STATE OF NEW YORK

4221

2023-2024 Regular Sessions

IN ASSEMBLY

February 13, 2023

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

AN ACT to amend the vehicle and traffic law, in relation to the registration of motor vehicles; and to amend the administrative code of the city of New York, the insurance law, the tax law, the transportation law, and the vehicle and traffic law, in relation to making conforming changes

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

Section 1. The section heading and subdivisions 5 and 5-a of section 401 of the vehicle and traffic law, subdivision 5 as amended by chapter 136 of the laws of 1969, paragraph a of subdivision 5 as amended by chapter 137 of the laws of 1989, paragraph b of subdivision 5 as amended by chapter 826 of the laws of 1985, and paragraph c of subdivision 5 as amended by chapter 356 of the laws of 1990, subdivision 5-a as added by chapter 164 of the laws of 1970, paragraph a of subdivision 5-a as separately added by chapters 421, 460 and 773 of the laws of 2021, subparagraph (vii) of paragraph a of subdivision 5-a as added by chapter 421 of the laws of 2021 and renumbered by chapter 258 of the laws of 2022, paragraph b of subdivision 5-a as added and paragraph c as relettered by chapter 487 of the laws of 1993, and paragraph c of subdivision 5-a as added by chapter 164 of the laws of 1970, are amended to read as follows:

Registration of motor vehicles; fees[~~; renewals~~].

5. [~~Times for~~] **Validity of** registration[~~, reregistration and renewal~~]; proportionate fees. [~~a. Registrations, reregistrations and renewals shall take effect and expire on dates determined by the commissioner. However, where the expiration date of the registration of any vehicle, except a taxi or an omnibus, falls on a Saturday, Sunday or state holiday, such registration shall be valid for the operation of such vehicle until midnight of the next day on which state offices shall be open for~~

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

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~~business. Provided, however, that renewal of a registration may be used preceding the expiration date of such registration including such expiration date. Provided, further, however, that where the required proof of registration consists of an expired registration for the same vehicle, issued to the same person applying for the registration or renewal, and the expired registration certificate and number plates and date tags issued for such registration had not been surrendered to the commissioner on or before the expiration date of such registration, the commissioner may in his discretion deem such application to be a renewal of the expired registration and require that the fee paid for such registration be computed as if the registration had been made prior to the date of expiration of the expired registration.~~

~~b. The fee for the renewal of a registration shall be the same as the annual registration fee, and, where a registration or renewal is for a period of more or less than one calendar year, the annual fees as provided in this section shall be increased or reduced proportionately on a daily computation basis, except that where the annual registration fee for such vehicle would amount to ten dollars or less, the fee shall not be so prorated.~~

~~c.~~] Notwithstanding any other provision of this article, the commissioner shall issue registrations [~~and renewals of registrations~~] for motor vehicles for which a registration fee established in paragraph a of subdivision six of this section is required to be paid and for motor vehicles having a maximum gross weight of not more than eighteen thousand pounds for which a registration fee established in paragraph one of schedule B of subdivision seven of this section is required to be paid [~~for a period of not less than two years~~]. **The initial registration of a new model year motor vehicle for which a registration fee established in paragraph a of subdivision six of this section is required and for a new model year motor vehicle having a maximum gross weight of not more than eighteen thousand pounds for which a registration fee established in paragraph one of schedule B of subdivision seven of this section is required to be paid shall not expire until the title of such motor vehicle is transferred to a new owner as provided in article forty-six of this chapter. The registration of any such older model year motor vehicles that are currently registered shall not expire until the title of such motor vehicle is transferred to a new owner as provided in article forty-six of this chapter. Upon such transfer of a certificate of title the new owner shall register the motor vehicle and pay the registration fee established in paragraph a of subdivision six or in paragraph one of schedule B of subdivision seven of this section.** In addition, the full amount of any other charges, taxes or fees [~~which would be required to be paid to, or collected by, the commissioner during the entire registration period if registrations were issued for twelve month periods~~] shall be paid to the commissioner at the time of such registration [~~or renewal of registration. The commissioner shall promulgate rules and regulations for the issuance of registration renewals extended as required in this paragraph. However, such regulations may provide that the initial issuance of extended renewals be accomplished over a two year period. The commissioner may by regulation exempt from the provisions of this paragraph registrations for motor vehicles issued in conjunction with any long-term registration program or registration reciprocity or proration agreement which this state has established or to which this state is a party~~].

5-a. Denial of registration [~~or renewal~~]. a. (i) If at the time of application for a registration [~~or renewal~~] thereof there is a certif-

ication from a court, parking violations bureau, traffic and parking violations agency or administrative tribunal of appropriate jurisdiction that the registrant or his or her representative failed to appear on the return date or any subsequent adjourned date or failed to comply with the rules and regulations of an administrative tribunal following entry of a final decision in response to a total of three or more summonses or other process in the aggregate, issued within an eighteen month period, charging either that: (i) such motor vehicle was parked, stopped or standing, or that such motor vehicle was operated for hire by the registrant or his or her agent without being licensed as a motor vehicle for hire by the appropriate local authority, in violation of any of the provisions of this chapter or of any law, ordinance, rule or regulation made by a local authority; or (ii) the registrant was liable for a violation of subdivision (d) of section eleven hundred eleven of this chapter imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic-control indications through the installation and operation of traffic-control signal photo violation-monitoring systems, in accordance with article twenty-four of this chapter; or (iii) the registrant was liable for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such posted maximum speed limits through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter; or (iv) the registrant was liable for a violation of bus lane restrictions as defined by article twenty-four of this chapter imposed pursuant to a bus rapid transit program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such bus lane restrictions through the installation and operation of bus lane photo devices, in accordance with article twenty-four of this chapter; or (v) the registrant was liable for a violation of section eleven hundred seventy-four of this chapter when meeting a school bus marked and equipped as provided in subdivisions twenty and twenty-one-c of section three hundred seventy-five of this chapter imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with school bus red visual signals through the installation and operation of school bus photo violation monitoring systems, in accordance with article twenty-nine of this chapter; or (vi) the registrant was liable for a violation of section three hundred eighty-five of this chapter and the rules of the department of transportation of the city of New York in relation to gross vehicle weight and/or axle weight violations imposed pursuant to a weigh in motion demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such gross vehicle weight and/or axle weight restrictions through the installation and operation of weigh in motion violation monitoring systems, in accordance with article ten of this chapter; or (vii) the registrant was liable for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such posted maximum speed limits within a highway construction or maintenance work area through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter, the commissioner or his or her agent

shall deny the registration [~~or renewal~~] application until the applicant provides proof from the court, traffic and parking violations agency or administrative tribunal wherein the charges are pending that an appearance or answer has been made or in the case of an administrative tribunal that he or she has complied with the rules and regulations of said tribunal following entry of a final decision. Where an application is denied pursuant to this section, the commissioner may, in his or her discretion, deny a registration [~~or renewal~~] application to any other person for the same vehicle and may deny a registration [~~or renewal~~] application for any other motor vehicle registered in the name of the applicant where the commissioner has determined that such registrant's intent has been to evade the purposes of this subdivision and where the commissioner has reasonable grounds to believe that such registration [~~or renewal~~] will have the effect of defeating the purposes of this subdivision. Such denial shall only remain in effect as long as the summonses remain unanswered, or in the case of an administrative tribunal, the registrant fails to comply with the rules and regulations following entry of a final decision.

(ii) For purposes of this paragraph, the term "motor vehicle operated for hire" shall mean and include a taxicab, livery, coach, limousine or tow truck.

b. If at the time of application by any person for a registration [~~or renewal thereof~~] there is a certification from a court or an agency or administrative tribunal with regulatory or adjudicatory authority over van services or other such common carriers of passengers in any city with a population of over one million pursuant to subdivision five of section eighty of the transportation law that there remains unpaid a penalty imposed by such agency or administrative tribunal or court following entry of a decision or order, including a decision or order in a proceeding in which there has been a failure to appear or pay, in response to a notice of violation, summons or other process issued charging that the vehicle was operated as a van service or other such common carrier of passengers without the operating authority required by such local law or ordinance, the commissioner or the commissioner's agent shall impose a vehicle identification number block and deny the registration [~~or renewal~~] application until the applicant provides proof from the court or agency or other administrative tribunal wherein the charges were adjudicated that such penalty has been paid in full or the violation has been corrected to its satisfaction. Where an application is denied pursuant to this paragraph, the commissioner may, in the commissioner's discretion, deny a registration [~~or renewal~~] application for any other motor vehicle registered in the name of the applicant where the commissioner has determined that such registrant's intent has been to evade the purposes of this paragraph and where the commissioner has reasonable grounds to believe that such registration [~~or renewal~~] will have the effect of defeating the purposes of this paragraph. Such vehicle identification number block and denial shall only remain in effect until the penalty has been paid in full or the violation has been corrected to the satisfaction of the court, city agency or administrative tribunal.

c. The commissioner may promulgate such regulations as are necessary to effectuate the provisions of this subdivision, including provisions for the recovery of the administrative costs of the program incurred for each municipality. The commissioner may, in his discretion, refuse to process a certification received from a court or administrative tribunal in any municipality which has failed to comply with the provisions of

section five hundred fourteen of this chapter or which does not have an effective program for enforcing suspension and revocation orders issued by the department.

§ 2. Paragraphs a, d and g of subdivision 6 of section 401 of the vehicle and traffic law, paragraph a as amended by section 1 of part G of chapter 59 of the laws of 2009, paragraph d as amended by chapter 385 of the laws of 1991, subparagraph (ii) of paragraph d as amended by section 2 of subpart E of part C of chapter 20 of the laws of 2015, and paragraph g as added by chapter 789 of the laws of 1992, are amended to read as follows:

a. The following fees shall be paid to the commissioner, or agent, upon the registration [~~or reregistration~~] of a motor vehicle, including a suburban, in accordance with the provisions of this article:

If such motor vehicle, fully equipped, weighs thirty-five hundred pounds or less, eighty-one cents for each one hundred pounds or major fraction thereof; if such motor vehicle, fully equipped, weighs more than thirty-five hundred pounds, eighty-one cents for each one hundred pounds up to thirty-five hundred pounds, and one dollar and twenty-one cents for each hundred pounds, or major fraction thereof, in excess of thirty-five hundred pounds; provided, however, that the total fees for the registration [~~or reregistration~~] of any passenger motor vehicle propelled by electricity shall be sixteen dollars and eighteen cents, of a six, eight, or twelve cylinder motor vehicle not less than sixteen dollars and eighteen cents, and of any other motor vehicle not less than twelve dollars and ninety-five cents; and provided further that for motor vehicles described in subdivision seven of this section, the fee for such registration shall be as therein prescribed. Provided further, however, that the maximum registration fee under this paragraph shall not exceed seventy dollars and eight cents per registration year. For the purposes of this section a "suburban" shall be a motor vehicle with a convertible or interchangeable body or with removable seats, usable for both passenger and delivery purposes, and including motor vehicles, commonly known as station or depot wagons. The manufacturer's weight of motor vehicle shall be accepted as the weight for the purpose of registration under this paragraph.

d. (i) In addition to the other fees provided for in this section, the commissioner shall, upon the application for the registration of a motor vehicle [~~or the renewal thereof~~], collect the tax authorized by subdivision (g) of section twelve hundred one of the tax law, if a city of one million or more, pursuant to subdivision (h) of section twelve hundred one of such law, enacts a local law providing for the collection of such tax by the commissioner and enters into the required agreement relating thereto.

(ii) In addition to the other fees provided for in this section, the commissioner shall, upon the application for the registration of a motor vehicle [~~or the renewal thereof~~], collect the tax of the type authorized under subdivision (e) of section twelve hundred one of the tax law, if a county, pursuant to subdivision (c), (e), (f) or (g) of section twelve hundred two of such law, enacts a local law, ordinance or resolution providing for the collection of such tax by the commissioner and enters into the required agreement relating thereto.

g. In addition to the other fees provided for in this section, the commissioner shall, upon the application for the registration of a motor vehicle [~~or the renewal thereof~~], collect any tax imposed pursuant to the authority of chapter one thousand thirty-two of the laws of nineteen hundred sixty, if the city imposing such tax enacts a local law provid-

ing for the collection of such tax by the commissioner and enters into the required agreement relating thereto.

§ 3. The opening paragraph and schedule A of subdivision 7 of section 401 of the vehicle and traffic law, the opening paragraph as amended by chapter 55 of the laws of 1992, and schedule A as amended by section 6 of part G of chapter 59 of the laws of 2009, are amended to read as follows:

Registration fees for auto trucks, tractors, buses, taxicabs, livery and certain other motor vehicles. The registration fees to be paid upon the registration [~~or reregistration~~], in accordance with the provisions of this article, of buses, of motor vehicles constructed or specially equipped for the transportation of goods, wares and merchandise, commonly known as auto trucks or light delivery cars, of taxicabs, livery and of certain other motor vehicles specified herein are hereby established as follows:

A. Schedule for buses.

For each such vehicle having a seating capacity for passengers of five passengers or less, and meeting the requirements of subdivisions twenty and twenty-one, notwithstanding the capacity limitation of subdivision twenty-one, of section three hundred seventy-five of this chapter, the annual fee of twenty-one dollars and fifty-six cents.

For each such vehicle having a seating capacity for passengers of not less than six passengers, nor more than seven passengers, and meeting the requirements of subdivisions twenty and twenty-one, notwithstanding the capacity limitation of subdivision twenty-one, of section three hundred seventy-five of this chapter, the annual fee of thirty-five dollars and twenty-three cents.

For each such vehicle having a seating capacity for passengers of not less than eight passengers, nor more than ten passengers, and meeting the requirements of subdivisions twenty and twenty-one, notwithstanding the capacity limitation of subdivision twenty-one, of section three hundred seventy-five of this chapter, the annual fee of forty-three dollars and eighty-five cents.

For each such vehicle having a seating capacity for passengers of not less than eleven passengers, nor more than fourteen passengers, and meeting the requirements of subdivisions twenty and twenty-one, notwithstanding the capacity limitation of subdivision twenty-one, of section three hundred seventy-five of this chapter, the annual fee of sixty-one dollars and eighty-one cents.

For each such vehicle having a seating capacity for passengers of not less than fifteen passengers, nor more than twenty passengers, the annual fee of seventy-four dollars and seventy-five cents.

For each such vehicle having a seating capacity for passengers of not less than twenty-one passengers, nor more than twenty-two passengers, the annual fee of seventy-nine dollars and six cents.

For each such vehicle having a seating capacity for passengers of not less than twenty-three passengers, nor more than twenty-six passengers, the annual fee of eighty-eight dollars and forty-one cents.

For each such vehicle having a seating capacity for passengers of not less than twenty-seven passengers, nor more than thirty passengers, the annual fee of ninety-seven dollars and four cents.

For each such vehicle having a seating capacity for passengers in excess of thirty passengers, the fee of ninety-seven dollars and four cents, and the additional fee of two dollars and eighty-eight cents for each passenger (measured by seating capacity) in excess of thirty passengers.

For the purposes of this schedule, the term "seating capacity for passengers" shall exclude the driver.

The words "seating capacity for passengers", as used in this section, shall mean seating capacity for adults. The commissioner shall have authority to determine, for registration purposes, the manner of computing the seating capacity of any vehicle.

Provided, however, that in the case of a bus operated entirely by electricity not generated by an engine contained therein the fees to be paid upon registration [~~or reregistration~~] thereof shall be fifty per centum in excess of the foregoing rates.

The foregoing schedules shall not apply to omnibuses operated pursuant to a franchise or franchises over streets designated in said franchise or franchises wholly within a city or cities, provided the holder of the franchise or franchises pays for the same a percentage of its gross earnings or gross receipts and for any such omnibus, without regard to the seating capacity; nor shall the foregoing schedules apply to omnibuses operated pursuant to a certificate of public convenience and necessity granted under the transportation law and based upon the consent of the local authorities of any city, town or village, other than in the counties of Nassau, Suffolk and Westchester, as required by the transportation corporations law or, in the county of Nassau, based upon the consent of the board of supervisors of such county or of any city or village therein, or of both such county and any city or village therein or, in the counties of Suffolk and Westchester, based upon the consent of the county board of legislators of such counties, as required by chapter eight hundred seventy-nine of the laws of nineteen hundred thirty-six, provided the holder of such local consent pays for the same an annual fee to any such county, city, town or village, and for any such omnibus, without regard to the seating capacity, the annual fee shall be twelve dollars and fifty cents. The foregoing schedules shall not apply to trackless trolleys, but if such omnibus shall not be operated in local transit service pursuant to a certificate of convenience and necessity issued by the commissioner of transportation the foregoing schedule of fees shall apply.

§ 4. Paragraph 4 of schedule E of subdivision 7 of section 401 of the vehicle and traffic law, as amended by chapter 527 of the laws of 2015, is amended to read as follows:

4. An agricultural truck and an agricultural trailer may be registered [~~or reregistered~~] for periods of less than one calendar year upon application forms furnished by the commissioner for such purpose, and the annual fees as provided in this schedule shall be reduced proportionately on a monthly computation basis.

§ 5. Paragraph a of subdivision 8 of section 401 of the vehicle and traffic law, as amended by section 13 of part G of chapter 59 of the laws of 2009, is amended to read as follows:

a. The provisions of this chapter in relation to registration books and registration, certificates of registration, number plates, duplicates of certificates and number plates, [~~times~~] **validity** of registration [~~and reregistration~~] and the duration thereof, for motor vehicles, shall apply also to trailers. The following fees shall be paid upon the registration [~~or reregistration~~] of a trailer, other than a coach or house trailer or a semitrailer, in accordance with the provisions of this article: The annual fee of five dollars and thirty-nine cents for each five hundred pounds or fraction thereof of maximum gross weight but in no case shall the annual fee be less than fourteen dollars and thirty-eight cents. The following fees shall be paid upon the registration

[~~or reregistration~~] of a coach or house trailer in accordance with the provisions of this article: The annual fee of one dollar and seventy-three cents for each one hundred pounds or major fraction thereof of unladen weight but in no case shall the annual fee be less than twenty-one dollars and fifty-seven cents. The following fees shall be paid upon the registration [~~or reregistration~~] of a semitrailer in accordance with provisions of this article: The annual fee of twenty-eight dollars and seventy-five cents. However, upon the request of the applicant upon the registration [~~or renewal of a registration~~] of a nineteen hundred eighty-nine or later model year semitrailer, such semitrailer may be registered for a period of not less than five and one-half nor more than six and one-half years for a fee of eighty-six dollars and twenty-five cents. A semitrailer, used with any device for converting it to a trailer, other than one being drawn by a tractor semitrailer combination as part of a double tandem combination, shall be registered as a trailer.

For the purposes of this paragraph, the unladen weight of a coach or house trailer shall include the weight of any equipment permanently attached to or installed in such trailer. Notwithstanding the foregoing provisions and pursuant to regulations and limitations to be established by the commissioner and upon payment of a fee of two dollars and thirty cents therefor a temporary permit to move a coach or house trailer on the public highways from one site to another shall be issued to the owner thereof upon application therefor. Such application shall be made in the manner prescribed by the commissioner.

§ 6. Subdivision 18 of section 401 of the vehicle and traffic law, as amended by section 10 of part C of chapter 62 of the laws of 2003, is amended to read as follows:

18. A violation of subdivision one of this section shall be punishable by a fine of not less than seventy-five nor more than three hundred dollars, or by imprisonment for not more than fifteen days, or by both such fine and imprisonment [~~except, if the violation consists of failure to renew a registration which was valid within sixty days, the fine shall be not less than forty dollars~~]. A violation of subdivision seven or eight of this section shall be punishable by a fine of not less than one hundred fifty nor more than three hundred seventy-five dollars, or by imprisonment for not more than thirty days, or by both such fine and imprisonment, for the first offense, except where the violation was committed with a vehicle having a maximum gross weight of less than eighteen thousand pounds the violation should be punished by a fine of not less than forty nor more than three hundred seventy-five dollars; by a fine of not less than three hundred seventy-five dollars nor more than seven hundred fifty dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment, for the second or subsequent offense; provided that a sentence or execution thereof for any violation under this subdivision may not be suspended. For any violation of said subdivision seven or eight of this section, the registration of the vehicle may be suspended for a period of not less than ten days nor more than six months whether at the time of the violation the vehicle was in charge of the owner or his agent. The provisions of section five hundred ten of this chapter shall apply to such suspension except as otherwise provided herein.

§ 7. The fifteenth undesignated paragraph of subdivision 21 of section 401 of the vehicle and traffic law, as added by section 3 of part G of chapter 59 of the laws of 2009, is amended to read as follows:

Notwithstanding any inconsistent provision of this section, eleven dollars and fifty cents of the registration fees collected pursuant to

paragraph (a) of subdivision five of section four hundred ten of this title shall be deposited pursuant to this subdivision. Three dollars and fifty cents of such fees collected in relation to applications for new registrations [~~and renewals of existing registrations~~] expiring on and after September first, two thousand nine shall be deposited to the credit of the dedicated highway and bridge trust fund. Two dollars and fifty cents of such registration fees shall be deposited into the motorcycle safety fund established pursuant to section ninety-two-g of the state finance law.

§ 8. Subdivisions a, b and h of section 11-809.1 of the administrative code of the city of New York, as added by local law number 57 of the city of New York for the year 1996, are amended to read as follows:

a. Notwithstanding any provision of this chapter to the contrary, the tax imposed by this chapter on any commercial motor vehicle with a maximum gross weight of ten thousand pounds or less and on any motor vehicle for transportation of passengers, other than a medallion taxicab, shall be collected by the commissioner of motor vehicles, provided that any such motor vehicle is registered or required to be registered pursuant to any provision of section four hundred one of the vehicle and traffic law. The owner of each such motor vehicle shall pay the tax due thereon to the commissioner of motor vehicles on or before the date upon which such owner registers [~~or renews the registration~~] **such motor vehicle** of such motor vehicle or is required to register [~~or renew the registration~~] **such motor vehicle** thereof pursuant to section four hundred one of the vehicle and traffic law.

b. Notwithstanding any provision of section four hundred of the vehicle and traffic law to the contrary, payment of the tax with respect to a motor vehicle described in subdivision a of this section shall be a condition precedent to the registration [~~or renewal thereof~~] of such motor vehicle and to the issuance of any certificate of registration and plates or removable date tag in accordance with the vehicle and traffic law and the rules and regulations promulgated thereunder, and no such certificate of registration, plates or tag shall be issued unless such tax has been paid. If the registration period applicable to any such vehicle is a period of not less than two years, as a result of the application of the provisions of paragraph c of subdivision five of section four hundred one of the vehicle and traffic law, the tax required to be paid pursuant to this section shall be the annual tax specified in section 11-802 of this chapter multiplied by the number of years in the registration period. The commissioner of motor vehicles, upon payment of the tax pursuant to this section or upon the application of any person exempt therefrom, shall furnish to each taxpayer paying the tax a receipt for such tax and to each other taxpayer or exempt person a statement, document or other form prescribed by the commissioner of motor vehicles, showing that such tax has been paid or is not due with respect to such motor vehicle.

h. Notwithstanding any provision of section 11-807 of this chapter to the contrary, at the time a tax is required to be paid to the commissioner of motor vehicles pursuant to this section, the person required to pay such tax shall file a return with the commissioner of motor vehicles in such form and containing such information as he or she may prescribe. The taxpayer's application for registration [~~or the renewal thereof~~] shall constitute the return required under this subdivision unless the commissioner of motor vehicles shall otherwise provide by rule. A return filed pursuant to this subdivision with respect to a motor vehicle for a tax year or years shall be in lieu of any return

otherwise required to be filed with respect thereto pursuant to section 11-807 of this chapter.

§ 9. Paragraphs a and b of subdivision 1 of section 11-2202 of the administrative code of the city of New York are amended to read as follows:

a. Upon each individual resident for each such motor vehicle registered or for which registration is [~~renewed, or~~] required to be registered [~~or renewed~~] by him or her; and

b. Upon each other resident of each such motor vehicle regularly kept, stored, garaged or maintained in the city and registered or required to be registered [~~or renewed~~] by such other resident; and

§ 10. Section 11-2204 of the administrative code of the city of New York is amended to read as follows:

§ 11-2204 Payment of tax and evidence of tax payment. Every owner of a motor vehicle subject to tax hereunder shall pay the tax thereon to the commissioner of motor vehicles of the state of New York on or before the date upon which he or she registers [~~or renews his or her registration thereof~~] or is required to register [~~or renew his or her registration thereof~~] pursuant to section four hundred one of the vehicle and traffic law.

Notwithstanding the provisions of section four hundred of the vehicle and traffic law to the contrary, the payment of such tax shall be a condition precedent to the registration [~~or renewal thereof~~] of such motor vehicle and to the issuance of any certificate of registration and plates or removable tag specified in subdivision three of section four hundred one and in sections four hundred three and four hundred four of the vehicle and traffic law, and no such certificate of registration, plates or tag shall be issued unless such tax has been paid. The commissioner of motor vehicles shall not issue a registration certificate for any motor vehicle for which the registrant's address is within any such city, except upon proof, in a form approved by the commissioner of motor vehicles, that such tax has been paid, or is not due, with respect to such motor vehicle. The commissioner of motor vehicles, upon the payment of such tax or upon the application of any person exempt therefrom, shall furnish to each taxpayer paying the tax a receipt for such tax and to each such taxpayer or exempt person a statement, document or other form approved by the commissioner of motor vehicles pursuant to the last sentence, showing that such tax has been paid or is not due, with respect to such motor vehicle.

§ 11. Subdivision j of section 19-506 of the administrative code of the city of New York, as added by local law number 115 of the city of New York for the year 1993, is amended to read as follows:

j. Where the commission or administrative tribunal thereof finds an owner liable for operating a vehicle as a commuter van without an authorization to operate a commuter van service or without a commuter van license, the commission shall notify the [~~New York state~~] commissioner of motor vehicles pursuant to subparagraph four of paragraph a of subdivision five of section eighty of the [~~New York state~~] transportation law of such finding. Upon such notification, the commissioner of motor vehicles, pursuant to such subparagraph four, shall thereupon suspend the registration of such vehicle and shall deny any application for the registration of such vehicle [~~or any application for the renewal thereof~~] pursuant to subdivision five-a of section four hundred one of the vehicle and traffic law until such time as the commission may give notice that the violation has been corrected to its satisfaction. Operation of any motor vehicle for which the registration has been suspended

as herein provided shall constitute a class A misdemeanor. The commission shall also notify the department of finance where it finds an owner liable for operating a vehicle as a commuter van without an authorization to operate a commuter van service or without a commuter van license.

§ 12. Subsection (g) of section 9110 of the insurance law, as added by chapter 55 of the laws of 1992, is amended to read as follows:

(g) The fees imposed by this section shall be applicable to motor vehicles insured under policies issued [~~or renewed~~] on or after July first, nineteen hundred ninety-two.

§ 13. Subdivision (g) of section 1201 of the tax law, as amended by chapter 402 of the laws of 1971, paragraphs 1 and 2 as amended by chapter 576 of the laws of 1994, is amended to read as follows:

(g) A tax not to exceed fifteen dollars per annum per vehicle to be paid by the owner thereof: (1) for every motor vehicle registered or required to be registered pursuant to subdivision six of section four hundred one of the vehicle and traffic law if such vehicle is owned by

(i) one or more natural persons, other than a firm, co-partnership, limited liability company, trustee or trustees conducting a business or association, who, or one of whom: (A) at the time when he makes application for the registration[~~, re-registration or renewal thereof~~] of such motor vehicle is domiciled in the city, unless he maintains no permanent place of abode in the city, maintains a permanent place of abode elsewhere, and during the period of one year next preceding the date upon which such application is made, spent in the aggregate not more than thirty days in the city, or (B) at the time when he makes such application, is not domiciled in the city, but maintains a permanent place of abode in the city and, during the period of one year next preceding the date upon which such application is made, spent in the aggregate more than one hundred and eighty-three days in the city, unless such individual is in the armed forces of the United States; or

(ii) a person, firm, co-partnership, limited liability company, trustee or trustees conducting a business or association, or a corporation who or which at the time when such owner makes application for registration[~~, re-registration or renewal thereof~~] of such motor vehicle, regularly keeps, stores, garages or maintains such motor vehicle in the city; and

(2) for every motor vehicle owned by a person, firm, partnership, limited liability company, association or corporation engaged in the business of renting or leasing motor vehicles to be operated upon the public highways for carrying passengers registered or required to be registered pursuant to any provision of section four hundred one of the vehicle and traffic law, which vehicle at the time when such owner makes application for registration[~~, re-registration or renewal thereof~~] is regularly kept, stored, garaged or maintained in the city including such vehicles which have been rented or leased by the owner and are in possession of lessees when such application for registration[~~, re-registration or renewal~~] is made.

(3) The payment of such tax shall be a condition [~~precendent~~] **precedent** to the registration[~~, re-registration or renewal therof~~] of such motor vehicle and to the issuance of any certificate of registration and plates or removable date tag specified in subdivision three of section four hundred one and in sections four hundred three and four hundred four of the vehicle and traffic law, and no such certificate of registration, plates or tag shall be issued unless such tax has been paid. The commissioner of motor vehicles shall not issue a registration

certificate for any motor vehicle for which the registrant's address is within any such city, except upon proof, in a form approved by the commissioner of motor vehicles, that such tax, if imposed by such city, has been paid, or is not due, with respect to such motor vehicle.

§ 14. Subparagraph 4 of paragraph a of subdivision 5 of section 80 of the transportation law, as amended by chapter 487 of the laws of 1993, is amended to read as follows:

(4) Such local law or ordinance shall provide that where such agency or administrative tribunal finds an owner liable for operating a vehicle as a van service or other such common carrier without the operating authority required by such local law or ordinance, such agency or administrative tribunal may notify the commissioner of motor vehicles of such finding and the commissioner shall thereupon suspend the registration of such vehicle and shall deny any application for the registration of such vehicle [~~or any application for the renewal thereof~~] pursuant to subdivision five-a of section four hundred one of the vehicle and traffic law until such time as such agency or administrative tribunal may give notice that the violation has been corrected to its satisfaction. The procedure on any such suspension shall be the same as in the case of a suspension under the vehicle and traffic law. Operation of any motor vehicle for which the registration has been suspended as herein provided shall constitute a class A misdemeanor.

§ 15. Paragraph a and subparagraph (i) of paragraph b of subdivision 9 of section 140 of the transportation law, paragraph a as amended by section 3 of part III of chapter 59 of the laws of 2019, and subparagraph (i) of paragraph b as amended by chapter 9 of the laws of 2020, are amended to read as follows:

a. If, after notice and opportunity to be heard, the commissioner shall find that any person is operating in violation of the provisions of this section, the commissioner may penalize such person pursuant to subdivision three of section one hundred forty-five of this article. The commissioner may also notify the commissioner of motor vehicles that such person is operating in violation of this section and the commissioner of motor vehicles shall thereupon suspend the registration of all motor vehicles owned or operated by such person, with the exception of private passenger automobiles, until such time as the commissioner may give notice that the violation has been satisfactorily adjusted, and the commissioner of motor vehicles may direct any police officer to secure possession of the number plates of such motor vehicles and to return the same to the commissioner of motor vehicles. Failure of the holder or of any person possessing such number plates to deliver such number plates to any police officer who requests the same pursuant to this subdivision shall constitute a misdemeanor. The commissioner of motor vehicles shall have the authority to deny a registration [~~or renewal~~] application to any other person for the same vehicle and may deny a registration [~~or renewal~~] application for any other motor vehicle registered in the name of the applicant where it has been determined that such registrant's intent has been to evade the purposes of this subdivision and where the commissioner of motor vehicles has reasonable grounds to believe that such registration [~~or renewal~~] will have the effect of defeating the purposes of this subdivision. The procedure on any such suspension shall be the same as in the case of a suspension under the vehicle and traffic law. Operation of any motor vehicle while under suspension as herein provided shall constitute a class A misdemeanor. A person who operates a motor vehicle while such vehicle is under suspension as provided in this subdivision in a manner that causes the death of another person, knowing

that the operation of such vehicle is in violation of this subdivision, shall be guilty of a class E felony.

(i) Whenever an altered motor vehicle commonly referred to as a "stretch limousine" has failed an inspection and been placed out-of-service, the commissioner may direct a police officer or his or her agent to immediately secure possession of the number plates of such vehicle and return the same to the commissioner of motor vehicles. The commissioner shall notify the commissioner of motor vehicles to that effect, and the commissioner of motor vehicles shall thereupon suspend the registration of such vehicle until such time as the commissioner gives notice that the out-of-service defect has been satisfactorily adjusted. Provided, however, that the commissioner shall give notice and an opportunity to be heard within not more than thirty days of the suspension. Failure of the holder or of any person possessing such plates to deliver to the commissioner or his or her agent who requests the same pursuant to this paragraph shall be a misdemeanor. The commissioner of motor vehicles shall have the authority to deny a registration [~~or renewal~~] application to any other person for the same vehicle where it has been determined that such registrant's intent has been to evade the purposes of this paragraph and where the commissioner of motor vehicles has reasonable grounds to believe that such registration [~~or renewal~~] will have the effect of defeating the purposes of this paragraph. The procedure on any such suspension shall be the same as in the case of a suspension under the vehicle and traffic law. Operation of such motor vehicle while under suspension as provided in this subdivision shall constitute a class A misdemeanor.

§ 16. Paragraph (c) of subdivision 1 of section 318 of the vehicle and traffic law, as amended by chapter 781 of the laws of 1983, is amended to read as follows:

(c) Suspension shall not be made under this subdivision upon the basis of a lapse or termination of insurance if the registration certificate and number plates of the motor vehicle are surrendered prior to the time at which the termination of insurance becomes effective. Such surrender shall be made to such officers of the department as the commissioner shall direct, but the registrant at his option may surrender the registration and number plates to any county clerk who is acting as an agent of the commissioner pursuant to section two hundred five of this chapter. Such county clerk may accept a surrender of registration and number plates and require the payment of a fee of one dollar whether such surrender is made before or after the effective date of termination of insurance. The county clerk shall retain any such fee which may have been collected, and shall return such registration certificates and number plates, or dispose of the same, only as prescribed by the commissioner. For the purposes of this section the expiration of a registration [~~without renewal of such registration~~] shall be deemed to be a surrender of registration as of the date of expiration.

§ 17. Subdivision 2 of section 404 of the vehicle and traffic law, as amended by section 22 of part G of chapter 59 of the laws of 2009, is amended to read as follows:

2. For purposes of this section, a special number plate shall be a plate which contains not more than eight letters, numerals or any combination thereof and which is reserved by the commissioner for issuance in accordance with the provisions of this section, or a plate reserved for issuance in a series for vehicles owned by public officers, physicians, visiting nurses, accredited representatives of the press or other groups. In issuing special number plates the commissioner shall give

those applicants who held a special number plate at the time of the enactment of this section the right to retain such special number plate upon the payment of the annual service charge of thirty-one dollars and twenty-five cents. [~~Provided, however, that such right of retention shall apply only to the first renewal of the registration of such special number plate following the enactment of this section.~~] Notwithstanding any inconsistent provision of this section, the difference collected between the annual service charge set forth in this subdivision in effect on and after September first, two thousand nine and the annual service charge set forth in this subdivision in effect prior to such date shall be deposited to the credit of the dedicated highway and bridge trust fund.

§ 18. Paragraph (b) of subdivision 5 of section 404-a of the vehicle and traffic law, as amended by chapter 376 of the laws of 2015, is amended to read as follows:

(b) The commissioner may require the applicant for registration to furnish such proof of his or her disability or such proof of disability of such members of his or her family from a physician, physician assistant or nurse practitioner, to the extent authorized by law and consistent with subdivision three of section six thousand nine hundred two of the education law, or podiatrist pursuant to subdivision four-a of this section or optometrist pursuant to subdivision four-b of this section, as the commissioner deems necessary [~~either~~] for [~~initial~~] registration [~~or renewal thereof~~]; provided, however, that a handicapped or disabled permit issued by a municipality to such applicant pursuant to section twelve hundred three-a of this chapter shall be deemed sufficient proof of disability for purposes of this paragraph.

§ 19. Subdivision 7 of section 404-a of the vehicle and traffic law, as added by chapter 332 of the laws of 2000, is amended to read as follows:

7. Refueling notice. Upon the issuance [~~or renewal~~] of a registration pursuant to this section, the commissioner shall notify the registrant of the availability of full service motor vehicle refueling at self service prices as provided for in section three hundred ninety-six-bb of the general business law.

§ 20. Subdivision 5 of section 404-c of the vehicle and traffic law, as amended by chapter 485 of the laws of 2004, is amended to read as follows:

5. Notwithstanding subdivision three of this section and the fees prescribed or permitted by section four hundred one of this article, there shall be no charge for the issuance of a number plate pursuant to this section to a former prisoner of war, nor shall there be imposed an additional service charge for the issuance of such a plate to such a person. Furthermore, upon the issuance of a distinctive plate pursuant to this section, such a former prisoner of war shall be exempt from the payment of any fees relating to the registration [~~or renewal thereof~~] as prescribed by section four hundred one of this article.

§ 21. Section 499-b of the vehicle and traffic law, as added by section 1 of part B of chapter 25 of the laws of 2009, is amended to read as follows:

§ 499-b. Collection of supplemental fee. All registrants of motor vehicles who reside in the metropolitan commuter transportation district shall pay to the commissioner or his or her agent the supplemental registration fee provided for in this article upon registration [~~or renewal~~] of motor vehicles subject to registration fees pursuant to the following sections of this chapter: paragraph a of subdivision six of

section four hundred one; schedules A, B, C, E, F, G, I and K of subdivision seven of section four hundred one; paragraph a of subdivision eight of section four hundred one; paragraph a of subdivision five of section four hundred ten; and section four hundred eleven-b.

§ 22. Subparagraph (iii) of paragraph b of subdivision 2 of section 510 of the vehicle and traffic law, as amended by section 1 of part A of chapter 58 of the laws of 2018, is amended to read as follows:

(iii) such registrations shall be suspended when necessary to comply with subdivision nine of section one hundred forty or subdivision four of section one hundred forty-five of the transportation law or with an out of service order issued by the United States department of transportation. The commissioner shall have the authority to deny a registration [~~or renewal~~] application to any other person for the same vehicle and may deny a registration [~~or renewal~~] application for any other motor vehicle registered in the name of the applicant where it has been determined that such registrant's intent has been to evade the purposes of this subdivision and where the commissioner has reasonable grounds to believe that such registration [~~or renewal~~] will have the effect of defeating the purposes of this subdivision. Any suspension issued pursuant to this subdivision by reason of an out of service order issued by the United States department of transportation shall remain in effect until such time as the commissioner is notified by the United States department of transportation or the commissioner of transportation that the order resulting in the suspension is no longer in effect.

§ 23. Subdivision 4-g of section 510 of the vehicle and traffic law, as added by section 3 of part H of chapter 58 of the laws of 2020, is amended to read as follows:

4-g. Suspension of registration for unlawful solicitation of ground transportation services at an airport. Upon the receipt of a notification from a court or an administrative tribunal that an owner of a motor vehicle was convicted of a second conviction of unlawful solicitation of ground transportation services at an airport in violation of subdivision one of section twelve hundred twenty-b of this chapter both of which were committed within a period of eighteen months, the commissioner or his agent shall suspend the registration of the vehicle involved in the violation for a period of ninety days; upon the receipt of such notification of a third or subsequent conviction for a violation of such subdivision all of which were committed within a period of eighteen months, the commissioner or his agent shall suspend such registration for a period of one hundred eighty days. Such suspension shall take effect no less than thirty days from the date on which notice thereof is sent by the commissioner to the person whose registration or privilege is suspended. The commissioner shall have the authority to deny a registration [~~or renewal~~] application to any other person for the same vehicle, where it has been determined that such registrant's intent has been to evade the purposes of this subdivision and where the commissioner has reasonable grounds to believe that such registration [~~or renewal~~] will have the effect of defeating the purposes of this subdivision.

§ 24. Subdivision 7 of section 510 of the vehicle and traffic law, as amended by section 5 of part K of chapter 59 of the laws of 2010, is amended to read as follows:

7. Miscellaneous provisions. Except as expressly provided, a court conviction shall not be necessary to sustain a revocation or suspension. Revocation or suspension hereunder shall be deemed an administrative act reviewable by the supreme court as such. Notice of revocation or suspension, as well as any required notice of hearing, where the holder is not

present, may be given by mailing the same in writing to him or her at the address contained in his or her license, certificate of registration or at the current address provided by the United States postal service, as the case may be. Proof of such mailing by certified mail to the holder shall be presumptive evidence of the holder's receipt and actual knowledge of such notice. Attendance of witnesses may be compelled by subpoena. Failure of the holder or any other person possessing the license card or number plates, to deliver the same to the suspending or revoking officer is a misdemeanor. Suspending or revoking officers shall place such license cards and number plates in the custody of the commissioner except where the commissioner shall otherwise direct. If any person shall fail to deliver a license card or number plates as provided herein, any police officer, bridge and tunnel officer of the Triborough bridge and tunnel authority, or agent of the commissioner having knowledge of such facts shall have the power to secure possession thereof and return the same to the commissioner, and the commissioner may forthwith direct any police officer, bridge and tunnel officer of the Triborough bridge and tunnel authority, acting pursuant to his or her special duties, or agent of the commissioner to secure possession thereof and to return the same to the commissioner. Failure of the holder or of any person possessing the license card or number plates to deliver to any police officer, bridge and tunnel officer of the Triborough bridge and tunnel authority, or agent of the commissioner who requests the same pursuant to this subdivision shall be a misdemeanor. Notice of revocation or suspension of any license or registration shall be transmitted forthwith by the commissioner to the chief of police of the city or prosecuting officer of the locality in which the person whose license or registration so revoked or suspended resides. [~~In case any license or registration shall expire before the end of any period for which it has been revoked or suspended, and before it shall have been restored as provided in this chapter, then and in that event any renewal thereof may be withheld until the end of such period of suspension or until restoration, as the case may be.~~]

The revocation of a learner's permit shall automatically cancel the application for a license of the holder of such permit.

No suspension or revocation of a license or registration shall be made because of a judgment of conviction if the suspending or revoking officer is satisfied that the magistrate who pronounced the judgment failed to comply with subdivision one of section eighteen hundred seven of this chapter. In case a suspension or revocation has been made and the commissioner is satisfied that there was such failure, the commissioner shall restore the license or registration or both as the case may be.

§ 25. Paragraphs (b) and (c) of subdivision 4 of section 514 of the vehicle and traffic law, paragraph (b) as amended by chapter 163 of the laws of 2008, and paragraph (c) as added by chapter 164 of the laws of 1970, are amended to read as follows:

(b) Upon such certification, the trial court, the clerk thereof, or the administrative tribunal shall notify the registrant by certified or registered mail, return receipt requested, that the commissioner shall deny the registration [~~or renewal~~] application until proof from the court wherein the charges were pending is provided to the commissioner by such court, administrative tribunal, or registrant that such registrant has answered or appeared, or in the case of an administrative tribunal provides proof that such registrant has complied with the rules and regulations of said tribunal following entry of a final decision. Thereafter and upon the appearance or answer of any such person in

response to such summonses the trial court or clerk thereof shall forthwith certify that fact to the registrant, and to the commissioner in a manner and form prescribed by the commissioner. In the case of an administrative tribunal such certification shall be made to the registrant and to the commissioner upon compliance with the rules and regulations of such tribunal. Provided, however, that proof provided to the commissioner by a registrant in the form of a certification provided to such registrant pursuant to this paragraph shall have the same effect as proof provided to the commissioner by such court or administrative tribunal.

[~~(c) At least sixty days prior to renewal date the commissioner shall notify the registrant that unless he complies with the provisions of this section as set forth above, his registration or renewal thereof, will be denied.~~]

§ 26. Subdivision 3 of section 2261 of the vehicle and traffic law, as added by chapter 869 of the laws of 1976, paragraph (b) as amended by section 19 of part G of chapter 59 of the laws of 2009, is amended to read as follows:

3. Fees. (a) The fees for the registration[~~, renewal, reregistration~~] or amendment or duplicate of a registration of a limited use automobile shall be the same fees as if such vehicle were registered pursuant to section four hundred one of this chapter.

(b) The annual fee for the registration[~~, renewal, reregistration~~] or amendment or duplicate of a registration of a limited use motorcycle shall be six dollars and twenty-five cents. Any such registration will commence and expire on dates to be determined by the commissioner. A fee for a registration for periods of more or less than one year shall not be prorated.

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