

STATE OF NEW YORK

3352

2021-2022 Regular Sessions

IN SENATE

January 29, 2021

Introduced by Sen. HOYLMAN -- 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, the administrative code of the city of New York, the education law, the general business law, the insurance law, the military law, the penal law, the public authorities law, the public officers law, the state finance law, and the transportation law, in relation to replacing each instance of the word accident with the word crash; and to change the word accident to crash in the vehicle and traffic law

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

1 Section 1. Section 105-a of the vehicle and traffic law, as added by
2 chapter 303 of the laws of 2014, is amended to read as follows:

3 § 105-a. Car carrier. A truck that is designed to carry one to three
4 motor vehicles on a flat platform that slides or tilts to the ground to
5 facilitate loading and unloading of such motor vehicles and to tow an
6 additional motor vehicle behind it by the use of a wheel lift. For the
7 purposes of this chapter, whenever such car carrier tows or carries a
8 disabled, illegally parked or abandoned motor vehicle or a motor vehicle
9 involved in [~~an accident~~] a crash, such car carrier shall be deemed to
10 be a tow truck and shall comply with all provisions of this chapter, and
11 any other law, ordinance, order, rule and regulation, applicable to tow
12 trucks.

13 § 2. Section 107-b of the vehicle and traffic law, as added by chapter
14 552 of the laws of 1994, is amended to read as follows:

15 § 107-b. Commercial towing. The moving or removing of disabled, ille-
16 gally parked, or abandoned motor vehicles or motor vehicles involved in
17 [~~accidents~~] crashes, by another motor vehicle, for which there is direct
18 or indirect compensation. Commercial towing shall also include towing by
19 a person, firm, corporation, or other entity pursuant to a contract or
20 other agreement with a political subdivision.

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

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§ 3. Section 114-b of the vehicle and traffic law, as amended by chapter 460 of the laws of 1996, is amended to read as follows:

§ 114-b. Emergency operation. The operation, or parking, of an authorized emergency vehicle, when such vehicle is engaged in transporting a sick or injured person, transporting prisoners, delivering blood or blood products in a situation involving an imminent health risk, pursuing an actual or suspected violator of the law, or responding to, or working or assisting at the scene of [~~an accident~~] a crash, disaster, police call, alarm of fire, actual or potential release of hazardous materials or other emergency. Emergency operation shall not include returning from such service.

§ 4. Section 148-b of the vehicle and traffic law, as added by chapter 552 of the laws of 1994, is amended to read as follows:

§ 148-b. Tow truck. A motor vehicle that tows or carries a disabled, illegally parked or abandoned motor vehicle or a motor vehicle involved in [~~an accident~~] a crash.

§ 5. Subparagraph (i) of paragraph (i) of subdivision 1 of section 201 of the vehicle and traffic law, as amended by section 2 of part E of chapter 60 of the laws of 2005, is amended to read as follows:

(i) any [~~accident~~] crash reports filed with the commissioner, conviction certificates, police reports, complaints, satisfied judgment records, closed suspension and revocation orders, hearing records, other than audio tape recordings of hearings, significant correspondence relating to any of the same, and any other record on file after remaining on file for four years except that if the commissioner shall receive, during the last year of such period of four years, written notice to retain one or more of such papers or documents, the same shall be retained for another four years in addition to said period of four years. The provisions of this paragraph shall not apply to certificates of conviction filed with respect to convictions which affect sentencing or administrative action required by law beyond such four year period. Such certificates may be destroyed after they have no legal effect on sentencing or administrative action;

§ 6. Subdivision 6 of section 201 of the vehicle and traffic law, as amended by chapter 432 of the laws of 1997, is amended to read as follows:

6. Whenever any document referred to in subdivision one of this section is filed with this department when it is not required to be filed and is used by this department for no other purposes, other than for statistics or research, the document shall not be a public record. Provided, however, that [~~an accident~~] a crash report filed with this department when it is not required to be filed shall not be a public record except as follows: for use by the state or any political subdivision thereof for no other purposes other than for statistics or research relating to highway safety; for any lawful purpose by a person to whom such report pertains or named in such report, or his or her authorized representative; and, for use by any other person, or his or her authorized representative, who has demonstrated to the satisfaction of the commissioner that such person is or may be a party to a civil action arising out of the conduct described in such [~~accident~~] crash report.

§ 7. Subdivision 3 of section 202 of the vehicle and traffic law, as amended by chapter 169 of the laws of 1994, is amended to read as follows:

3. Fees for copies of documents. The fees for copies of documents, other than [~~accident~~] crash reports, shall be one dollar per page. A

1 page shall consist of either a single or double side of any document.
2 The fee for a copy of [~~an accident~~] ~~a crash~~ report shall be fifteen
3 dollars. All copies of documents shall be certified at no additional
4 fee. Whenever search of records of the department is required in
5 conjunction with a request for a copy of a document, the fee for such
6 search shall be the fee provided in paragraph (a) of subdivision two of
7 this section. The result of such search will be the locating of the
8 document to be copied, or if no document can be located, a certification
9 to that effect will be the result of the search.

10 § 8. Subdivision 1 of section 220 of the vehicle and traffic law, as
11 added by chapter 574 of the laws of 1969, is amended to read as follows:

12 (1) Notwithstanding any other provision of this chapter or other law,
13 whether general, special or local, the commissioner may permit the
14 installation and use of any item of equipment which he, in his
15 discretion, determines will either reduce [~~accidents~~] ~~crashes~~, injuries
16 and fatalities, or otherwise contribute to highway safety.

17 § 9. Paragraph a of subdivision 4 of section 250 of the vehicle and
18 traffic law, as amended by chapter 305 of the laws of 1995, is amended
19 to read as follows:

20 a. The provisions of this chapter relative to the registration of
21 motor vehicles, motorcycles and trailers and the display of registration
22 numbers shall not apply to a motor vehicle, motorcycle or trailer owned
23 by a non-resident of the state who is a seasonal farm laborer, for a
24 period extending from the first day of April to and including the thir-
25 tieth day of November in each year, provided that the owner thereof
26 shall have complied with the provisions of the law of the foreign coun-
27 try, state, territory or federal district of his residence relative to
28 registration of such motor vehicle, motorcycle or trailer, as the case
29 may be, and the display of registration numbers thereof, and provided
30 further that the owner thereof shall furnish proof to the commissioner
31 that such owner has in effect with respect to such motor vehicle an
32 automobile liability policy issued by an insurance company authorized to
33 do business in this state or by an unauthorized insurer authorized to
34 transact business in the jurisdiction of his residence in at least the
35 amount of twenty-five thousand dollars because of bodily injury to or
36 fifty thousand dollars because of death of one person in any one [~~acci-~~
37 ~~dent~~] ~~crash~~ and, subject to said limit for one person, in at least the
38 amount of fifty thousand dollars because of bodily injury to or one
39 hundred thousand dollars because of death of two or more persons in any
40 [~~accident~~] ~~crash~~, and in at least the amount of ten thousand dollars
41 because of injury to or destruction of property of others in any one
42 [~~accident~~] ~~crash~~.

43 § 10. Subdivision 1 of section 253 of the vehicle and traffic law, as
44 amended by chapter 216 of the laws of 1992, is amended to read as
45 follows:

46 1. The use or operation by a non-resident of a vehicle in this state,
47 or the use or operation in this state of a vehicle in the business of a
48 non-resident, or the use or operation in this state of a vehicle owned
49 by a non-resident if so used or operated with his permission, express or
50 implied, shall be deemed equivalent to an appointment by such non-resi-
51 dent of the secretary of state to be his true and lawful attorney upon
52 whom may be served the summons in any action against him, growing out of
53 any [~~accident~~] ~~crash~~ or collision in which such non-resident may be
54 involved while using or operating such vehicle in this state or in which
55 such vehicle may be involved while being used or operated in this state
56 in the business of such non-resident or with the permission, express or

1 implied, of such non-resident owner; and such use or operation shall be
2 deemed a signification of his agreement that any such summons against
3 him which is so served shall be of the same legal force and validity as
4 if served on him personally within the state and within the territorial
5 jurisdiction of the court from which the summons issues, and that such
6 appointment of the secretary of state shall be irrevocable and binding
7 upon his executor or administrator. Where such non-resident has died
8 prior to the commencement of an action brought pursuant to this section,
9 service of process shall be made on the executor or administrator of
10 such non-resident in the same manner and on the same notice as is
11 provided in the case of the non-resident himself. Where an action has
12 been duly commenced under the provisions of this section against a non-
13 resident who dies thereafter, the court must allow the action to be
14 continued against his executor or administrator upon motion with such
15 notice as the court deems proper.

16 § 11. Section 254 of the vehicle and traffic law, as amended by chap-
17 ter 418 of the laws of 1964, is amended to read as follows:

18 § 254. Service of summons on residents who depart from state and on
19 residents' executors or administrators who are nonresidents or who
20 depart from state. The provisions of section two hundred fifty-three of
21 this chapter shall also apply (a) to a resident who departs from the
22 state subsequent to the [~~accident~~] ~~crash~~ or collision and remains absent
23 therefrom for thirty days continuously, whether such absence is intended
24 to be temporary or permanent, and to any executor or administrator of
25 such resident, and (b) to an executor or administrator of a resident if
26 such executor or administrator is a nonresident or if, being a resident,
27 he departs from the state and remains absent therefrom for thirty days
28 continuously, whether such absence is intended to be temporary or perma-
29 nent.

30 § 12. Section 301-a of the vehicle and traffic law, as added by chap-
31 ter 634 of the laws of 1973, and subdivision 1 as amended by chapter 608
32 of the laws of 1993, is amended to read as follows:

33 § 301-a. Re-inspection of motor vehicles involved in certain [~~acci-~~
34 ~~dents~~] ~~crashes~~. 1. The commissioner may require that a motor vehicle
35 registered in this state or elsewhere which is required to be inspected,
36 be re-inspected after it is involved in a property damage [~~accident~~]
37 ~~crash~~ which is required to be reported to the motor vehicle department.
38 Such re-inspection shall be made within sixty days of the date of the
39 [~~accident~~] ~~crash~~ if the motor vehicle is driven away from the [~~accident~~]
40 ~~crash~~ site. Such re-inspection shall be made before the vehicle is oper-
41 ated on the public highways if the motor vehicle is towed or transported
42 from the [~~accident~~] ~~crash~~ site, except that a motor vehicle may be driv-
43 en from a repair shop to an inspection station for the purpose of being
44 re-inspected.

45 2. The owner of a car so damaged shall be required to submit to the
46 department within the same time limit as provided in subdivision one of
47 this section satisfactory proof of re-inspection pursuant to rules and
48 regulations to be promulgated by the commissioner.

49 3. Failure to submit such proof of re-inspection as herein provided
50 shall constitute ground for suspension or revocation of his privileges
51 of operating a motor vehicle in this state and of the operation within
52 this state of any motor vehicle owned by him.

53 § 13. Subdivision 2 of section 310 of the vehicle and traffic law is
54 amended to read as follows:

55 (2) Declaration of purpose. The legislature is concerned over the
56 rising toll of motor vehicle [~~accidents~~] ~~crashes~~ and the suffering and

1 loss thereby inflicted. The legislature determines that it is a matter
2 of grave concern that motorists shall be financially able to respond in
3 damages for their negligent acts, so that innocent victims of motor
4 vehicle [~~accidents~~] ~~crashes~~ may be recompensed for the injury and finan-
5 cial loss inflicted upon them. The legislature finds and declares that
6 the public interest can best be served in satisfying the insurance
7 requirements of this article by private enterprise operating in a
8 competitive market to provide proof of financial security through the
9 methods prescribed herein.

10 § 14. Paragraph (a) of subdivision 4 of section 311 of the vehicle and
11 traffic law, as amended by chapter 305 of the laws of 1995, is amended
12 to read as follows:

13 (a) Affording coverage as defined in the minimum provisions prescribed
14 in a regulation which shall be promulgated by the superintendent at
15 least ninety days prior to effective date of this act. The superinten-
16 dent before promulgating such regulations or any amendment thereof,
17 shall consult with all insurers licensed to write automobile liability
18 insurance in this state and shall not prescribe minimum provisions which
19 fail to reflect the provisions of automobile liability insurance poli-
20 cies, other than motor vehicle liability policies as defined in section
21 three hundred forty-five of this chapter, issued within this state at
22 the date of such regulation or amendment thereof. Nothing contained in
23 such regulation or in this article shall prohibit any insurer from
24 affording coverage under an owner's policy of liability insurance more
25 liberal than that required by said minimum provisions. Every such
26 owner's policy of liability insurance shall provide insurance subject to
27 said regulation against loss from the liability imposed by law for
28 damages, including damages for care and loss of services, because of
29 bodily injury to or death of any person and injury to or destruction of
30 property arising out of the ownership, maintenance, use, or operation of
31 a specific motor vehicle or motor vehicles within the state of New York,
32 or elsewhere in the United States in North America or the Dominion of
33 Canada, subject to a limit, exclusive of interest and costs, with
34 respect to each such motor vehicle except a tow truck, of twenty-five
35 thousand dollars because of bodily injuries to and fifty thousand
36 dollars because of death of one person in any one [~~accident~~] ~~crash~~ and,
37 subject to said limit for one person, to a limit of fifty thousand
38 dollars because of bodily injury to and one hundred thousand dollars
39 because of death of two or more persons in any one [~~accident~~] ~~crash~~, and
40 to a limit of ten thousand dollars because of injury to or destruction
41 of property of others in any one [~~accident~~] ~~crash~~ provided, however,
42 that such policy need not be for a period coterminous with the registra-
43 tion period of the vehicle insured. The limit, exclusive of interest and
44 costs, with respect to a tow truck shall be a combined single limit of
45 at least three hundred thousand dollars because of bodily injury or
46 death to one or more persons or because of injury or destruction of
47 property of others in any one [~~accident~~] ~~crash~~, and to a limit of twenty-
48 five thousand dollars because of damage to a vehicle in the care,
49 custody and control of the insured. Any insurer authorized to issue an
50 owner's policy of liability insurance as provided for in this article
51 may, pending the issue of such a policy, make an agreement, to be known
52 as a binder, or may, in lieu of such a policy, issue a renewal endorse-
53 ment or evidence of renewal of an existing policy; each of which shall
54 be construed to provide indemnity or protection in like manner and to
55 the same extent as such a policy. The provisions of this article shall
56 apply to such binders, renewal endorsements or evidences of renewal.

1 Every such policy issued insuring private passenger vehicles and every
2 renewal policy, renewal endorsement, or other evidence of renewal issued
3 shall have attached thereto a rating information form which clearly
4 specifies and defines the rating classification assigned thereto,
5 including any applicable merit rating plan; and

6 § 15. Subdivision 1 of section 315 of the vehicle and traffic law is
7 amended to read as follows:

8 1. The commissioner, upon the surrender of the registration and number
9 plates for a motor vehicle for which a financial security bond or depos-
10 it was accepted by the commissioner, shall permit the cancellation of
11 any such bond or shall direct that any such deposit be returned by the
12 commissioner of taxation and finance. The commissioner shall not release
13 such bond or deposit in the event any action for damages upon a liabil-
14 ity referred to in this article is then pending or any judgment upon any
15 such liability then outstanding and unsatisfied, or in the event the
16 commissioner has received notice that such person has within the period
17 of three months immediately preceding been involved as a driver in any
18 motor vehicle ~~[accident]~~ crash. An affidavit of the applicant of non-
19 existence of such facts shall be sufficient evidence thereof in the
20 absence of evidence to the contrary in the records of the bureau.

21 § 16. Section 316 of the vehicle and traffic law, the third undesig-
22 nated paragraph as amended by chapter 511 of the laws of 1999, and the
23 fourth undesignated paragraph as added by chapter 316 of the laws of
24 1972, is amended to read as follows:

25 § 316. Self-insurers. The commissioner, in his discretion, may upon
26 the application of a person having registered in his name in this state
27 more than twenty-five motor vehicles, issue a certificate of self-insu-
28 rance when he is reasonably satisfied that such person is possessed and
29 will continue to be possessed of financial ability to respond to judg-
30 ments obtained against such person, arising out of the ownership, main-
31 tenance, use or operation of any such person's motor vehicles. Upon due
32 notice and hearing, the commissioner may, in his discretion and upon
33 reasonable grounds, cancel a certificate of self-insurance.

34 As a condition to the issuance of a certificate of self-insurance, the
35 registrant shall pay annually in addition to any other fee prescribed by
36 this chapter, a fee of one dollar and fifty cents for each motor vehicle
37 registered in his name and the aggregate amount of such fees shall be
38 applied in reduction of the assessment levied pursuant to section three
39 hundred seventeen of this article.

40 As a further condition to the issuance of a certificate of self-insu-
41 rance, the registrant shall pay annually in addition to any other fee
42 prescribed by this chapter, an amount per vehicle to be determined by
43 the Motor Vehicle ~~[Accident]~~ Crash Indemnification Corporation pursuant
44 to section five thousand two hundred seven of the insurance law for each
45 motor vehicle registered in his name and the aggregate amount of such
46 fees shall be transmitted by the commissioner to the Motor Vehicle
47 ~~[Accident]~~ Crash Indemnification Corporation continued pursuant to
48 section five thousand two hundred three of the insurance law to be
49 applied in reduction of assessments levied by said corporation pursuant
50 to section five thousand two hundred seven of the insurance law.

51 Notwithstanding the provisions of any other section, for the purposes
52 of this section, the term "motor vehicle" shall include "snowmobiles" as
53 defined by subdivision ~~[six of § 8-0105 of the conservation law]~~ one of
54 section twenty-two hundred twenty-one of this chapter.

§ 17. Subdivision 9 of section 318 of the vehicle and traffic law, as amended by chapter 1025 of the laws of 1971, is amended to read as follows:

9. (a) If a motor vehicle has been involved in ~~[an accident]~~ a crash, and its registration or the driver's license of its operator, or both, have been revoked pursuant to this section, then neither such vehicle nor any other motor vehicle shall be registered or reregistered in the name of its owner or of any other person legally responsible for its use, nor shall any driver's license be issued to such owner, person or operator until one year has passed since the date of such revocation and, as the case may be, the commissioner has received the payments and evidence required by paragraph (c) ~~[below]~~ of this subdivision.

(b) If a motor vehicle not registered in this state is involved in ~~[an accident]~~ a crash in this state and the privilege of its operation within this state has been revoked, then neither its owner, any person legally responsible for its use nor its operator shall exercise the privilege of the operation of such vehicle within this state or the privilege of operation within this state of any motor vehicle, until one year has passed since the date of revocation and, as the case may be, the commissioner has received the payments and evidence as required in paragraph (c) [below] of this subdivision.

(c) The payments and evidence referred to in paragraphs (a) and (b) ~~[above]~~ of this subdivision shall be evidence, satisfactory to the commissioner,

(1) That no cause of action based upon such ~~[accident]~~ crash against such owner, person legally responsible or operator has been commenced within a period of one year from the date of the ~~[accident]~~ crash or a release thereof has been given to such owner, person or operator, or

(2) That no judgment arising out of such cause of action for amounts within the limits stated in paragraph (a) of subdivision four of section three hundred eleven of this article against such owner, person or operator remains unsatisfied, except that such registration and licensing privileges may be restored on compliance with the procedures permitting the payment of a judgment in installments provided in section three hundred thirty-four of this title, and

(3) That all civil penalties required to be paid to the department pursuant to the provisions of subdivision five of section three hundred nineteen of this ~~[chapter]~~ article have been paid.

§ 18. Paragraph (a) of subdivision 11 of section 318 of the vehicle and traffic law, as amended by chapter 735 of the laws of 1970, is amended to read as follows:

(a) Where the license or privileges of any person, or the registration of a motor vehicle registered in his name, has been suspended or revoked under this article ~~[six of this chapter]~~, and the motor vehicle ~~[accident]~~ crash indemnification corporation or an insurer has paid any amount towards satisfaction of a judgment against such person, or has obtained a judgment against such person as a result of payments made to third parties such license, privileges or registration shall be suspended, or the suspension or revocation thereof shall be continued, as provided in this subdivision.

§ 19. Paragraphs (a) and (c) of subdivision 12 of section 318 of the vehicle and traffic law, paragraph (a) as amended by chapter 843 of the laws of 1980, and paragraph (c) as amended by chapter 805 of the laws of 1984, are amended to read as follows:

(a) If the owner or operator of a motor vehicle in any manner involved in ~~[an accident]~~ a crash occurring in this state resulting in death or

1 bodily injuries to any person fails to produce satisfactory evidence as
2 proof of financial security within forty-eight hours after the [~~acci-~~
3 ~~dent~~] crash, the motor vehicle shall be subject to impoundment and any
4 peace officer, acting pursuant to his special duties, or any police
5 officer is authorized to impound and store such motor vehicle. If said
6 motor vehicle is subject to impoundment and is not so impounded, the
7 owner or his representative shall cause said motor vehicle to be stored
8 in a public garage or storage place in this state as selected by the
9 owner or representative and shall continue such storage for the period
10 of time provided in this section. The aforementioned storage shall
11 constitute "impoundment" within the meaning of this section. The cost of
12 storage of any such impounded motor vehicle shall be borne by the owner.
13 So long as the impoundment is in force no person shall remove the
14 impounded vehicle or permit it to be removed from its place of impound-
15 ment except upon the order of the commissioner.

16 (c) The impoundment shall continue until (1) there is a final disposi-
17 tion of the claim for death or bodily injury of the person, resulting
18 from the [~~accident~~] crash in which said motor vehicle was involved, by
19 payment of a judgment or settlement by the owner, or by a final judgment
20 in his favor, or (2) one year has elapsed since the date of the [~~acci-~~
21 ~~dent~~] crash and no filing has been made pursuant to section five thou-
22 sand two hundred eight of the insurance law, or (3) a release of the
23 motor vehicle upon order of the commissioner. The commissioner may order
24 the release of said motor vehicle upon the depositing with the commis-
25 sioner of taxation and finance of security or a bond in such form and
26 amount as may be approved by the commissioner. If said motor vehicle is
27 not released from impoundment after the lapse of one year, the commis-
28 sioner may dispose of it by public sale and remit the proceeds from the
29 sale to the commissioner of taxation and finance to be held pending the
30 final disposition of the claim.

31 § 20. Subdivision (d) of section 332 of the vehicle and traffic law is
32 amended to read as follows:

33 (d) Any person whose license, registration or non-resident's driving
34 privilege is subject to suspension hereunder, may be relieved from the
35 effect of failure to satisfy such judgment, if such person files with
36 the commissioner proper evidence that a bond or insurance policy as
37 provided for in this article was in force and effect at the time of the
38 [~~accident~~] crash resulting in the judgment, and was available for the
39 satisfaction of the judgment to the extent provided for in section three
40 hundred thirty-three of this article and that such judgment was so
41 satisfied.

42 § 21. Section 333 of the vehicle and traffic law, as amended by chap-
43 ter 305 of the laws of 1995, is amended to read as follows:

44 § 333. Payments sufficient to satisfy requirements of this article.
45 Every judgment herein referred to shall for the purpose of this article
46 only be deemed satisfied: (a) When twenty-five thousand dollars has been
47 credited upon any judgment or judgments rendered in excess of that
48 amount because of bodily injury to or when fifty thousand dollars has
49 been credited upon any judgment or judgments rendered in excess of that
50 amount because of death of one person as the result of any one [~~acci-~~
51 ~~dent~~] crash; or

52 (b) When subject to such limit of twenty-five thousand dollars because
53 of bodily injury to or fifty thousand dollars because of death of one
54 person, the sum of fifty thousand dollars has been credited upon any
55 judgment or judgments rendered in excess of that amount because of bodi-
56 ly injury to or when one hundred thousand dollars has been credited upon

1 any judgment or judgments rendered in excess of that amount because of
2 death of two or more persons as the result of any one [~~accident~~] crash;
3 or

4 (c) When ten thousand dollars has been credited upon any judgment or
5 judgments rendered in excess of that amount because of injury to or
6 destruction of property of others as a result of any one [~~accident~~]
7 crash.

8 Payments made in settlement of any claims because of bodily injury,
9 death or property damage arising from a motor vehicle [~~accident~~] crash
10 shall be credited in reduction of the amounts provided for in this
11 section.

12 § 22. Section 335 of the vehicle and traffic law, subdivision (a) as
13 amended by chapter 305 of the laws of 1995, and paragraph 1 of subdivi-
14 sion (a) as further amended by section 104 of part A of chapter 62 of
15 the laws of 2011, is amended to read as follows:

16 § 335. Security and proof required following [~~accident~~] crash. (a) Not
17 less than ten days nor more than sixty days after receipt by him of the
18 report or notice of [~~an accident~~] a crash which has resulted in bodily
19 injury or death, or in damage to the property of any one person in
20 excess of one thousand dollars, the commissioner shall forthwith suspend
21 the license of any person operating, and the registration certificates
22 and registration plates of any person owning, a motor vehicle in any
23 manner involved in such [~~accident~~] crash unless and until such operator
24 (or chauffeur) or owner or both shall have previously furnished or imme-
25 diately furnishes security sufficient in the judgment of the commission-
26 er to satisfy any judgment or judgments for damages resulting from such
27 [~~accident~~] crash as may be recovered against such owner or operator (or
28 chauffeur) by or on behalf of any aggrieved person or his legal repre-
29 sentative, and unless and until such owner or operator (or chauffeur) or
30 both shall immediately furnish and thereafter maintain proof of finan-
31 cial responsibility in the future. Where erroneous information with
32 respect to insurance coverage of the owner or operator (or chauffeur) of
33 any such vehicle is furnished to the commissioner, he shall take appro-
34 priate action as above provided within sixty days after the receipt by
35 him of correct information with respect to such coverage. This section
36 shall not apply: (1) to such owner or operator (or chauffeur) if such
37 owner had in effect at the time of such [~~accident~~] crash with respect to
38 such motor vehicle a standard provisions automobile liability policy in
39 form approved by the superintendent of financial services and issued by
40 an insurance company authorized to do business in this state or, if such
41 motor vehicle was not registered in this state or was a motor vehicle
42 which was registered elsewhere than in this state at the effective date
43 of the policy, or the most recent renewal thereof, an automobile liabil-
44 ity policy acceptable to the superintendent of financial services as
45 substantially the equivalent of such standard provisions automobile
46 liability policy; (2) to such operator (or chauffeur), if not the owner
47 of such motor vehicle, if there was in effect at the time of such [~~acci-~~
48 ~~dent~~] crash such a policy with respect to his operation of motor vehi-
49 cles not owned by him or, if such motor vehicle was a private passenger
50 motor vehicle, with respect to his operation of private passenger motor
51 vehicles not owned by him or (3) to such owner or operator (or chauf-
52 feur) if the liability of such owner or operator (or chauffeur) for
53 damages resulting from such [~~accident~~] crash is, in the judgment of the
54 commissioner, covered by any other form of liability insurance policy
55 issued by an insurance company authorized to do business in this state
56 or by a bond, provided every such policy or bond mentioned herein is

1 subject, if the [accident] crash has resulted in bodily injury, to a
2 limit, exclusive of interest and costs, of twenty-five thousand dollars
3 or death to a limit, exclusive of interest and costs, of fifty thousand
4 dollars, because of bodily injury to or death of one person in any one
5 [accident] crash and, subject to said limit for one person, to a limit
6 of fifty thousand dollars because of bodily injury to or one hundred
7 thousand dollars because of death of two or more persons in any one
8 [accident] crash, and, if the [accident] crash has resulted in injury to
9 or destruction of property, to a limit of ten thousand dollars because
10 of injury to or destruction of property of others in any one [accident]
11 crash or (4) to such owner or operator if the commissioner shall deter-
12 mine that the failure to have liability coverage as described above was
13 caused solely by the negligence or malfeasance of a person other than
14 the person whose license or registration has been suspended or is
15 subject to suspension, and that the person seeking to avoid such suspen-
16 sion was not aware of the lack of such liability coverage. However, with
17 respect to the provisions of (4) above, the burden of proof shall be
18 upon the person seeking to avoid such suspension action. Provided
19 further, that such facts shall be established by clear and convincing
20 evidence, either by the submission of affidavits or at a hearing called
21 in the discretion of the commissioner.

22 Upon receipt of notice of such [accident] crash, the insurance carrier
23 or surety company which issued such policy or bond shall furnish for
24 filing with the commissioner a written notice that such policy or bond
25 was in effect at the time of such [accident] crash or shall notify the
26 commissioner in such manner as he may require in case such policy or
27 bond was not in effect at the time of such [accident] crash.

28 In case any such operator (or chauffeur) or owner has no license to
29 operate issued under this chapter or no motor vehicle registered in his
30 name in this state, he shall not be allowed a license or registration
31 until he has complied with this article to the same extent as would be
32 necessary if he had held an operator's or chauffeur's license and a
33 motor vehicle registration issued under this chapter at the time of the
34 [accident] crash.

35 (b) Such security, where ordered, shall be in such form and in such
36 amount as the commissioner may require, but in no case in excess of the
37 amount of proof required by section three hundred forty-one of this
38 article. The commissioner may reduce the amount of security ordered in
39 any case within six months after the date of the [accident] crash, if,
40 in his judgment, the amount ordered is too large. In case the security
41 originally ordered has been deposited, the excess deposited over the
42 reduced amount ordered shall be returned to the depositor or his
43 personal representative forthwith, notwithstanding the provisions of
44 subdivision (c) of this section.

45 (c) Security furnished in compliance with the requirements of this
46 section shall be placed by the commissioner in the custody of the
47 commissioner of taxation and finance and shall be applicable only to the
48 payment of a judgment against the depositor for damages arising out of
49 the [accident] crash in question in an action at law begun not later
50 than one year after the date of such [accident] crash or, upon assign-
51 ment of the depositor, made not later than one year after the date of
52 such [accident] crash, to the settlement of a claim arising out of such
53 [accident] crash, or upon assignment of the depositor, made after the
54 expiration of one year after the date of such [accident] crash, to the
55 settlement of an action at law begun not later than one year after the
56 date of such [accident] crash. All of such payments made out of the

1 deposited security shall be made as follows: Payment shall first be
2 made to each of the judgment creditors and to each of the claimants who
3 have agreed to settle their claims, whose damages were evaluated by the
4 commissioner, in an amount not greater than the amount fixed in their
5 respective evaluations. Whenever the commissioner shall be given
6 evidence, satisfactory to him, that the amounts of all claims for
7 damages against the depositor arising out of such [accident] crash are
8 fixed, either by judgment or settlement agreement, payment shall be made
9 out of any balance remaining after the first distribution to each of
10 those persons whose judgments or settlement amounts have not been fully
11 paid but whose damages were evaluated by the commissioner, in proportion
12 to the amounts of their respective evaluations unless there is suffi-
13 cient to make payment in full; and any balance remaining after the first
14 and second distributions are completed shall be paid to those judgment
15 creditors and those claimants who have agreed to settle their claims but
16 whose damages were not evaluated, in proportion to the amounts of their
17 respective judgments or settlement amounts unless there is sufficient to
18 make payment in full. Such deposit, or any balance thereof, shall be
19 returned to the depositor or his personal representative whenever after
20 the expiration of such year, the commissioner shall be given evidence,
21 satisfactory to him, that there is no such action pending and no such
22 judgment unsatisfied or whenever, before the expiration of such year,
23 the commissioner shall be given evidence, satisfactory to him, that
24 there is no such judgment unsatisfied and that there is no existing
25 cause of action against the depositor for damages arising out of such
26 [accident] crash.

27 (c-1) After security, furnished in compliance with the requirements of
28 this section, has remained on deposit for five years, the commissioner
29 shall make a determination as to whether the deposit, or any balance
30 thereof, is returnable to the depositor or the person entitled thereto.
31 In the event that such deposit, or any balance thereof, is determined to
32 be returnable, but remains unclaimed by the depositor or the person
33 entitled thereto for a period of one year following the date of such
34 determination, such unclaimed deposit, or any balance thereof, shall be
35 deemed abandoned property subject to the provisions of the abandoned
36 property law.

37 (d) The provisions of subdivision (a) of this section shall not apply
38 to the owner of a motor vehicle operated by one having obtained
39 possession or control thereof without the expressed or implied consent
40 of such owner, to a police officer or member of the state police who is
41 compelled to assume the custody and operation of a motor vehicle of
42 another because such motor vehicle was (1) stolen from or lost by the
43 owner, (2) abandoned, either by the owner or any other person with or
44 without the owner's consent, (3) is being operated by a person disabled
45 so as not to be able to operate it properly, or (4) is being operated by
46 an intoxicated person; or to either the owner or operator of a motor
47 vehicle involved in an [accident] crash wherein no damage or injury was
48 caused to other than the person or property of such owner or operator.

49 (e) In lieu of deposit of security when required pursuant to the
50 provisions of this section the commissioner may accept a written agree-
51 ment, executed and acknowledged by the person required to deposit secu-
52 rity and any person who has sustained bodily injury, including death, or
53 damage to his property, or his legal representative, providing for the
54 payment of an agreed amount in installments, with respect to the claims
55 of such person for injuries or damages resulting from the [accident]
56 crash. In the event of default in payment of any installment under such

1 agreement, then upon notice of such default the commissioner shall
2 forthwith suspend the license and registration certificates and regis-
3 tration plates of the person in default until release has been filed
4 with the commissioner indicating that the entire agreed amount has been
5 paid. But in no case shall such agreement be used in lieu of proof of
6 maintenance of financial responsibility in the future required pursuant
7 to the provisions of this section.

8 § 23. Section 337 of the vehicle and traffic law, as amended by chap-
9 ter 176 of the laws of 1990, is amended to read as follows:

10 § 337. Suspension, duration. (a) The suspension required in sections
11 three hundred thirty-two, three hundred thirty-four and subdivision (e)
12 of section three hundred thirty-five [~~(e)~~] of this article shall remain
13 in effect, the motor vehicle in any manner involved in such [~~accident~~]
14 crash shall not be registered in the name of the person whose license
15 and/or registration certificate was so suspended, or in any other name
16 where the commissioner has reasonable grounds to believe that such
17 registration will have the effect of defeating the purposes of this
18 article, and no other motor vehicle shall be registered in the name of
19 such person nor any new licenses issued to such person unless and until
20 such judgment is satisfied or stayed or is discharged in bankruptcy and
21 the judgment debtor gives proof of financial responsibility in the
22 future as required pursuant to section three hundred thirty-five of this
23 article except under the conditions as stated in sections three hundred
24 thirty-three and three hundred thirty-four of this article.

25 (b) The suspension required in section three hundred thirty-five of
26 this article shall remain in effect, the motor vehicle in any manner
27 involved in such [~~accident~~] crash shall not be registered in the name of
28 the person whose license and/or registration certificate was so
29 suspended, or in any other name where the commissioner has reasonable
30 grounds to believe that such registration will have the effect of
31 defeating the purposes of this article, and no other motor vehicle shall
32 be registered in the name of such person nor any new licenses issued to
33 such person, unless and until such person complies with the requirement
34 with respect to furnishing security, or unless and until such person has
35 obtained a release, or a favorable judgment in an action at law to
36 recover damages resulting from such [~~accident~~] crash or unless such
37 person shall have satisfied in the manner herein provided any judgment
38 rendered against such person in such an action, or unless such judgment
39 rendered against such person is discharged in bankruptcy, and at all
40 events until such person gives and thereafter maintains proof of his
41 financial responsibility.

42 Provided, however, that any person whose license or registration
43 became subject to suspension or has been suspended pursuant to subdivi-
44 sion (a) of section three hundred thirty-five of this article, whether
45 or not such person has furnished security and proof of financial respon-
46 sibility, shall be relieved from furnishing or maintaining proof of
47 financial responsibility if (1) one year has elapsed since the date of
48 the [~~accident~~] crash, (2) nine months have elapsed since the date of
49 compliance with any suspension order made against such person because of
50 such [~~accident~~] crash, (3) such person has neither paid nor agreed in
51 writing to pay anything for damages resulting from such [~~accident~~]
52 crash, (4) no suit for damages because thereof has been brought against
53 such person and (5) such person is not required to furnish or maintain
54 proof of financial responsibility for some reason other than for having
55 been involved in such [~~accident~~] crash. If a suit or suits for damages
56 resulting from such [~~accident~~] crash shall have been brought and such

1 suit or suits shall have resulted in a judgment or judgments, the
2 successful person in such suit or suits shall be relieved from furnish-
3 ing or maintaining proof of financial responsibility forthwith provided
4 such person is not required to furnish or maintain such proof for
5 reasons other than for having been involved in such [accident] crash
6 and, in case such person has furnished security because of having been
7 involved in such [accident] crash, it shall be returned to such person
8 or the personal representative of such person forthwith notwithstanding
9 the provisions of subdivision (c) of section three hundred thirty-five
10 of this article. The fact of having been involved in such [accident]
11 crash shall not bar the issuance of license and registration to a person
12 who has been relieved from furnishing or maintaining proof of financial
13 responsibility pursuant to the provisions of this paragraph.

14 (c) A discharge in bankruptcy following the rendering of any such
15 judgment shall not relieve the judgment debtor from any of the require-
16 ments of this article unless otherwise provided in subdivisions (a) and
17 (b) of this section.

18 § 24. Subdivision (d) of section 338 of the vehicle and traffic law,
19 the opening paragraph as amended by chapter 838 of the laws of 1970, is
20 amended to read as follows:

21 (d) The commissioner shall take action as required anywhere in this
22 article, upon receiving proper evidence that any resident of this state,
23 has in any other state had his driving privileges suspended and/or the
24 operation of any motor vehicle owned by him prohibited pursuant to a law
25 of such other state providing for such suspension or prohibition because
26 of a conviction or because of an unsatisfied judgment which would
27 require the commissioner to suspend a non-resident's driving privileges
28 had such a conviction or judgment been rendered in this state against a
29 non-resident, provided, however, that no suspension or prohibition shall
30 be effective until twenty days have elapsed from the date upon which
31 notice of suspension shall have been mailed to the operator or owner
32 during which period such operator or owner shall be permitted to submit
33 evidence of satisfaction of the judgment or other evidence relating
34 thereto.

35 Upon receipt of a certification that the operating privilege of a
36 resident of this state has been suspended, revoked or cancelled in any
37 such other state pursuant to a law providing for its suspension, revoca-
38 tion or cancellation for failure to deposit security for the payment of
39 a judgment as may arise out of a motor vehicle [accident] crash under
40 circumstances which would require the commissioner to suspend a non-
41 resident's operating privilege had the [accident] crash occurred in this
42 state, the commissioner shall suspend the license of such resident if he
43 was the operator, and all of his registrations if he was the owner of a
44 motor vehicle involved in such [accident] crash. Such suspension shall
45 continue until such resident furnishes evidence of his compliance with
46 the law of such other state relating to the deposit of such security.

47 § 25. Section 341 of the vehicle and traffic law, as amended by chap-
48 ter 305 of the laws of 1995, is amended to read as follows:

49 § 341. Amount of proof required. Proof of financial responsibility
50 shall mean proof of ability to respond in damages for liability there-
51 after incurred, arising out of the ownership, maintenance or use of a
52 motor vehicle, in the amount of twenty-five thousand dollars because of
53 bodily injury to or fifty thousand dollars because of death of any one
54 person, and subject to said limit respecting one person, in the amount
55 of fifty thousand dollars because of bodily injury to or one hundred
56 thousand dollars because of death of two or more persons in any one

1 [~~accident~~] ~~crash~~, and in the amount of ten thousand dollars because of
2 injury to or destruction of property in any one [~~accident~~] ~~crash~~. Such
3 proof in such amounts shall be furnished for each motor vehicle regis-
4 tered by such person.

5 § 26. Subdivision (c) of section 343 of the vehicle and traffic law,
6 as amended by chapter 300 of the laws of 1960, and as further amended by
7 section 104 of part A of chapter 62 of the laws of 2011, is amended to
8 read as follows:

9 (c) When a person has been required to furnish proof of a financial
10 responsibility and there has been in effect a motor vehicle liability
11 policy for his benefit for a period of three years, during which period
12 such person or any vehicle registered in his name has not been involved
13 in any [~~accident~~] ~~crash~~ upon which a report is required pursuant to
14 section six hundred five [~~hereof~~] ~~of this chapter~~, such person may file
15 in lieu thereof, the written certificate of any insurance carrier duly
16 authorized to do business in this state, certifying that there is in
17 effect a standard provisions automobile liability policy in form
18 approved by the [~~superintendant~~] ~~superintendent~~ of financial services
19 with a limit of liability no less than provided in subdivision (a) of
20 section three hundred thirty-five of this [~~law~~] ~~article~~.

21 § 27. Paragraphs 1 and 3 of subdivision (a) of section 344 of the
22 vehicle and traffic law are amended to read as follows:

23 (1) Said insurance carrier shall execute a power of attorney authoriz-
24 ing the commissioner to accept service on its behalf of notice or proc-
25 ess in any action arising out of a motor vehicle [~~accident~~] ~~crash~~ in
26 this state.

27 (3) Said insurance carrier shall also agree to accept as final and
28 binding any judgment of any court of competent jurisdiction in this
29 state duly rendered in any action arising out of a motor vehicle [~~acci-~~
30 ~~dent~~] ~~crash~~.

31 § 28. Paragraph 3 of subdivision (b) of section 345 of the vehicle and
32 traffic law, as amended by chapter 305 of the laws of 1995, is amended
33 to read as follows:

34 (3) Shall insure the insured or such other person against loss from
35 the liability imposed by law for damages, including damages for care and
36 loss of services because of bodily injury to or death of any person and
37 injury to or destruction of property arising out of the ownership, main-
38 tenance, use, or operation of such motor vehicle or motor vehicles with-
39 in the state of New York, or elsewhere in the United States in North
40 America or the Dominion of Canada, subject to a limit, exclusive of
41 interest and cost, with respect to each such motor vehicle, except a tow
42 truck, of twenty-five thousand dollars because of bodily injury to or
43 fifty thousand dollars because of death of one person in any one [~~acci-~~
44 ~~dent~~] ~~crash~~ and, subject to said limit for one person, to a limit of
45 fifty thousand dollars because of bodily injury to or one hundred thou-
46 sand dollars because of death of two or more persons in any one [~~acci-~~
47 ~~dent~~] ~~crash~~, and to a limit of ten thousand dollars because of injury to
48 or destruction of property of others in any one [~~accident~~] ~~crash~~. The
49 limit, exclusive of interest and costs, with respect to a tow truck
50 shall be a combined single limit of three hundred thousand dollars
51 because of bodily injury [~~of~~] ~~or~~ death to one or more persons or because
52 of injury or destruction of property of others in any one [~~accident~~]
53 ~~crash~~, and to a limit of twenty-five thousand dollars because of damage
54 to a vehicle in the care, custody and control of the insured.

55 § 29. Paragraph 1 of subdivision (i) of section 345 of the vehicle and
56 traffic law is amended to read as follows:

1 (1) The liability of any company under a motor vehicle liability poli-
2 cy shall become absolute whenever loss or damage covered by said policy
3 occurs, and the satisfaction by the insured of a final judgment for such
4 loss or damage shall not be a condition precedent to the right or duty
5 of the carrier to make payment on account of such loss or damage. No
6 such policy shall be cancelled or annulled as respects any loss or
7 damage by any agreement between the carrier and the insured after the
8 said insured has become responsible for such loss or damage, and any
9 such cancellation or [~~annulment~~] ~~annulment~~ shall be void. If the death
10 of the insured shall occur after the insured has become liable during
11 the policy period for loss or damage covered by the policy, the policy
12 shall not be deemed terminated by such death with respect to such
13 liability and the company shall be liable thereunder in the same manner
14 and to the same extent as though death had not occurred. Upon the recov-
15 ery of a final judgment against any person for any such loss or damage,
16 if the judgment debtor or the decedent whom he represents was at the
17 accrual of the cause of action insured against liability therefor under
18 a motor vehicle liability policy, the judgment creditor shall be enti-
19 tled to have the insurance money applied to the satisfaction of the
20 judgment. But the policy may provide that the insured, or any other
21 person covered by the policy, shall reimburse the company for payments
22 made on account of any [~~accident~~] ~~crash~~, claim or suit involving a
23 breach of the terms, provisions or conditions of the policy; and
24 further, if the policy shall provide for limits in excess of the limits
25 designated in this section, the insurance carrier may plead against such
26 judgment creditor, with respect to the amount of such excess limits of
27 liability, any defenses which it may be entitled to plead against the
28 insured. Any such policy may further provide for the prorating of the
29 insurance thereunder with other applicable valid and collectible insur-
30 ance. If the death, insolvency or bankruptcy of the insured shall occur
31 within the policy period, the policy during the unexpired portion of
32 such period shall cover the legal representatives of the insured. No
33 statement made by the insured or on his behalf, and no violation of the
34 terms of the policy, shall operate to defeat or avoid the policy so as
35 to bar recovery within the limits provided in subdivision (b) of this
36 section.

37 § 30. Subdivision 2 of section 353 of the vehicle and traffic law is
38 amended to read as follows:

39 (2) In the event the person who has given proof of financial responsi-
40 bility surrenders his operator's or chauffeur's license, registration
41 certificates and registration plates to the commissioner, but the
42 commissioner shall not release such proof in the event any action for
43 damages upon a liability referred to in this article is then pending, or
44 any judgment upon any such liability then outstanding and unsatisfied,
45 or in the event the commissioner has received notice that such person
46 has within the period of three months immediately preceding been
47 involved as a driver in any motor vehicle [~~accident~~] ~~crash~~. An affida-
48 vit of the applicant of the non-existence of such facts shall be suffi-
49 cient evidence thereof in the absence of evidence to the contrary in the
50 records of the bureau.

51 § 31. Section 354 of the vehicle and traffic law, as amended by chap-
52 ter 61 of the laws of 1989, is amended to read as follows:

53 § 354. Commissioner to furnish operating record. The commissioner
54 shall upon request furnish any insurance carrier or any person an
55 abstract of the operating record of any person subject to the provisions
56 of this article, which abstract shall include enumeration of any

1 convictions of such person of a violation of any provision of any stat-
2 ute relating to the operation of a motor vehicle or any [~~accidents~~]
3 ~~crashes~~ in which a motor vehicle driven by such person has been involved
4 during the current calendar year and the three calendar years preceding
5 that in which the request for the operating record is received and if
6 specifically requested shall also fully designate the motor vehicles, if
7 any, registered in the name of such person and the name of the insurer
8 insuring such motor vehicle, for the registration year in which the
9 request for the operating record is received. A request for an abstract
10 of an operating record shall be subject to the provisions of section two
11 hundred two of this chapter.

12 § 32. Section 366 of the vehicle and traffic law is amended to read as
13 follows:

14 § 366. Past application of article. This article, except section three
15 hundred thirty-nine [~~thereof~~] of this article, shall not apply to any
16 judgment in a civil action or cause of action arising out of [~~an acci-~~
17 ~~dent~~] a crash occurring prior to the effective date of this article.

18 § 33. The section heading, the opening paragraph of subdivision 1 and
19 subdivisions 3 and 4 of section 370 of the vehicle and traffic law, the
20 section heading and subdivision 4 as amended by chapter 609 of the laws
21 of 1962, the opening paragraph of subdivision 1 as amended by chapter 20
22 of the laws of 2002 and as further amended by section 104 of part A of
23 chapter 62 of the laws of 2011 and subdivision 3 as amended by chapter
24 232 of the laws of 2001, are amended to read as follows:

25 Indemnity bonds or insurance policies; notice of [~~accident~~] crash.

26 Every person, firm, association or corporation engaged in the business
27 of carrying or transporting passengers for hire in any motor vehicle or
28 motorcycle, except street cars, and motor vehicles or motorcycles owned
29 and operated by a municipality, and except as otherwise provided in this
30 section, which shall be operated over, upon or along any public street
31 or highway of the state of New York shall file with the commissioner of
32 motor vehicles for each motor vehicle or motorcycle intended to be so
33 operated evidence, in such form as the commissioner may prescribe, of a
34 corporate surety bond or a policy of insurance, approved as to form by
35 the superintendent of financial services in a company authorized to do
36 business in the state, approved by the superintendent as to solvency and
37 responsibility, conditioned for the payment of a minimum sum, hereinaft-
38 er called minimum liability, on a judgment or judgments for damages,
39 including damages for care and loss of services, because of bodily inju-
40 ry to, or death of any one person in any one [~~accident~~] crash, and
41 subject to such minimum liability a maximum sum, hereinafter called
42 maximum liability on a judgment or judgments for damages, including
43 damages for care and loss of services because of bodily injury to, or
44 death of two or more persons in any one [~~accident~~] crash and for the
45 payment of a minimum sum, called minimum liability on all judgments for
46 damages because of injury to or destruction of property of others in any
47 one [~~accident~~] crash, recovered against such person, firm, association
48 or corporation upon claims arising out of the same transaction or trans-
49 actions connected with the same subject of action, to be apportioned
50 ratably among the judgment creditors according to the amount of their
51 respective judgments for damage or injury caused in the operation, main-
52 tenance, use or the defective construction of such motor vehicle or
53 motorcycle as follows:

54 3. A person, firm, association or corporation engaged in the business
55 of renting or leasing rental vehicles to be operated upon the public
56 highways for carrying passengers shall be subject to the provisions of

1 this section in the same manner and to the same extent as if such
2 person, firm, association or corporation were actually engaged in the
3 business of carrying or transporting passengers for hire.

4 Notwithstanding the provisions of subdivision one of this section, a
5 person, firm, association or corporation engaged in the business of
6 renting or leasing motor vehicles, having registered in this state more
7 than twenty-five motor vehicles subject to the provisions of this
8 section and who qualifies as hereinafter provided, may file a certif-
9 icate of self-insurance. The commissioner of motor vehicles in his
10 discretion may, upon the application of such a person, firm, association
11 or corporation issue a certificate of self-insurance when he is reason-
12 ably satisfied that such person is possessed and will continue to be
13 possessed of financial ability to respond to judgments obtained against
14 such person, arising out of the ownership, maintenance, use or operation
15 of any such person's motor vehicle. Upon due notice and hearing, the
16 commissioner may, in his discretion and upon reasonable grounds, cancel
17 a certificate of self-insurance.

18 As a condition to the issuance of a certificate of self-insurance
19 under this subdivision the registrant shall pay annually in addition to
20 any other fee prescribed by this chapter, a fee of one dollar and fifty
21 cents for each motor vehicle registered in his name and the aggregate
22 amount of such fees shall be applied in reduction of the assessment
23 levied pursuant to section three hundred seventeen of this title.

24 As a further condition to the issuance of a certificate of self-insu-
25 rance, the registrant shall pay annually in addition to any other fee
26 prescribed by this chapter, an amount per vehicle to be determined by
27 the Motor Vehicle ~~[Accident]~~ Crash Indemnification Corporation pursuant
28 to section five thousand two hundred seven of the insurance law and the
29 aggregate amount of such fees shall be transmitted by the commissioner
30 to the Motor Vehicle ~~[Accident]~~ Crash Indemnification Corporation
31 continued pursuant to section five thousand two hundred three of the
32 insurance law to be applied in reduction of assessments levied by said
33 corporation pursuant to section five thousand two hundred seven of the
34 insurance law.

35 4. Every person operating a motor vehicle or motorcycle as to which a
36 bond or policy of insurance is required by this section, which is in any
37 manner involved in ~~[an accident]~~ a crash, shall within five days give
38 written notice of the time and place of the accident to the surety or
39 insurer. Failure to give notice of ~~[an accident]~~ a crash as herein
40 provided shall constitute a misdemeanor, but shall not affect the
41 liability of the surety or insurer.

42 § 34. Subdivision 2 of section 385 of the vehicle and traffic law, as
43 amended by chapter 973 of the laws of 1966, is amended to read as
44 follows:

45 2. The height of a vehicle from under side of tire to top of vehicle,
46 inclusive of load, shall be not more than thirteen and one-half feet.
47 Any damage to highways, bridges or highway structures resulting from the
48 use of a vehicle exceeding thirteen feet in height where such excess
49 height is the proximate cause of the ~~[accident]~~ crash shall be compen-
50 sated for by the owner and operator of such vehicle.

51 § 35. The opening paragraph of subdivision 2 of section 398-b of the
52 vehicle and traffic law, as amended by chapter 212 of the laws of 1980,
53 is amended to read as follows:

54 As used in this article the term "motor vehicle repair shop" means any
55 person who, for compensation, is wholly or partially engaged in the
56 business of repairing or diagnosing motor vehicle malfunctions or

1 repairing motor vehicle bodies, fenders or other components damaged by
2 [~~accident~~] crash or otherwise, except that such term does not include:

3 § 36. The article heading of article 12-B of the vehicle and traffic
4 law, as added by chapter 290 of the laws of 1998, is amended to read as
5 follows:

6 APPROVAL OF MOTOR VEHICLE [~~ACCIDENT~~] CRASH
7 PREVENTION COURSES

8 § 37. Section 399-a of the vehicle and traffic law, as added by chap-
9 ter 290 of the laws of 1998, is amended to read as follows:

10 § 399-a. Statement of purpose. The purposes of this article are to
11 further highway safety by preserving the quality and efficacy of the
12 [~~accident~~] crash prevention course programs. These purposes will be
13 accomplished by establishing strict criteria for initial and continual
14 course sponsorship approval.

15 § 38. Section 399-b of the vehicle and traffic law, as added by chap-
16 ter 290 of the laws of 1998, is amended to read as follows:

17 § 399-b. Definitions. For the purposes of this article, the following
18 terms shall have the following definitions:

19 1. "Sponsoring agency" shall mean an organization which owns a motor
20 vehicle [~~accident~~] crash prevention course approved by the commissioner.

21 2. "Delivery agency" shall mean an organization which conducts a spon-
22 soring agency's approved motor vehicle [~~accident~~] crash prevention
23 course.

24 3. "Instructor" shall mean an individual employed by a delivery agency
25 to teach an approved [~~accident~~] crash prevention course.

26 4. "[~~Accident~~] Crash prevention course" or "course" shall mean the
27 [~~accident~~] crash prevention course curriculum or specialized course
28 curriculum which has been approved by the commissioner.

29 5. "Completion certificate" shall mean a document which cannot be
30 altered and which is provided to the student who successfully completes
31 the [~~accident~~] crash prevention course.

32 6. "Specialized course" shall mean a course aimed primarily at enhanc-
33 ing safety within a specific occupation or for a specific category of
34 vehicles.

35 § 39. Section 399-c of the vehicle and traffic law, as added by chap-
36 ter 290 of the laws of 1998, is amended to read as follows:

37 § 399-c. Approval by the commissioner. The commissioner must approve
38 [~~an accident~~] a crash prevention course before any person attending and
39 successfully completing such course may qualify to receive mandatory
40 insurance reduction benefits in accordance with subsection (a) of
41 section two thousand three hundred thirty-six of the insurance law. The
42 commissioner shall base the decision to approve a course upon the
43 requirements set forth in this article and any additional requirements
44 as the commissioner deems necessary.

45 § 40. Subdivision 1 of section 399-d of the vehicle and traffic law,
46 as added by chapter 290 of the laws of 1998, is amended to read as
47 follows:

48 1. An agency or organization seeking approval as a motor vehicle
49 [~~accident~~] crash prevention course sponsoring agency shall apply to the
50 commissioner for approval. Such applications shall be made in writing
51 and on forms prescribed by the commissioner. The application shall
52 include at a minimum: the title or name of the course, the name of the
53 organization submitting the application, proof of course ownership, and
54 the names and addresses of all owners, officers, and directors of the
55 agency or organization, and such other information or material as the
56 commissioner may prescribe. An application shall not be considered to be

1 complete until all information and material required by this chapter and
2 by regulation of the commissioner has been submitted.

3 § 41. Section 399-f of the vehicle and traffic law, as added by chap-
4 ter 290 of the laws of 1998, is amended to read as follows:

5 § 399-f. Proof of effectiveness. Proof of effectiveness shall be veri-
6 fiable research documentation submitted by the applicant for sponsorship
7 showing evidence of effectiveness comparable to that of the national
8 safety council's defensive driving course as determined by the commis-
9 sioner in terms of reduced convictions or [~~accidents~~] ~~crashes~~ or both.
10 This research documentation shall employ accepted research principles
11 and include treatment and non-treatment control groups comprised of
12 samples of the representative driver base. In order to establish verifi-
13 able effectiveness, each sample group should be comprised of a minimum
14 of three thousand drivers selected randomly. The documentation shall
15 include conviction or [~~accident~~] ~~crash~~ data for each motorist for a
16 period of at least eighteen months prior to the course completion date
17 and at least eighteen months subsequent to such date, and equivalent
18 time periods for non-treatment control groups. The documentation shall
19 also include a description of the sampling and analytic procedures used,
20 and the motorist identification number and course completion date for
21 all course attendees. The applicant for sponsorship shall provide, at
22 the request of the commissioner and at the applicant's expense, all
23 driving record data and analysis used in the development of the submit-
24 ted research documentation. Submission of any fraudulent or inten-
25 tionally misleading data will disqualify that organization and all
26 owners and principals from participating or approval in the [~~accident~~]
27 ~~crash~~ prevention course for a period of ten years from submission date.
28 The commissioner may, by regulation, provide for a smaller sample group
29 for specialized courses.

30 § 42. The article heading of article 12-C of the vehicle and traffic
31 law, as added by chapter 751 of the laws of 2005, is amended to read as
32 follows:

33 [~~ACCIDENT~~] ~~CRASH~~ PREVENTION COURSE INTERNET, AND OTHER TECHNOLOGY
34 PILOT PROGRAM

35 § 43. Section 399-k of the vehicle and traffic law, as added by chap-
36 ter 751 of the laws of 2005, is amended to read as follows:

37 § 399-k. [~~Accident~~] ~~Crash~~ prevention course internet technology pilot
38 program. The commissioner shall establish and implement a comprehensive
39 pilot program to review and study internet, and other technologies as
40 approved by the commissioner, as a training method for the adminis-
41 tration and completion of an approved [~~accident~~] ~~crash~~ prevention course
42 for the purposes of granting point and insurance premium reduction bene-
43 fits.

44 § 44. Section 399-l of the vehicle and traffic law, as amended by
45 section 1 of part ZZ of chapter 58 of the laws of 2020, is amended to
46 read as follows:

47 § 399-l. Application. Applicants for participation in the pilot
48 program established pursuant to this article shall be among those [~~acci-~~
49 ~~dent~~] ~~crash~~ prevention course sponsoring agencies that have a course
50 approved by the commissioner pursuant to article twelve-B of this title
51 and which deliver such course to the public. Provided, the commissioner
52 shall, in his or her discretion, approve additional applications after
53 the effective date of this article. In order to be approved for partic-
54 ipation in such pilot program, the course must comply with the
55 provisions of law, rules and regulations applicable thereto. The commis-
56 sioner may, in his or her discretion, impose a fee for the submission of

1 each application to participate in the pilot program established pursu-
2 ant to this article. Such fee shall not exceed seven thousand five
3 hundred dollars.

4 § 45. Section 399-m of the vehicle and traffic law, as added by chap-
5 ter 751 of the laws of 2005, is amended to read as follows:

6 § 399-m. Pilot program scope and duration. The commissioner shall
7 conduct a pilot program designed to evaluate utilizing internet, and
8 other technologies as approved by the commissioner, for delivering
9 [accident] crash prevention courses for point and insurance premium
10 reduction benefits to the public by permitting qualifying applicants to
11 participate in the pilot program for a period of five years.

12 § 46. Section 399-n of the vehicle and traffic law, as added by chap-
13 ter 751 of the laws of 2005, is amended to read as follows:

14 § 399-n. Regulations. 1. The commissioner is authorized and directed
15 to promulgate any rules and regulations necessary to implement the
16 provisions of this article and to insure that internet, and other tech-
17 nology as approved by the commissioner, delivered [accident] crash
18 prevention courses established pursuant to this article can validate:
19 student identity at registration and throughout the course; partic-
20 ipation throughout the course; that the time requirements are met; and
21 successful completion of the course. Provided, however, that any rules
22 and regulations promulgated pursuant to this article shall not stipulate
23 any particular location for delivery of [an accident] a crash prevention
24 course or limit the time of day during which such course may be taken.

25 2. The commissioner is authorized to impose a fee upon each [accident]
26 crash prevention course sponsoring agency approved for participation in
27 the pilot program, which shall not exceed eight dollars for each student
28 who completes [an accident] a crash prevention course by means of the
29 pilot program established pursuant to this article.

30 § 47. Section 399-o of the vehicle and traffic law, as added by chap-
31 ter 751 of the laws of 2005, is amended to read as follows:

32 § 399-o. Report by commissioner. Within five years of the establish-
33 ment and implementation of this article, the commissioner shall report
34 to the governor, the temporary president of the senate and the speaker
35 of the assembly on the [accident] crash prevention course internet, and
36 other technology as approved by the commissioner, pilot program and its
37 results. Such report shall include recommendations as to the future use
38 of internet and other technologies as an effective way, in addition to
39 classroom presentation, to deliver to the public approved [accident]
40 crash prevention courses, and qualifications for participants in such
41 approved internet and other technology-delivered programs.

42 § 48. Paragraph (e) of subdivision 4 of section 503 of the vehicle and
43 traffic law, as added by section 2 of part E of chapter 59 of the laws
44 of 2004, is amended to read as follows:

45 (e) Any completion of a motor vehicle [accident] crash prevention
46 course approved pursuant to article twelve-B of this chapter shall not
47 serve to reduce the calculation of points on a person's driving record
48 for the purposes of this section.

49 § 49. Subdivision 2 of section 506 of the vehicle and traffic law, as
50 added by chapter 780 of the laws of 1972, is amended to read as follows:

51 2. The commissioner may require every person holding a license issued
52 pursuant to this article to submit to such an examination as shall be
53 determined by him to be appropriate if such person has been involved in
54 three [accidents] crashes while driving a motor vehicle or motorcycle
55 within a period of eighteen months, if such [accidents] crashes were
56 required to be reported by section six hundred five of this chapter.

§ 50. Subdivision 7 of section 509-a of the vehicle and traffic law, as added by chapter 599 of the laws of 1993, is amended to read as follows:

(7) ~~[accident]~~ ~~crash~~ shall include any ~~[accident]~~ ~~crash~~ with another vehicle, object or person, which occurs in this state or elsewhere, in which any person is killed or injured, or in which damage to the property of any one person, including the operator, in excess of one thousand five hundred dollars is sustained, or in which damage in excess of two thousand five hundred dollars is sustained to any bus as defined in section one hundred four of this chapter; provided however that ~~[accidents]~~ ~~crashes~~ occurring outside this state shall not be recorded on the driver's license record.

§ 51. Subdivisions 1 and 3 of section 509-bb of the vehicle and traffic law, as added by chapter 599 of the laws of 1993, are amended to read as follows:

(1) Any person employed as a bus driver who has on three occasions been the operator of a motor vehicle involved in ~~[an accident]~~ ~~a crash~~ of a nature or type set forth in section five hundred nine-a of this article, where such ~~[accidents]~~ ~~crashes~~ occurred within an eighteen-month period, shall be subject to reexamination, including a road test, as provided in this section; provided, however, that if such person is subject to a period of disqualification pursuant to section five hundred nine-c or five hundred nine-cc of this article, such reexamination shall occur not more than forty-five days prior to the completion of such period of disqualification; and provided, further, that ~~[accidents]~~ ~~crashes~~ in which the driver was completely without fault shall not be included in determining whether such reexamination is required.

(3) For purposes of this section, one such ~~[accident]~~ ~~crash~~ shall not be counted if the person successfully completes a motor vehicle ~~[accident]~~ ~~crash~~ prevention course approved by the commissioner.

§ 52. Subparagraph (iv) of paragraph (b) and paragraphs (d), (e) and (f) of subdivision 1 and subparagraph (iii) of paragraph (b) and paragraphs (d), (e) and (f) of subdivision 2 of section 509-c of the vehicle and traffic law, subparagraph (iv) of paragraph (b) of subdivision 1 and subparagraph (iii) of paragraph (b) of subdivision 2 as amended by chapter 360 of the laws of 1986, paragraph (d) of subdivision 1 and paragraph (d) of subdivision 2 as amended by chapter 599 of the laws of 1993 and paragraphs (e) and (f) of subdivision 1 and paragraphs (e) and (f) of subdivision 2 as added by chapter 599 of the laws of 1993, are amended to read as follows:

(iv) has been convicted of leaving the scene of ~~[an accident]~~ ~~a crash~~ which resulted in personal injury or death under subdivision two of section six hundred of this chapter or an offense committed outside of this state which would constitute a violation of subdivision two of section six hundred of this chapter. Such disqualification shall be for a period of three years if such conviction occurred prior to September fifteenth, nineteen hundred eighty-five; or

(d) for a period of one year, if that person has accumulated nine or more points on his or her driving record for acts that occurred during an eighteen month period on or after September fifteenth, nineteen hundred eighty-five, provided, however, that the disqualification shall terminate if the person has reduced the points to less than nine through the successful completion of a motor vehicle ~~[accident]~~ ~~crash~~ prevention course.

(e) for a period of one year, if that person was the operator of a motor vehicle involved in two or more ~~[accidents]~~ ~~crashes~~ of a nature

1 and type set forth in section five hundred nine-a of this article, where
2 such [~~accidents~~] ~~crashes~~ occurred within an eighteen-month period
3 following a reexamination conducted pursuant to section five hundred
4 nine-bb of this article, provided that [~~accidents~~] ~~crashes~~ in which the
5 driver was completely without fault shall not be included in determining
6 whether such disqualification is required;

7 (f) for a period of one year, if that person fails to pass a road test
8 administered pursuant to section five hundred nine-bb of this article;
9 provided, however, that such person shall be given the opportunity to
10 complete a motor vehicle [~~accident~~] ~~crash~~ prevention course approved by
11 the commissioner and to then undergo a second road test administered
12 pursuant to section five hundred nine-bb of this article, and such
13 disqualification shall cease if such person passes such second road
14 test.

15 (iii) has been convicted of leaving the scene of [~~an accident~~] ~~a crash~~
16 which resulted in personal injury or death under subdivision two of
17 section six hundred of this chapter or an offense committed outside of
18 this state which would constitute a violation of subdivision two of
19 section six hundred of this chapter; or

20 (d) for a period of one year, if that person accumulates nine or more
21 points on his or her driving record for acts occurring during an eigh-
22 teen month period, provided, however, that the disqualification shall
23 terminate if the person has reduced the points to less than nine through
24 the successful completion of a motor vehicle [~~accident~~] ~~crash~~ prevention
25 course.

26 (e) for a period of one year, if that person was the operator of a
27 motor vehicle involved in two or more [~~accidents~~] ~~crashes~~ of a nature
28 and type set forth in section five hundred nine-a of this article, where
29 such [~~accidents~~] ~~crashes~~ occurred within an eighteen-month period
30 following a reexamination conducted pursuant to section five hundred
31 nine-bb of this article, provided that [~~accidents~~] ~~crashes~~ in which the
32 driver was completely without fault shall not be included in determining
33 whether such disqualification is required;

34 (f) for a period of one year, if that person fails to pass a road test
35 administered pursuant to section five hundred nine-bb of this article;
36 provided, however, that such person shall be given the opportunity to
37 complete a motor vehicle [~~accident~~] ~~crash~~ prevention course approved by
38 the commissioner and to then undergo a second road test administered
39 pursuant to section five hundred nine-bb of this article, and such
40 disqualification shall cease if such person passes such second road
41 test.

42 § 53. Subparagraph (v) of paragraph (b) and paragraphs (d), (e) and
43 (f) of subdivision 1, subparagraph (iv) of paragraph (c) and paragraphs
44 (e), (f) and (g) of subdivision 2 of section 509-cc of the vehicle and
45 traffic law, subparagraph (v) of paragraph (b) of subdivision 1 as added
46 by chapter 675 of the laws of 1985, paragraph (d) of subdivision 1 and
47 paragraph (e) of subdivision 2 as amended by chapter 599 of the laws of
48 1993, paragraphs (e) and (f) of subdivision 1 and paragraphs (f) and (g)
49 of subdivision 2 as added by chapter 599 of the laws of 1993, and
50 subparagraph (iv) of paragraph (c) of subdivision 2 as amended by chap-
51 ter 360 of the laws of 1986, are amended to read as follows:

52 (v) has been convicted of leaving the scene of [~~an accident~~] ~~a crash~~
53 which resulted in personal injury or death under section six hundred of
54 this chapter or an offense committed outside of this state which would
55 constitute a violation of section six hundred of this chapter.

(d) for a period of one year, if that person has accumulated nine or more points on his or her driving record for acts that occurred during an eighteen month period on or after September fifteenth, nineteen hundred eighty-five, provided, however, that the disqualification shall terminate if the person has reduced the points to less than nine through the successful completion of a motor vehicle [~~accident~~] crash prevention course.

(e) for a period of one year, if that person or was the operator of a motor vehicle involved in two or more [~~accidents~~] crashes of a nature and type set forth in section five hundred nine-a of this article, where such [~~accidents~~] crashes occurred within an eighteen-month period following a reexamination conducted pursuant to section five hundred nine-bb of this article, provided that [~~accidents~~] crashes in which the driver was completely without fault shall not be included in determining whether such disqualification is required;

(f) for a period of one year, if that person fails to pass a road test administered pursuant to section five hundred nine-bb of this article; provided, however, that such person shall be given the opportunity to complete a motor vehicle [~~accident~~] crash prevention course approved by the commissioner and to then undergo a second road test administered pursuant to section five hundred nine-bb of this article, and such disqualification shall cease if such person passes such second road test.

(iv) has been convicted of leaving the scene of [~~an accident~~] a crash which resulted in personal injury or death under subdivision two of section six hundred of this chapter or an offense committed outside of this state which would constitute a violation of subdivision two of section six hundred of this chapter; or

(e) for a period of one year, if that person accumulates nine or more points on his or her driving record for acts occurring during an eighteen month period, provided, however, that the disqualification shall terminate if the person has reduced the points to less than nine through the successful completion of a motor vehicle [~~accident~~] crash prevention course.

(f) for a period of one year, if that person was the operator of a motor vehicle involved in two or more [~~accidents~~] crashes of a nature and type set forth in section five hundred nine-a of this article, where such [~~accidents~~] crashes occurred within an eighteen-month period following a reexamination conducted pursuant to section five hundred nine-bb of this article, provided that accidents in which the driver was completely without fault shall not be included in determining whether such disqualification is required;

(g) for a period of one year, if that person fails to pass a road test administered pursuant to section five hundred nine-bb of this article; provided, however, that such person shall be given the opportunity to complete a motor vehicle [~~accident~~] crash prevention course approved by the commissioner and to then undergo a second road test administered pursuant to section five hundred nine-bb of this article, and such disqualification shall cease if such person passes such second road test.

§ 54. Subdivision 7 of section 509-d of the vehicle and traffic law, as added by chapter 599 of the laws of 1993, is amended to read as follows:

(7) Each motor carrier shall prepare a report setting forth: (a) the number of miles travelled by buses operated by such motor carrier in the preceding twelve months; (b) the number of convictions and [~~accidents~~]

1 crashes involving any driver employed by such motor carrier during the
2 preceding twelve months, as reported to such carrier pursuant to section
3 five hundred nine-f of this ~~[chapter]~~ article; and (c) the number of
4 convictions and ~~[accidents]~~ crashes per ten thousand miles travelled.
5 Such report shall be filed with the department as an attachment to the
6 affidavit of compliance required by subdivision (c) of section five
7 hundred nine-j of this ~~[chapter]~~ article, and a copy of such report
8 shall be made available by the carrier to any person upon request.

9 § 55. Section 509-e of the vehicle and traffic law, as amended by
10 chapter 853 of the laws of 1975, is amended to read as follows:

11 § 509-e. Annual review of driving record. Each motor carrier shall, at
12 least once every twelve months, review the driving record of each bus
13 driver it employs to determine whether that driver meets minimum
14 requirements for safe driving and is qualified to drive a bus pursuant
15 to section five hundred nine-b of this article. In reviewing a driving
16 record, the motor carrier must consider any evidence that the bus driver
17 has violated applicable provisions of the vehicle and traffic law. The
18 motor carrier must also consider the driver's ~~[accident]~~ crash record
19 and any evidence that the driver has violated laws governing the opera-
20 tion of motor vehicles, such as speeding, reckless driving, and operat-
21 ing while under the influence of alcohol or drugs, that indicate that
22 the driver has exhibited a disregard for the safety of the public. Such
23 information shall be recorded in the employer's record.

24 § 56. Section 509-f of the vehicle and traffic law, as amended by
25 chapter 599 of the laws of 1993, is amended to read as follows:

26 509-f. Record of violations. Each motor carrier shall, at least once
27 every twelve months, require each bus driver it employs to prepare and
28 furnish it with a list of all violations of motor vehicle traffic laws
29 and ordinances (other than violations involving only parking) of which
30 the driver has been convicted or on account of which he has forfeited
31 bond or collateral and all ~~[accidents]~~ crashes of a nature or type set
32 forth in section five hundred nine-a of this article in which the driver
33 was involved during the preceding twelve months whether such violations
34 or ~~[accidents]~~ crashes occurred in this state or elsewhere. Such infor-
35 mation shall be recorded in the employer's record.

36 § 57. Subdivisions 1-b and 4 of section 509-i of the vehicle and traf-
37 fic law, subdivision 1-b as added and subdivision 4 as amended by chap-
38 ter 599 of the laws of 1993, are amended to read as follows:

39 1-b. A driver who is involved in ~~[an accident]~~ a crash of a nature or
40 type set forth in section five hundred nine-a of this article in any
41 jurisdiction shall notify his or her employer within five working days
42 from the date of the ~~[accident]~~ crash. A driver who fails to notify his
43 or her employer of such ~~[accident]~~ crash within the five working day
44 period shall be subject to a five working day suspension.

45 4. In addition to the requirements of subdivision three of this
46 section, the commissioner shall notify the motor carrier of any
47 conviction for any traffic violation or ~~[accident]~~ crash resulting from
48 operation of a motor vehicle against a bus driver employed by the motor
49 carrier, shall require payment of the fee necessary to defray the cost
50 of the notification, and shall require all motor carriers to establish
51 an escrow account with the department which shall be used to pay for the
52 costs incurred by the department when it informs the motor carrier of a
53 driver's conviction or ~~[accident]~~ crash; and may, if requested by a
54 political subdivision which contracts with a motor carrier for the
55 transportation of school children, provide such notice to the political
56 subdivision.

§ 58. Subparagraph (iii) of paragraph a of subdivision 2 of section 510 of the vehicle and traffic law, as amended by chapter 47 of the laws of 1988, is amended to read as follows:

(iii) of any violation of subdivision two of section six hundred or section three hundred ninety-two of this chapter or of a local law or ordinance making it unlawful to leave the scene of [~~an accident~~] a crash without reporting;

§ 59. Paragraph (a) of subdivision 4 of section 510-a of the vehicle and traffic law, as amended by section 1 of part C of chapter 58 of the laws of 2013, is amended to read as follows:

(a) A serious traffic violation shall mean operating a commercial motor vehicle in violation of any provision of this chapter or the laws or ordinances of any other state or locality outside of this state that restricts or prohibits the use of a hand-held mobile telephone or a portable electronic device while operating a commercial motor vehicle or in violation of any provision of this chapter or the laws of any other state, the District of Columbia or any Canadian province which (i) limits the speed of motor vehicles, provided the violation involved fifteen or more miles per hour over the established speed limit; (ii) is defined as reckless driving by state or local law or regulation; (iii) prohibits improper or erratic lane change; (iv) prohibits following too closely; (v) relates to motor vehicle traffic (other than parking, standing or stopping) and which arises in connection with a fatal [~~accident~~] crash; (vi) operating a commercial motor vehicle without first obtaining a commercial driver's license as required by section five hundred one of this title; (vii) operating a commercial motor vehicle without a commercial driver's license in the driver's possession; or (viii) operating a commercial motor vehicle without the proper class of commercial driver's license and/or endorsement for the specific vehicle being operated or for the passengers or type of cargo being transported.

§ 60. Section 520 of the vehicle and traffic law, as amended by chapter 607 of the laws of 1979, is amended to read as follows:

§ 520. Statement of findings and declaration of purpose. The ever-increasing number of [~~accidents~~] crashes, personal injuries and deaths resulting from alcohol or drug-related traffic offenses is a matter of great concern to the legislature. The diminished perception of intoxicated and impaired operators of motor vehicles presents a constant and intolerable threat to the lives and well-being of the citizens of the state. Efforts aimed at alleviating this threat have proven inadequate. The public interest in the cause of highway safety will be well served by the implementation of a permanent program of rehabilitation for those operators convicted of alcohol or drug-related traffic offenses and certain operators who have been adjudicated youthful offenders for alcohol or drug-related traffic offenses. The commissioner of motor vehicles should have the authority to offer to such operators an opportunity for rehabilitation, thereby reducing the threat aimed at themselves and the people of the state.

§ 61. Section 523-b of the vehicle and traffic law, as added by chapter 596 of the laws of 1975, is amended to read as follows:

§ 523-b. Experimental driver safety programs. The commissioner may study the feasibility of programs to improve driver behavior, attitude, performance or skills in order to reduce motor vehicle [~~accidents~~] crashes and traffic violations, and to promote highway safety. He shall have the authority to establish such programs on a limited, experimental basis in order to assist in such feasibility study provided any such program is funded by any source other than state funds, or if any such

1 program is to be funded with state funds, then he may establish such
2 program only with the approval of the director of the division of the
3 budget.

4 § 62. The article heading of article 22 of the vehicle and traffic law
5 is amended to read as follows:

6 [ACCIDENTS] CRASHES AND [ACCIDENT]

7 CRASH REPORTS

8 § 63. Paragraph b of subdivision 1 of section 600 of the vehicle and
9 traffic law, as amended by section 4 of part AAA of chapter 59 of the
10 laws of 2017, is amended to read as follows:

11 b. It shall be the duty of any member of a law enforcement agency who
12 is at the scene of the [accident] crash to request the said operator or
13 operators of the motor vehicles, when physically capable of doing so, to
14 exchange the information required hereinabove and such member of a law
15 enforcement agency shall assist such operator or operators in making
16 such exchange of information in a reasonable and harmonious manner.

17 A violation of the provisions of paragraph a of this subdivision shall
18 constitute a traffic infraction punishable by a fine of up to two
19 hundred fifty dollars or a sentence of imprisonment for up to fifteen
20 days or both such fine and imprisonment.

21 § 64. Paragraph b of subdivision 2 of section 600 of the vehicle and
22 traffic law, as amended by section 4 of part AAA of chapter 59 of the
23 laws of 2017, is amended to read as follows:

24 b. It shall be the duty of any member of a law enforcement agency who
25 is at the scene of the [accident] crash to request the said operator or
26 operators of the motor vehicles, when physically capable of doing so, to
27 exchange the information required hereinabove and such member of a law
28 enforcement agency shall assist such operator or operators in making
29 such exchange of information in a reasonable and harmonious manner.

30 § 65. Section 603 of the vehicle and traffic law, as amended by chap-
31 ter 550 of the laws of 1993 and subdivision 1 as amended by chapter 432
32 of the laws of 1997, is amended to read as follows:

33 § 603. [Accidents] Crashes; police authorities and coroners to report.

34 1. Every police or judicial officer to whom [an accident] a crash
35 resulting in injury to a person shall have been reported, pursuant to
36 the foregoing provisions of this chapter, shall immediately investigate
37 the facts, or cause the same to be investigated, and report the matter
38 to the commissioner forthwith; provided, however, that the report of the
39 [accident] crash is made to the police officer or judicial officer with-
40 in five days after such [accident] crash. Every coroner, or other offi-
41 cial performing like functions, shall likewise make a report to the
42 commissioner with respect to all deaths found to have been the result of
43 motor vehicle or motorcycle [accidents] crashes. Such report shall
44 include information on the width and length of trucks, tractors, trail-
45 ers and semitrailers, which are in excess of ninety-five inches in width
46 or thirty-four feet in length and which are involved in such [accidents]
47 crashes, whether such [accident] crash took place in a work area and
48 whether it was being operated with an overweight or overdimension
49 permit. Such report shall distinctly indicate and include information
50 as to whether the inflatable restraint system inflated and deployed.
51 Nothing contained in this subdivision shall be deemed to preclude a
52 police officer from reporting any other [accident] crash which, in the
53 judgment of such police officer, would be required to be reported to the
54 commissioner by the operator of a vehicle pursuant to section six
55 hundred five of this article.

2. In addition to the requirements of subdivision one of this section, every police officer or judicial officer to whom ~~[an accident]~~ a crash shall have been reported involving a commercial vehicle as defined in either subdivision four of section five hundred one-a or subdivision one of section five hundred nine-p of this chapter shall immediately investigate the facts, or cause the same to be investigated and report the matter to the commissioner forthwith, provided that the report of the ~~[accident]~~ crash is made to the police officer or judicial officer within five days after such ~~[accident]~~ crash, whenever such ~~[accident]~~ crash has resulted in (i) a vehicle being towed from the ~~[accident]~~ crash scene as the result of incurring disabling damage, (ii) a fatality, or (iii) any individual being transported to a medical facility to receive treatment as the result of physical injury sustained in the ~~[accident]~~ crash.

§ 66. Section 603-a of the vehicle and traffic law, as added by chapter 408 of the laws of 2001, subdivision 1 as amended by chapter 489 of the laws of 2017 and paragraph (b) of subdivision 1 as amended by chapter 27 of the laws of 2018, is amended to read as follows:

§ 603-a. ~~[Accidents]~~ Crashes; police authorities to investigate.

1. In addition to the requirements of section six hundred three of this article, whenever a motor vehicle ~~[accident]~~ crash results in serious physical injury or death to a person, and such ~~[accident]~~ crash either is discovered by a police officer, or reported to a police officer within five days after such ~~[accident]~~ crash occurred, the police shall conduct an investigation of such ~~[accident]~~ crash.

(a) Such investigation shall be conducted for the purposes of making a determination of the following: the facts and circumstances of the ~~[accident]~~ crash; the type or types of vehicles involved, including passenger motor vehicles, commercial motor vehicles, motorcycles, limited use motorcycles, off-highway motorcycles, and/or bicycles; whether pedestrians were involved; the contributing factor or factors; whether it can be determined if a violation or violations of this chapter occurred, and if so, the specific provisions of this chapter which were violated and by whom; and, the cause of such ~~[accident]~~ crash, where such cause can be determined.

(b) When present at the scene of such accident, the investigating officer shall also request that all operators of motor vehicles involved in such ~~[accident]~~ crash submit to field testing as defined in section eleven hundred ninety-four of this chapter provided there are reasonable grounds to believe such motor vehicle operator committed a serious traffic violation in the same ~~[accident]~~ crash. The results of such field testing or refusal of such testing shall be included in the police investigation report. For the purposes of this section, "serious traffic violation" shall mean operating a motor vehicle in violation of any of the following provisions of this chapter: articles twenty-three, twenty-four, twenty-five, twenty-six, twenty-eight, twenty-nine and thirty and sections five hundred eleven, six hundred and twelve hundred twelve.

(c) The police shall forward a copy of the investigation report to the commissioner within five business days of the completion of such report.

2. For purposes of this section, the following terms shall have the following meanings:

(a) "commercial motor vehicle" shall have the same meaning as such term is defined in either subdivision four of section five hundred one-a or subdivision one of section five hundred nine-p of this chapter; and

(b) "serious physical injury" shall have the same meaning as such term is defined in section 10.00 of the penal law.

§ 67. Section 603-b of the vehicle and traffic law, as amended by chapter 408 of the laws of 2007, is amended to read as follows:

§ 603-b. [~~Accidents~~] ~~Crashes~~; police to indicate serious physical injury and death on simplified traffic information or summons and complaint. In addition to the requirements of section six hundred three of this article and subdivision twelve of section eleven hundred ninety-two of this chapter, in every case where a law enforcement officer is required to report pursuant to section six hundred three of this article and a person is charged with a violation of this chapter arising out of such [~~accident~~] ~~crash~~, the law enforcement officer alleging such charge shall make a clear notation in the "Description of Violation" section of a simplified traffic information, or in an area provided on a summons and complaint pursuant to subdivision one of section two hundred twenty-six of this chapter, if, arising out of the same [~~accident~~] ~~crash~~, someone other than the person charged was killed or suffered serious physical injury as defined in section 10.00 of the penal law; such notation shall be in the form of a "D" if someone other than the person charged was killed and such notation shall be in the form of a "S.P.I." if someone other than the person charged suffered serious physical injury; provided however, that the failure to make such notation shall in no way affect a charge for a violation of this chapter.

§ 68. Section 604 of the vehicle and traffic law is amended to read as follows:

§ 604. Reports; contents; preparation; distribution; filing. Reports of [~~accidents~~] ~~crashes~~ required under the preceding section, or under the rules and regulations of the commissioner, shall be upon forms prepared by him and contain such information as he shall prescribe. Blank forms for such reports shall be printed by the commissioner and a supply sent to all city, town and village clerks and to the chief officer of every city police department for general distribution and use as herein provided. Reports of [~~accidents~~] ~~crashes~~, required under the preceding section, shall be sent to and filed with the commissioner at the main office of the bureau of motor vehicles in the city of Albany, except as otherwise provided by the rules and regulations of the commissioner.

§ 69. Section 605 of the vehicle and traffic law, as amended by chapter 254 of the laws of 1989, paragraphs 1 and 2 of subdivision (a) as amended by chapter 498 of the laws of 1999, paragraph 4 of subdivision (a) as amended by chapter 71 of the laws of 2004 and subdivision (c) as amended by chapter 161 of the laws of 1996, is amended to read as follows:

§ 605. Report required upon [~~accident~~] ~~crash~~. (a) 1. Every person operating a motor vehicle, except a police officer (as defined in subdivision thirty-four of section 1.20 of the criminal procedure law), a correction officer, or a firefighter, operating a police department, a correction department, or fire department vehicle respectively while on duty, if a report has been filed by the owner of such vehicle, which is in any manner involved in [~~an accident~~] ~~a crash~~, anywhere within the boundaries of this state, in which any person is killed or injured, or in which damage to the property of any one person, including himself, in excess of one thousand dollars is sustained, shall within ten days after such [~~accident~~] ~~crash~~, report the matter in writing to the commissioner. If such operator or chauffeur be physically incapable of making such report and there be another participant in the [~~accident~~] ~~crash~~ not incapacitated, such participant shall make such report within ten days after such [~~accident~~] ~~crash~~. If the operator or chauffeur involved in

1 such [~~accident~~] crash be unable to make such report, the owner of the
2 motor vehicle involved in such accident, if such owner be not involved
3 in such [~~accident~~] crash or incapacitated, shall within ten days after
4 he learns of the fact of such [~~accident~~] crash report the matter to the
5 commissioner together with such information as may have come to his
6 knowledge relating to such [~~accident~~] crash. Every such operator or
7 chauffeur of a motor vehicle, or participant in any such [~~accident~~]
8 crash, or owner of the motor vehicle involved in any such [~~accident~~]
9 crash, shall make such other and additional reports as the commissioner
10 shall require.

11 2. Failure to report an [~~accident~~] crash as herein provided or failure
12 to give correctly the information required of him by the commissioner in
13 connection with such report shall be a misdemeanor and shall constitute
14 a ground for suspension or revocation of the operator's (or chauffeur's)
15 license or all certificates of registration for any motor vehicle, or of
16 both, of the person failing to make such report as herein required. In
17 addition, the commissioner may temporarily suspend the driver's license
18 or permit or certificate of registration of the motor vehicle involved
19 in the [~~accident~~] crash, or of both, of the person failing to report [~~an~~
20 ~~accident~~] a crash within the period prescribed in paragraph one of this
21 subdivision, until such report has been filed. However, no suspension or
22 a revocation shall be made of a license or certificate of registration
23 of any police officer, correction officer, or firefighter involved in
24 [~~an accident~~] a crash while on duty for failure to report such [~~acci-~~
25 ~~dent~~] crash within ten days thereof if a report has been filed by the
26 owner of such vehicle.

27 3. In the case of a non-resident the failure to report [~~an accident~~] a
28 crash as herein provided shall constitute ground for suspension or revo-
29 cation of his privileges of operating a motor vehicle in this state and
30 of the operation within this state of any motor vehicle owned by him.

31 4. When a report required by this section is made by an owner or an
32 operator of a fire vehicle, as defined by section one hundred fifteen-a
33 of this chapter, or a police vehicle, as defined by section one hundred
34 thirty-two-a of this chapter, when such [~~accident~~] crash occurred during
35 the operation of such vehicle in response to an emergency where the
36 operator was responding to a call to duty as a paid or volunteer member
37 of any fire department, or in the case of a police vehicle, when such
38 [~~accident~~] crash occurred during emergency operation, as defined by
39 section one hundred fourteen-b of this chapter, the commissioner shall
40 omit the event described in such report from the operator's external
41 license abstract. Provided, however, the commissioner shall not omit
42 the event described in such report from the operator's external license
43 abstract if as a result of such event such operator has either (i) been
44 charged with a violation of this chapter or of the penal law, unless the
45 commissioner receives evidence that such charge has been dismissed, or
46 that the action has otherwise been terminated in favor of the accused
47 pursuant to section 160.50 of the criminal procedure law, or that the
48 charge has otherwise been adjudicated in an administrative or other
49 proceeding in favor of the defendant operator or (ii) been found to have
50 been grossly negligent by a final order of a court of competent juris-
51 diction.

52 (b) Every person operating a bicycle which is in any manner involved
53 in [~~an accident~~] a crash on a public highway in this state in which any
54 person is killed, other than the operator, or suffers serious physical
55 injury as defined pursuant to subdivision ten of section 10.00 of the
56 penal law, shall within ten days after such operator learns of the fact

1 of such death or serious physical injury, report the matter in writing
2 to the commissioner. If such operator is physically incapable of making
3 such report within ten days, he or she shall make the report immediately
4 upon recovery from the physical incapacity. If such operator is an
5 unemancipated minor who is incapable of making such report for any
6 reason, the parent or guardian of such operator shall make such report
7 within ten days after learning of the fact of such [accident] crash.
8 Every such operator of a bicycle, or parent or guardian of such uneman-
9 cipated minor operator, shall make such other and additional reports as
10 the commissioner shall require.

11 (c) The report required by this section shall be made in such form and
12 number as the commissioner may prescribe. Such report shall include
13 information on the width and length of trucks, tractors, trailers and
14 semitrailers, which are in excess of ninety-five inches in width or
15 thirty-four feet in length and which are involved in such [accidents]
16 crashes, whether such [accident] crash took place in a work area and
17 whether it was being operated with an overweight or over dimension
18 permit. Such report shall distinctly indicate and include information as
19 to whether the inflatable restraint system inflated and deployed.

20 § 70. Section 606 of the vehicle and traffic law, as added by chapter
21 429 of the laws of 2015, is amended to read as follows:

22 § 606. Processing of required reports. The commissioner, when process-
23 ing reports of [accidents] crashes filed pursuant to this article, shall
24 give priority to reports involving serious physical injury (as defined
25 in subdivision ten of section 10.00 of the penal law) or death.

26 § 71. Paragraphs 2 and 3 of subdivision (m) of section 1111-a of the
27 vehicle and traffic law, as amended by section 10 of part TT of chapter
28 58 of the laws of 2019, are amended to read as follows:

29 2. within each borough of such city, the aggregate number, type and
30 severity of [accidents] crashes reported at intersections where a traff-
31 ic-control signal photo violation-monitoring system is used for the
32 three years preceding the installation of such system, to the extent the
33 information is maintained by the department of motor vehicles of this
34 state;

35 3. within each borough of such city, the aggregate number, type and
36 severity of [accidents] crashes reported at intersections where a traff-
37 ic-control signal photo violation-monitoring system is used for the
38 reporting year, as well as for the preceding three years that the traff-
39 ic-control signal photo violation-monitoring system has been opera-
40 tional, to the extent the information is maintained by the department of
41 motor vehicles of this state;

42 § 72. Paragraphs 2 and 3 of subdivision (n) of section 1111-b of the
43 vehicle and traffic law, as amended by section 11 of part TT of chapter
44 58 of the laws of 2019, are amended to read as follows:

45 2. the aggregate number, type and severity of [accidents] crashes
46 reported at intersections where a traffic-control signal photo viola-
47 tion-monitoring system is used for the three years preceding the instal-
48 lation of such system, to the extent the information is maintained by
49 the department of motor vehicles of this state;

50 3. the aggregate number, type and severity of [accidents] crashes
51 reported at intersections where a traffic-control signal photo viola-
52 tion-monitoring system is used for the reporting year, as well as for
53 each year that the traffic-control signal photo violation-monitoring
54 system has been operational, to the extent the information is maintained
55 by the department of motor vehicles of this state;

§ 73. Paragraphs 2 and 3 of subdivision (m) of section 1111-b of the vehicle and traffic law, as amended by section 12 of part TT of chapter 58 of the laws of 2019, are amended to read as follows:

2. the aggregate number, type and severity of ~~[accidents]~~ crashes reported at intersections where a traffic-control signal photo violation-monitoring system is used for the three years preceding the installation of such system, to the extent the information is maintained by the department of motor vehicles of this state;

3. the aggregate number, type and severity of ~~[accidents]~~ crashes reported at intersections where a traffic-control signal photo violation-monitoring system is used for the reporting year, as well as for each year that the traffic-control signal photo violation-monitoring system has been operational, to the extent the information is maintained by the department of motor vehicles of this state;

§ 74. Paragraphs 2 and 3 of subdivision (n) of section 1111-b of the vehicle and traffic law, as amended by section 13 of part TT of chapter 58 of the laws of 2019, are amended to read as follows:

2. the aggregate number, type and severity of ~~[accidents]~~ crashes reported at intersections where a traffic-control signal photo violation-monitoring system is used for the three years preceding the installation of such system, to the extent the information is maintained by the department of motor vehicles of this state;

3. the aggregate number, type and severity of ~~[accidents]~~ crashes reported at intersections where a traffic-control signal photo violation-monitoring system is used for the reporting year, as well as for each year that the traffic-control signal photo violation-monitoring system has been operational, to the extent the information is maintained by the department of motor vehicles of this state;

§ 75. Paragraphs 2 and 3 of subdivision (m) of section 1111-d of the vehicle and traffic law, as amended by section 14 of part TT of chapter 58 of the laws of 2019, are amended to read as follows:

2. the aggregate number, type and severity of ~~[accidents]~~ crashes reported at intersections where a traffic-control signal photo violation-monitoring system is used for the three years preceding the installation of such system, to the extent the information is maintained by the department of motor vehicles of this state;

3. the aggregate number, type and severity of ~~[accidents]~~ crashes reported at intersections where a traffic-control signal photo violation-monitoring system is used for the reporting year, as well as for each year that the traffic-control signal photo violation-monitoring system has been operational, to the extent the information is maintained by the department of motor vehicles of this state;

§ 76. Paragraphs 2 and 3 of subdivision (m) of section 1111-d of the vehicle and traffic law, as amended by section 15 of part TT of chapter 58 of the laws of 2019, are amended to read as follows:

2. the aggregate number, type and severity of ~~[accidents]~~ crashes reported at intersections where a traffic-control signal photo violation-monitoring system is used for the three years preceding the installation of such system, to the extent the information is maintained by the department of motor vehicles of this state;

3. the aggregate number, type and severity of ~~[accidents]~~ crashes reported at intersections where a traffic-control signal photo violation-monitoring system is used for the reporting year, as well as for each year that the traffic-control signal photo violation-monitoring system has been operational, to the extent the information is maintained by the department of motor vehicles of this state;

§ 77. Paragraphs 2 and 3 of subdivision (m) of section 1111-d of the vehicle and traffic law, as amended by section 16 of part TT of chapter 58 of the laws of 2019, are amended to read as follows:

2. the aggregate number, type and severity of ~~[accidents]~~ crashes reported at intersections where a traffic-control signal photo violation-monitoring system is used for the three years preceding the installation of such system, to the extent the information is maintained by the department of motor vehicles of this state;

3. the aggregate number, type and severity of ~~[accidents]~~ crashes reported at intersections where a traffic-control signal photo violation-monitoring system is used for the reporting year, as well as for each year that the traffic-control signal photo violation-monitoring system has been operational, to the extent the information is maintained by the department of motor vehicles of this state;

§ 78. Paragraphs 2 and 3 of subdivision (m) of section 1111-e of the vehicle and traffic law, as amended by section 17 of part TT of chapter 58 of the laws of 2019, are amended to read as follows:

2. the aggregate number, type and severity of ~~[accidents]~~ crashes reported at intersections where a traffic-control signal photo violation-monitoring system is used for the three years preceding the installation of such system, to the extent the information is maintained by the department of motor vehicles of this state;

3. the aggregate number, type and severity of ~~[accidents]~~ crashes reported at intersections where a traffic-control signal photo violation-monitoring system is used for the reporting year, as well as for each year that the traffic-control signal photo violation-monitoring system has been operational, to the extent the information is maintained by the department of motor vehicles of this state;

§ 79. Section 1131 of the vehicle and traffic law, as amended by chapter 294 of the laws of 2016, is amended to read as follows:

§ 1131. Driving on shoulders and slopes. Except for bicycles and those classes of vehicles required to travel on shoulders or slopes, no motor vehicle shall be driven over, across, along, or within any shoulder or slope of any state controlled-access highway except at a location specifically authorized and posted by the department of transportation. The foregoing limitation shall not prevent tow trucks from using shoulders or slopes in as limited and incidental a manner as practicable when dispatched to the scene of ~~[an accident]~~ a crash by a law enforcement agency or an authority, department or agency having jurisdiction over such controlled-access highway and all lanes are obstructed by traffic, provided, however, that the foregoing shall not relieve the driver of a tow truck from the duty to drive with due regard for the safety of all persons nor shall such provision protect the tow truck driver from the consequences of his or her reckless disregard for the safety of others and shall at all times operate such tow truck in compliance with all standards of care imposed to prevent those injuries or damages to persons or property of another which may result from the operator's negligence, recklessness or intentional misconduct, nor shall it prevent motor vehicles from using shoulders or slopes when directed by police officers or flagpersons, nor does it prevent motor vehicles from stopping, standing, or parking on shoulders or slopes where such stopping, standing, or parking is lawful.

§ 80. Paragraph 1 of subdivision (c) of section 1146 of the vehicle and traffic law, as amended by chapter 333 of the laws of 2010, is amended to read as follows:

1 1. A driver of a motor vehicle who causes serious physical injury as
2 defined in article ten of the penal law to a pedestrian or bicyclist
3 while failing to exercise due care in violation of subdivision (a) of
4 this section, shall be guilty of a traffic infraction punishable by a
5 fine of not more than seven hundred fifty dollars or by imprisonment for
6 not more than fifteen days or by required participation in a motor vehi-
7 cle [~~an accident~~] a crash prevention course pursuant to paragraph (e-1) of
8 subdivision two of section 65.10 of the penal law or by any combination
9 of such fine, imprisonment or course, and by suspension of a license or
10 registration pursuant to subparagraph (xiv) or (xv) of paragraph b of
11 subdivision two of section five hundred ten of this chapter.

12 § 81. Paragraph 2 of subdivision (c) of section 1170 of the vehicle
13 and traffic law, as amended by chapter 501 of the laws of 2016, is
14 amended to read as follows:

15 2. Any person convicted of a violation of this section resulting in
16 [~~an accident~~] a crash which causes physical injury, as that term is
17 defined pursuant to subdivision nine of section 10.00 of the penal law,
18 serious physical injury, as that term is defined pursuant to subdivision
19 ten of section 10.00 of the penal law, or death to another person, shall
20 be guilty of a class E felony.

21 § 82. Subdivision 1 of section 1180-a of the vehicle and traffic law,
22 as amended by chapter 464 of the laws of 2003, is amended to read as
23 follows:

24 1. Notwithstanding any other provision of law, no city, village, town,
25 county, public authority, division, office or department of the state
26 shall maintain or create (a) any speed limit in excess of fifty-five
27 miles per hour on any road, highway, parkway or bridge or (b) any speed
28 limit on any other portion of a public highway, which is not uniformly
29 applicable to all types of motor vehicles using such portion of highway,
30 if on November first, nineteen hundred seventy-three, such portion of
31 highway had a speed limit which was uniformly applicable to all types of
32 motor vehicles using it; provided however, a lower speed limit may be
33 established for any vehicle operating under a special permit because of
34 any weight or dimension of such vehicle, including any load thereon, and
35 (c) provided further, paragraph (b) of this subdivision shall not apply
36 to any portion of a highway during such time that the condition of the
37 highway, weather, [~~an accident~~] a crash, or other condition creates a
38 temporary hazard to the safety of traffic on such portion of a highway.
39 However, the commissioner of the department of transportation may estab-
40 lish a maximum speed limit of not more than sixty-five miles per hour on
41 any state roadway which meets department criteria for such maximum
42 speed.

43 § 83. Subdivision 1 of section 1194 of the vehicle and traffic law, as
44 added by chapter 47 of the laws of 1988, is amended to read as follows:

45 1. Arrest and field testing. (a) Arrest. Notwithstanding the
46 provisions of section 140.10 of the criminal procedure law, a police
47 officer may, without a warrant, arrest a person, in case of a violation
48 of subdivision one of section eleven hundred ninety-two of this article,
49 if such violation is coupled with [~~an accident~~] a crash or collision in
50 which such person is involved, which in fact has been committed, though
51 not in the police officer's presence, when the officer has reasonable
52 cause to believe that the violation was committed by such person.

53 (b) Field testing. Every person operating a motor vehicle which has
54 been involved in [~~an accident~~] a crash or which is operated in violation
55 of any of the provisions of this chapter shall, at the request of a
56 police officer, submit to a breath test to be administered by the police

1 officer. If such test indicates that such operator has consumed alcohol,
2 the police officer may request such operator to submit to a chemical
3 test in the manner set forth in subdivision two of this section.

4 § 84. Paragraph (f) of subdivision 5 of section 1197 of the vehicle
5 and traffic law, as added by chapter 47 of the laws of 1988, is amended
6 to read as follows:

7 (f) Obtain and assemble data on alcohol-related [~~accident~~] crash
8 arrests, convictions and [~~accidents~~] crashes and to analyze, study, and
9 consolidate such data for educational, research and informational
10 purposes.

11 § 85. Section 1229-a of the vehicle and traffic law, as added by chap-
12 ter 654 of the laws of 1969 and as renumbered by chapter 274 of the laws
13 of 1971, is amended to read as follows:

14 § 1229-a. Pedestrians, animals, and non-motorized vehicles prohibited
15 on state expressway highways or state interstate route highways includ-
16 ing the entrances thereto and exits therefrom. No person, unless other-
17 wise directed by a police officer shall: (a) As a pedestrian, occupy any
18 space within the limits of a state expressway highway or state inter-
19 state route highway, including the entrances thereto and exits there-
20 from, except: in a rest area, parking area, or scenic overlook; in the
21 performance of public works or official duties; as a result of an emer-
22 gency caused by [~~an accident~~] a crash or breakdown of a motor vehicle or
23 to obtain assistance; where a sidewalk, footpath or pedestrian crossing
24 of such a highway is provided; (b) Occupy any space of a state express-
25 way highway or state interstate route highway, including the entrances
26 thereto and exits therefrom, with: an animal-drawn vehicle; herded
27 animals, a pushcart; a bicycle; except in the performance of public
28 works or official duties, or on paths or parts of such highway provided
29 for such uses.

30 § 86. Paragraph (b) of subdivision 2 of section 1229-b of the vehicle
31 and traffic law, as added by chapter 19 of the laws of 2000, is amended
32 to read as follows:

33 (b) Notwithstanding any other provision of this section to the contra-
34 ry, standing passengers may be permitted without limitation as to number
35 during the first ten days of session in each school year, and in circum-
36 stances where a breakdown, [~~accident~~] crash, or other unforeseen occur-
37 rence necessitates the transportation of standing passengers.

38 § 87. Subdivision (a) of section 1602 of the vehicle and traffic law,
39 as amended by chapter 498 of the laws of 1969, is amended to read as
40 follows:

41 (a) Whenever a police officer shall deem it advisable during a fire or
42 at the time of any [~~accident~~] crash or special emergency and only for
43 such period of time as is necessitated thereby for the public safety or
44 convenience, temporarily to close any street or part thereof to vehicu-
45 lar traffic, or to vehicles of a certain description, or to divert the
46 traffic thereof, or to divert or break a course of pedestrian traffic,
47 such official shall have power and authority to do so.

48 § 88. Subdivision 19 of section 1630 of the vehicle and traffic law,
49 as amended by chapter 795 of the laws of 1974, is amended to read as
50 follows:

51 19. Vehicles illegally parked, stopped or standing, or vehicles
52 involved in [~~accidents~~] crashes, including, but not limited to, the
53 removal and storage of such vehicles, the fixing of reasonable charges,
54 to be paid by the owner, operator or person entitled to possession, for
55 such removal and storage and for other expenses incurred in connection
56 therewith, the creation of liens on such vehicles for such charges and

1 expenses, the enforcement of such liens, the determination of ownership
2 or right to possession of such vehicles, the time before such vehicles
3 are deemed abandoned vehicles pursuant to section twelve hundred twen-
4 ty-four of this chapter, and the disposition of the proceeds of sales
5 held pursuant to said section.

6 § 89. Paragraph 20 of subdivision (a) of section 1642 of the vehicle
7 and traffic law, as amended by chapter 795 of the laws of 1974, is
8 amended to read as follows:

9 20. Vehicles illegally parked, stopped or standing, or vehicles
10 involved in [~~accidents~~] ~~crashes~~, including, but not limited to, the
11 removal and storage of such vehicles, the fixing of reasonable charges,
12 to be paid by the owner, operator or person entitled to possession, for
13 such removal and storage and for other expenses incurred in connection
14 therewith, the creation of liens on such vehicles for such charges and
15 expenses, the enforcement of such liens, the determination of ownership
16 or right to possession of such vehicles, the time before such vehicles
17 are deemed abandoned vehicles pursuant to section twelve hundred twen-
18 ty-four of this chapter, and the disposition of the proceeds of sales
19 held pursuant to said section.

20 § 90. Clause (iii) of subparagraph (b) of paragraph 27 of subdivision
21 (a) of section 1642 of the vehicle and traffic law, as amended by chap-
22 ter 248 of the laws of 2014, is amended to read as follows:

23 (iii) a comparison of the aggregate type, number, and severity of
24 [~~accidents~~] ~~crashes~~ reported on streets on which street calming measures
25 and lower speed limits were implemented in the year preceding the imple-
26 mentation of such measures and policies and the year following the
27 implementation of such measures and policies, to the extent this infor-
28 mation is maintained by any agency of the state or the city.

29 § 91. Section 1675 of the vehicle and traffic law, as amended by chap-
30 ter 669 of the laws of 1996, is amended to read as follows:

31 § 1675. Functions of the board. The board is authorized:

32 1. To promote and encourage street and highway traffic safety.

33 2. To formulate highway safety programs and coordinate efforts of
34 interested parties and agencies engaged in traffic safety education
35 within such city, town, borough or county.

36 3. To cooperate with local officials in the formulation and execution
37 of traffic safety programs and activities.

38 4. To study traffic conditions on streets and highways, study and
39 analyze reports of [~~accidents~~] ~~crashes~~ and causes thereof, and recommend
40 to the appropriate legislative bodies, departments or commissions, such
41 changes in rules, orders, regulations and existing law as the board may
42 deem advisable.

43 5. To conduct meetings whenever and wherever the board shall deem it
44 advisable and to invite to such meetings parties and agencies, public
45 and private, interested in traffic regulation, control and safety educa-
46 tion.

47 6. To promote safety education for drivers and pedestrians.

48 7. To obtain and assemble motor vehicle [~~accident~~] ~~crash~~ data, and to
49 analyze, study and consolidate such data for educational and informa-
50 tional purposes.

51 8. Coordinate and direct local activities related to the implementa-
52 tion of the state highway safety program, as approved by the governor or
53 his designee.

54 § 92. Subdivision 10 of section 2401 of the vehicle and traffic law,
55 as added by chapter 402 of the laws of 1986, is amended to read as
56 follows:

10. "Operation as emergency vehicle" shall mean the operation or parking of an authorized emergency ATV, police or civil defense ATV, including attendant equipment, displaying emergency lights as provided in section twenty-four hundred six of this article and which ATV is engaged in transporting a sick or injured person to the nearest medical facility or appropriate site for transfer to an ambulance as defined in article thirty of the public health law, transporting emergency medical services, personnel and equipment to sick or injured persons, pursuing an actual or suspected violator of the law or responding to, or working or assisting at the scene of ~~[an accident]~~ a crash, disaster, police call, alarm or other emergency but shall not include returning from such service.

§ 93. Section 2413 of the vehicle and traffic law, as added by chapter 402 of the laws of 1986, is amended to read as follows:

§ 2413. ~~[Accidents]~~ Crashes; reports. 1. The operator of any ATV involved in any ~~[accident]~~ crash resulting in injuries to or death of any person or in which property damage in the estimated amount of six hundred dollars or more is sustained, shall immediately notify the nearest law enforcement agency and shall within ten days after such ~~[accident]~~ crash report the matter in writing to the department, with a copy thereof to the sheriff or police commissioner of the county in which said ~~[accident]~~ crash occurred. If such operator is physically incapable of making such report and there is another participant in the ~~[accident]~~ crash not so incapacitated such participant shall make the report within the allotted time after such ~~[accident]~~ crash. In the event that there is no other participant and the operator is other than the owner, then the owner shall within the prescribed period of time, after learning of the facts of such ~~[accident]~~ crash, report the matter to the department, together with such information as may have come to his knowledge relating to such ~~[accident]~~ crash. Every such operator of an ATV, or participant of any such ~~[accident]~~ crash, or the owner, of the ATV involved in any such ~~[accident]~~ crash, shall make such other and additional reports as the commissioner shall require.

2. Whenever any ATV meets with ~~[an accident]~~ a crash involving a loss of life, personal injury or damage to property and the operator thereof has knowledge of such ~~[accident]~~ crash, he shall stop and give his name and address, the name and address of the owner thereof and the registration number assigned to said ATV to the injured person or the person sustaining the damage, or to a peace or police officer. In the event the person sustaining the damage is not present at the place where the damage occurred, the operator shall, as soon as physically able, report the same to the nearest law enforcement agency.

3. A peace, police, or judicial officer who investigates or receives information of ~~[an accident]~~ a crash involving an ATV shall make a written report of the investigation or information received, and such additional facts relating to the ~~[accident]~~ crash as may come to his knowledge and mail the same within forty-eight hours to the department and keep a record thereof in his office.

4. Failure of any person to report ~~[an accident]~~ a crash as herein provided or failure to give correctly the information required of him by the commissioner in connection with such report shall be a misdemeanor and shall constitute a ground for suspension or revocation of the ATV safety certificate of any person or the certificate of registration of any ATV involved in the ~~[accident]~~ crash. The commissioner may temporarily suspend the ATV safety certificate of the person failing to make

1 such report or the certificate of registration of the ATV involved in
2 the [accident] crash until such report has been filed.

3 § 94. Section 3650-c of the education law, as added by section 71 of
4 part A of chapter 436 of the laws of 1997, is amended to read as
5 follows:

6 § 3650-c. [Accident] Crash report data base. The commissioner, in
7 consultation with the commissioner of motor vehicles, shall establish an
8 electronic data file containing [accident] crash reports relating to
9 school buses.

10 § 95. Clause (A) of subparagraph 61 of paragraph (g) of subdivision 5
11 of section 396-z of the general business law, as amended by chapter 109
12 of the laws of 2018, is amended to read as follows:

13 (A) a motor vehicle [accident] crash report pursuant to section six
14 hundred five of the vehicle and traffic law; or

15 § 96. Paragraph (a) of subdivision 6 of section 396-z of the general
16 business law, as amended by chapter 109 of the laws of 2018, is amended
17 to read as follows:

18 (a) A rental vehicle company may hold an authorized driver liable to
19 the extent permitted under this chapter for physical or mechanical
20 damage to the rental vehicle that occurs during the time the rental
21 vehicle is under the rental agreement; provided, however, that an
22 authorized driver shall not be liable for any normal wear and tear or
23 mechanical damage that could reasonably be expected from normal use of
24 the vehicle. For the purposes of this subdivision, the term "normal wear
25 and tear" shall mean the deterioration of the condition of the vehicle
26 or its component parts due to repetitive use and does not include damage
27 that materially diminishes the value of the vehicle and arises from a
28 specific occurrence or [accident] crash during the time the rental vehi-
29 cle is subject to the rental agreement; and the term "actual and reason-
30 able costs" shall mean the cost to repair the vehicle including all
31 discounts and price adjustments available to the rental vehicle company
32 and shall include costs for towing, storage, and impound fees where
33 applicable.

34 § 97. Paragraph 1 of subsection (f) of section 3420 of the insurance
35 law, as amended by section 19 of part III of chapter 59 of the laws of
36 2019, is amended to read as follows:

37 (1) No policy insuring against loss resulting from liability imposed
38 by law for bodily injury or death suffered by any natural person arising
39 out of the ownership, maintenance and use of a motor vehicle or an
40 altered motor vehicle commonly referred to as a "stretch limousine"
41 having a seating capacity of eight or more passengers used in the busi-
42 ness of carrying or transporting passengers for hire, by the insured
43 shall be issued or delivered by any authorized insurer upon any motor
44 vehicle or an altered motor vehicle commonly referred to as a "stretch
45 limousine" having a seating capacity of eight or more passengers used in
46 the business of carrying or transporting passengers for hire, then prin-
47 cipally garaged or principally used in this state unless it contains a
48 provision whereby the insurer agrees that it will pay to the insured, as
49 defined in such provision, subject to the terms and conditions set forth
50 therein to be prescribed by the board of directors of the Motor Vehicle
51 [Accident] Crash Indemnification Corporation and approved by the super-
52 intendent, all sums, not exceeding a maximum amount or limit of twenty-
53 five thousand dollars exclusive of interest and costs, on account of
54 injury to and all sums, not exceeding a maximum amount or limit of fifty
55 thousand dollars exclusive of interest and costs, on account of death of
56 one person, in any one [accident] crash, and the maximum amount or

1 limit, subject to such limit for any one person so injured of fifty
2 thousand dollars or so killed of one hundred thousand dollars, exclusive
3 of interest and costs, on account of injury to, or death of, more than
4 one person in any one [~~accident~~] crash, which the insured or his legal
5 representative shall be entitled to recover as damages from an owner or
6 operator of an uninsured motor vehicle, unidentified motor vehicle which
7 leaves the scene of [~~an accident~~] a crash, a motor vehicle registered in
8 this state as to which at the time of the [~~accident~~] crash there was not
9 in effect a policy of liability insurance, a stolen vehicle, a motor
10 vehicle operated without permission of the owner, an insured motor vehi-
11 cle where the insurer disclaims liability or denies coverage or an
12 unregistered vehicle because of bodily injury, sickness or disease,
13 including death resulting therefrom, sustained by the insured, caused by
14 [~~accident~~] a crash occurring in this state and arising out of the owner-
15 ship, maintenance or use of such motor vehicle. No payment for non-eco-
16 nomic loss shall be made under such policy provision to a covered person
17 unless such person has incurred a serious injury, as such terms are
18 defined in section five thousand one hundred two of this chapter. Such
19 policy shall not duplicate any element of basic economic loss provided
20 for under article fifty-one of this chapter. No payments of first party
21 benefits for basic economic loss made pursuant to such article shall
22 diminish the obligations of the insurer under this policy provision for
23 the payment of non-economic loss and economic loss in excess of basic
24 economic loss. Notwithstanding any inconsistent provisions of section
25 three thousand four hundred twenty-five of this article, any such policy
26 which does not contain the aforesaid provisions shall be construed as if
27 such provisions were embodied therein.

28 § 98. Paragraphs 1, 2 and 3 of subsection (a) of section 5102 of the
29 insurance law, paragraph 1 as amended by chapter 298 of the laws of 2006
30 and paragraph 2 as amended by chapter 320 of the laws of 1991, are
31 amended to read as follows:

32 (1) All necessary expenses incurred for: (i) medical, hospital
33 (including services rendered in compliance with article forty-one of the
34 public health law, whether or not such services are rendered directly by
35 a hospital), surgical, nursing, dental, ambulance, x-ray, prescription
36 drug and prosthetic services; (ii) psychiatric, physical therapy
37 (provided that treatment is rendered pursuant to a referral) and occupa-
38 tional therapy and rehabilitation; (iii) any non-medical remedial care
39 and treatment rendered in accordance with a religious method of healing
40 recognized by the laws of this state; and (iv) any other professional
41 health services; all without limitation as to time, provided that within
42 one year after the date of the [~~accident~~] crash causing the injury it is
43 ascertainable that further expenses may be incurred as a result of the
44 injury. For the purpose of determining basic economic loss, the expenses
45 incurred under this paragraph shall be in accordance with the limita-
46 tions of section five thousand one hundred eight of this article.

47 (2) Loss of earnings from work which the person would have performed
48 had he not been injured, and reasonable and necessary expenses incurred
49 by such person in obtaining services in lieu of those that he would have
50 performed for income, up to two thousand dollars per month for not more
51 than three years from the date of the [~~accident~~] crash causing the inju-
52 ry. An employee who is entitled to receive monetary payments, pursuant
53 to statute or contract with the employer, or who receives voluntary
54 monetary benefits paid for by the employer, by reason of the employee's
55 inability to work because of personal injury arising out of the use or
56 operation of a motor vehicle, is not entitled to receive first party

benefits for "loss of earnings from work" to the extent that such monetary payments or benefits from the employer do not result in the employee suffering a reduction in income or a reduction in the employee's level of future benefits arising from a subsequent illness or injury.

(3) All other reasonable and necessary expenses incurred, up to twenty-five dollars per day for not more than one year from the date of the [accident] crash causing the injury.

§ 99. Paragraph 1 of subsection (d) of section 5106 of the insurance law, as amended by section 8 of part AAA of chapter 59 of the laws of 2017, is amended to read as follows:

(1) Except as provided in paragraph two of this subsection, where there is reasonable belief more than one insurer would be the source of first party benefits, the insurers may agree among themselves, if there is a valid basis therefor, that one of them will accept and pay the claim initially. If there is no such agreement, then the first insurer to whom notice of claim is given shall be responsible for payment. Any such dispute shall be resolved in accordance with the arbitration procedures established pursuant to section five thousand one hundred five of this article and regulations as promulgated by the superintendent, and any insurer paying first-party benefits shall be reimbursed by other insurers for their proportionate share of the costs of the claim and the allocated expenses of processing the claim, in accordance with the provisions entitled "other coverage" contained in regulation and the provisions entitled "other sources of first-party benefits" contained in regulation. If there is no such insurer and the motor vehicle [accident] crash occurs in this state, then an applicant who is a qualified person as defined in article fifty-two of this chapter shall institute the claim against the motor vehicle [accident] crash indemnification corporation.

§ 100. The article heading of article 52 of the insurance law is amended to read as follows:

MOTOR VEHICLE [ACCIDENT] CRASH INDEMNIFICATION
CORPORATION

§ 101. Subsections (f) and (j) of section 5202 of the insurance law are amended to read as follows:

(f) "Corporation" means the "motor vehicle [accident] crash indemnification corporation".

(j) "Financially irresponsible motorist" means the owner, operator, or other person legally responsible for the operation of an uninsured motor vehicle involved in [an accident] a crash resulting in personal injury or death who did not have in effect at the time of such [accident] crash either:

(1) a valid and collectible policy of bodily injury liability and property damage liability insurance or bond with applicable limits at least equal to those specified in section three hundred eleven of the vehicle and traffic law; or

(2) a certificate of self insurance issued by the department of motor vehicles pursuant to section three hundred sixteen of the vehicle and traffic law; or

(3) who has not otherwise complied with the provisions of section three hundred twelve of the vehicle and traffic law; or

(4) who does not have in effect at the time of such [accident] crash a valid and collectible policy of bodily injury liability and property damage liability insurance with applicable limits at least equal to those specified in section 25.13 of the parks, recreation and historic preservation law.

1 § 102. Subsection (f) of section 7602 of the insurance law is amended
2 to read as follows:

3 (f) "Motor vehicle [~~accident~~] crash" means either [~~an accident~~] a
4 crash occurring within or without this state arising out of the owner-
5 ship, operation or maintenance of a motor vehicle which is principally
6 garaged in this state or [~~an accident~~] a crash occurring within this
7 state arising out of the ownership, operation or maintenance of a motor
8 vehicle which is not principally garaged in this state.

9 § 103. Section 301-c of the military law, as added by chapter 489 of
10 the laws of 2011, is amended to read as follows:

11 § 301-c. [~~Accident~~] Crash prevention course information. The division
12 of military and naval affairs shall provide returning servicemen and
13 women who have returned from a combat theater or combat zone of oper-
14 ations with information about [~~accident~~] crash prevention courses
15 approved by the commissioner of motor vehicles pursuant to article
16 twelve-B of the vehicle and traffic law. This information may be
17 provided in written form to be available at Yellow Ribbon Reintegration
18 programs or any other reintegration programs offered by the division or
19 may be made available online on the division's website. The division
20 shall also provide a link to the department of motor vehicles website
21 pages containing information about the [~~accident~~] crash prevention
22 courses.

23 § 104. Paragraph (e-1) of subdivision 2 of section 65.10 of the penal
24 law, as added by chapter 571 of the laws of 2006, is amended to read as
25 follows:

26 (e-1) Participate in a motor vehicle [~~accident~~] crash prevention
27 course. The court may require such condition where a person has been
28 convicted of a traffic infraction for a violation of article twenty-six
29 of the vehicle and traffic law where the commission of such violation
30 caused the serious physical injury or death of another person. For
31 purposes of this paragraph, the term "motor vehicle [~~accident~~] crash
32 prevention course" shall mean a motor vehicle [~~accident~~] crash
33 prevention course approved by the department of motor vehicles pursuant
34 to article twelve-B of the vehicle and traffic law;

35 § 105. Section 387 of the public authorities law, as added by chapter
36 700 of the laws of 2004, is amended to read as follows:

37 § 387. Fees for searches and copies of [~~accident~~] crash and [~~accident~~]
38 crash reconstruction reports. Notwithstanding any other law to the
39 contrary, the fees for searching the records of the authority for [~~an~~
40 ~~accident~~] a crash report, for furnishing a copy of [~~an accident~~] a crash
41 report, and for furnishing a copy of [~~an accident~~] a crash recon-
42 struction report shall not exceed the fees charged by the division of
43 state police pursuant to section sixty-six-a of the public officers law
44 and/or by the department of motor vehicles pursuant to section two
45 hundred two of the vehicle and traffic law, provided, however, that no
46 fee shall be charged to any public officer, board or body, or volunteer
47 fire company, for searches or copies of [~~accident~~] crash reports to be
48 used for a public purpose.

49 § 106. Section 66-a of the public officers law, as amended by chapter
50 169 of the laws of 1994 and subdivision 3 as added by chapter 179 of the
51 laws of 2000, is amended to read as follows:

52 § 66-a. [~~Accident~~] Crash reports kept by police authorities to be open
53 to the inspection of persons interested. 1. Notwithstanding any incon-
54 sistent provisions of law, general, special or local, or any limitation
55 contained in the provision of any city charter, all reports and records
56 of any [~~accident~~] crash, kept or maintained by the state police or by

1 the police department or force of any county, city, town, village or
2 other district of the state, shall be open to the inspection of any
3 person having an interest therein, or of such person's attorney or
4 agent, even though the state or a municipal corporation or other subdi-
5 vision thereof may have been involved in the [accident] crash; except
6 that the authorities having custody of such reports or records may
7 prescribe reasonable rules and regulations in regard to the time and
8 manner of such inspection, and may withhold from inspection any reports
9 or records the disclosure of which would interfere with the investi-
10 gation or prosecution by such authorities of a crime involved in or
11 connected with the [accident] crash.

12 2. Notwithstanding the provisions of section twenty-three hundred
13 seven of the civil practice law and rules, the public officers law, or
14 any other law to the contrary, the division of state police shall charge
15 fees for the search and copy of [accident] crash reports and photo-
16 graphs. A search fee of fifteen dollars per [accident] crash report
17 shall be charged, with no additional fee for a photocopy. An additional
18 fee of fifteen dollars shall be charged for a certified copy of any
19 [accident] crash report. A fee of twenty-five dollars per photograph or
20 contact sheet shall be charged. The fees for investigative reports
21 shall be the same as those for [accident] crash reports.

22 3. Notwithstanding the provisions of section twenty-three hundred
23 seven of the civil practice law and rules, this chapter, or any other
24 law to the contrary, the county of Nassau, upon adoption of a local law,
25 is hereby authorized to require the police department of the county of
26 Nassau to charge fees for the search and copy of [accident] crash
27 reports and photographs. A search fee of ten dollars per [accident]
28 crash report shall be charged, with no additional fee for a photocopy.
29 An additional fee of ten dollars shall be charged for a certified copy
30 of any [accident] crash report. A fee of fifteen dollars per photograph
31 or contact sheet shall be charged. The fees for investigative reports
32 shall be the same as those for [accident] crash reports.

33 § 107. Section 89-g of the state finance law, as added by chapter 751
34 of the laws of 2005, subdivisions 2 and 3 as renumbered by section 2 of
35 part D of chapter 58 of the laws of 2016, is amended to read as follows:

36 § 89-g. [Accident] Crash prevention course internet, and other tech-
37 nology pilot program fund. 1. There is hereby established in the joint
38 custody of the state comptroller and the commissioner of taxation and
39 finance a special fund to be known as the "[accident] crash prevention
40 course internet, and other technology pilot program fund".

41 2. The moneys in the [accident] crash prevention course internet, and
42 other technology pilot program fund shall be kept separate and shall not
43 be commingled with any other moneys in the custody of the commissioner
44 of taxation and finance and the state comptroller.

45 3. The moneys in such fund shall be expended only for the purposes of
46 administering and implementing the provisions of article twelve-C of the
47 vehicle and traffic law by the department of motor vehicles.

48 § 108. Section 217 of the transportation law, as added by chapter 428
49 of the laws of 1983, subdivision 5 as amended, subdivision 7 as added
50 and subdivision 8 as renumbered by chapter 84 of the laws of 1985 and
51 subdivision 9 as added by section 1 of part C of chapter 58 of the laws
52 of 2018, is amended to read as follows:

53 § 217. Powers and duties of the board. The board shall have the
54 following powers and duties:

1 1. To investigate [~~accidents~~] crashes occurring on or involving public
2 transportation facilities or systems whether publicly or privately owned
3 and report on the results of such investigations;

4 2. To establish within the board [~~an accident~~] a crash reporting
5 procedure and file for the purpose of accurate analysis of public trans-
6 portation safety and to prepare an annual [~~accident~~] crash report for
7 the governor and the legislature;

8 3. To review, in connection with the investigation of [~~accidents~~]
9 crashes, the safety, maintenance and training programs of public trans-
10 portation facilities or systems whether publicly or privately owned and
11 recommend the establishment of equipment and safety standards in
12 connection therewith;

13 4. To adopt, promulgate, amend and rescind suitable rules and regu-
14 lations to carry out the provisions and purposes of this article or to
15 enforce any standards established hereunder;

16 5. To hold hearings, issue reports, administer oaths or affirmations,
17 examine any person under oath or affirmation and to issue subpoenas
18 requiring the attendance and giving of testimony of witnesses and
19 require the production of any books, papers, documentary or other
20 evidence. The powers provided in this subdivision may be delegated by
21 the board to any member of the board or department employee assigned to
22 the board. A subpoena issued under this subdivision shall be regulated
23 by the civil practice law and rules;

24 6. To take or cause to be taken affidavits or depositions within or
25 without the state;

26 7. To enter upon any property where a public transportation [~~accident~~]
27 crash has occurred, or where a vehicle, appurtenance or other item
28 involved in any such [~~accident~~] crash is located, to fulfill the
29 requirements of article nine-b of this chapter.

30 8. To render each year to the governor and to the legislature a writ-
31 ten report of its activities.

32 9. To enforce the requirements of section five thousand three hundred
33 twenty-nine of title forty-nine of the United States Code, as amended
34 from time to time, as it pertains to oversight of rail fixed guideway
35 public transportation systems.

36 § 109. Wherever the term "accident" appears in the vehicle and traffic
37 law, such term is hereby changed to "crash".

38 § 110. This act shall take effect immediately; provided, however,
39 that:

40 a. the amendments to article 12-C of the vehicle and traffic law, made
41 by sections forty-two through forty-seven of this act shall not affect
42 the repeal of such article and shall be deemed repealed therewith;

43 b. the amendments to paragraphs 2 and 3 of subdivision (m) of section
44 1111-a of the vehicle and traffic law made by section seventy-one of
45 this act shall not affect the repeal of such section and shall be deemed
46 repealed therewith;

47 c. the amendments to paragraphs 2 and 3 of subdivision (n) of section
48 1111-b of the vehicle and traffic law made by section seventy-two of
49 this act shall not affect the repeal of such section and shall be deemed
50 repealed therewith;

51 d. the amendments to paragraphs 2 and 3 of subdivision (m) of section
52 1111-b of the vehicle and traffic law made by section seventy-three of
53 this act shall not affect the repeal of such section and shall be deemed
54 repealed therewith;

55 e. the amendments to paragraphs 2 and 3 of subdivision (n) of section
56 1111-b of the vehicle and traffic law made by section seventy-four of

1 this act shall not affect the repeal of such section and shall be deemed
2 repealed therewith;

3 f. the amendments to paragraphs 2 and 3 of subdivision (m) of section
4 1111-d of the vehicle and traffic law made by section seventy-five of
5 this act shall not affect the repeal of such section and shall be deemed
6 repealed therewith;

7 g. the amendments to paragraphs 2 and 3 of subdivision (m) of section
8 1111-d of the vehicle and traffic law made by section seventy-six of
9 this act shall not affect the repeal of such section and shall be deemed
10 repealed therewith;

11 h. the amendments to paragraphs 2 and 3 of subdivision (m) of section
12 1111-d of the vehicle and traffic law made by section seventy-seven of
13 this act shall not affect the repeal of such section and shall be deemed
14 repealed therewith;

15 i. the amendments to paragraph (g) of subdivision 5 and paragraph (a)
16 of subdivision 6 of section 396-z of the general business law made by
17 sections ninety-five and ninety-six of this act shall be subject to the
18 expiration and reversion of such section pursuant to section 4 of chap-
19 ter 109 of the laws of 2018, as amended;

20 j. the amendments to subdivision 3 of section 66-a of the public offi-
21 cers law made by section one hundred six of this act shall not affect
22 the repeal of such subdivision and shall be deemed repealed therewith;
23 and

24 k. the amendments to section 89-g of the state finance law made by
25 section one hundred seven of this act shall not affect the repeal of
26 such section and shall be deemed repealed therewith.