STATE OF NEW YORK

10334

IN ASSEMBLY

April 29, 2020

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

AN ACT to amend the vehicle and traffic law, in relation to allowing additional or relocated motor vehicle dealers to be located within six or ten miles of one another when separated by the Hudson River

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

Section 1. Subdivision 15 of section 462 of the vehicle and traffic law, as added by chapter 490 of the laws of 2008, is amended to read as follows:

15. "Relevant market area" means:

(a) if the proposed additional or relocated motor vehicle dealer is to be located in a county having a population in excess of one hundred thousand, the area within the radius of six miles of the intended site of the proposed or relocated dealer. Such six mile distance shall be determined by measuring the distance between the nearest surveyed boundary of the existing new motor vehicle dealer's principal place of business and the nearest surveyed boundary line of the proposed or relocated new motor vehicle dealer's place of business; [~~or~~]

(b) if the proposed additional or relocated motor vehicle dealer is to be within a county having a population of less than one hundred thousand, the area within the radius of ten miles of the intended site of the proposed or relocated dealer. Such ten mile distance shall be determined by measuring the distance between the nearest surveyed boundary line of the existing new motor vehicle dealer's principal place of business and the nearest surveyed boundary line of the proposed or relocated new motor vehicle dealer's principal place of business[~~.~~]**; or**

(c) notwithstanding paragraphs (a) and (b) of this subdivision, if the proposed additional or relocated motor vehicle dealer's relevant market area under paragraphs (a) or (b) of this subdivision includes the Hudson River, the area within ten miles of the intended site of the proposed or relocated dealer on the opposite side of the Hudson River. Such ten mile distance shall be determined by measuring the shortest distance a vehicle could travel on roadways from the nearest surveyed boundary of

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

LBD15249-01-0

the existing new motor vehicle dealer's principal place of business and the nearest surveyed boundary line of the proposed or relocated new motor vehicle dealer's place of business.

In determining the population of a county, the most recent census by the U.S. Bureau of Census or the most recent population update, either from the National Planning Data Corporation or other similar recognized source, shall be used.

§ 2. This act shall take effect immediately.