

STATE OF NEW YORK

4354

2021-2022 Regular Sessions

IN SENATE

February 3, 2021

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to suspending the registration of a vehicle for evading cashless tolls

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

1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 510-e to read as follows:

3 § 510-e. Suspension of registration; cashless toll violations. 1. For
4 the purpose of this section:

5 (a) "Owner" shall mean any person, corporation, partnership, firm,
6 agency, association, lessor or organization who, at the time of incur-
7 ring an obligation to pay a toll at a cashless tolling facility, and
8 with respect to the vehicle identified in the notice of toll due: (i) is
9 the beneficial or equitable owner of such vehicle; or (ii) has title to
10 such vehicle; or (iii) is the registrant or co-registrant of such vehi-
11 cle which is registered with the department of motor vehicles of this
12 state or any other state, territory, district, province, nation or other
13 jurisdiction; or (iv) is a person entitled to the use and possession of
14 a vehicle subject to a security interest in another person.

15 (b) "Cashless tolling facility" shall mean a toll highway, bridge or
16 tunnel facility operated by a public authority that does not provide for
17 the immediate on-site payment in cash of a toll owed for the use of such
18 facility.

19 (c) "Violation" shall mean the failure of the owner to timely respond
20 to a toll bill.

21 (d) "Toll bill" shall mean a notice sent to an owner by a public
22 authority notifying such owner that the owner's vehicle has been used or
23 operated at a cashless tolling facility, crossed a cashless tolling
24 monitoring system without an operable electronic device and has incurred
25 an obligation to pay a toll.

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

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1 2. No suspension of registration of a motor vehicle shall occur pursu-
2 ant to this article for any cashless toll violation unless there is
3 clear evidence the owner of such motor vehicle's intent to repeatedly
4 evade paying such cashless tolls. Beginning October thirteenth, two
5 thousand twenty, any current suspension of registration of a motor vehi-
6 cle for any cashless toll violation which lack clear evidence of an
7 owner's intent to repeatedly evade paying such cashless tolls shall be
8 reversed without penalty to such owner of such vehicle.

9 § 2. This act shall take effect immediately.