# STATE OF NEW YORK

6711--B

2021-2022 Regular Sessions

# IN SENATE

May 12, 2021

Introduced by Sens. KENNEDY, BRESLIN, MANNION, RYAN -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law and the parks, recreation and historic preservation law, in relation to fees for snowmobile trail development and maintenance

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

Section 1. Subdivision 4-a of section 2222 of the vehicle and traffic law, as amended by chapter 609 of the laws of 2005, is amended to read as follows:

4-a. Additional fee. In addition to the other fees provided for in paragraphs (a), (b) and (c) of subdivision four of this section the commissioner shall, upon application in such cases for the registration of a snowmobile or the renewal thereof, collect the annual [~~ninety~~] **one hundred twenty-five** dollar fee for residents and [~~ninety~~] **one hundred twenty-five** dollar fee for nonresidents and a [~~thirty-five~~] **fifty-five** dollar fee for residents and [~~thirty-five~~] **fifty-five** dollar fee for nonresidents who provide proof, at the time of registration, that such individual is a member of an organized New York state snowmobile club that is a member of the New York state snowmobile association or is a member of an organized New York state snowmobile club that is a trail maintenance entity and a member of the New York state snowmobile association which are imposed by section 21.07 of the parks, recreation and historic preservation law. In the event that an individual seeking snowmobile club membership is unable, for any reason, to secure such club

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

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membership, he or she may contact the New York state snowmobile association, who shall secure such membership for such person. This fee shall also be collected from dealers at the time of original registration and at the time of each renewal. The commissioner shall effectuate regulations regarding what is required as proof of membership in an organized New York state snowmobile club that is a trail maintenance entity and a member of the New York state snowmobile association for the purposes of this subdivision.

§ 2. Section 21.07 of the parks, recreation and historic preservation law, as amended by chapter 609 of the laws of 2005, is amended to read as follows:

§ 21.07 Fee for snowmobile trail development and maintenance. 1. A fee of [~~ninety~~] **one hundred twenty-five** dollars is hereby imposed upon the resident, and [~~ninety~~] **one hundred twenty-five** dollars upon the nonresident, owner of a snowmobile for the snowmobile trail development and maintenance fund to be paid to the commissioner of motor vehicles upon the registration thereof in addition to the registration fee required by the vehicle and traffic law, the payment of which fee hereby imposed shall be a condition precedent to such individual resident, individual nonresident or dealer registration.

2. Notwithstanding the fee as established in subdivision one of this section, an individual resident or nonresident registering a snowmobile who provides proof at the time of registration, that such individual is a member of an organized New York state snowmobile club that is a member of the New York state snowmobile association or is a member of an organized New York state snowmobile club that is a trail maintenance entity and a member of the New York state snowmobile association, shall pay [~~thirty-five~~] **fifty-five** dollars for each snowmobile for the snowmobile trail development and maintenance fund in addition to the registration required by the vehicle and traffic law. In the event that an individual seeking snowmobile club membership is unable, for any reason, to secure such club membership, he or she may contact the New York state snowmobile association, who shall secure such membership for such person.

§ 3. Subdivisions 3 and 5 of section 27.17 of the parks, recreation and historic preservation law, subdivision 3 as amended by section 2 of part G of chapter 82 of the laws of 2002 and subdivision 5 as amended by chapter 88 of the laws of 1988, are amended to read as follows:

3. Every county or, where applicable, any city, town or village within such county, shall be eligible for a grant for the development and maintenance of a system of snowmobile trails and a program with relation thereto within its boundaries. Such grants shall be made by the commissioner and may constitute up to one hundred percent of the cost of such program including expenditures incurred for signs and markers of snowmobile trails. Any county or, where applicable, any city, town or village within such county, applying for such grant shall submit to the commissioner by September first of each year an [~~estimate of such expenditures for the current fiscal year,~~] **application** in such form and containing such information as the commissioner may require. No city, town or village may apply for such grant where the county within which it is contained has submitted an application for the same fiscal year. For the purpose of this section, "fiscal year" shall mean the period from April first through March thirty-first. The commissioner shall review all such applications and shall determine the amount of state aid to be allocated to each county or, where applicable, any city, town or village within such county in accordance with the provisions of subdivision five of this section. Of the amount the commissioner determines each county or,

where applicable, any city, town or village within such county is eligible to receive, seventy percent shall be made available for distribution by November first and thirty percent for distribution upon demonstration of completion, submitted by June first[~~, of the program~~] **following the project year, or such date as contained in the application**.

5. The amount of state aid to be allocated to each county or, where applicable, any city, town or village within such county, shall be drawn upon the monies remaining in the snowmobile trail development and maintenance fund after withdrawal pursuant to subdivisions two and four of this section and shall be determined by the commissioner as hereinafter provided. [~~The commissioner shall determine the percentage proportion which the authorized expenditures of each individual county or, where applicable, any city, town or village within such county shall bear to the total authorized expenditures of all the counties, cities, towns or villages for snowmobile trail development and maintenance pursuant to this section during the fiscal year. Such percentage proportion shall then be applied against the amount received in additional fees imposed by section 21.07 of this chapter for registration of snowmobiles during such fiscal year, to the extent only and not exceeding the balance of such fund remaining after the payment of expenses as set forth in this section. The amount thus determined shall constitute the maximum amount of state aid to which each county or, where applicable, any city, town or village within such county, shall be entitled. The commissioner shall certify to the comptroller the amount thus determined for each county or, where applicable, any city, town or village within such county, as the amount of state aid to be apportioned to such county or, where applicable, any city, town or village within such county.~~] **The commissioner shall estimate an amount that is available for state aid, and shall define and establish a base rate per mile of trail, which shall constitute the base grant to each local sponsor. For the purposes of this section, local sponsor shall mean a county engaging and assisting in the development and maintenance of a system of snowmobile trails and a program with relation thereto within its boundaries to encourage safety, tourism and utilization, or in the event a county does not undertake such a program or system of trails, any city, town or village within such county which undertakes the same. Such state aid shall be provided as described in subdivision one of this section. The commissioner shall pay over to the municipal sponsor the thirty percent of the outstanding base grant upon completion of the project. The commissioner, in consultation with the division of budget, may pay expenses in excess of the base grant when the municipal sponsor can demonstrate that approved expenses exceeded amounts provided for in the combined payments, and additional funds are available from the snowmobile trail development and maintenance fund. The commissioner shall calculate all expenses submitted in excess of the base grant and may distribute additional aid on a prorated basis to support such expenses.**

§ 4. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.