

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.

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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.