STATE OF NEW YORK

5243

2021-2022 Regular Sessions

IN ASSEMBLY

February 12, 2021

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

AN ACT to amend the vehicle and traffic law, in relation to certificates of registration for entities that manufacture or assemble zero emissions vehicles

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

Section 1. Subparagraph (iii) of paragraph f of subdivision 7 of section 415 of the vehicle and traffic law, as amended by chapter 26 of the laws of 2014, is amended to read as follows:

(iii) **(1)** Notwithstanding any other provision of this paragraph or any provision of paragraph (bb) of subdivision two of section four hundred sixty-three of this title, the commissioner may **issue and** renew [~~any~~] **a** certificate of registration [~~that was issued~~] to a franchisor, manufacturer, distributor, distributor branch or factory branch, as such terms are defined in section four hundred sixty-two of this title, or to any subsidiary, affiliate or controlled entity thereof[~~, prior to March twenty-sixth, two thousand fourteen~~]; provided, however, that such franchisor, manufacturer, distributor, distributor branch or factory branch, or any subsidiary, affiliate or controlled entity thereof, **(A) held a certificate of registration as of March twenty-sixth, two thousand fourteen, (B)** is a manufacturer that manufactures or assembles exclusively zero emissions vehicles, or is a subsidiary, affiliate, or controlled entity of such a manufacturer**, and (C) holds no more than twenty certificates of registration at any one time**; and provided further that a controlling interest in such original franchisor, manufacturer, distributor, distributor branch or factory branch or any subsidiary, affiliate or controlled entity was not transferred, sold or conveyed to another person or entity, other than to a subsidiary, affiliate or controlled entity of such franchisor, manufacturer, distributor, distributor branch or factory branch. For purposes of this paragraph, zero emission vehi-

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

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cles shall have the same meaning as under part two hundred eighteen of title six of the New York code of rules and regulations.

(2) Notwithstanding any section of law, rule, or regulation to the contrary, any franchisor, manufacturer, distributor, distributor branch or factory branch, or any subsidiary, affiliate or controlled entity thereof that obtains a new certificate of registration pursuant to this subparagraph on and after the effective date of this clause shall offer repair service to repair any zero emissions vehicles sold or leased by said franchisor, manufacturer, distributor, distributor branch or any factory branch, or any subsidiary, affiliate or controlled entity thereof.

(3) Notwithstanding any section of law, rule, or regulation to the contrary, any franchisor, manufacturer, distributor, distributor branch or factory branch, or any subsidiary, affiliate or controlled entity thereof that obtains a new certificate of registration pursuant to this subparagraph on and after the effective date of this clause shall maintain at least one certificate of registration in each of the following regions:

(A) Region one shall consist of Columbia, Delaware, Dutchess, Greene, Orange, Sullivan, Putnam, and Ulster counties;

(B) Region two shall consist of Albany, Clinton, Essex, Franklin, Fulton, Hamilton, Montgomery, Rensselaer, Saratoga, Schenectady, Schoharie, Warren, and Washington counties;

(C) Region three shall consist of Broome, Cayuga, Chenango, Cortland, Herkimer, Jefferson, Lewis, Madison, Oneida, Onondaga, Oswego, Otsego, St. Lawrence, Tioga, and Tompkins counties;

(D) Region four shall consist of Chemung, Livingston, Monroe, Ontario, Seneca, Schuyler, Steuben, Wayne and Yates counties; and

(E) Region five shall consist of Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Niagara, Orleans and Wyoming counties.

§ 2. This act shall take effect immediately.