

STATE OF NEW YORK

654

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

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

AN ACT to amend the vehicle and traffic law, in relation to allowing additional or relocated motor vehicle dealers to be located within six or ten miles of one another when separated by the Hudson River

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

1 Section 1. Subdivision 15 of section 462 of the vehicle and traffic
2 law, as added by chapter 490 of the laws of 2008, is amended to read as
3 follows:

4 15. "Relevant market area" means:

5 (a) if the proposed additional or relocated motor vehicle dealer is to
6 be located in a county having a population in excess of one hundred
7 thousand, the area within the radius of six miles of the intended site
8 of the proposed or relocated dealer. Such six mile distance shall be
9 determined by measuring the distance between the nearest surveyed bound-
10 ary of the existing new motor vehicle dealer's principal place of busi-
11 ness and the nearest surveyed boundary line of the proposed or relocated
12 new motor vehicle dealer's place of business; ~~[or]~~

13 (b) if the proposed additional or relocated motor vehicle dealer is to
14 be within a county having a population of less than one hundred thou-
15 sand, the area within the radius of ten miles of the intended site of
16 the proposed or relocated dealer. Such ten mile distance shall be deter-
17 mined by measuring the distance between the nearest surveyed boundary
18 line of the existing new motor vehicle dealer's principal place of busi-
19 ness and the nearest surveyed boundary line of the proposed or relocated
20 new motor vehicle dealer's principal place of business~~[-]~~; or

21 (c) notwithstanding paragraphs (a) and (b) of this subdivision, if the
22 proposed additional or relocated motor vehicle dealer's relevant market
23 area under paragraphs (a) or (b) of this subdivision includes the Hudson

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

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1 River, the area within ten miles of the intended site of the proposed or
2 relocated dealer on the opposite side of the Hudson River. Such ten
3 mile distance shall be determined by measuring the shortest distance a
4 vehicle could travel on roadways from the nearest surveyed boundary of
5 the existing new motor vehicle dealer's principal place of business and
6 the nearest surveyed boundary line of the proposed or relocated new
7 motor vehicle dealer's place of business.

8 In determining the population of a county, the most recent census by
9 the U.S. Bureau of Census or the most recent population update, either
10 from the National Planning Data Corporation or other similar recognized
11 source, shall be used.

12 § 2. This act shall take effect immediately.