STATE OF NEW YORK

7758

2021-2022 Regular Sessions

IN ASSEMBLY

May 21, 2021

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

AN ACT to amend the vehicle and traffic law, in relation to directing the commissioner of motor vehicles to adopt rules and regulations for the registration of, and issuance of special license plates and stickers for, electric motor vehicles; to amend the administrative code of the city of New York, in relation to establishing a period of free parking for electric motor vehicles in a city with a population of one million or more persons; to amend the public authorities law, in relation to providing for decreased bridge and tunnel tolls for electric motor vehicles utilizing certain bridges and tunnels; to amend chapter 154 of the laws of 1921, relating to the port authority of New York and New Jersey, in relation to establishing a period of free parking for electric motor vehicles and providing for decreased bridge and tunnel tolls for electric motor vehicles utilizing certain bridges and tunnels; and directing certain entities to coordinate regarding the provision of certain information

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 404-a-1 to read as follows:

§ 404-a-1. Registration of electric motor vehicles. 1. The commissioner shall adopt rules and regulations for the registration of, and issuance of special identifying license plates for, electric motor vehicles. Said license plates shall conform to the requirements of section four hundred one of this article but shall bear distinctive marks to distinguish them from number plates to be issued for non-electric motor vehicles qualifying under this chapter.

2. An application for registration under this section shall be filed with the department in such form and detail as the commissioner shall prescribe, setting forth such information as the commissioner may

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

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reasonably prescribe beyond such information required under section four hundred one of this article.

3. Registration and application for registration under this section shall only apply to a motor vehicle subject to registration pursuant to subdivision six of section four hundred one of this article.

4. The registration and electric motor vehicle plates shall be accompanied only by the required fee otherwise required to be paid for vehicle registration.

5. Electric motor vehicle plates issued pursuant to this section shall be issued for all electric motor vehicles registered or re-registered on or after January first, two thousand twenty-two.

6. (a) For electric motor vehicles registered or re-registered prior to January first, two thousand twenty-two, at the time of registration or re-registration, the department shall issue to the owner of such vehicle a sticker identifying the vehicle as being an electric motor vehicle. Such sticker may also be requested by the owner of an electric motor vehicle at other times upon the submission of such information as required by the commissioner.

(b) Stickers shall be produced in a size and form suitable for application to the inside of a vehicle's windshield and may be applied by the owner of the vehicle to the windshield of the vehicle adjacent to the vehicle's registration sticker in a manner so as to not obstruct or interfere with the view of the vehicle operator through the windshield, or to prevent the operator from having a clear and full view of the road and conditions.

(c) A one-time fee may be charged for a sticker in an amount determined by the commissioner. An additional fee may be charged for a replacement sticker in an amount determined by the commissioner.

7. The commissioner shall maintain a separate database of all electric motor vehicles registered or re-registered as electric motor vehicles and all electric motor vehicles for which a sticker has been issued as provided in subdivision six of this section, or otherwise provide for license plate information for such vehicles to be readily identified separately from such information for non-electric motor vehicles.

8. For the purposes of this section:

(a) "Electric motor vehicle":

(i) means a vehicle, with four or more wheels, that draws propulsion energy from a battery with at least four kilowatt hours of energy storage capacity that can be recharged from an external source of electricity; and

(ii) includes hybrid vehicles.

(b) "Sticker" means a sticker identifying a vehicle as being an electric motor vehicle as provided in this subdivision.

§ 2. The administrative code of the city of New York is amended by adding a new section 19-162.6 to read as follows:

§ 19-162.6 Electric motor vehicle parking. 1. An electric motor vehicle to which an electric motor vehicle license plate or a sticker issued pursuant to section four hundred four-a-1 of the vehicle and traffic law is affixed shall be exempt from payment of parking fees, including those collected through parking meters, charged by any authority in a city having a population of one million or more persons provided that:

a. for metered parking spaces, this exemption shall be limited to two hours or, in the case of parking spaces for which parking is limited to a period of less than two hours, the maximum amount of time the meter allows;

b. this exemption shall not apply to parking fees assessed in increments longer than one twenty-four hour day, including weekly, monthly, or annual parking permits;

c. for parking at airport or heliport lots, this exemption shall be limited to vehicles operated by drivers who are parking at the airport or heliport as an airline passenger or a driver at the facility to pick up an airline passenger, as evidenced by a valid ticket or boarding pass bearing the name of the driver or passenger, which shall be presented to the applicable parking attendant; provided further that this exemption shall not apply to drivers who are parking at the airport or heliport while carrying out the driver's duties and responsibilities as an employee of the airport or heliport or any company operating at the airport or heliport; and

d. for parking at ferry terminal lots, this exemption shall be limited to drivers who are parking at the terminal as a ferry passenger, as evidenced by a valid ferry ticket or boarding, which shall be presented to the applicable parking attendant; provided further that this exemption shall not apply to drivers who are parking at the terminal while carrying out the driver's duties and responsibilities as an employee of the terminal or ferry operator or of any company operating at the terminal.

2. The owner of the electric motor vehicle shall enter the license plate number of the vehicle into the parking meter or provide such information to the parking lot attendant to obtain the exemption.

3. As used in this section, "electric motor vehicle" means an electric motor vehicle as defined in section four hundred four-a-1 of the vehicle and traffic law.

§ 3. The public authorities law is amended by adding a new section 553-l to read as follows:

§ 553-l. Electric motor vehicle tolls. 1. An electric motor vehicle to which an electric motor vehicle license plate or a sticker issued pursuant to section four hundred four-a-1 of the vehicle and traffic law is affixed and which contains an E-ZPASS transponder or tag shall be eligible for payment of reduced tolls for the use of bridges and tunnels operated by the authority. The authority shall determine the amount of such reduction in the toll amount. The authority may establish different reductions for electric motor vehicles equipped with E-ZPASS transponders or tags registered in New York state and for electric motor vehicles equipped with E-ZPASS transponders or tags registered in other states.

2. The authority shall promulgate rules and regulations providing for the implementation of the provisions of this section including the recognition and use of an E-ZPASS transponder or tag registered to an electric motor vehicle, and for the assessment and billing of the reduced toll amounts.

3. An electric motor vehicle shall not be eligible for the reduction in tolls provided by this section if:

(a) the vehicle is not equipped with an E-ZPASS transponder or tag;

(b) the E-ZPASS account for the E-ZPASS transponder or tag registered to the vehicle is not in good standing; or

(c) the E-ZPASS account for the E-ZPASS transponder or tag registered to the electric motor vehicle is utilized in connection with travel by a non-electric motor vehicle.

4. As used in this section, "electric motor vehicle" means an electric motor vehicle as defined in section four hundred four-a-1 of the vehicle and traffic law.

§ 4. Section 1 of chapter 154 of the laws of 1921, relating to the port authority of New York and New Jersey, is amended by adding a new article VII-F to read as follows:

VII-F

1. Electric motor vehicle parking. An electric motor vehicle to which an electric motor vehicle license plate or a sticker issued pursuant to section four hundred four-a-1 of the New York state vehicle and traffic law is affixed and which contains an E-ZPASS transponder or tag shall be exempt from payment of parking fees, including those collected through parking meters, charged by the port authority provided that:

(a) for metered parking spaces, this exemption shall be limited to two hours or, in the case of parking spaces for which parking is limited to a period of less than two hours, the maximum amount of time the meter allows;

(b) this exemption shall not apply to parking fees assessed in increments longer than one twenty-four hour day, including weekly, monthly, or annual parking permits;

(c) for parking at airports, this exemption shall be limited to vehicles operated by drivers who are parking at the airport as an airline passenger or a driver at the facility to pick up an airline passenger, as evidenced by a valid ticket or boarding pass bearing the name of the driver or passenger, which shall be presented to the applicable parking attendant; provided further that this exemption shall not apply to drivers who are parking at the airport while carrying out the driver's duties and responsibilities as an employee of the airport or of any company operating at the airport; and

(d) for parking at bus terminals or stations, this exemption shall be limited to vehicles operated by drivers who are parking at the terminal or station as a bus passenger or a driver at the facility to pick up a bus passenger, as evidenced by a valid bus ticket or boarding, which shall be presented to the applicable parking attendant; provided further that this exemption shall not apply to drivers who are parking at the terminal or station while carrying out the driver's duties and responsibilities as an employee of the terminal or station or of any company operating at the terminal or station.

2. Electric motor vehicle tolls. (a) An electric motor vehicle to which an electric motor vehicle license plate or an environmentally friendly sticker issued pursuant to section four hundred four-a-1 of the New York state vehicle and traffic law is affixed shall be eligible for payment of reduced tolls for the use of bridges and tunnels operated by the port authority. The port authority shall determine the amount of such reduction in the toll amount. The port authority may establish different reductions for electric motor vehicles equipped with E-ZPASS transponders or tags registered in New York state and for electric motor vehicles equipped with E-ZPASS transponders or tags registered in other states.

(b) The port authority shall promulgate rules and regulations providing for the recognition and use of an E-ZPASS transponder or tag registered to an electric motor vehicle, including rules and regulations for the assessment and billing of the reduced toll amounts.

(c) An electric motor vehicle shall not be eligible for the reduction in tolls provided by this section if:

(1) the vehicle is not equipped with an E-ZPASS transponder or tag;

(2) the E-ZPASS account for the E-ZPASS transponder or tag registered to the vehicle is not in good standing; or

(3) the E-ZPASS account for the E-ZPASS transponder or tag registered to the electric motor vehicle is utilized in connection with travel by a non-electric motor vehicle.

3. As used in this article, "electric motor vehicle":

(a) means a vehicle, with four or more wheels, that draws propulsion energy from a battery with at least four kilowatt hours of energy storage capacity that can be recharged from an external source of electricity; and

(b) includes hybrid vehicles.

§ 5. The commissioner of motor vehicles, or his or her designee, shall consult and coordinate with the chief executive officer of the Triborough Bridge and Tunnel Authority, the chairperson of the Port Authority of New York and New Jersey and the head of all agencies responsible for implementing the provisions of section two of this act, or the designees of such persons, to provide such entities with access to a list of electric motor vehicle license plate numbers and the license plate numbers of electric motor vehicles for which stickers have been issued pursuant to section one of this act for the sole purpose of effectuating the provisions of this act. The information access provided under this section shall be limited solely to access to the license plate numbers of such vehicles; such access shall not provide any information identifying the owners or operators of such vehicles or the addresses to which the vehicles are registered.

§ 6. Severability. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 7. This act shall take effect on the first day of January next succeeding the date upon which this act shall have become a law; provided that section four of this act shall take effect upon the enactment into law by the state of New Jersey of legislation having an identical effect with this act, but if the state of New Jersey shall have already enacted such legislation, section four of this act shall take effect on the one hundred twentieth day after it shall have become a law; provided, further, that the chairman of the Port Authority of New Jersey shall notify the legislative bill drafting commission upon the occurrence of the enactment of the legislation provided for in section four of this act in order that the commission may maintain an accurate and timely effective database of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers 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 date.