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:

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

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

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

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

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

(d) "Toll bill" shall mean a notice sent to an owner by a public authority notifying such owner that the owner's vehicle has been used or operated at a cashless tolling facility, crossed a cashless tolling monitoring system without an operable electronic device and has incurred 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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2. No suspension of registration of a motor vehicle shall occur pursuant to this article for any cashless toll violation unless there is clear evidence the owner of such motor vehicle's intent to repeatedly evade paying such cashless tolls. Beginning October thirteenth, two thousand twenty, any current suspension of registration of a motor vehicle for any cashless toll violation which lack clear evidence of an owner's intent to repeatedly evade paying such cashless tolls shall be reversed without penalty to such owner of such vehicle.

§ 2. This act shall take effect immediately.