

# STATE OF NEW YORK

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8287

2019-2020 Regular Sessions

## IN ASSEMBLY

June 13, 2019

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

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 Assembly, 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[~~er~~]; 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 commission-  
45 er 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 subdi-  
18 vision (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 subdi-  
24 vision 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

eleven of this chapter in accordance with section eleven hundred eleven-a of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-b of this chapter, or other than an adjudication 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 other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-d of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-b of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-e of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-f of this chapter, there shall be levied a crime victim assistance fee and a mandatory surcharge, in addition to any sentence required or permitted by law, in accordance with the following schedule:

(c) Whenever proceedings in an administrative tribunal or a court of this state result in a conviction for an offense under this chapter other than a crime pursuant to section eleven hundred ninety-two of this chapter, or a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, other than a traffic infraction involving standing, stopping, or parking or violations by pedestrians or bicyclists, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-a of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-b of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-d of this chapter, or other than an infraction pursuant to article nine of this chapter or other than an adjudication of liability of an owner for a violation of toll collection regulations pursuant to section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty or other than an adjudication 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 other than an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty-b of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-e of this chapter, or other than an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter in accordance with section eleven hundred eleven-f of this chapter, there shall be levied a crime victim assistance 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 subdivi-  
21 sion (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 subdivi-  
45 sion (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.