

# STATE OF NEW YORK

415--A

Cal. No. 1520

2021-2022 Regular Sessions

## IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. BIAGGI -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- committee discharged and said bill committed to the Committee on Rules -- ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the vehicle and traffic law, the general municipal law and the public officers law, in relation to certain traffic infractions and notices of liability; to amend the vehicle and traffic law, in relation to adjudications and owner liability for a violation of traffic-control signal indications in the village of Pelham Manor; to repeal certain provisions of the vehicle and traffic law relating thereto; and providing for the repeal of certain provisions upon expiration thereof

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

1 Section 1. Section 235 of the vehicle and traffic law is REPEALED and  
2 a new section 235 is added to read as follows:

3 § 235. Jurisdiction. 1. Notwithstanding any inconsistent provision of  
4 any general, special or local law or administrative code to the contra-  
5 ry, in any city which heretofore or hereafter is authorized to establish  
6 an administrative tribunal: (a) to hear and determine complaints of  
7 traffic infractions constituting parking, standing or stopping  
8 violations, or (b) to adjudicate the liability of owners for violations  
9 of subdivision (d) of section eleven hundred eleven of this chapter  
10 imposed pursuant to a local law or ordinance imposing monetary liability  
11 on the owner of a vehicle for failure of an operator thereof to comply  
12 with traffic-control indications through the installation and operation  
13 of traffic-control signal photo violation-monitoring systems, in accord-  
14 ance with article twenty-four of this chapter, or (c) to adjudicate the  
15 liability of owners for violations of subdivision (b), (c), (d), (f) or

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

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1 (g) of section eleven hundred eighty of this chapter imposed pursuant to  
2 a demonstration program imposing monetary liability on the owner of a  
3 vehicle for failure of an operator thereof to comply with such posted  
4 maximum speed limits through the installation and operation of photo  
5 speed violation monitoring systems, in accordance with article thirty of  
6 this chapter, or (d) to adjudicate the liability of owners for  
7 violations of bus lane restrictions as defined by article twenty-four of  
8 this chapter imposed pursuant to a bus rapid transit program imposing  
9 monetary liability on the owner of a vehicle for failure of an operator  
10 thereof to comply with such bus lane restrictions through the installa-  
11 tion and operation of bus lane photo devices, in accordance with article  
12 twenty-four of this chapter, or (e) to adjudicate the liability of  
13 owners for violations of toll collection regulations imposed by certain  
14 public authorities pursuant to the law authorizing such public authori-  
15 ties to impose monetary liability on the owner of a vehicle for failure  
16 of an operator thereof to comply with toll collection regulations of  
17 such public authorities through the installation and operation of  
18 photo-monitoring systems, in accordance with the provisions of section  
19 two thousand nine hundred eighty-five of the public authorities law and  
20 sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred  
21 seventy-four of the laws of nineteen hundred fifty, or (f) to adjudicate  
22 the liability of owners for violations of section eleven hundred seven-  
23 ty-four of this chapter when meeting a school bus marked and equipped as  
24 provided in subdivisions twenty and twenty-one-c of section three  
25 hundred seventy-five of this chapter imposed pursuant to a local law or  
26 ordinance imposing monetary liability on the owner of a vehicle for  
27 failure of an operator thereof to comply with school bus red visual  
28 signals through the installation and operation of school bus photo  
29 violation monitoring systems, in accordance with article twenty-nine of  
30 this chapter, such tribunal and the rules and regulations pertaining  
31 thereto shall be constituted in substantial conformance with the follow-  
32 ing sections.

33 2. Notwithstanding any inconsistent provision of any general, special  
34 or local law or administrative code to the contrary, any city with a  
35 population in excess of one hundred thousand persons according to the  
36 nineteen hundred eighty United States census hereinafter referred to as  
37 a city shall provide notice of parking violations and of the imposition  
38 of additional penalties whenever the person who is liable therefor fails  
39 to respond to the parking ticket in the manner designated thereon. Such  
40 notice shall be in substantial conformance with the following  
41 provisions:

42 a. Notice. (1) Whenever a city issues a notice of violation for a  
43 parking violation, it shall be served in the manner prescribed by subdivi-  
44 sion two of section two hundred thirty-eight of this article.

45 (2) Whenever a person has been issued a notice of violation for a  
46 parking violation and has not responded in the manner described in the  
47 notice, a city shall give the owner a second notice of the violation by  
48 regular first class mail: (i) within forty days of issuance of the first  
49 notice of violation for a parking violation where the vehicle is a vehi-  
50 cle registered in this state; or (ii) within forty days of the receipt  
51 by such city of the name and address of the owner of the vehicle where  
52 the vehicle is a vehicle registered in any other state. Such second  
53 notice shall include, but not be limited to, the following information:

54 (A) that the owner has a period of twenty days from issuance of the  
55 second notice in which to respond to the notice of violation for a park-  
56 ing violation;

1 (B) that failure to respond to the notice of violation for a parking  
2 violation may result in the suspension and non-renewal of the owner's  
3 registration;

4 (C) that failure to respond to the notice of violation for a parking  
5 violation may subject the owner to additional penalties as provided in  
6 paragraph b of this subdivision;

7 (D) that failure to respond to the notice of violation for a parking  
8 violation shall subject the owner to a default judgment as provided in  
9 paragraph c of this subdivision and the additional penalties imposed  
10 upon parking violations pursuant to paragraph b of this subdivision; and

11 (E) that submission of a plea of guilty to the parking violation makes  
12 the owner liable for payment of the stated fine and additional penalties  
13 imposed pursuant to paragraph b of this subdivision and the mandatory  
14 surcharge of fifteen dollars imposed upon parking violations pursuant to  
15 section eighteen hundred nine-a of this chapter.

16 b. Additional penalties. (1) For the purposes of this paragraph, each  
17 locality shall determine an initial response date of not less than eight  
18 days nor more than thirty days, after which time a penalty may be  
19 imposed. The liability for such initial penalty shall commence on the  
20 date following the initial response date.

21 (2) Failure to respond to a notice of violation for a parking  
22 violation by the initial response date may result in the liability for a  
23 penalty in an amount of the fine indicated on the notice of violation  
24 for a parking violation; where a city has given a second notice pursuant  
25 to paragraph a of this subdivision, the following schedule of additional  
26 penalties may apply:

27 (A) failure to respond to a notice of violation for a parking  
28 violation by the initial response date may result in the liability for  
29 an additional penalty not to exceed ten dollars or, if the first penalty  
30 assessed by a city does not exceed five dollars, such city may assess an  
31 additional penalty within thirty-one to seventy-five days not to exceed  
32 ten dollars; and

33 (B) where a city has given a second notice pursuant to paragraph a of  
34 this subdivision failure to respond to a notice of violation for a park-  
35 ing violation within seventy-five days may result in the liability,  
36 commencing on the seventy-sixth day, for an additional penalty not to  
37 exceed twenty dollars.

38 (3) Where the additional penalty schedule set forth in subparagraph  
39 two of this paragraph, as interpreted in 9 New York Code of Rules and  
40 Regulations Part 6180, has not been implemented by a city and is not in  
41 effect in such city on or before January first, nineteen hundred nine-  
42 ty-three, the provisions of this paragraph shall not apply. For the  
43 purposes of this subdivision, the provisions of this paragraph shall not  
44 be considered to have been implemented and in effect unless the penalty  
45 schedule contained herein shall have been applied to parking violations  
46 issued in such city on or before January first, nineteen hundred nine-  
47 ty-three.

48 b-1. Alternate additional penalty schedule. In any city in which the  
49 schedule of penalties contained in subparagraph two of paragraph b of  
50 this subdivision, as interpreted in 9 New York Code of Rules and Regu-  
51 lations Part 6180, has not been implemented and was not in effect on or  
52 before January first, nineteen hundred ninety-three, the provisions of  
53 this paragraph shall only apply upon enactment of a local law containing  
54 the penalty schedule provided in this paragraph prior to March 28, 1993.  
55 Following the enactment of such a local law, such city may elect to  
56 impose the additional penalties set forth in subparagraphs one and two

1 of this paragraph for failure to respond to a notice of violation for a  
2 parking violation in accordance with this paragraph. In the event that  
3 no such local law was enacted prior to March 28, 1993, the alternate  
4 additional penalty schedule set forth in paragraph b-2 of this subdivi-  
5 sion shall apply.

6 (1) Failure to respond to a notice of violation for a parking  
7 violation within thirty days shall result in liability, commencing on  
8 the thirty-first day, for an additional penalty in an amount not to  
9 exceed ten dollars, indicated on the notice of violation for a parking  
10 violation; where a city has given a second notice pursuant to paragraph  
11 a of this subdivision failure to respond to a notice of violation for a  
12 parking violation within forty-five days may result in liability,  
13 commencing on the forty-sixth day, for the penalty prescribed above for  
14 failure to respond within thirty days and an additional penalty not to  
15 exceed twenty dollars; and where a city has given a second notice pursu-  
16 ant to paragraph a of this subdivision failure to respond to a notice of  
17 violation for a parking violation within seventy-five days may result in  
18 liability, commencing on the seventy-sixth day, for the penalties  
19 prescribed above for failure to respond within thirty days and for fail-  
20 ure to respond within forty-five days and an additional penalty not to  
21 exceed thirty dollars.

22 (2) Notwithstanding the foregoing schedule of alternative additional  
23 penalties, if an owner makes a plea or appears within twenty days after  
24 issuance of a second notice of violation in accordance with paragraph a  
25 of this subdivision, or prior to such mailing, such additional penalty  
26 shall not exceed ten dollars.

27 b-2. Alternate additional penalty schedule. In any city in which the  
28 schedule of penalties contained in paragraph b of this subdivision, as  
29 interpreted in 9 New York Code of Rules and Regulations Part 6180, has  
30 not been implemented and was not in effect on or before January first,  
31 nineteen hundred ninety-three and which has not enacted a local law  
32 pursuant to paragraph b-1 of this subdivision prior to March 28, 1993,  
33 the following alternate additional penalty schedule shall apply:

34 (1) Failure to respond to a notice of violation for a parking  
35 violation within eight days may result in the liability, commencing on  
36 the ninth day, for an additional penalty in an amount not to exceed five  
37 dollars;

38 (2) Failure to respond to a notice of violation for a parking  
39 violation within thirty days may result in the liability, commencing on  
40 the thirty-first day, for the penalty prescribed above for failure to  
41 respond within eight days and an additional penalty not to exceed ten  
42 dollars or, if the first penalty assessed by the city does not exceed  
43 five dollars, such city may assess an additional penalty within thirty-  
44 one to seventy-five days not to exceed ten dollars;

45 (3) Where a city has given a second notice pursuant to paragraph a of  
46 this subdivision failure to respond to a notice of violation for a park-  
47 ing violation within seventy-five days may result in the liability,  
48 commencing on the seventy-sixth day, for the penalties prescribed above  
49 for failure to respond within eight days and for failure to respond  
50 within thirty days and an additional penalty not to exceed twenty  
51 dollars; and

52 (4) Notwithstanding the foregoing schedule of alternate penalties, if  
53 an owner makes a plea or appears within twenty days after issuance of a  
54 second notice of violation in accordance with paragraph a of this subdivi-  
55 vision, or prior to such mailing, such additional penalty shall not  
56 exceed five dollars.

1 c. Default judgment. Where a city has given notice pursuant to para-  
2 graph a of this subdivision, failure to respond to a notice of violation  
3 for a parking violation within ninety days shall be deemed an admission  
4 of liability and shall subject the owner to a default judgment being  
5 entered thereon in an amount not greater than the amount of the original  
6 fine and accrued penalties plus any applicable surcharges. Such default  
7 shall be reported to the department which department shall cause a  
8 suspension and non-renewal of the owner's registration pursuant to the  
9 provisions of subdivision four-c of section five hundred ten of this  
10 chapter.

11 3. Nothing set forth in this article shall be construed to authorize  
12 the imposition of monetary liability on the owner of a vehicle for fail-  
13 ure of an operator thereof to comply with any provision of law, rule or  
14 regulation through the installation and operation of a photo enforcement  
15 device or system, except as otherwise explicitly authorized by article  
16 twenty-four, twenty-nine or thirty of this chapter, by section two thou-  
17 sand nine hundred eighty-five of the public authorities law, or by  
18 sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred  
19 seventy-four of the laws of nineteen hundred fifty, nor be construed to  
20 grant any municipality the authority to establish by local law, ordi-  
21 nance, order, rule, regulation, resolution or any other means, an admin-  
22 istrative tribunal to hear and determine complaints of traffic infrac-  
23 tions or jurisdiction to adjudicate any liability set forth in  
24 subdivision one of this section.

25 § 2. Subdivision 1 of section 236 of the vehicle and traffic law is  
26 REPEALED and a new subdivision 1 is added to read as follows:

27 1. Creation. In any city as hereinbefore or hereafter authorized such  
28 tribunal when created shall be known as the parking violations bureau  
29 and shall have jurisdiction of traffic infractions which constitute a  
30 parking violation and, where authorized: (a) to adjudicate the liability  
31 of owners for violations of subdivision (d) of section eleven hundred  
32 eleven of this chapter imposed pursuant to a local law or ordinance  
33 imposing monetary liability on the owner of a vehicle for failure of an  
34 operator thereof to comply with traffic-control indications through the  
35 installation and operation of traffic-control signal photo violation-  
36 monitoring systems, in accordance with article twenty-four of this chap-  
37 ter, or (b) to adjudicate the liability of owners for violations of  
38 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty  
39 of this chapter imposed pursuant to a demonstration program imposing  
40 monetary liability on the owner of a vehicle for failure of an operator  
41 thereof to comply with such posted maximum speed limits through the  
42 installation and operation of photo speed violation monitoring systems,  
43 in accordance with article thirty of this chapter, or (c) to adjudicate  
44 the liability of owners for violations of bus lane restrictions as  
45 defined by article twenty-four of this chapter imposed pursuant to a bus  
46 rapid transit program imposing monetary liability on the owner of a  
47 vehicle for failure of an operator thereof to comply with such bus lane  
48 restrictions through the installation and operation of bus lane photo  
49 devices, in accordance with article twenty-four of this chapter, or (d)  
50 to adjudicate the liability of owners for violations of toll collection  
51 regulations imposed by certain public authorities pursuant to the law  
52 authorizing such public authorities to impose monetary liability on the  
53 owner of a vehicle for failure of an operator thereof to comply with  
54 toll collection regulations of such public authorities through the  
55 installation and operation of photo-monitoring systems, in accordance  
56 with the provisions of section two thousand nine hundred eighty-five of

1 the public authorities law and sections sixteen-a, sixteen-b and  
2 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen  
3 hundred fifty, or (e) to adjudicate the liability of owners for  
4 violations of section eleven hundred seventy-four of this chapter when  
5 meeting a school bus marked and equipped as provided in subdivisions  
6 twenty and twenty-one-c of section three hundred seventy-five of this  
7 chapter imposed pursuant to a local law or ordinance imposing monetary  
8 liability on the owner of a vehicle for failure of an operator thereof  
9 to comply with school bus red visual signals through the installation  
10 and operation of school bus photo violation monitoring systems, in  
11 accordance with article twenty-nine of this chapter. Such tribunal,  
12 except in a city with a population of one million or more, shall also  
13 have jurisdiction of abandoned vehicle violations. For the purposes of  
14 this article, a parking violation is the violation of any law, rule or  
15 regulation providing for or regulating the parking, stopping or standing  
16 of a vehicle. In addition for purposes of this article, "commissioner"  
17 shall mean and include the commissioner of traffic of the city or an  
18 official possessing authority as such a commissioner.

19 § 3. Paragraph f of subdivision 1 of section 239 of the vehicle and  
20 traffic law is REPEALED and a new paragraph f is added to read as  
21 follows:

22 f. "Notice of violation" means a notice of violation as defined in  
23 subdivision nine of section two hundred thirty-seven of this article,  
24 but shall not be deemed to include a notice of liability issued pursuant  
25 to authorization set forth in articles twenty-four, twenty-nine and  
26 thirty of this chapter, section two thousand nine hundred eighty-five of  
27 the public authorities law and sections sixteen-a, sixteen-b and  
28 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen  
29 hundred fifty to impose monetary liability on the owner of a vehicle for  
30 failure of an operator thereof: to comply with traffic-control indi-  
31 cations in violation of subdivision (d) of section eleven hundred eleven  
32 of this chapter through the installation and operation of traffic-con-  
33 trol signal photo violation-monitoring systems, in accordance with arti-  
34 cle twenty-four of this chapter; or to comply with certain posted maxi-  
35 mum speed limits in violation of subdivision (b), (c), (d), (f) or (g)  
36 of section eleven hundred eighty of this chapter through the installa-  
37 tion and operation of photo speed violation monitoring systems, in  
38 accordance with article thirty of this chapter; or to comply with bus  
39 lane restrictions as defined by article twenty-four of this chapter  
40 through the installation and operation of bus lane photo devices, in  
41 accordance with article twenty-four of this chapter; or to comply with  
42 toll collection regulations of certain public authorities through the  
43 installation and operation of photo-monitoring systems, in accordance  
44 with the provisions of section two thousand nine hundred eighty-five of  
45 the public authorities law and sections sixteen-a, sixteen-b and  
46 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen  
47 hundred fifty; or to stop for a school bus displaying a red visual  
48 signal in violation of section eleven hundred seventy-four of this chap-  
49 ter through the installation and operation of school bus photo violation  
50 monitoring systems, in accordance with article twenty-nine of this chap-  
51 ter.

52 § 4. Subdivisions 1 and 1-a of section 240 of the vehicle and traffic  
53 law are REPEALED and two new subdivisions 1 and 1-a are added to read as  
54 follows:

55 1. Notice of hearing. Whenever a person charged with a parking  
56 violation enters a plea of not guilty; or a person alleged to be liable

1 in accordance with any provisions of law specifically authorizing the  
2 imposition of monetary liability on the owner of a vehicle for failure  
3 of an operator thereof: to comply with traffic-control indications in  
4 violation of subdivision (d) of section eleven hundred eleven of this  
5 chapter through the installation and operation of traffic-control signal  
6 photo violation-monitoring systems, in accordance with article twenty-  
7 four of this chapter; or to comply with certain posted maximum speed  
8 limits in violation of subdivision (b), (c), (d), (f) or (g) of section  
9 eleven hundred eighty of this chapter through the installation and oper-  
10 ation of photo speed violation monitoring systems, in accordance with  
11 article thirty of this chapter; or to comply with bus lane restrictions  
12 as defined by article twenty-four of this chapter through the installa-  
13 tion and operation of bus lane photo devices, in accordance with article  
14 twenty-four of this chapter; or to comply with toll collection regu-  
15 lations of certain public authorities through the installation and oper-  
16 ation of photo-monitoring systems, in accordance with the provisions of  
17 section two thousand nine hundred eighty-five of the public authorities  
18 law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven  
19 hundred seventy-four of the laws of nineteen hundred fifty; or to stop  
20 for a school bus displaying a red visual signal in violation of section  
21 eleven hundred seventy-four of this chapter through the installation and  
22 operation of school bus photo violation monitoring systems, in accord-  
23 ance with article twenty-nine of this chapter, contests such allegation,  
24 the bureau shall advise such person personally by such form of first  
25 class mail as the director may direct of the date on which he or she  
26 must appear to answer the charge at a hearing. The form and content of  
27 such notice of hearing shall be prescribed by the director, and shall  
28 contain a warning to advise the person so pleading or contesting that  
29 failure to appear on the date designated, or on any subsequent adjourned  
30 date, shall be deemed an admission of liability, and that a default  
31 judgment may be entered thereon.

32 1-a. Fines and penalties. Whenever a plea of not guilty has been  
33 entered, or the bureau has been notified that an allegation of liability  
34 in accordance with provisions of law specifically authorizing the impo-  
35 sition of monetary liability on the owner of a vehicle for failure of an  
36 operator thereof: to comply with traffic-control indications in  
37 violation of subdivision (d) of section eleven hundred eleven of this  
38 chapter through the installation and operation of traffic-control signal  
39 photo violation-monitoring systems, in accordance with article twenty-  
40 four of this chapter; or to comply with certain posted maximum speed  
41 limits in violation of subdivision (b), (c), (d), (f) or (g) of section  
42 eleven hundred eighty of this chapter through the installation and  
43 operation of photo speed violation monitoring systems, in accordance  
44 with article thirty of this chapter; or to comply with bus lane  
45 restrictions as defined by article twenty-four of this chapter through  
46 the installation and operation of bus lane photo devices, in accordance  
47 with article twenty-four of this chapter; or to comply with toll  
48 collection regulations of certain public authorities through the instal-  
49 lation and operation of photo-monitoring systems, in accordance with the  
50 provisions of section two thousand nine hundred eighty-five of the  
51 public authorities law and sections sixteen-a, sixteen-b and sixteen-c  
52 of chapter seven hundred seventy-four of the laws of nineteen hundred  
53 fifty; or to stop for a school bus displaying a red visual signal in  
54 violation of section eleven hundred seventy-four of this chapter through  
55 the installation and operation of school bus photo violation monitoring  
56 systems, in accordance with article twenty-nine of this chapter, is

1 being contested, by a person in a timely fashion and a hearing upon the  
2 merits has been demanded, but has not yet been held, the bureau shall  
3 not issue any notice of fine or penalty to that person prior to the date  
4 of the hearing.

5 § 5. Paragraphs a and g of subdivision 2 of section 240 of the vehicle  
6 and traffic law are REPEALED and two new paragraphs a and g are added to  
7 read as follows:

8 a. Every hearing for the adjudication of a charge of parking violation  
9 or an allegation of liability of an owner for a violation of subdivision  
10 (d) of section eleven hundred eleven of this chapter imposed pursuant to  
11 a local law or ordinance imposing monetary liability on the owner of a  
12 vehicle for failure of an operator thereof to comply with traffic-control  
13 indications through the installation and operation of traffic-control  
14 signal photo violation-monitoring systems, in accordance with article  
15 twenty-four of this chapter, or an allegation of liability of an  
16 owner for a violation of subdivision (b), (c), (d), (f) or (g) of  
17 section eleven hundred eighty of this chapter imposed pursuant to a  
18 demonstration program imposing monetary liability on the owner of a  
19 vehicle for failure of an operator thereof to comply with certain posted  
20 maximum speed limits through the installation and operation of photo  
21 speed violation monitoring systems, in accordance with article thirty of  
22 this chapter, or an allegation of liability of an owner for a violation  
23 of bus lane restrictions as defined by article twenty-four of this chap-  
24 ter imposed pursuant to a bus rapid transit program imposing monetary  
25 liability on the owner of a vehicle for failure of an operator thereof  
26 to comply with such bus lane restrictions through the installation and  
27 operation of bus lane photo devices, in accordance with article twenty-  
28 four of this chapter, or an allegation of liability of an owner for a  
29 violation of toll collection regulations imposed by certain public  
30 authorities pursuant to the law authorizing such public authorities to  
31 impose monetary liability on the owner of a vehicle for failure of an  
32 operator thereof to comply with toll collection regulations of such  
33 public authorities through the installation and operation of photo-moni-  
34 toring systems, in accordance with the provisions of section two thou-  
35 sand nine hundred eighty-five of the public authorities law and sections  
36 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four  
37 of the laws of nineteen hundred fifty, or an allegation of liability of  
38 an owner for a violation of section eleven hundred seventy-four of this  
39 chapter when meeting a school bus marked and equipped as provided in  
40 subdivisions twenty and twenty-one-c of section three hundred seventy-  
41 five of this chapter imposed pursuant to a local law or ordinance impos-  
42 ing monetary liability on the owner of a vehicle for failure of an oper-  
43 ator thereof to comply with school bus red visual signals through the  
44 installation and operation of school bus photo violation monitoring  
45 systems, in accordance with article twenty-nine of this chapter, shall  
46 be held before a hearing examiner in accordance with rules and regu-  
47 lations promulgated by the bureau.

48 g. A record shall be made of a hearing on a plea of not guilty or of a  
49 hearing at which liability in accordance with any provisions of law  
50 specifically authorizing the imposition of monetary liability on the  
51 owner of a vehicle for failure of an operator thereof: to comply with  
52 traffic-control indications in violation of subdivision (d) of section  
53 eleven hundred eleven of this chapter through the installation and oper-  
54 ation of traffic-control signal photo violation-monitoring systems, in  
55 accordance with article twenty-four of this chapter; to comply with  
56 certain posted maximum speed limits in violation of subdivision (b),



1 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter  
2 through the installation and operation of photo speed violation monitor-  
3 ing systems, in accordance with article thirty of this chapter; to  
4 comply with bus lane restrictions as defined by article twenty-four of  
5 this chapter through the installation and operation of bus lane photo  
6 devices, in accordance with article twenty-four of this chapter; to  
7 comply with toll collection regulations of certain public authorities  
8 through the installation and operation of photo-monitoring systems, in  
9 accordance with the provisions of section two thousand nine hundred  
10 eighty-five of the public authorities law and sections sixteen-a,  
11 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the  
12 laws of nineteen hundred fifty; or to stop for a school bus displaying a  
13 red visual signal in violation of section eleven hundred seventy-four of  
14 this chapter through the installation and operation of school bus photo  
15 violation monitoring systems, in accordance with article twenty-nine of  
16 this chapter, is contested. Recording devices may be used for the  
17 making of the record.

18 § 6. Subdivisions 1 and 2 of section 241 of the vehicle and traffic  
19 law are REPEALED and two new subdivisions 1 and 2 are added to read as  
20 follows:

21 1. The hearing examiner shall make a determination on the charges,  
22 either sustaining or dismissing them. Where the hearing examiner deter-  
23 mines that the charges have been sustained he or she may examine either  
24 the prior parking violations record or the record of liabilities  
25 incurred in accordance with any provisions of law specifically authoriz-  
26 ing the imposition of monetary liability on the owner of a vehicle for  
27 failure of an operator thereof: to comply with traffic-control indi-  
28 cations in violation of subdivision (d) of section eleven hundred eleven  
29 of this chapter through the installation and operation of traffic-con-  
30 trol signal photo violation-monitoring systems, in accordance with arti-  
31 cle twenty-four of this chapter; to comply with certain posted maximum  
32 speed limits in violation of subdivision (b), (c), (d), (f) or (g) of  
33 section eleven hundred eighty of this chapter through the installation  
34 and operation of photo speed violation monitoring systems, in accordance  
35 with article thirty of this chapter; to comply with bus lane  
36 restrictions as defined by article twenty-four of this chapter through  
37 the installation and operation of bus lane photo devices, in accordance  
38 with article twenty-four of this chapter; to comply with toll collection  
39 regulations of certain public authorities through the installation and  
40 operation of photo-monitoring systems, in accordance with the provisions  
41 of section two thousand nine hundred eighty-five of the public authori-  
42 ties law and sections sixteen-a, sixteen-b and sixteen-c of chapter  
43 seven hundred seventy-four of the laws of nineteen hundred fifty; or to  
44 stop for a school bus displaying a red visual signal in violation of  
45 section eleven hundred seventy-four of this chapter through the instal-  
46 lation and operation of school bus photo violation monitoring systems,  
47 in accordance with article twenty-nine of this chapter, of the person  
48 charged, as applicable prior to rendering a final determination. Final  
49 determinations sustaining or dismissing charges shall be entered on a  
50 final determination roll maintained by the bureau together with records  
51 showing payment and nonpayment of penalties.

52 2. Where an operator or owner fails to enter a plea to a charge of a  
53 parking violation or contest an allegation of liability in accordance  
54 with any provisions of law specifically authorizing the imposition of  
55 monetary liability on the owner of a vehicle for failure of an operator  
56 thereof: to comply with traffic-control indications in violation of

1 subdivision (d) of section eleven hundred eleven of this chapter through  
2 the installation and operation of traffic-control signal photo viola-  
3 tion-monitoring systems, in accordance with article twenty-four of this  
4 chapter; to comply with certain posted maximum speed limits in violation  
5 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred  
6 eighty of this chapter through the installation and operation of photo  
7 speed violation monitoring systems, in accordance with article thirty of  
8 this chapter; to comply with bus lane restrictions as defined by article  
9 twenty-four of this chapter through the installation and operation of  
10 bus lane photo devices, in accordance with article twenty-four of this  
11 chapter; to comply with toll collection regulations of certain public  
12 authorities through the installation and operation of photo-monitoring  
13 systems, in accordance with the provisions of section two thousand nine  
14 hundred eighty-five of the public authorities law and sections  
15 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four  
16 of the laws of nineteen hundred fifty; or to stop for a school bus  
17 displaying a red visual signal in violation of section eleven hundred  
18 seventy-four of this chapter through the installation and operation of  
19 school bus photo violation monitoring systems, in accordance with arti-  
20 cle twenty-nine of this chapter, or fails to appear on a designated  
21 hearing date or subsequent adjourned date or fails after a hearing to  
22 comply with the determination of a hearing examiner, as prescribed by  
23 this article or by rule or regulation of the bureau, such failure to  
24 plead or contest, appear or comply shall be deemed, for all purposes, an  
25 admission of liability and shall be grounds for rendering and entering a  
26 default judgment in an amount provided by the rules and regulations of  
27 the bureau. However, after the expiration of the original date  
28 prescribed for entering a plea and before a default judgment may be  
29 rendered, in such case the bureau shall pursuant to the applicable  
30 provisions of law notify such operator or owner, by such form of first  
31 class mail as the commission may direct; (1) of the violation charged,  
32 or liability alleged in accordance with any provisions of law specif-  
33 ically authorizing the imposition of monetary liability on the owner of  
34 a vehicle for failure of an operator thereof: to comply with traffic-  
35 control indications in violation of subdivision (d) of section eleven  
36 hundred eleven of this chapter through the installation and operation of  
37 traffic-control signal photo violation-monitoring systems, in accordance  
38 with article twenty-four of this chapter; to comply with certain posted  
39 maximum speed limits in violation of subdivisions (b), (c), (d), (f) or  
40 (g) of section eleven hundred eighty of this chapter through the instal-  
41 lation and operation of photo speed violation monitoring systems, in  
42 accordance with article thirty of this chapter; to comply with bus lane  
43 restrictions as defined by article twenty-four of this chapter through  
44 the installation and operation of bus lane photo devices, in accordance  
45 with article twenty-four of this chapter; to comply with toll collection  
46 regulations of certain public authorities through the installation and  
47 operation of photo-monitoring systems, in accordance with the provisions  
48 of section two thousand nine hundred eighty-five of the public authori-  
49 ties law and sections sixteen-a, sixteen-b and sixteen-c of chapter  
50 seven hundred seventy-four of the laws of nineteen hundred fifty; or to  
51 stop for a school bus displaying a red visual signal in violation of  
52 section eleven hundred seventy-four of this chapter through the instal-  
53 lation and operation of school bus photo violation monitoring systems,  
54 in accordance with article twenty-nine of this chapter, (2) of the  
55 impending default judgment, (3) that such judgment will be entered in  
56 the Civil Court of the city in which the bureau has been established, or

1 other court of civil jurisdiction or any other place provided for the  
2 entry of civil judgments within the state of New York, and (4) that a  
3 default may be avoided by entering a plea or contesting an allegation of  
4 liability in accordance with any provisions of law specifically author-  
5 izing the imposition of monetary liability on the owner of a vehicle for  
6 failure of an operator thereof: to comply with traffic-control indi-  
7 cations in violation of subdivision (d) of section eleven hundred eleven  
8 of this chapter through the installation and operation of traffic-con-  
9 trol signal photo violation-monitoring systems, in accordance with arti-  
10 cle twenty-four of this chapter; to comply with certain posted maximum  
11 speed limits in violation of subdivisions (b), (c), (d), (f) or (g) of  
12 section eleven hundred eighty of this chapter through the installation  
13 and operation of photo speed violation monitoring systems, in accordance  
14 with article thirty of this chapter; to comply with bus lane  
15 restrictions as defined by article twenty-four of this chapter through  
16 the installation and operation of bus lane photo devices, in accordance  
17 with article twenty-four of this chapter; to comply with toll collection  
18 regulations of certain public authorities through the installation and  
19 operation of photo-monitoring systems, in accordance with the provisions  
20 of section two thousand nine hundred eighty-five of the public authori-  
21 ties law and sections sixteen-a, sixteen-b and sixteen-c of chapter  
22 seven hundred seventy-four of the laws of nineteen hundred fifty; or to  
23 stop for a school bus displaying a red visual signal in violation of  
24 section eleven hundred seventy-four of this chapter through the instal-  
25 lation and operation of school bus photo violation monitoring systems,  
26 in accordance with article twenty-nine of this chapter, or making an  
27 appearance within thirty days of the sending of such notice. Pleas  
28 entered and allegations contested within that period shall be in the  
29 manner prescribed in the notice and not subject to additional penalty or  
30 fee. Such notice of impending default judgment shall not be required  
31 prior to the rendering and entry thereof in the case of operators or  
32 owners who are non-residents of the state of New York. In no case shall  
33 a default judgment be rendered or, where required, a notice of impending  
34 default judgment be sent, more than two years after the expiration of  
35 the time prescribed for entering a plea or contesting an allegation.  
36 When a person has demanded a hearing, no fine or penalty shall be  
37 imposed for any reason, prior to the holding of the hearing. If the  
38 hearing examiner shall make a determination on the charges, sustaining  
39 them, he or she shall impose no greater penalty or fine than those upon  
40 which the person was originally charged.

41 § 7. Paragraph a of subdivision 5-a of section 401 of the vehicle and  
42 traffic law is REPEALED and a new paragraph a is added to read as  
43 follows:

44 a. (i) If at the time of application for a registration or renewal  
45 thereof there is a certification from a court, parking violations  
46 bureau, traffic and parking violations agency or administrative tribunal  
47 of 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 a  
51 total of three or more summonses or other process in the aggregate,  
52 issued within an eighteen month period, charging either that: (i) such  
53 motor vehicle was parked, stopped or standing, or that such motor vehi-  
54 cle was operated for hire by the registrant or his or her agent without  
55 being licensed as a motor vehicle for hire by the appropriate local  
56 authority, in violation of any of the provisions of this chapter or of

1 any law, ordinance, rule or regulation made by a local authority; or  
2 (ii) the registrant was liable for a violation of subdivision (d) of  
3 section eleven hundred eleven of this chapter imposed pursuant to a  
4 local law or ordinance imposing monetary liability on the owner of a  
5 vehicle for failure of an operator thereof to comply with traffic-con-  
6 trol indications through the installation and operation of traffic-con-  
7 trol signal photo violation-monitoring systems, in accordance with arti-  
8 cle twenty-four of this chapter; or (iii) the registrant was liable for  
9 a violation of subdivision (b), (c), (d), (f) or (g) of section eleven  
10 hundred eighty of this chapter imposed pursuant to a demonstration  
11 program imposing monetary liability on the owner of a vehicle for fail-  
12 ure of an operator thereof to comply with such posted maximum speed  
13 limits through the installation and operation of photo speed violation  
14 monitoring systems, in accordance with article thirty of this chapter;  
15 or (iv) the registrant was liable for a violation of bus lane  
16 restrictions as defined by article twenty-four of this chapter imposed  
17 pursuant to a bus rapid transit program imposing monetary liability on  
18 the owner of a vehicle for failure of an operator thereof to comply with  
19 such bus lane restrictions through the installation and operation of bus  
20 lane photo devices, in accordance with article twenty-four of this chap-  
21 ter; or (v) the registrant was liable for a violation of section eleven  
22 hundred seventy-four of this chapter when meeting a school bus marked  
23 and equipped as provided in subdivisions twenty and twenty-one-c of  
24 section three hundred seventy-five of this chapter imposed pursuant to a  
25 local law or ordinance imposing monetary liability on the owner of a  
26 vehicle for failure of an operator thereof to comply with school bus red  
27 visual signals through the installation and operation of school bus  
28 photo violation monitoring systems, in accordance with article twenty-  
29 nine of this chapter, the commissioner or his or her agent shall deny  
30 the registration or renewal application until the applicant provides  
31 proof from the court, traffic and parking violations agency or adminis-  
32 trative tribunal wherein the charges are pending that an appearance or  
33 answer has been made or in the case of an administrative tribunal that  
34 he or she has complied with the rules and regulations of said tribunal  
35 following entry of a final decision. Where an application is denied  
36 pursuant to this section, the commissioner may, in his or her  
37 discretion, deny a registration or renewal application to any other  
38 person for the same vehicle and may deny a registration or renewal  
39 application for any other motor vehicle registered in the name of the  
40 applicant where the commissioner has determined that such registrant's  
41 intent has been to evade the purposes of this subdivision and where the  
42 commissioner has reasonable grounds to believe that such registration or  
43 renewal will have the effect of defeating the purposes of this subdivi-  
44 sion. Such denial shall only remain in effect as long as the summonses  
45 remain unanswered, or in the case of an administrative tribunal, the  
46 registrant fails to comply with the rules and regulations following  
47 entry of a final decision.

48 (ii) For purposes of this paragraph, the term "motor vehicle operated  
49 for hire" shall mean and include a taxicab, livery, coach, limousine or  
50 tow truck.

51 § 8. The opening paragraph and paragraph (c) of subdivision 1 of  
52 section 1809 of the vehicle and traffic law, as separately amended by  
53 section 10 of chapter 145 and section 9 of chapter 148 of the laws of  
54 2019, are amended to read as follows:

55 Whenever proceedings in an administrative tribunal or a court of this  
56 state result in a conviction for an offense under this chapter or a

1 traffic infraction under this chapter, or a local law, ordinance, rule  
2 or regulation adopted pursuant to this chapter, other than a traffic  
3 infraction involving standing, stopping, or parking or violations by  
4 pedestrians or bicyclists[~~, or other than an adjudication of liability~~  
5 ~~of an owner for a violation of subdivision (d) of section eleven hundred~~  
6 ~~eleven of this chapter in accordance with section eleven hundred~~  
7 ~~eleven-a of this chapter, or other than an adjudication of liability of~~  
8 ~~an owner for a violation of subdivision (d) of section eleven hundred~~  
9 ~~eleven of this chapter in accordance with section eleven hundred~~  
10 ~~eleven-b of this chapter, or other than an adjudication in accordance~~  
11 ~~with section eleven hundred eleven-c of this chapter for a violation of~~  
12 ~~a bus lane restriction as defined in such section, or other than an~~  
13 ~~adjudication of liability of an owner for a violation of subdivision (d)~~  
14 ~~of section eleven hundred eleven of this chapter in accordance with~~  
15 ~~section eleven hundred eleven-d of this chapter, or other than an adju-~~  
16 ~~dications of liability of an owner for a violation of subdivision (b),~~  
17 ~~(c), (d), (f) or (g) of section eleven hundred eighty of this chapter in~~  
18 ~~accordance with section eleven hundred eighty-b of this chapter, or~~  
19 ~~other than an adjudication of liability of an owner for a violation of~~  
20 ~~subdivision (d) of section eleven hundred eleven of this chapter in~~  
21 ~~accordance with section eleven hundred eleven-e of this chapter, or~~  
22 ~~other than an adjudication of liability of an owner for a violation of~~  
23 ~~section eleven hundred seventy-four of this chapter in accordance with~~  
24 ~~section eleven hundred seventy-four-a of this chapter, or other than an~~  
25 ~~adjudication of liability of an owner for a violation of subdivision~~  
26 ~~(b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-~~  
27 ~~ter in accordance with section eleven hundred eighty-d of this chapter,]~~  
28 and except as otherwise provided by subdivision one-a of this section,  
29 there shall be levied a crime victim assistance fee and a mandatory  
30 surcharge, in addition to any sentence required or permitted by law, in  
31 accordance with the following schedule:

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

1 ~~hundred eighty of this chapter in accordance with section eleven hundred~~  
2 ~~eighty b of this chapter, or other than an adjudication of liability of~~  
3 ~~an owner for a violation of subdivision (d) of section eleven hundred~~  
4 ~~eleven of this chapter in accordance with section eleven hundred~~  
5 ~~eleven e of this chapter, or other than an adjudication of liability of~~  
6 ~~an owner for a violation of section eleven hundred seventy four of this~~  
7 ~~chapter in accordance with section eleven hundred seventy four a of this~~  
8 ~~chapter, or other than an adjudication of liability of an owner for a~~  
9 ~~violation of subdivision (b), (c), (d), (f) or (g) of section eleven~~  
10 ~~hundred eighty of this chapter in accordance with section eleven hundred~~  
11 ~~eighty d of this chapter,] and except as otherwise provided by subdivi-~~  
12 ~~sion one-a of this section,~~ there shall be levied a crime victim assist-  
13 ance fee in the amount of five dollars and a mandatory surcharge, in  
14 addition to any sentence required or permitted by law, in the amount of  
15 fifty-five dollars.

16 § 8-a. The opening paragraph and paragraph (c) of subdivision 1 of  
17 section 1809 of the vehicle and traffic law, as amended by section 10 of  
18 chapter 145 of the laws of 2019, are amended to read as follows:

19 Whenever proceedings in an administrative tribunal or a court of this  
20 state result in a conviction for an offense under this chapter or a  
21 traffic infraction under this chapter, or a local law, ordinance, rule  
22 or regulation adopted pursuant to this chapter, other than a traffic  
23 infraction involving standing, stopping, or parking or violations by  
24 pedestrians or bicyclists[~~, or other than an adjudication of liability~~  
25 ~~of an owner for a violation of subdivision (d) of section eleven hundred~~  
26 ~~eleven of this chapter in accordance with section eleven hundred~~  
27 ~~eleven a of this chapter, or other than an adjudication of liability of~~  
28 ~~an owner for a violation of subdivision (d) of section eleven hundred~~  
29 ~~eleven of this chapter in accordance with section eleven hundred~~  
30 ~~eleven b of this chapter, or other than an adjudication in accordance~~  
31 ~~with section eleven hundred eleven c of this chapter for a violation of~~  
32 ~~a bus lane restriction as defined in such section, or other than an~~  
33 ~~adjudication of liability of an owner for a violation of subdivision (d)~~  
34 ~~of section eleven hundred eleven of this chapter in accordance with~~  
35 ~~section eleven hundred eleven d of this chapter, or other than an adju-~~  
36 ~~dicatation of liability of an owner for a violation of subdivision (b),~~  
37 ~~(c), (d), (f) or (g) of section eleven hundred eighty of this chapter in~~  
38 ~~accordance with section eleven hundred eighty b of this chapter, or~~  
39 ~~other than an adjudication of liability of an owner for a violation of~~  
40 ~~subdivision (d) of section eleven hundred eleven of this chapter in~~  
41 ~~accordance with section eleven hundred eleven e of this chapter, or~~  
42 ~~other than an adjudication of liability of an owner for a violation of~~  
43 ~~section eleven hundred seventy four of this chapter in accordance with~~  
44 ~~section eleven hundred seventy four a of this chapter,] and except as  
45 otherwise provided by subdivision one-a of this section, there shall be  
46 levied a crime victim assistance fee and a mandatory surcharge, in addi-  
47 tion to any sentence required or permitted by law, in accordance with  
48 the following schedule:~~

49 (c) Whenever proceedings in an administrative tribunal or a court of  
50 this state result in a conviction for an offense under this chapter  
51 other than a crime pursuant to section eleven hundred ninety-two of this  
52 chapter, or a traffic infraction under this chapter, or a local law,  
53 ordinance, rule or regulation adopted pursuant to this chapter, other  
54 than a traffic infraction involving standing, stopping, or parking or  
55 violations by pedestrians or bicyclists[~~, or other than an adjudication~~  
56 ~~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 section eleven hundred seventy four of this chapter in accordance with section eleven hundred seventy four a of this chapter,~~ and except as otherwise provided by subdivision one-a of this section, there shall be levied a crime victim assistance fee in the amount of five dollars and a mandatory surcharge, in addition to any sentence required or permitted by law, in the amount of fifty-five dollars.

§ 8-b. Subdivision 1 of section 1809 of the vehicle and traffic law, as separately amended by section 10-a of chapter 145 and section 9-a of chapter 148 of the laws of 2019, is amended to read as follows:

1. Whenever proceedings in an administrative tribunal or a court of this state result in a conviction for a crime under 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, parking or motor vehicle equipment 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 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 (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter in accordance with section eleven hundred eighty d of this chapter, or other than an adjudication of liability of an~~

1 ~~owner for a violation of subdivision (d) of section eleven hundred eleven~~  
2 ~~of this chapter in accordance with section eleven hundred eleven e of~~  
3 ~~this chapter, or other than an adjudication of liability of an owner for~~  
4 ~~a violation of section eleven hundred seventy-four of this chapter in~~  
5 ~~accordance with section eleven hundred seventy-four a of this chapter,]~~  
6 and except as otherwise provided by subdivision one-a of this section,  
7 there shall be levied a mandatory surcharge, in addition to any sentence  
8 required or permitted by law, in the amount of twenty-five dollars.

9 § 8-c. Subdivision 1 of section 1809 of the vehicle and traffic law,  
10 as separately amended by section 10-b of chapter 145 and section 9-b of  
11 chapter 148 of the laws of 2019, is amended to read as follows:

12 1. Whenever proceedings in an administrative tribunal or a court of  
13 this state result in a conviction for a crime under this chapter or a  
14 traffic infraction under this chapter other than a traffic infraction  
15 involving standing, stopping, parking or motor vehicle equipment or  
16 violations by pedestrians or bicyclists[~~, or other than an adjudication~~  
17 ~~in accordance with section eleven hundred eleven e of this chapter for a~~  
18 ~~violation of a bus lane restriction as defined in such section, or other~~  
19 ~~than an adjudication of liability of an owner for a violation of subdivi-~~  
20 ~~sion (d) of section eleven hundred eleven of this chapter in accord-~~  
21 ~~ance with section eleven hundred eleven d of this chapter, or other than~~  
22 ~~an adjudication of liability of an owner for a violation of subdivision~~  
23 ~~(b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-~~  
24 ~~ter in accordance with section eleven hundred eighty d of this chapter,~~  
25 ~~or other than an adjudication of liability of an owner for a violation~~  
26 ~~of subdivision (d) of section eleven hundred eleven of this chapter in~~  
27 ~~accordance with section eleven hundred eleven e of this chapter, or~~  
28 ~~other than an adjudication of liability of an owner for a violation of~~  
29 ~~section eleven hundred seventy-four of this chapter in accordance with~~  
30 ~~section eleven hundred seventy-four a of this chapter,]~~ and except as  
31 otherwise provided by subdivision one-a of this section, there shall be  
32 levied a mandatory surcharge, in addition to any sentence required or  
33 permitted by law, in the amount of seventeen dollars.

34 § 8-d. Subdivision 1 of section 1809 of the vehicle and traffic law,  
35 as separately amended by section 10-c of chapter 145 and section 9-c of  
36 chapter 148 of the laws of 2019, is 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 ~~of liability of an owner for a violation of subdivision (b), (c), (d),~~  
43 ~~(f) or (g) of section eleven hundred eighty of this chapter in accord-~~  
44 ~~ance with section eleven hundred eighty-b of this chapter, or other than~~  
45 ~~an adjudication of liability of an owner for a violation of subdivision~~  
46 ~~(b), (c), (d), (f) or (g) of section eleven hundred eighty of this chap-~~  
47 ~~ter in accordance with section eleven hundred eighty d of this chapter,~~  
48 ~~or other than an adjudication of liability of an owner for a violation~~  
49 ~~of subdivision (d) of section eleven hundred eleven of this chapter in~~  
50 ~~accordance with section eleven hundred eleven d of this chapter, or~~  
51 ~~other than an adjudication of liability of an owner for a violation of~~  
52 ~~subdivision (d) of section eleven hundred eleven of this chapter in~~  
53 ~~accordance with section eleven hundred eleven e of this chapter, or~~  
54 ~~other than an adjudication of liability of an owner for a violation of~~  
55 ~~section eleven hundred seventy-four of this chapter in accordance with~~  
56 ~~section eleven hundred seventy-four a of this chapter,]~~ and except as



1 otherwise provided by subdivision one-a of this section, there shall be  
2 levied a mandatory surcharge, in addition to any sentence required or  
3 permitted by law, in the amount of seventeen dollars.

4 § 8-e. Subdivision 1 of section 1809 of the vehicle and traffic law,  
5 as separately amended by section 10-d of chapter 145 and section 9-d of  
6 chapter 148 of the laws of 2019, 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 (b), (c), (d),~~  
13 ~~(f) or (g) of section eleven hundred eighty of this chapter in accord-~~  
14 ~~ance with section eleven hundred eighty-d of this chapter, or other than~~  
15 ~~an adjudication of liability of an owner for a violation of subdivi-~~  
16 ~~(d) of section eleven hundred eleven of this chapter in accordance with~~  
17 ~~section eleven hundred eleven-d of this chapter, or other than an adju-~~  
18 ~~dications of liability of an owner for a violation of subdivision (d) of~~  
19 ~~section eleven hundred eleven-e of this chapter, or other than an adjudication~~  
20 ~~of liability of an owner for a violation of section eleven hundred~~  
21 ~~seventy-four of this chapter in accordance with section eleven hundred~~  
22 ~~seventy-four-a of this chapter,] and except as otherwise provided by  
23 subdivision one-a of this section, there shall be levied a mandatory  
24 surcharge, in addition to any sentence required or permitted by law, in  
25 the amount of seventeen dollars.~~

26 § 8-f. Subdivision 1 of section 1809 of the vehicle and traffic law,  
27 as separately amended by section 10-f of chapter 145 and section 9-f of  
28 chapter 148 of the laws of 2019, is amended to read as follows:

29 1. Whenever proceedings in an administrative tribunal or a court of  
30 this state result in a conviction for a crime under this chapter or a  
31 traffic infraction under this chapter other than a traffic infraction  
32 involving standing, stopping, parking or motor vehicle equipment or  
33 violations by pedestrians or bicyclists[~~, or other than an adjudication~~  
34 ~~of liability of an owner for a violation of subdivision (b), (c), (d),~~  
35 ~~(f) or (g) of section eleven hundred eighty of this chapter in accord-~~  
36 ~~ance with section eleven hundred eighty-d of this chapter, or other than~~  
37 ~~an adjudication of liability of an owner for a violation of subdivi-~~  
38 ~~(d) of section eleven hundred eleven of this chapter in accordance with~~  
39 ~~section eleven hundred eleven-e of this chapter, or other than an adju-~~  
40 ~~dications of liability of an owner for a violation of section eleven~~  
41 ~~hundred seventy-four of this chapter in accordance with section eleven~~  
42 ~~hundred seventy-four-a of this chapter,] and except as otherwise  
43 provided by subdivision one-a of this section, there shall be levied a  
44 mandatory surcharge, in addition to any sentence required or permitted  
45 by law, in the amount of seventeen dollars.~~

46 § 8-g. Subdivision 1 of section 1809 of the vehicle and traffic law,  
47 as separately amended by section 10-g of chapter 145 and section 9-g of  
48 chapter 148 of the laws of 2019, is amended to read as follows:

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

1 ~~section eleven hundred eighty d of this chapter, or other than an adju-~~  
2 ~~dicatation of liability of an owner for a violation of section eleven~~  
3 ~~hundred seventy-four of this chapter in accordance with section eleven~~  
4 ~~hundred seventy-four-a of this chapter,] and except as otherwise~~  
5 provided by subdivision one-a of this section, there shall be levied a  
6 mandatory surcharge, in addition to any sentence required or permitted  
7 by law, in the amount of seventeen dollars.

8 § 8-h. Subdivision 1 of section 1809 of the vehicle and traffic law,  
9 as separately amended by chapter 16 of the laws of 1983 and chapter 62  
10 of the laws of 1989, is amended to read as follows:

11 1. Whenever proceedings in an administrative tribunal or a court of  
12 this state result in a conviction for a crime under this chapter or a  
13 traffic infraction under this chapter other than a traffic infraction  
14 involving standing, stopping, parking or motor vehicle equipment or  
15 violations by pedestrians or bicyclists and except as otherwise provided  
16 by subdivision one-a of this section, there shall be levied a mandatory  
17 surcharge, in addition to any sentence required or permitted by law, in  
18 the amount of seventeen dollars.

19 § 9. Section 1809 of the vehicle and traffic law is amended by adding  
20 a new subdivision 1-a to read as follows:

21 1-a. Notwithstanding the provisions of subdivision one of this  
22 section, the provisions of subdivision one of this section shall not  
23 apply to an adjudication of liability of owners: (a) for violations of  
24 subdivision (d) of section eleven hundred eleven of this chapter imposed  
25 pursuant to a local law or ordinance imposing monetary liability on the  
26 owner of a vehicle for failure of an operator thereof to comply with  
27 traffic-control indications through the installation and operation of  
28 traffic-control signal photo violation-monitoring systems, in accordance  
29 with article twenty-four of this chapter; or (b) for violations of  
30 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty  
31 of this chapter imposed pursuant to a demonstration program imposing  
32 monetary liability on the owner of a vehicle for failure of an operator  
33 thereof to comply with such posted maximum speed limits through the  
34 installation and operation of photo speed violation monitoring systems,  
35 in accordance with article thirty of this chapter; or (c) for violations  
36 of bus lane restrictions as defined by article twenty-four of this chap-  
37 ter imposed pursuant to a bus rapid transit program imposing monetary  
38 liability on the owner of a vehicle for failure of an operator thereof  
39 to comply with such bus lane restrictions through the installation and  
40 operation of bus lane photo devices, in accordance with article twenty-  
41 four of this chapter; or (d) for violations of toll collection regu-  
42 lations imposed by certain public authorities pursuant to the law  
43 authorizing such public authorities to impose monetary liability on the  
44 owner of a vehicle for failure of an operator thereof to comply with  
45 toll collection regulations of such public authorities through the  
46 installation and operation of photo-monitoring systems, in accordance  
47 with the provisions of section two thousand nine hundred eighty-five of  
48 the public authorities law and sections sixteen-a, sixteen-b and  
49 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen  
50 hundred fifty; or (e) for violations of section eleven hundred seventy-  
51 four of this chapter when meeting a school bus marked and equipped as  
52 provided in subdivisions twenty and twenty-one-c of section three  
53 hundred seventy-five of this chapter imposed pursuant to a local law or  
54 ordinance imposing monetary liability on the owner of a vehicle for  
55 failure of an operator thereof to comply with school bus red visual  
56 signals through the installation and operation of school bus photo

1 violation monitoring systems, in accordance with article twenty-nine of  
2 this chapter.

3 § 9-a. Paragraph a of subdivision 1 of section 1809-e of the vehicle  
4 and traffic law is REPEALED and a new paragraph a is added to read as  
5 follows:

6 a. Notwithstanding any other provision of law, whenever proceedings in  
7 a court or an administrative tribunal of this state result in a  
8 conviction for an offense under this chapter, except a conviction pursu-  
9 ant to section eleven hundred ninety-two of this chapter, or for a traf-  
10 fic infraction under this chapter, or a local law, ordinance, rule or  
11 regulation adopted pursuant to this chapter, except: (i) a traffic  
12 infraction involving standing, stopping, or parking or violations by  
13 pedestrians or bicyclists; and (ii) an adjudication of liability of an  
14 owner for a violation of subdivision (d) of section eleven hundred elev-  
15 en of this chapter imposed pursuant to a local law or ordinance imposing  
16 monetary liability on the owner of a vehicle for failure of an operator  
17 thereof to comply with traffic-control indications through the installa-  
18 tion and operation of traffic-control signal photo violation-monitoring  
19 systems, in accordance with article twenty-four of this chapter; and  
20 (iii) an adjudication of liability of an owner for a violation of subdivi-  
21 vision (b), (c), (d), (f) or (g) of section eleven hundred eighty of  
22 this chapter imposed pursuant to a demonstration program imposing mone-  
23 tary liability on the owner of a vehicle for failure of an operator  
24 thereof to comply with such posted maximum speed limits through the  
25 installation and operation of photo speed violation monitoring systems,  
26 in accordance with article thirty of this chapter; and (iv) an adjudi-  
27 cation of liability of an owner for a violation of bus lane restrictions  
28 as defined by article twenty-four of this chapter imposed pursuant to a  
29 bus rapid transit program imposing monetary liability on the owner of a  
30 vehicle for failure of an operator thereof to comply with such bus lane  
31 restrictions through the installation and operation of bus lane photo  
32 devices, in accordance with article twenty-four of this chapter; and (v)  
33 an adjudication of liability of an owner for a violation of toll  
34 collection regulations imposed by certain public authorities pursuant to  
35 the law authorizing such public authorities to impose monetary liability  
36 on the owner of a vehicle for failure of an operator thereof to comply  
37 with toll collection regulations of such public authorities through the  
38 installation and operation of photo-monitoring systems, in accordance  
39 with section two thousand nine hundred eighty-five of the public author-  
40 ities law or sections sixteen-a, sixteen-b and sixteen-c of chapter  
41 seven hundred seventy-four of the laws of nineteen hundred fifty; and  
42 (vi) an adjudication of liability of an owner for a violation of section  
43 eleven hundred seventy-four of this chapter when meeting a school bus  
44 marked and equipped as provided in subdivisions twenty and twenty-one-c  
45 of section three hundred seventy-five of this chapter imposed pursuant  
46 to a local law or ordinance imposing monetary liability on the owner of  
47 a vehicle for failure of an operator thereof to comply with school bus  
48 red visual signals through the installation and operation of school bus  
49 photo violation monitoring systems, in accordance with article twenty-  
50 nine of this chapter, there shall be levied in addition to any sentence,  
51 penalty or other surcharge required or permitted by law, an additional  
52 surcharge of twenty-eight dollars.

53 § 10. The general municipal law is amended by adding a new section  
54 371-a to read as follows:

55 § 371-a. Additional jurisdiction and procedure related to the adjudi-  
56 cation of certain notices of liability. A traffic violations bureau

1 established pursuant to subdivision one and a traffic and parking  
2 violations agency established pursuant to subdivision two of section  
3 three hundred seventy-one of this article may be authorized to adjudi-  
4 cate, in accordance with the provisions of this article, the liability  
5 of owners: (a) for violations of subdivision (d) of section eleven  
6 hundred eleven of the vehicle and traffic law imposed pursuant to a  
7 local law or ordinance imposing monetary liability on the owner of a  
8 vehicle for failure of an operator thereof to comply with traffic-con-  
9 trol indications through the installation and operation of traffic-con-  
10 trol signal photo violation-monitoring systems, in accordance with arti-  
11 cle twenty-four of the vehicle and traffic law; or (b) for violations of  
12 section eleven hundred seventy-four of the vehicle and traffic law when  
13 meeting a school bus marked and equipped as provided in subdivisions  
14 twenty and twenty-one-c of section three hundred seventy-five of the  
15 vehicle and traffic law imposed pursuant to a local law or ordinance  
16 imposing monetary liability on the owner of a vehicle for failure of an  
17 operator thereof to comply with school bus red visual signals through  
18 the installation and operation of school bus photo violation monitoring  
19 systems, in accordance with article twenty-nine of the vehicle and traf-  
20 fic law.

21 § 11. The vehicle and traffic law is amended by adding a new section  
22 1111-f to read as follows:

23 § 1111-f. Owner liability for failure of operator to comply with  
24 traffic-control indications. (a) 1. Notwithstanding any other provision  
25 of law, the village of Pelham Manor is hereby authorized and empowered  
26 to adopt and amend a local law or ordinance establishing a demonstration  
27 program imposing monetary liability on the owner of a vehicle for fail-  
28 ure of an operator thereof to comply with traffic-control indications in  
29 such village in accordance with the provisions of this section. Such  
30 demonstration program shall empower such village to install and operate  
31 traffic-control signal photo violation-monitoring devices at no more  
32 than one intersection within and under the jurisdiction of such village  
33 at any one time.

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

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

54 (c) For purposes of this section, "owner" shall have the meaning  
55 provided in article two-B of this chapter. For purposes of this section,  
56 "traffic-control signal photo violation-monitoring system" shall mean a

1 vehicle sensor installed to work in conjunction with a traffic-control  
2 signal which automatically produces two or more photographs, two or more  
3 microphotographs, a videotape or other recorded images of each vehicle  
4 at the time it is used or operated in violation of subdivision (d) of  
5 section eleven hundred eleven of this article.

6 (d) A certificate, sworn to or affirmed by a technician employed by  
7 the village of Pelham Manor in which the charged violation occurred, or  
8 a facsimile thereof, based upon inspection of photographs, microphoto-  
9 graphs, videotape or other recorded images produced by a traffic-control  
10 signal photo violation-monitoring system, shall be prima facie evidence  
11 of the facts contained therein. Any photographs, microphotographs,  
12 videotape or other recorded images evidencing such a violation shall be  
13 available for inspection in any proceeding to adjudicate the liability  
14 for such violation pursuant to a local law or ordinance adopted pursuant  
15 to this section.

16 (e) An owner liable for a violation of subdivision (d) of section  
17 eleven hundred eleven of this article pursuant to a local law or ordi-  
18 nance adopted pursuant to this section shall be liable for monetary  
19 penalties in accordance with a schedule of fines and penalties to be set  
20 forth in such local law or ordinance. The liability of the owner pursu-  
21 ant to this section shall not exceed fifty dollars for each violation;  
22 provided, however, that such local law or ordinance may provide for an  
23 additional penalty not in excess of twenty-five dollars for each  
24 violation for the failure to respond to a notice of liability within the  
25 prescribed time period.

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

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

37 2. A notice of liability shall contain the name and address of the  
38 person alleged to be liable as an owner for a violation of subdivision  
39 (d) of section eleven hundred eleven of this article pursuant to this  
40 section, the registration number of the vehicle involved in such  
41 violation, the location where such violation took place, the date and  
42 time of such violation and the identification number of the camera which  
43 recorded the violation or other document locator number.

44 3. The notice of liability shall contain information advising the  
45 person charged of the manner and the time in which he or she may contest  
46 the liability alleged in the notice. Such notice of liability shall also  
47 contain a warning to advise the persons charged that failure to contest  
48 in the manner and time provided shall be deemed an admission of liabil-  
49 ity and that a default judgment may be entered thereon.

50 4. The notice of liability shall be prepared and mailed by the village  
51 of Pelham Manor or by any other entity authorized by such village to  
52 prepare and mail such notification of violation.

53 (h) Adjudication of the liability imposed upon owners by this section  
54 shall be by a traffic violations bureau established pursuant to section  
55 three hundred seventy of the general municipal law or, if there be none,  
56 by the court having jurisdiction over traffic infractions.

1 (i) If an owner receives a notice of liability pursuant to this  
2 section for any time period during which the vehicle was reported to the  
3 police department as having been stolen, it shall be a valid defense to  
4 an allegation of liability for a violation of subdivision (d) of section  
5 eleven hundred eleven of this article pursuant to this section that the  
6 vehicle had been reported to the police as stolen prior to the time the  
7 violation occurred and had not been recovered by such time. For purposes  
8 of asserting the defense provided by this subdivision it shall be suffi-  
9 cient that a certified copy of the police report on the stolen vehicle  
10 be sent by first class mail to the traffic violations bureau or court  
11 having jurisdiction.

12 (j) An owner who is a lessor of a vehicle to which a notice of liabil-  
13 ity was issued pursuant to subdivision (g) of this section shall not be  
14 liable for the violation of subdivision (d) of section eleven hundred  
15 eleven of this article, provided that he or she sends to the traffic  
16 violations bureau or court having jurisdiction a copy of the rental,  
17 lease or other such contract document covering such vehicle on the date  
18 of the violation, with the name and address of the lessee clearly legi-  
19 ble, within thirty-seven days after receiving notice from the bureau or  
20 court of the date and time of such violation, together with the other  
21 information contained in the original notice of liability. Failure to  
22 send such information within such thirty-seven day time period shall  
23 render the owner liable for the penalty prescribed by this section.  
24 Where the lessor complies with the provisions of this subdivision, the  
25 lessee of such vehicle on the date of such violation shall be deemed to  
26 be the owner of such vehicle for purposes of this section, shall be  
27 subject to liability for the violation of subdivision (d) of section  
28 eleven hundred eleven of this article pursuant to this section and shall  
29 be sent a notice of liability pursuant to subdivision (g) of this  
30 section.

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

35 2. Notwithstanding any other provision of this section, no owner of a  
36 vehicle shall be subject to a monetary fine imposed pursuant to this  
37 section if the operator of such vehicle was operating such vehicle with-  
38 out the consent of the owner at the time such operator failed to obey a  
39 traffic-control indication. For purposes of this subdivision there shall  
40 be a presumption that the operator of such vehicle was operating such  
41 vehicle with the consent of the owner at the time such operator failed  
42 to obey a traffic-control indication.

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

46 (m) Any village that adopts a demonstration program pursuant to subdivi-  
47 vision (a) of this section shall submit an annual report detailing the  
48 results of the use of such traffic-control signal photo violation-moni-  
49 toring system to the governor, the temporary president of the senate and  
50 the speaker of the assembly on or before the first day of June next  
51 succeeding the effective date of this section and on the same date in  
52 each succeeding year in which the demonstration program is operable.  
53 Such report shall include, but not be limited to:

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

1 2. the aggregate number, type and severity of accidents reported at  
2 intersections where a traffic-control signal photo violation-monitoring  
3 system is used for the three years preceding the installation of such  
4 system, to the extent the information is maintained by the department of  
5 motor vehicles of this state;

6 3. the aggregate number, type and severity of accidents reported at  
7 intersections where a traffic-control signal photo violation-monitoring  
8 system is used for the reporting year, as well as for each year that the  
9 traffic-control signal photo violation-monitoring system has been opera-  
10 tional, to the extent the information is maintained by the department of  
11 motor vehicles of this state;

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

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

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

21 7. the number and percentage of violations adjudicated and results of  
22 such adjudications including breakdowns of dispositions made for  
23 violations recorded by such systems which shall be provided at least  
24 annually to such village by the respective courts and bureaus conducting  
25 such adjudications;

26 8. the total amount of revenue realized by such village from such  
27 adjudications including a breakdown of revenue realized by such village  
28 for each year since deployment of its traffic-control signal photo  
29 violation-monitoring system;

30 9. expenses incurred by such village in connection with the program;  
31 and

32 10. quality of the adjudication process and its results which shall be  
33 provided at least annually to such village by the respective courts and  
34 bureaus conducting such adjudications.

35 (n) It shall be a defense to any prosecution for a violation of subdi-  
36 vision (d) of section eleven hundred eleven of this article pursuant to  
37 a local law or ordinance adopted pursuant to this section that such  
38 traffic-control indications were malfunctioning at the time of the  
39 alleged violation.

40 § 12. Subdivision 2 of section 87 of the public officers law is  
41 amended by adding a new paragraph (r) to read as follows:

42 (r) are photographs, microphotographs, videotape or other recorded  
43 images prepared under authority of section eleven hundred eleven-f of  
44 the vehicle and traffic law.

45 § 13. The purchase or lease of equipment for a demonstration program  
46 established pursuant to section 1111-f of the vehicle and traffic law  
47 shall be subject to the provisions of section 103 of the general municipi-  
48 pal law.

49 § 14. This act shall take effect immediately; provided, however that  
50 sections eleven, twelve and thirteen of this act shall take effect on  
51 the thirtieth day after such sections shall have become a law and shall  
52 expire on December 1, 2026, when upon such date the provisions of such  
53 sections shall be deemed repealed; provided, further, that any such  
54 local law as may be enacted pursuant to section eleven of this act shall  
55 remain in full force and effect only until December 1, 2026; provided,  
56 further, that effective immediately, the addition, amendment and/or

1 repeal of any rule or regulation necessary for the implementation of  
2 this act on its effective date are authorized to be made and completed  
3 on or before such effective date; and provided further, that:

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

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

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

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

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

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

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

39 (h) the amendments to subdivision 1 of section 1809 of the vehicle and  
40 traffic law made by section eight-g of this act shall not affect the  
41 expiration of such section and shall be deemed to expire therewith, when  
42 upon such date the provisions of section eight-h of this act shall take  
43 effect.