
28 deemed to expire therewith, when upon such date the provisions of
29 section one-a of this act shall take effect;

30 (b) the amendments to paragraph a of subdivision 5-a of section 401 of
31 the vehicle and traffic law made by section one-a of this act shall not
32 affect the expiration of such paragraph and shall be deemed to expire
33 therewith, when upon such date the provisions of section one-b of this
34 act shall take effect;

35 (c) the amendments to paragraph a of subdivision 5-a of section 401 of
36 the vehicle and traffic law made by section one-b of this act shall not
37 affect the expiration of such paragraph and shall be deemed to expire
38 therewith, when upon such date the provisions of section one-c of this
39 act shall take effect;

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

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

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

55 (g) the amendments to subdivision 1 of section 1809 of the vehicle and
56 traffic law made by section four of this act shall not affect the expi-

1 ration of such subdivision and shall be deemed to expire therewith, when
2 upon such date the provisions of section four-a of this act shall take
3 effect;

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

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

14 (j) the amendments to subdivision 1 of section 1809 of the vehicle and
15 traffic law made by section four-c of this act shall not affect the
16 expiration of such subdivision and shall be deemed to expire therewith,
17 when upon such date the provisions of section four-d of this act shall
18 take effect;

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

24 (l) the amendments to subdivision 1 of section 1809 of the vehicle and
25 traffic law made by section four-e of this act shall not affect the
26 expiration of such subdivision and shall be deemed to expire therewith,
27 when upon such date the provisions of section four-f of this act shall
28 take effect;

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

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

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

44 (p) the amendments to paragraph a of subdivision 1 of section 1809-e
45 of the vehicle and traffic law made by section five-c of this act shall
46 not affect the expiration of such paragraph and shall be deemed to
47 expire therewith, when upon such date the provisions of section five-d
48 of this act shall take effect;

49 (q) the amendments to paragraph a of subdivision 1 of section 1809-e
50 of the vehicle and traffic law made by section five-d of this act shall
51 not affect the expiration of such paragraph and shall be deemed to
52 expire therewith, when upon such date the provisions of section five-e
53 of this act shall take effect;

54 (r) the amendments made to subdivision 1 of section 371 of the general
55 municipal law made by section six of this act shall not affect the expi-
56 ration of such subdivision and shall be deemed to expire therewith, when

1 upon such date the provisions of section six-a of this act shall take
2 effect;
3 (s) the amendments made to section 371 of the general municipal law
4 made by section six-a of this act shall not affect the expiration of
5 such section and shall be deemed to expire therewith, when upon such
6 date the provisions of section six-b of this act shall take effect;
7 (t) the amendments made to section 371 of the general municipal law
8 made by section six-b of this act shall not affect the expiration of
9 such section and shall be deemed to expire therewith, when upon such
10 date the provisions of section six-c of this act shall take effect; and
11 (u) the amendments made to section 371 of the general municipal law
12 made by section six-c of this act shall not affect the expiration of
13 such section and shall be deemed to expire therewith, when upon such
14 date the provisions of section six-d of this act shall take effect.