

# STATE OF NEW YORK

6064

2023-2024 Regular Sessions

## IN ASSEMBLY

April 3, 2023

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

AN ACT to amend the highway law, in relation to establishing a highway safety corridor on the Southern State Parkway located in Long Island and to making conforming changes; to amend the vehicle and traffic law and the general municipal law, in relation to certain notices of liability; to amend the vehicle and traffic law, in relation to establishing a demonstration program implementing speed violation monitoring systems in the Southern State Parkway safety zone by means of photo devices

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

1 Section 1. Article 13 of the highway law is redesignated article 15  
2 and sections 350, 351, 351-a, 352, 353 and 354 are renumbered sections  
3 400, 401, 402, 403, 404 and 405.

4 § 2. The highway law is amended by adding a new article 13 to read as  
5 follows:

### ARTICLE 13

#### HIGHWAY SAFETY CORRIDORS

6 Section 375. Purpose and application.

7 375-a. Definitions.

8 375-b. Southern State Parkway highway safety corridor.

9 375-c. Traffic signs.

10 § 375. Purpose and application. 1. This article is enacted to improve  
11 safety in a targeted high crash location designated as a highway safety  
12 corridor where motorists are exposed to increased levels of enforcement  
13 and increased penalties for moving violations relating to unsafe driving  
14 behavior.

15 2. The signs specified in this article are in addition to the traff-  
16 ic-control devices required by department regulations and apply to  
17 public highways within this state.

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

LBD10391-01-3

1 § 375-a. Definitions. As used in this article, "Southern State Park-  
2 way highway safety corridor" or "corridor" means the Southern State  
3 Parkway.

4 § 375-b. Southern State Parkway highway safety corridor. The corridor  
5 shall be designated as a highway safety corridor in which increased  
6 penalties will apply for violations relating to the duty of a driver  
7 under the vehicle and traffic law provided there is a written commitment  
8 from the local and state law enforcement agencies responsible for high-  
9 way patrol along the corridor to provide visible, sustained enforcement  
10 activity within the limits of the marked corridor.

11 § 375-c. Traffic signs. Traffic signs shall be installed as follows:

12 1. A sign reading "SAFETY CORRIDOR-ELECTRONIC SPEED ENFORCEMENT AND  
13 FINES DOUBLED" shall be installed as close as practical to the beginning  
14 of the Southern State Parkway highway safety corridor and after each  
15 interchange along the corridor; and

16 2. A sign reading "END SAFETY CORRIDOR ZONE" shall be installed imme-  
17 diately at the end of each highway safety corridor.

18 § 3. Subdivision 1 of section 235 of the vehicle and traffic law, as  
19 separately added by chapters 421, 460 and 773 of the laws of 2021, para-  
20 graph h as relettered by chapter 258 of the laws of 2022, is amended to  
21 read as follows:

22 1. Notwithstanding any inconsistent provision of any general, special  
23 or local law or administrative code to the contrary, in any city which  
24 heretofore or hereafter is authorized to establish an administrative  
25 tribunal: (a) to hear and determine complaints of traffic infractions  
26 constituting parking, standing or stopping violations, or (b) to adjudi-  
27 cate the liability of owners for violations of subdivision (d) of  
28 section eleven hundred eleven of this chapter imposed pursuant to a  
29 local law or ordinance imposing monetary liability on the owner of a  
30 vehicle for failure of an operator thereof to comply with traffic-con-  
31 trol indications through the installation and operation of traffic-con-  
32 trol signal photo violation-monitoring systems, in accordance with arti-  
33 cle twenty-four of this chapter, or (c) to adjudicate the liability of  
34 owners for violations of subdivision (b), (c), (d), (f) or (g) of  
35 section eleven hundred eighty of this chapter imposed pursuant to a  
36 demonstration program imposing monetary liability on the owner of a  
37 vehicle for failure of an operator thereof to comply with such posted  
38 maximum speed limits through the installation and operation of photo  
39 speed violation monitoring systems, in accordance with article thirty of  
40 this chapter, or (d) to adjudicate the liability of owners for  
41 violations of bus lane restrictions as defined by article twenty-four of  
42 this chapter imposed pursuant to a bus rapid transit program imposing  
43 monetary liability on the owner of a vehicle for failure of an operator  
44 thereof to comply with such bus lane restrictions through the installa-  
45 tion and operation of bus lane photo devices, in accordance with article  
46 twenty-four of this chapter, or (e) to adjudicate the liability of  
47 owners for violations of toll collection regulations imposed by certain  
48 public authorities pursuant to the law authorizing such public authori-  
49 ties to impose monetary liability on the owner of a vehicle for failure  
50 of an operator thereof to comply with toll collection regulations of  
51 such public authorities through the installation and operation of  
52 photo-monitoring systems, in accordance with the provisions of section  
53 two thousand nine hundred eighty-five of the public authorities law and  
54 sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred  
55 seventy-four of the laws of nineteen hundred fifty, or (f) to adjudicate  
56 the liability of owners for violations of section eleven hundred seven-

1 ty-four of this chapter when meeting a school bus marked and equipped as  
2 provided in subdivisions twenty and twenty-one-c of section three  
3 hundred seventy-five of this chapter imposed pursuant to a local law or  
4 ordinance imposing monetary liability on the owner of a vehicle for  
5 failure of an operator thereof to comply with school bus red visual  
6 signals through the installation and operation of school bus photo  
7 violation monitoring systems, in accordance with article twenty-nine of  
8 this chapter, or (g) to adjudicate the liability of owners for  
9 violations of section three hundred eighty-five of this chapter and the  
10 rules of the department of transportation of the city of New York in  
11 relation to gross vehicle weight and/or axle weight violations imposed  
12 pursuant to a weigh in motion demonstration program imposing monetary  
13 liability on the owner of a vehicle for failure of an operator thereof  
14 to comply with such gross vehicle weight and/or axle weight restrictions  
15 through the installation and operation of weigh in motion violation  
16 monitoring systems, in accordance with article ten of this chapter, or  
17 (h) to adjudicate the liability of owners for violations of subdivision  
18 (b), (d), (f) or (g) of section eleven hundred eighty of this chapter  
19 imposed pursuant to a demonstration program imposing monetary liability  
20 on the owner of a vehicle for failure of an operator thereof to comply  
21 with such posted maximum speed limits within a highway construction or  
22 maintenance work area through the installation and operation of photo  
23 speed violation monitoring systems, in accordance with article thirty of  
24 this chapter, such tribunal and the rules and regulations pertaining  
25 thereto shall be constituted in substantial conformance with the follow-  
26 ing sections, or (i) to adjudicate the liability of owners for  
27 violations of subdivision (b), (d), (f) or (g) of section eleven hundred  
28 eighty-f of this chapter imposed pursuant to a demonstration program  
29 imposing monetary liability on the owner of a vehicle for failure of  
30 an operator thereof to comply with such posted maximum speed limits  
31 within a highway safety corridor through the installation and operation  
32 of photo speed violation monitoring systems, in accordance with article  
33 thirty of this chapter, such tribunal and the rules and regulations  
34 pertaining thereto shall be constituted in substantial conformance with  
35 the following sections.

36 § 4. Subdivision 1 of section 236 of the vehicle and traffic law, as  
37 separately added by chapters 421, 460 and 773 of the laws of 2021, para-  
38 graph g as relettered by chapter 258 of the laws of 2022, is amended to  
39 read as follows:

40 1. Creation. In any city as hereinbefore or hereafter authorized such  
41 tribunal when created shall be known as the parking violations bureau  
42 and shall have jurisdiction of traffic infractions which constitute a  
43 parking violation and, where authorized: (a) to adjudicate the liability  
44 of owners for violations of subdivision (d) of section eleven hundred  
45 eleven of this chapter imposed pursuant to a local law or ordinance  
46 imposing monetary liability on the owner of a vehicle for failure of an  
47 operator thereof to comply with traffic-control indications through the  
48 installation and operation of traffic-control signal photo violation-  
49 monitoring systems, in accordance with article twenty-four of this chap-  
50 ter, or (b) to adjudicate the liability of owners for violations of  
51 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty  
52 of this chapter imposed pursuant to a demonstration program imposing  
53 monetary liability on the owner of a vehicle for failure of an operator  
54 thereof to comply with such posted maximum speed limits through the  
55 installation and operation of photo speed violation monitoring systems,  
56 in accordance with article thirty of this chapter, or (c) to adjudicate

1 the liability of owners for violations of bus lane restrictions as  
2 defined by article twenty-four of this chapter imposed pursuant to a bus  
3 rapid transit program imposing monetary liability on the owner of a  
4 vehicle for failure of an operator thereof to comply with such bus lane  
5 restrictions through the installation and operation of bus lane photo  
6 devices, in accordance with article twenty-four of this chapter, or (d)  
7 to adjudicate the liability of owners for violations of toll collection  
8 regulations imposed by certain public authorities pursuant to the law  
9 authorizing such public authorities to impose monetary liability on the  
10 owner of a vehicle for failure of an operator thereof to comply with  
11 toll collection regulations of such public authorities through the  
12 installation and operation of photo-monitoring systems, in accordance  
13 with the provisions of section two thousand nine hundred eighty-five of  
14 the public authorities law and sections sixteen-a, sixteen-b and  
15 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen  
16 hundred fifty, or (e) to adjudicate the liability of owners for  
17 violations of section eleven hundred seventy-four of this chapter when  
18 meeting a school bus marked and equipped as provided in subdivisions  
19 twenty and twenty-one-c of section three hundred seventy-five of this  
20 chapter imposed pursuant to a local law or ordinance imposing monetary  
21 liability on the owner of a vehicle for failure of an operator thereof  
22 to comply with school bus red visual signals through the installation  
23 and operation of school bus photo violation monitoring systems, in  
24 accordance with article twenty-nine of this chapter, or (f) to adjudi-  
25 cate the liability of owners for violations of section three hundred  
26 eighty-five of this chapter and the rules of the department of transpor-  
27 tation of the city of New York in relation to gross vehicle weight  
28 and/or axle weight violations imposed pursuant to a weigh in motion  
29 demonstration program imposing monetary liability on the owner of a  
30 vehicle for failure of an operator thereof to comply with such gross  
31 vehicle weight and/or axle weight restrictions through the installation  
32 and operation of weigh in motion violation monitoring systems, in  
33 accordance with article ten of this chapter, or (g) to adjudicate the  
34 liability of owners for violations of subdivision (b), (d), (f) or (g)  
35 of section eleven hundred eighty of this chapter imposed pursuant to a  
36 demonstration program imposing monetary liability on the owner of a  
37 vehicle for failure of an operator thereof to comply with such posted  
38 maximum speed limits within a highway construction or maintenance work  
39 area through the installation and operation of photo speed violation  
40 monitoring systems, in accordance with article thirty of this chapter,  
41 or (h) to adjudicate the liability of owners for violations of subdivi-  
42 sion (b), (d), (f) or (g) of section eleven hundred eighty-f of this  
43 chapter imposed pursuant to a demonstration program imposing monetary  
44 liability on the owner of a vehicle for failure of an operator thereof  
45 to comply with such posted maximum speed limits within a highway  
46 construction or maintenance work area through the installation and oper-  
47 ation of photo speed violation monitoring systems, in accordance  
48 with article thirty of this chapter, such tribunal and the rules and  
49 regulations pertaining thereto shall be constituted in substantial  
50 conformance with the following sections.

51 Such tribunal, except in a city with a population of one million or  
52 more, shall also have jurisdiction of abandoned vehicle violations. For  
53 the purposes of this article, a parking violation is the violation of  
54 any law, rule or regulation providing for or regulating the parking,  
55 stopping or standing of a vehicle. In addition for purposes of this  
56 article, "commissioner" shall mean and include the commissioner of traf-

1 fic of the city or an official possessing authority as such a commis-  
2 sioner.

3 § 5. Paragraph f of subdivision 1 of section 239 of the vehicle and  
4 traffic law, as separately added by chapters 421, 460 and 773 of the  
5 laws of 2021, is amended to read as follows:

6 f. "Notice of violation" means a notice of violation as defined in  
7 subdivision nine of section two hundred thirty-seven of this article,  
8 but shall not be deemed to include a notice of liability issued pursuant  
9 to authorization set forth in articles ten, twenty-four, twenty-nine and  
10 thirty of this chapter, section two thousand nine hundred eighty-five of  
11 the public authorities law and sections sixteen-a, sixteen-b and  
12 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen  
13 hundred fifty to impose monetary liability on the owner of a vehicle for  
14 failure of an operator thereof: to comply with traffic-control indi-  
15 cations in violation of subdivision (d) of section eleven hundred eleven  
16 of this chapter through the installation and operation of traffic-con-  
17 trol signal photo violation-monitoring systems, in accordance with arti-  
18 cle twenty-four of this chapter; or to comply with certain posted maxi-  
19 mum speed limits in violation of subdivision (b), (c), (d), (f) or (g)  
20 of section eleven hundred eighty of this chapter through the installa-  
21 tion and operation of photo speed violation monitoring systems, in  
22 accordance with article thirty of this chapter; or to comply with bus  
23 lane restrictions as defined by article twenty-four of this chapter  
24 through the installation and operation of bus lane photo devices, in  
25 accordance with article twenty-four of this chapter; or to comply with  
26 toll collection regulations of certain public authorities through the  
27 installation and operation of photo-monitoring systems, in accordance  
28 with the provisions of section two thousand nine hundred eighty-five of  
29 the public authorities law and sections sixteen-a, sixteen-b and  
30 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen  
31 hundred fifty; or to stop for a school bus displaying a red visual  
32 signal in violation of section eleven hundred seventy-four of this chap-  
33 ter through the installation and operation of school bus photo violation  
34 monitoring systems, in accordance with article twenty-nine of this chap-  
35 ter, or to comply with certain posted maximum speed limits in violation  
36 of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of  
37 this chapter within a highway construction or maintenance work area  
38 through the installation and operation of photo speed violation monitor-  
39 ing systems, in accordance with article thirty of this chapter; or to  
40 comply with certain posted maximum speed limits in violation of subdivi-  
41 sion (b), (d), (f) or (g) of section eleven hundred eighty-f of this  
42 chapter within a highway safety corridor through the installation and  
43 operation of photo speed violation monitoring systems, in accordance  
44 with article thirty of this chapter; or to comply with gross vehicle  
45 weight and/or axle weight restrictions in violation of section three  
46 hundred eighty-five of this chapter and the rules of the department of  
47 transportation of the city of New York through the installation and  
48 operation of weigh in motion violation monitoring systems, in accordance  
49 with article ten of this chapter.

50 § 6. Subdivisions 1 and 1-a of section 240 of the vehicle and traffic  
51 law, as separately added by chapters 421, 460 and 773 of the laws of  
52 2021, are amended to read as follows:

53 1. Notice of hearing. Whenever a person charged with a parking  
54 violation enters a plea of not guilty; or a person alleged to be liable  
55 in accordance with any provisions of law specifically authorizing the  
56 imposition of monetary liability on the owner of a vehicle for failure

1 of an operator thereof: to comply with traffic-control indications in  
2 violation of subdivision (d) of section eleven hundred eleven of this  
3 chapter through the installation and operation of traffic-control signal  
4 photo violation-monitoring systems, in accordance with article twenty-  
5 four of this chapter; or to comply with certain posted maximum speed  
6 limits in violation of subdivision (b), (c), (d), (f) or (g) of section  
7 eleven hundred eighty of this chapter through the installation and oper-  
8 ation of photo speed violation monitoring systems, in accordance with  
9 article thirty of this chapter; or to comply with bus lane restrictions  
10 as defined by article twenty-four of this chapter through the installa-  
11 tion and operation of bus lane photo devices, in accordance with article  
12 twenty-four of this chapter; or to comply with toll collection regu-  
13 lations of certain public authorities through the installation and oper-  
14 ation of photo-monitoring systems, in accordance with the provisions of  
15 section two thousand nine hundred eighty-five of the public authorities  
16 law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven  
17 hundred seventy-four of the laws of nineteen hundred fifty; or to stop  
18 for a school bus displaying a red visual signal in violation of section  
19 eleven hundred seventy-four of this chapter through the installation and  
20 operation of school bus photo violation monitoring systems, in accord-  
21 ance with article twenty-nine of this chapter, or to comply with certain  
22 posted maximum speed limits in violation of subdivision (b), (d), (f) or  
23 (g) of section eleven hundred eighty of this chapter within a highway  
24 construction or maintenance work area through the installation and oper-  
25 ation of photo speed violation monitoring systems, in accordance with  
26 article thirty of this chapter; or to comply with certain posted maximum  
27 speed limits in violation of subdivision (b), (d), (f) or (g) of section  
28 eleven hundred eighty-f of this chapter within a highway safety corridor  
29 through the installation and operation of photo speed violation monitor-  
30 ing systems, in accordance with article thirty of this chapter; or to  
31 comply with gross vehicle weight and/or axle weight restrictions in  
32 violation of section three hundred eighty-five of this chapter and the  
33 rules of the department of transportation of the city of New York  
34 through the installation and operation of weigh in motion violation  
35 monitoring systems, in accordance with article ten of this chapter,  
36 contests such allegation, the bureau shall advise such person personally  
37 by such form of first class mail as the director may direct of the date  
38 on which he or she must appear to answer the charge at a hearing. The  
39 form and content of such notice of hearing shall be prescribed by the  
40 director, and shall contain a warning to advise the person so pleading  
41 or contesting that failure to appear on the date designated, or on any  
42 subsequent adjourned date, shall be deemed an admission of liability,  
43 and that a default judgment may be entered thereon.

44 1-a. Fines and penalties. Whenever a plea of not guilty has been  
45 entered, or the bureau has been notified that an allegation of liability  
46 in accordance with provisions of law specifically authorizing the impo-  
47 sition of monetary liability on the owner of a vehicle for failure of an  
48 operator thereof: to comply with traffic-control indications in  
49 violation of subdivision (d) of section eleven hundred eleven of this  
50 chapter through the installation and operation of traffic-control signal  
51 photo violation-monitoring systems, in accordance with article twenty-  
52 four of this chapter; or to comply with certain posted maximum speed  
53 limits in violation of subdivision (b), (c), (d), (f) or (g) of section  
54 eleven hundred eighty of this chapter through the installation and oper-  
55 ation of photo speed violation monitoring systems, in accordance with  
56 article thirty of this chapter; or to comply with bus lane restrictions

1 as defined by article twenty-four of this chapter through the installa-  
2 tion and operation of bus lane photo devices, in accordance with article  
3 twenty-four of this chapter; or to comply with toll collection regu-  
4 lations of certain public authorities through the installation and oper-  
5 ation of photo-monitoring systems, in accordance with the provisions of  
6 section two thousand nine hundred eighty-five of the public authorities  
7 law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven  
8 hundred seventy-four of the laws of nineteen hundred fifty; or to stop  
9 for a school bus displaying a red visual signal in violation of section  
10 eleven hundred seventy-four of this chapter through the installation and  
11 operation of school bus photo violation monitoring systems, in accord-  
12 ance with article twenty-nine of this chapter, or to comply with certain  
13 posted maximum speed limits in violation of subdivision (b), (d), (f) or  
14 (g) of section eleven hundred eighty of this chapter within a highway  
15 construction or maintenance work area through the installation and oper-  
16 ation of photo speed violation monitoring systems, in accordance with  
17 article thirty of this chapter; or to comply with certain posted maximum  
18 speed limits in violation of subdivision (b), (d), (f) or (g) of section  
19 eleven hundred eighty-f of this chapter within a highway safety corridor  
20 through the installation and operation of photo speed violation monitor-  
21 ing systems, in accordance with article thirty of this chapter; or to  
22 comply with gross vehicle weight and/or axle weight restrictions in  
23 violation of section three hundred eighty-five of this chapter and the  
24 rules of the department of transportation of the city of New York  
25 through the installation and operation of weigh in motion violation  
26 monitoring systems, in accordance with article ten of this chapter, is  
27 being contested, by a person in a timely fashion and a hearing upon the  
28 merits has been demanded, but has not yet been held, the bureau shall  
29 not issue any notice of fine or penalty to that person prior to the date  
30 of the hearing.

31 § 7. Paragraphs a and g of subdivision 2 of section 240 of the vehicle  
32 and traffic law, as separately added by chapters 421, 460 and 773 of the  
33 laws of 2021, are amended to read as follows:

34 a. Every hearing for the adjudication of a charge of parking violation  
35 or an allegation of liability of an owner for a violation of subdivision  
36 (d) of section eleven hundred eleven of this chapter imposed pursuant to  
37 a local law or ordinance imposing monetary liability on the owner of a  
38 vehicle for failure of an operator thereof to comply with traffic-con-  
39 trol indications through the installation and operation of traffic-con-  
40 trol signal photo violation-monitoring systems, in accordance with arti-  
41 cle twenty-four of this chapter, or an allegation of liability of an  
42 owner for a violation of subdivision (b), (c), (d), (f) or (g) of  
43 section eleven hundred eighty of this chapter imposed pursuant to a  
44 demonstration program imposing monetary liability on the owner of a  
45 vehicle for failure of an operator thereof to comply with certain posted  
46 maximum speed limits through the installation and operation of photo  
47 speed violation monitoring systems, in accordance with article thirty of  
48 this chapter, or an allegation of liability of an owner for a violation  
49 of bus lane restrictions as defined by article twenty-four of this chap-  
50 ter imposed pursuant to a bus rapid transit program imposing monetary  
51 liability on the owner of a vehicle for failure of an operator thereof  
52 to comply with such bus lane restrictions through the installation and  
53 operation of bus lane photo devices, in accordance with article twenty-  
54 four of this chapter, or an allegation of liability of an owner for a  
55 violation of toll collection regulations imposed by certain public  
56 authorities pursuant to the law authorizing such public authorities to

1 impose monetary liability on the owner of a vehicle for failure of an  
2 operator thereof to comply with toll collection regulations of such  
3 public authorities through the installation and operation of photo-moni-  
4 toring systems, in accordance with the provisions of section two thou-  
5 sand nine hundred eighty-five of the public authorities law and sections  
6 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four  
7 of the laws of nineteen hundred fifty, or an allegation of liability of  
8 an owner for a violation of section eleven hundred seventy-four of this  
9 chapter when meeting a school bus marked and equipped as provided in  
10 subdivisions twenty and twenty-one-c of section three hundred seventy-  
11 five of this chapter imposed pursuant to a local law or ordinance impos-  
12 ing monetary liability on the owner of a vehicle for failure of an oper-  
13 ator thereof to comply with school bus red visual signals through the  
14 installation and operation of school bus photo violation monitoring  
15 systems, in accordance with article twenty-nine of this chapter, or an  
16 allegation of liability of an owner for a violation of subdivision (b),  
17 (d), (f) or (g) of section eleven hundred eighty of this chapter imposed  
18 pursuant to a demonstration program imposing monetary liability on the  
19 owner of a vehicle for failure of an operator thereof to comply with  
20 certain posted maximum speed limits within a highway construction or  
21 maintenance work area through the installation and operation of photo  
22 speed violation monitoring systems, in accordance with article thirty of  
23 this chapter, or an allegation of liability of an owner for a violation  
24 of subdivision (b), (d), (f) or (g) of section eleven hundred eighty-f  
25 of this chapter imposed pursuant to a demonstration program imposing  
26 monetary liability on the owner of a vehicle for failure of an operator  
27 thereof to comply with certain posted maximum speed limits in violation  
28 of subdivision (b), (d), (f) or (g) of section eleven hundred eighty-f  
29 of this chapter within a highway safety corridor through the installa-  
30 tion and operation of photo speed violation monitoring systems, in  
31 accordance with article thirty of this chapter, or an allegation of  
32 liability of an owner for a violation of section three hundred eighty-  
33 five of this chapter and the rules of the department of transportation  
34 of the city of New York in relation to gross vehicle weight and/or axle  
35 weight violations imposed pursuant to a weigh in motion demonstration  
36 program imposing monetary liability on the owner of a vehicle for fail-  
37 ure of an operator thereof to comply with such gross vehicle weight  
38 and/or axle weight restrictions through the installation and operation  
39 of weigh in motion violation monitoring systems, in accordance with  
40 article ten of this chapter, shall be held before a hearing examiner in  
41 accordance with rules and regulations promulgated by the bureau.

42 g. A record shall be made of a hearing on a plea of not guilty or of a  
43 hearing at which liability in accordance with any provisions of law  
44 specifically authorizing the imposition of monetary liability on the  
45 owner of a vehicle for failure of an operator thereof: to comply with  
46 traffic-control indications in violation of subdivision (d) of section  
47 eleven hundred eleven of this chapter through the installation and oper-  
48 ation of traffic-control signal photo violation-monitoring systems, in  
49 accordance with article twenty-four of this chapter; to comply with  
50 certain posted maximum speed limits in violation of subdivision (b),  
51 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter  
52 through the installation and operation of photo speed violation monitor-  
53 ing systems, in accordance with article thirty of this chapter; to  
54 comply with bus lane restrictions as defined by article twenty-four of  
55 this chapter through the installation and operation of bus lane photo  
56 devices, in accordance with article twenty-four of this chapter; to

1 comply with toll collection regulations of certain public authorities  
2 through the installation and operation of photo-monitoring systems, in  
3 accordance with the provisions of section two thousand nine hundred  
4 eighty-five of the public authorities law and sections sixteen-a,  
5 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the  
6 laws of nineteen hundred fifty; or to stop for a school bus displaying a  
7 red visual signal in violation of section eleven hundred seventy-four of  
8 this chapter through the installation and operation of school bus photo  
9 violation monitoring systems, in accordance with article twenty-nine of  
10 this chapter, or to comply with certain posted maximum speed limits in  
11 violation of subdivision (b), (d), (f) or (g) of section eleven hundred  
12 eighty of this chapter within a highway construction or maintenance work  
13 area through the installation and operation of photo speed violation  
14 monitoring systems, in accordance with article thirty of this chapter,  
15 or an allegation of liability of an owner for a violation of subdivision  
16 (b), (d), (f) or (g) of section eleven hundred eighty-f of this chapter  
17 imposed pursuant to a demonstration program imposing monetary liability  
18 on the owner of a vehicle for failure of an operator thereof to comply  
19 with certain posted maximum speed limits within a highway safety corri-  
20 dor through the installation and operation of photo speed violation  
21 monitoring systems, in accordance with article thirty of this chapter,  
22 or to comply with gross vehicle weight and/or axle weight restrictions  
23 in violation of section three hundred eighty-five of this chapter and  
24 the rules of the department of transportation of the city of New York  
25 through the installation and operation of weigh in motion violation  
26 monitoring systems, in accordance with article ten of this chapter, is  
27 contested. Recording devices may be used for the making of the record.

28 § 8. Subdivisions 1 and 2 of section 241 of the vehicle and traffic  
29 law, as separately added by chapters 421, 460 and 773 of the laws of  
30 2021, are amended to read as follows:

31 1. The hearing examiner shall make a determination on the charges,  
32 either sustaining or dismissing them. Where the hearing examiner deter-  
33 mines that the charges have been sustained he or she may examine either  
34 the prior parking violations record or the record of liabilities  
35 incurred in accordance with any provisions of law specifically authoriz-  
36 ing the imposition of monetary liability on the owner of a vehicle for  
37 failure of an operator thereof: to comply with traffic-control indi-  
38 cations in violation of subdivision (d) of section eleven hundred eleven  
39 of this chapter through the installation and operation of traffic-con-  
40 trol signal photo violation-monitoring systems, in accordance with arti-  
41 cle twenty-four of this chapter; to comply with certain posted maximum  
42 speed limits in violation of subdivision (b), (c), (d), (f) or (g) of  
43 section eleven hundred eighty of this chapter through the installation  
44 and operation of photo speed violation monitoring systems, in accordance  
45 with article thirty of this chapter; to comply with bus lane  
46 restrictions as defined by article twenty-four of this chapter through  
47 the installation and operation of bus lane photo devices, in accordance  
48 with article twenty-four of this chapter; to comply with toll collection  
49 regulations of certain public authorities through the installation and  
50 operation of photo-monitoring systems, in accordance with the provisions  
51 of section two thousand nine hundred eighty-five of the public authori-  
52 ties law and sections sixteen-a, sixteen-b and sixteen-c of chapter  
53 seven hundred seventy-four of the laws of nineteen hundred fifty; or to  
54 stop for a school bus displaying a red visual signal in violation of  
55 section eleven hundred seventy-four of this chapter through the instal-  
56 lation and operation of school bus photo violation monitoring systems,

1 in accordance with article twenty-nine of this chapter, or to comply  
2 with certain posted maximum speed limits in violation of subdivision  
3 (b), (d), (f) or (g) of section eleven hundred eighty of this chapter  
4 within a highway construction or maintenance work area through the  
5 installation and operation of photo speed violation monitoring systems,  
6 in accordance with article thirty of this chapter; or to comply with  
7 certain posted maximum speed limits in violation of subdivision (b),  
8 (d), (f) or (g) of section eleven hundred eighty-f of this chapter with-  
9 in a highway safety corridor through the installation and operation of  
10 photo speed violation monitoring systems, in accordance with article  
11 thirty of this chapter; or to comply with gross vehicle weight and/or  
12 axle weight restrictions in violation of section three hundred eighty-  
13 five of this chapter and the rules of the department of transportation  
14 of the city of New York through the installation and operation of weigh  
15 in motion violation monitoring systems, in accordance with article ten  
16 of this chapter, of the person charged, as applicable prior to rendering  
17 a final determination. Final determinations sustaining or dismissing  
18 charges shall be entered on a final determination roll maintained by the  
19 bureau together with records showing payment and nonpayment of penal-  
20 ties.

21 2. Where an operator or owner fails to enter a plea to a charge of a  
22 parking violation or contest an allegation of liability in accordance  
23 with any provisions of law specifically authorizing the imposition of  
24 monetary liability on the owner of a vehicle for failure of an operator  
25 thereof: to comply with traffic-control indications in violation of  
26 subdivision (d) of section eleven hundred eleven of this chapter through  
27 the installation and operation of traffic-control signal photo viola-  
28 tion-monitoring systems, in accordance with article twenty-four of this  
29 chapter; to comply with certain posted maximum speed limits in violation  
30 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred  
31 eighty of this chapter through the installation and operation of photo  
32 speed violation monitoring systems, in accordance with article thirty of  
33 this chapter; to comply with bus lane restrictions as defined by article  
34 twenty-four of this chapter through the installation and operation of  
35 bus lane photo devices, in accordance with article twenty-four of this  
36 chapter; to comply with toll collection regulations of certain public  
37 authorities through the installation and operation of photo-monitoring  
38 systems, in accordance with the provisions of section two thousand nine  
39 hundred eighty-five of the public authorities law and sections  
40 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four  
41 of the laws of nineteen hundred fifty; to stop for a school bus display-  
42 ing a red visual signal in violation of section eleven hundred seventy-  
43 four of this chapter through the installation and operation of school  
44 bus photo violation monitoring systems, in accordance with article twen-  
45 ty-nine of this chapter, or to comply with certain posted maximum speed  
46 limits in violation of subdivision (b), (d), (f) or (g) of section elev-  
47 en hundred eighty of this chapter within a highway construction or main-  
48 tenance work area through the installation and operation of photo speed  
49 violation monitoring systems, in accordance with article thirty of this  
50 chapter; or to comply with certain posted maximum speed limits in  
51 violation of subdivision (b), (d), (f) or (g) of section eleven  
52 hundred eighty-f of this chapter within a highway safety corridor  
53 through the installation and operation of photo speed violation monitor-  
54 ing systems, in accordance with article thirty of this chapter; or to  
55 comply with gross vehicle weight and/or axle weight restrictions in  
56 violation of section three hundred eighty-five of this chapter and the

1 rules of the department of transportation of the city of New York  
2 through the installation and operation of weigh in motion violation  
3 monitoring systems, in accordance with article ten of this chapter; or  
4 fails to appear on a designated hearing date or subsequent adjourned  
5 date or fails after a hearing to comply with the determination of a  
6 hearing examiner, as prescribed by this article or by rule or regulation  
7 of the bureau, such failure to plead or contest, appear or comply shall  
8 be deemed, for all purposes, an admission of liability and shall be  
9 grounds for rendering and entering a default judgment in an amount  
10 provided by the rules and regulations of the bureau. However, after the  
11 expiration of the original date prescribed for entering a plea and  
12 before a default judgment may be rendered, in such case the bureau shall  
13 pursuant to the applicable provisions of law notify such operator or  
14 owner, by such form of first class mail as the commission may direct;  
15 (1) of the violation charged, or liability alleged in accordance with  
16 any provisions of law specifically authorizing the imposition of mone-  
17 tary liability on the owner of a vehicle for failure of an operator  
18 thereof: to comply with traffic-control indications in violation of  
19 subdivision (d) of section eleven hundred eleven of this chapter through  
20 the installation and operation of traffic-control signal photo viola-  
21 tion-monitoring systems, in accordance with article twenty-four of this  
22 chapter; to comply with certain posted maximum speed limits in violation  
23 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred  
24 eighty of this chapter through the installation and operation of photo  
25 speed violation monitoring systems, in accordance with article thirty of  
26 this chapter; to comply with bus lane restrictions as defined by article  
27 twenty-four of this chapter through the installation and operation of  
28 bus lane photo devices, in accordance with article twenty-four of this  
29 chapter; to comply with toll collection regulations of certain public  
30 authorities through the installation and operation of photo-monitoring  
31 systems, in accordance with the provisions of section two thousand nine  
32 hundred eighty-five of the public authorities law and sections  
33 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four  
34 of the laws of nineteen hundred fifty; to stop for a school bus display-  
35 ing a red visual signal in violation of section eleven hundred seventy-  
36 four of this chapter through the installation and operation of school  
37 bus photo violation monitoring systems, in accordance with article twen-  
38 ty-nine of this chapter, or to comply with certain posted maximum speed  
39 limits in violation of subdivision (b), (d), (f) or (g) of section elev-  
40 en hundred eighty of this chapter within a highway construction or main-  
41 tenance work area through the installation and operation of photo speed  
42 violation monitoring systems, in accordance with article thirty of this  
43 chapter; or to comply with certain posted maximum speed limits in  
44 violation of subdivision (b), (d), (f) or (g) of section eleven hundred  
45 eighty-f of this chapter within a highway safety corridor through the  
46 installation and operation of photo speed violation monitoring systems,  
47 in accordance with article thirty of this chapter; or to comply with  
48 gross vehicle weight and/or axle weight restrictions in violation of  
49 section three hundred eighty-five of this chapter and the rules of the  
50 department of transportation of the city of New York through the instal-  
51 lation and operation of weigh in motion violation monitoring systems, in  
52 accordance with article ten of this chapter, (2) of the impending  
53 default judgment, (3) that such judgment will be entered in the Civil  
54 Court of the city in which the bureau has been established, or other  
55 court of civil jurisdiction or any other place provided for the entry of  
56 civil judgments within the state of New York, and (4) that a default may

1 be avoided by entering a plea or contesting an allegation of liability  
2 in accordance with any provisions of law specifically authorizing the  
3 imposition of monetary liability on the owner of a vehicle for failure  
4 of an operator thereof: to comply with traffic-control indications in  
5 violation of subdivision (d) of section eleven hundred eleven of this  
6 chapter through the installation and operation of traffic-control signal  
7 photo violation-monitoring systems, in accordance with article twenty-  
8 four of this chapter; to comply with certain posted maximum speed limits  
9 in violation of subdivision (b), (c), (d), (f) or (g) of section eleven  
10 hundred eighty of this chapter through the installation and operation of  
11 photo speed violation monitoring systems, in accordance with article  
12 thirty of this chapter; to comply with bus lane restrictions as defined  
13 by article twenty-four of this chapter through the installation and  
14 operation of bus lane photo devices, in accordance with article twenty-  
15 four of this chapter; to comply with toll collection regulations of  
16 certain public authorities through the installation and operation of  
17 photo-monitoring systems, in accordance with the provisions of section  
18 two thousand nine hundred eighty-five of the public authorities law and  
19 sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred  
20 seventy-four of the laws of nineteen hundred fifty; to stop for a school  
21 bus displaying a red visual signal in violation of section eleven  
22 hundred seventy-four of this chapter through the installation and opera-  
23 tion of school bus photo violation monitoring systems, in accordance  
24 with article twenty-nine of this chapter, or to comply with certain  
25 posted maximum speed limits in violation of subdivision (b), (d), (f) or  
26 (g) of section eleven hundred eighty of this chapter within a highway  
27 construction or maintenance work area through the installation and oper-  
28 ation of photo speed violation monitoring systems, in accordance with  
29 article thirty of this chapter; or to comply with certain posted maximum  
30 speed limits in violation of subdivision (b), (d), (f) or (g) of  
31 section eleven hundred eighty-f of this chapter within a highway safety  
32 corridor through the installation and operation of photo speed violation  
33 monitoring systems, in accordance with article thirty of this chapter;  
34 or to comply with gross vehicle weight and/or axle weight restrictions  
35 in violation of section three hundred eighty-five of this chapter and  
36 the rules of the department of transportation of the city of New York  
37 through the installation and operation of weigh in motion violation  
38 monitoring systems, in accordance with article ten of this chapter; or  
39 making an appearance within thirty days of the sending of such notice.  
40 Pleas entered and allegations contested within that period shall be in  
41 the manner prescribed in the notice and not subject to additional penal-  
42 ty or fee. Such notice of impending default judgment shall not be  
43 required prior to the rendering and entry thereof in the case of opera-  
44 tors or owners who are non-residents of the state of New York. In no  
45 case shall a default judgment be rendered or, where required, a notice  
46 of impending default judgment be sent, more than two years after the  
47 expiration of the time prescribed for entering a plea or contesting an  
48 allegation. When a person has demanded a hearing, no fine or penalty  
49 shall be imposed for any reason, prior to the holding of the hearing. If  
50 the hearing examiner shall make a determination on the charges, sustain-  
51 ing them, he or she shall impose no greater penalty or fine than those  
52 upon which the person was originally charged.

53 § 9. Paragraph a of subdivision 5-a of section 401 of the vehicle and  
54 traffic law, as separately added by chapters 421, 460 and 773 of the  
55 laws of 2021, clause (vii) of subparagraph (i) as renumbered by chapter  
56 258 of the laws of 2022 is amended to read as follows:

1 a. [~~(i)~~] If at the time of application for a registration or renewal  
2 thereof there is a certification from a court, parking violations  
3 bureau, traffic and parking violations agency or administrative tribunal  
4 of appropriate jurisdiction that the registrant or his or her represen-  
5 tative failed to appear on the return date or any subsequent adjourned  
6 date or failed to comply with the rules and regulations of an adminis-  
7 trative tribunal following entry of a final decision in response to a  
8 total of three or more summonses or other process in the aggregate,  
9 issued within an eighteen month period, charging either that: (i) such  
10 motor vehicle was parked, stopped or standing, or that such motor vehi-  
11 cle was operated for hire by the registrant or his or her agent without  
12 being licensed as a motor vehicle for hire by the appropriate local  
13 authority, in violation of any of the provisions of this chapter or of  
14 any law, ordinance, rule or regulation made by a local authority; or  
15 (ii) the registrant was liable for a violation of subdivision (d) of  
16 section eleven hundred eleven of this chapter imposed pursuant to a  
17 local law or ordinance imposing monetary liability on the owner of a  
18 vehicle for failure of an operator thereof to comply with traffic-con-  
19 trol indications through the installation and operation of traffic-con-  
20 trol signal photo violation-monitoring systems, in accordance with arti-  
21 cle twenty-four of this chapter; or (iii) the registrant was liable for  
22 a violation of subdivision (b), (c), (d), (f) or (g) of section eleven  
23 hundred eighty of this chapter imposed pursuant to a demonstration  
24 program imposing monetary liability on the owner of a vehicle for fail-  
25 ure of an operator thereof to comply with such posted maximum speed  
26 limits through the installation and operation of photo speed violation  
27 monitoring systems, in accordance with article thirty of this chapter;  
28 or (iv) the registrant was liable for a violation of bus lane  
29 restrictions as defined by article twenty-four of this chapter imposed  
30 pursuant to a bus rapid transit program imposing monetary liability on  
31 the owner of a vehicle for failure of an operator thereof to comply with  
32 such bus lane restrictions through the installation and operation of bus  
33 lane photo devices, in accordance with article twenty-four of this chap-  
34 ter; or (v) the registrant was liable for a violation of section eleven  
35 hundred seventy-four of this chapter when meeting a school bus marked  
36 and equipped as provided in subdivisions twenty and twenty-one-c of  
37 section three hundred seventy-five of this chapter imposed pursuant to a  
38 local law or ordinance imposing monetary liability on the owner of a  
39 vehicle for failure of an operator thereof to comply with school bus red  
40 visual signals through the installation and operation of school bus  
41 photo violation monitoring systems, in accordance with article twenty-  
42 nine of this chapter; or (vi) the registrant was liable for a violation  
43 of section three hundred eighty-five of this chapter and the rules of  
44 the department of transportation of the city of New York in relation to  
45 gross vehicle weight and/or axle weight violations imposed pursuant to a  
46 weigh in motion demonstration program imposing monetary liability on the  
47 owner of a vehicle for failure of an operator thereof to comply with  
48 such gross vehicle weight and/or axle weight restrictions through the  
49 installation and operation of weigh in motion violation monitoring  
50 systems, in accordance with article ten of this chapter; or (vii) the  
51 registrant was liable for a violation of subdivision (b), (d), (f) or  
52 (g) of section eleven hundred eighty of this chapter imposed pursuant to  
53 a demonstration program imposing monetary liability on the owner of a  
54 vehicle for failure of an operator thereof to comply with such posted  
55 maximum speed limits within a highway construction or maintenance work  
56 area through the installation and operation of photo speed violation

1 monitoring systems, in accordance with article thirty of this  
2 chapter~~[7]~~; or (viii) the registrant was liable for a violation of  
3 subdivision (b), (d), (f) or (g) of section eleven hundred eighty-f of  
4 this chapter imposed pursuant to a demonstration program imposing mone-  
5 tary liability on the owner of a vehicle for failure of an operator  
6 thereof to comply with such posted maximum speed limits within a high-  
7 way safety corridor through the installation and operation of photo  
8 speed violation monitoring systems, in accordance with article thirty  
9 of this chapter, the commissioner or his or her agent shall deny the  
10 registration or renewal application until the applicant provides proof  
11 from the court, traffic and parking violations agency or administrative  
12 tribunal wherein the charges are pending that an appearance or answer  
13 has been made or in the case of an administrative tribunal that he or  
14 she has complied with the rules and regulations of said tribunal follow-  
15 ing entry of a final decision. Where an application is denied pursuant  
16 to this section, the commissioner may, in his or her discretion, deny a  
17 registration or renewal application to any other person for the same  
18 vehicle and may deny a registration or renewal application for any other  
19 motor vehicle registered in the name of the applicant where the commis-  
20 sioner has determined that such registrant's intent has been to evade  
21 the purposes of this subdivision and where the commissioner has reason-  
22 able grounds to believe that such registration or renewal will have the  
23 effect of defeating the purposes of this subdivision. Such denial shall  
24 only remain in effect as long as the summonses remain unanswered, or in  
25 the case of an administrative tribunal, the registrant fails to comply  
26 with the rules and regulations following entry of a final decision.  
27 [~~(ii)~~] For purposes of this paragraph, the term "motor vehicle operated  
28 for hire" shall mean and include a taxicab, livery, coach, limousine or  
29 tow truck.

30 § 10. Subdivision 1-a of section 1809 of the vehicle and traffic law,  
31 as separately added by chapters 421, 460 and 773 of the laws of 2021,  
32 paragraph (g) as relettered by chapter 258 of the laws of 2022, is  
33 amended to read as follows:

34 1-a. Notwithstanding the provisions of subdivision one of this  
35 section, the provisions of subdivision one of this section shall not  
36 apply to an adjudication of liability of owners: (a) for violations of  
37 subdivision (d) of section eleven hundred eleven of this chapter imposed  
38 pursuant to a local law or ordinance imposing monetary liability on the  
39 owner of a vehicle for failure of an operator thereof to comply with  
40 traffic-control indications through the installation and operation of  
41 traffic-control signal photo violation-monitoring systems, in accordance  
42 with article twenty-four of this chapter; or (b) for violations of  
43 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty  
44 of this chapter imposed pursuant to a demonstration program imposing  
45 monetary liability on the owner of a vehicle for failure of an operator  
46 thereof to comply with such posted maximum speed limits through the  
47 installation and operation of photo speed violation monitoring systems,  
48 in accordance with article thirty of this chapter; or (c) for violations  
49 of bus lane restrictions as defined by article twenty-four of this chap-  
50 ter imposed pursuant to a bus rapid transit program imposing monetary  
51 liability on the owner of a vehicle for failure of an operator thereof  
52 to comply with such bus lane restrictions through the installation and  
53 operation of bus lane photo devices, in accordance with article twenty-  
54 four of this chapter; or (d) for violations of toll collection regu-  
55 lations imposed by certain public authorities pursuant to the law  
56 authorizing such public authorities to impose monetary liability on the

1 owner of a vehicle for failure of an operator thereof to comply with  
2 toll collection regulations of such public authorities through the  
3 installation and operation of photo-monitoring systems, in accordance  
4 with the provisions of section two thousand nine hundred eighty-five of  
5 the public authorities law and sections sixteen-a, sixteen-b and  
6 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen  
7 hundred fifty; or (e) for violations of section eleven hundred seventy-  
8 four of this chapter when meeting a school bus marked and equipped as  
9 provided in subdivisions twenty and twenty-one-c of section three  
10 hundred seventy-five of this chapter imposed pursuant to a local law or  
11 ordinance imposing monetary liability on the owner of a vehicle for  
12 failure of an operator thereof to comply with school bus red visual  
13 signals through the installation and operation of school bus photo  
14 violation monitoring systems, in accordance with article twenty-nine of  
15 this chapter; or (f) for violations of section three hundred eighty-five  
16 of this chapter and the rules of the department of transportation of the  
17 city of New York in relation to gross vehicle weight and/or axle weight  
18 violations imposed pursuant to a weigh in motion demonstration program  
19 imposing monetary liability on the owner of a vehicle for failure of an  
20 operator thereof to comply with such gross vehicle weight and/or axle  
21 weight restrictions through the installation and operation of weigh in  
22 motion violation monitoring systems, in accordance with article ten of  
23 this chapter; or (g) for violations of subdivision (b), (d), (f) or (g)  
24 of section eleven hundred eighty of this chapter imposed pursuant to a  
25 demonstration program imposing monetary liability on the owner of a  
26 vehicle for failure of an operator thereof to comply with such posted  
27 maximum speed limits within a highway construction or maintenance work  
28 area through the installation and operation of photo speed violation  
29 monitoring systems, in accordance with article thirty of this chapter;  
30 or (h) for violations of subdivision (b), (d), (f) or (g) of section  
31 eleven hundred eighty-f of this chapter imposed pursuant to a demon-  
32 stration program imposing monetary liability on the owner of a  
33 vehicle for failure of an operator thereof to comply with such posted  
34 maximum speed limits within a highway construction or maintenance work  
35 area through the installation and operation of photo speed violation  
36 monitoring systems, in accordance with article thirty of this chapter.

37 § 11. Paragraph a of subdivision 1 of section 1809-e of the vehicle  
38 and traffic law, as separately added by chapters 421, 460 and 773 of the  
39 laws of 2021, subparagraph (viii) as relettered by chapter 258 of the  
40 laws of 2022, is amended to read as follows:

41 a. Notwithstanding any other provision of law, whenever proceedings in  
42 a court or an administrative tribunal of this state result in a  
43 conviction for an offense under this chapter, except a conviction pursu-  
44 ant to section eleven hundred ninety-two of this chapter, or for a traf-  
45 fic infraction under this chapter, or a local law, ordinance, rule or  
46 regulation adopted pursuant to this chapter, except: (i) a traffic  
47 infraction involving standing, stopping, or parking or violations by  
48 pedestrians or bicyclists; and (ii) an adjudication of liability of an  
49 owner for a violation of subdivision (d) of section eleven hundred elev-  
50 en of this chapter imposed pursuant to a local law or ordinance imposing  
51 monetary liability on the owner of a vehicle for failure of an operator  
52 thereof to comply with traffic-control indications through the installa-  
53 tion and operation of traffic-control signal photo violation-monitoring  
54 systems, in accordance with article twenty-four of this chapter; and  
55 (iii) an adjudication of liability of an owner for a violation of subdi-  
56 vision (b), (c), (d), (f) or (g) of section eleven hundred eighty of

1 this chapter imposed pursuant to a demonstration program imposing mone-  
2 tary liability on the owner of a vehicle for failure of an operator  
3 thereof to comply with such posted maximum speed limits through the  
4 installation and operation of photo speed violation monitoring systems,  
5 in accordance with article thirty of this chapter; and (iv) an adjudi-  
6 cation of liability of an owner for a violation of bus lane restrictions  
7 as defined by article twenty-four of this chapter imposed pursuant to a  
8 bus rapid transit program imposing monetary liability on the owner of a  
9 vehicle for failure of an operator thereof to comply with such bus lane  
10 restrictions through the installation and operation of bus lane photo  
11 devices, in accordance with article twenty-four of this chapter; and (v)  
12 an adjudication of liability of an owner for a violation of toll  
13 collection regulations imposed by certain public authorities pursuant to  
14 the law authorizing such public authorities to impose monetary liability  
15 on the owner of a vehicle for failure of an operator thereof to comply  
16 with toll collection regulations of such public authorities through the  
17 installation and operation of photo-monitoring systems, in accordance  
18 with section two thousand nine hundred eighty-five of the public author-  
19 ities law or sections sixteen-a, sixteen-b and sixteen-c of chapter  
20 seven hundred seventy-four of the laws of nineteen hundred fifty; and  
21 (vi) an adjudication of liability of an owner for a violation of section  
22 eleven hundred seventy-four of this chapter when meeting a school bus  
23 marked and equipped as provided in subdivisions twenty and twenty-one-c  
24 of section three hundred seventy-five of this chapter imposed pursuant  
25 to a local law or ordinance imposing monetary liability on the owner of  
26 a vehicle for failure of an operator thereof to comply with school bus  
27 red visual signals through the installation and operation of school bus  
28 photo violation monitoring systems, in accordance with article twenty-  
29 nine of this chapter; and (vii) an adjudication of liability of an owner  
30 for a violation of section three hundred eighty-five of this chapter and  
31 the rules of the department of transportation of the city of New York in  
32 relation to gross vehicle weight and/or axle weight violations imposed  
33 pursuant to a weigh in motion demonstration program imposing monetary  
34 liability on the owner of a vehicle for failure of an operator thereof  
35 to comply with such gross vehicle weight and/or axle weight restrictions  
36 through the installation and operation of weigh in motion violation  
37 monitoring systems, in accordance with article ten of this chapter; and  
38 (viii) an adjudication of liability of an owner for a violation of  
39 subdivision (b), (d), (f) or (g) of section eleven hundred eighty of  
40 this chapter imposed pursuant to a demonstration program imposing mone-  
41 tary liability on the owner of a vehicle for failure of an operator  
42 thereof to comply with such posted maximum speed limits within a highway  
43 construction or maintenance work area through the installation and oper-  
44 ation of photo speed violation monitoring systems, in accordance with  
45 article thirty of this chapter[7]; and (ix) an adjudication of liability  
46 of an owner for a violation of subdivision (b), (d), (f) or (g) of  
47 section eleven hundred eighty-f of this chapter imposed pursuant to  
48 a demonstration program imposing monetary liability on the owner of a  
49 vehicle for failure of an operator thereof to comply with such posted  
50 maximum speed limits within a highway safety corridor through the  
51 installation and operation of photo speed violation monitoring systems,  
52 in accordance with article thirty of this chapter, there shall be  
53 levied in addition to any sentence, penalty or other surcharge required  
54 or permitted by law, an additional surcharge of twenty-eight dollars.

1 § 12. Section 371-a of the general municipal law, as separately added  
2 by chapters 421, 460 and 773 of the laws of 2021, is amended to read as  
3 follows:

4 § 371-a. Additional jurisdiction and procedure related to the adjudi-  
5 cation of certain notices of liability. A traffic violations bureau  
6 established pursuant to subdivision one and a traffic and parking  
7 violations agency established pursuant to subdivision two of section  
8 three hundred seventy-one of this article may be authorized to adjudi-  
9 cate, in accordance with the provisions of this article, the liability  
10 of owners: (a) for violations of subdivision (d) of section eleven  
11 hundred eleven of the vehicle and traffic law imposed pursuant to a  
12 local law or ordinance imposing monetary liability on the owner of a  
13 vehicle for failure of an operator thereof to comply with traffic-con-  
14 trol indications through the installation and operation of traffic-con-  
15 trol signal photo violation-monitoring systems, in accordance with arti-  
16 cle twenty-four of the vehicle and traffic law; or (b) for violations of  
17 section eleven hundred seventy-four of the vehicle and traffic law when  
18 meeting a school bus marked and equipped as provided in subdivisions  
19 twenty and twenty-one-c of section three hundred seventy-five of the  
20 vehicle and traffic law imposed pursuant to a local law or ordinance  
21 imposing monetary liability on the owner of a vehicle for failure of an  
22 operator thereof to comply with school bus red visual signals through  
23 the installation and operation of school bus photo violation monitoring  
24 systems, in accordance with article twenty-nine of the vehicle and traf-  
25 fic law; or (c) for violations of subdivision (b), (d), (f) or (g) of  
26 section eleven hundred eighty of the vehicle and traffic law imposed  
27 pursuant to a demonstration program imposing monetary liability on the  
28 owner of a vehicle for failure of an operator thereof to comply with  
29 such posted maximum speed limits within a highway construction or main-  
30 tenance work area through the installation and operation of photo speed  
31 violation monitoring systems, in accordance with article thirty of this  
32 chapter; or (d) for violations of subdivision (b), (d), (f) or (g) of  
33 section eleven hundred eighty-f of the vehicle and traffic law imposed  
34 pursuant to a demonstration program imposing monetary liability on the  
35 owner of a vehicle for failure of an operator thereof to comply with  
36 such posted maximum speed limits within a highway construction or main-  
37 tenance work area through the installation and operation of photo speed  
38 violation monitoring systems, in accordance with article thirty of the  
39 vehicle and traffic law.

40 § 13. The vehicle and traffic law is amended by adding a new section  
41 1180-f to read as follows:

42 § 1180-f. Owner liability for failure of operator to comply with  
43 certain posted maximum speed limits. (a) 1. Notwithstanding any other  
44 provision of law, the commissioner of transportation is hereby author-  
45 ized to establish a demonstration program imposing monetary liability on  
46 the owner of a vehicle for failure of an operator thereof to comply with  
47 posted maximum speed limits in a highway safety corridor. The commis-  
48 sioner, in consultation with the superintendent of the division of state  
49 police, shall determine the location in the highway safety corridor in  
50 which to install and operate photo speed violation monitoring systems.  
51 In selecting a location in a highway safety corridor in which to install  
52 and operate a photo speed violation monitoring system, the commissioner  
53 shall consider criteria including, but not limited to, the speed data,  
54 crash history, and roadway geometry applicable to such highway safety  
55 corridor. A photo speed violation monitoring system shall not be  
56 installed or operated on a controlled-access highway exit ramp.

1 2. Notwithstanding any other provision of law, after holding a public  
2 hearing in accordance with the public officers law and subsequent  
3 approval of the establishment of a demonstration program in accordance  
4 with this section by a majority of the members of the entire board of  
5 the thruway authority, the chair of the thruway authority is hereby  
6 authorized to establish a demonstration program imposing monetary  
7 liability on the owner of a vehicle for failure of an operator thereof  
8 to comply with posted maximum speed limits in a highway safety corridor.  
9 The chair, in consultation with the superintendent of the division of  
10 state police, shall determine the location of the highway safety corri-  
11 dor located on the thruway in which to install and operate photo speed  
12 violation monitoring systems. In selecting an area in which to install  
13 and operate a photo speed violation monitoring system, the chair shall  
14 consider criteria including, but not limited to, the speed data, crash  
15 history, and roadway geometry applicable to such highway safety corri-  
16 dor. A photo speed violation monitoring system shall not be installed or  
17 operated on a thruway exit ramp.

18 3. No photo speed violation monitoring system shall be used in a high-  
19 way safety corridor unless (i) on the day it is to be used it has  
20 successfully passed a self-test of its functions; and (ii) it has under-  
21 gone an annual calibration check performed pursuant to paragraph five of  
22 this subdivision. The commissioner or chair, as applicable, shall  
23 install signs giving notice that a photo speed violation monitoring  
24 system is in use, in conformance with standards established in the  
25 MUTCD.

26 4. Operators of photo speed violation monitoring systems shall have  
27 completed training in the procedures for setting up, testing, and oper-  
28 ating such systems. Each such operator shall complete and sign a daily  
29 set-up log for each such system that he or she operates that (i) states  
30 the date and time when, and the location where, the system was set up  
31 that day, and (ii) states that such operator successfully performed, and  
32 the system passed, the self-tests of such system before producing a  
33 recorded image that day. The commissioner or the chair, as applicable,  
34 shall retain each such daily log until the later of the date on which  
35 the photo speed violation monitoring system to which it applies has been  
36 permanently removed from use or the final resolution of all cases  
37 involving notices of liability issued based on photographs, microphoto-  
38 graphs, video or other recorded images produced by such system.

39 5. Each photo speed violation monitoring system shall undergo an annu-  
40 al calibration check performed by an independent calibration laboratory  
41 which shall issue a signed certificate of calibration. The commissioner  
42 or the chair, as applicable, shall keep each such annual certificate of  
43 calibration on file until the final resolution of all cases involving a  
44 notice of liability issued during such year which were based on photo-  
45 graphs, microphotographs, videotape or other recorded images produced by  
46 such photo speed violation monitoring system.

47 6. (i) Such demonstration program shall utilize necessary technologies  
48 to ensure, to the extent practicable, that photographs, microphoto-  
49 graphs, videotape or other recorded images produced by such photo speed  
50 violation monitoring systems shall not include images that identify the  
51 driver, the passengers, or the contents of the vehicle. Provided, howev-  
52 er, that no notice of liability issued pursuant to this section shall be  
53 dismissed solely because such a photograph, microphotograph, videotape  
54 or other recorded image allows for the identification of the driver, the  
55 passengers, or the contents of vehicles where the commissioner or the

1 chair, as applicable, shows that they made reasonable efforts to comply  
2 with the provisions of this paragraph in such case.

3 (ii) Photographs, microphotographs, videotape or any other recorded  
4 image from a photo speed violation monitoring system shall be for the  
5 exclusive use of the commissioner or the chair, as applicable, for the  
6 purpose of the adjudication of liability imposed pursuant to this  
7 section and of the owner receiving a notice of liability pursuant to  
8 this section, and shall be destroyed by the commissioner or chair, as  
9 applicable, upon the final resolution of the notice of liability to  
10 which such photographs, microphotographs, videotape or other recorded  
11 images relate, or one year following the date of issuance of such notice  
12 of liability, whichever is later. Notwithstanding the provisions of any  
13 other law, rule or regulation to the contrary, photographs, microphoto-  
14 graphs, videotape or any other recorded image from a photo speed  
15 violation monitoring system shall not be open to the public, nor subject  
16 to civil or criminal process or discovery, nor used by any court or  
17 administrative or adjudicatory body in any action or proceeding therein  
18 except that which is necessary for the adjudication of a notice of  
19 liability issued pursuant to this section, and no public entity or  
20 employee, officer or agent thereof shall disclose such information,  
21 except that such photographs, microphotographs, videotape or any other  
22 recorded images from such systems:

23 (A) shall be available for inspection and copying and use by the motor  
24 vehicle owner and operator for so long as such photographs, microphoto-  
25 graphs, videotape or other recorded images are required to be maintained  
26 or are maintained by such public entity, employee, officer or agent; and

27 (B) (1) shall be furnished when described in a search warrant issued  
28 by a court authorized to issue such a search warrant pursuant to article  
29 six hundred ninety of the criminal procedure law or a federal court  
30 authorized to issue such a search warrant under federal law, where such  
31 search warrant states that there is reasonable cause to believe such  
32 information constitutes evidence of, or tends to demonstrate that, a  
33 misdemeanor or felony offense was committed in this state or another  
34 state, or that a particular person participated in the commission of a  
35 misdemeanor or felony offense in this state or another state, provided,  
36 however, that if such offense was against the laws of another state, the  
37 court shall only issue a warrant if the conduct comprising such offense  
38 would, if occurring in this state, constitute a misdemeanor or felony  
39 against the laws of this state; and

40 (2) shall be furnished in response to a subpoena duces tecum signed by  
41 a judge of competent jurisdiction and issued pursuant to article six  
42 hundred ten of the criminal procedure law or a judge or magistrate of a  
43 federal court authorized to issue such a subpoena duces tecum under  
44 federal law, where the judge finds and the subpoena states that there is  
45 reasonable cause to believe such information is relevant and material to  
46 the prosecution, or the defense, or the investigation by an authorized  
47 law enforcement official, of the alleged commission of a misdemeanor or  
48 felony in this state or another state, provided, however, that if such  
49 offense was against the laws of another state, such judge or magistrate  
50 shall only issue such subpoena if the conduct comprising such offense  
51 would, if occurring in this state, constitute a misdemeanor or felony in  
52 this state; and

53 (3) may, if lawfully obtained pursuant to this clause and clause (A)  
54 of this subparagraph and otherwise admissible, be used in such criminal  
55 action or proceeding.

1 (b) If the commissioner or chair establishes a demonstration program  
2 pursuant to subdivision (a) of this section, the owner of a vehicle  
3 shall be liable for a penalty imposed pursuant to this section if such  
4 vehicle was used or operated with the permission of the owner, express  
5 or implied, within a highway safety corridor located on a controlled-ac-  
6 cess highway or on the thruway in violation of paragraph two of subdivi-  
7 sion (d) or subdivision (f), or when other speed limits are in effect in  
8 violation of subdivision (b) or (g) or paragraph one of subdivision (d),  
9 of section eleven hundred eighty of this article, such vehicle was trav-  
10 eling at a speed of more than ten miles per hour above the posted speed  
11 limit in effect within such highway safety corridor, and such violation  
12 is evidenced by information obtained from a photo speed violation moni-  
13 toring system; provided however that no owner of a vehicle shall be  
14 liable for a penalty imposed pursuant to this section where the operator  
15 of such vehicle has been convicted of the underlying violation of subdivi-  
16 sion (b), (d), (f) or (g) of section eleven hundred eighty of this  
17 article.

18 (c) For purposes of this section, the following terms shall have the  
19 following meanings:

20 1. "chair" shall mean the chair of the New York state thruway authori-  
21 ty;

22 2. "commissioner" shall mean the commissioner of transportation;

23 3. "controlled-access highway" shall mean a controlled-access highway  
24 as defined by section one hundred nine of this chapter under the commis-  
25 sioner's jurisdiction which has been functionally classified by the  
26 department of transportation as principal arterial - interstate or prin-  
27 cipal arterial - other freeway/expressway on official functional classi-  
28 fication maps approved by the federal highway administration pursuant to  
29 part 470.105 of title 23 of the code of federal regulations, as amended  
30 from time to time;

31 4. "manual on uniform traffic control devices" or "MUTCD" shall mean  
32 the manual and specifications for a uniform system of traffic control  
33 devices maintained by the commissioner of transportation pursuant to  
34 section sixteen hundred eighty of this chapter;

35 5. "owner" shall have the meaning provided in article two-B of this  
36 chapter;

37 6. "photo speed violation monitoring system" shall mean a vehicle  
38 sensor installed to work in conjunction with a speed measuring device  
39 which automatically produces two or more photographs, two or more micro-  
40 photographs, a videotape or other recorded images of each vehicle at the  
41 time it is used or operated in a highway safety corridor located on a  
42 controlled-access highway or on the thruway in violation of subdivision  
43 (b), (d), (f) or (g) of section eleven hundred eighty of this article in  
44 accordance with the provisions of this section;

45 7. "thruway authority" shall mean the New York state thruway authori-  
46 ty, a body corporate and politic constituting a public corporation  
47 created and constituted pursuant to title nine of article two of the  
48 public authorities law; and

49 8. "thruway" shall mean generally a divided highway under the juris-  
50 isdiction of the thruway authority for mixed traffic with access limited  
51 as the authority may determine and generally with grade separations at  
52 intersections.

53 (d) A certificate, sworn to or affirmed by a technician employed by  
54 the commissioner or chair as applicable, or a facsimile thereof, based  
55 upon inspection of photographs, microphotographs, videotape or other  
56 recorded images produced by a photo speed violation monitoring system,

1 shall be prima facie evidence of the facts contained therein. Any photo-  
2 graphs, microphotographs, videotape or other recorded images evidencing  
3 such a violation shall include at least two date and time stamped images  
4 of the rear of the motor vehicle that include the same stationary object  
5 near the motor vehicle and shall be available for inspection reasonably  
6 in advance of and at any proceeding to adjudicate the liability for such  
7 violation pursuant to this section.

8 (e) An owner liable for a violation of subdivision (b), (d), (f) or  
9 (g) of section eleven hundred eighty of this article pursuant to a  
10 demonstration program established pursuant to this section shall be  
11 liable for monetary penalties not to exceed fifty dollars for a first  
12 violation, seventy-five dollars for a second violation both of which  
13 were committed within a period of eighteen months, and one hundred  
14 dollars for a third or subsequent violation all of which were committed  
15 within a period of eighteen months; provided, however, that an addi-  
16 tional penalty not in excess of twenty-five dollars for each violation  
17 may be imposed for the failure to respond to a notice of liability with-  
18 in the prescribed time period.

19 (f) An imposition of liability under the demonstration program estab-  
20 lished pursuant to this section shall not be deemed a conviction as an  
21 operator and shall not be made part of the operating record of the  
22 person upon whom such liability is imposed nor shall it be used for  
23 insurance purposes in the provision of motor vehicle insurance coverage.

24 (g) 1. A notice of liability shall be sent by first class mail to each  
25 person alleged to be liable as an owner for a violation of subdivision  
26 (b), (d), (f) or (g) of section eleven hundred eighty of this article  
27 pursuant to this section, within fourteen business days if such owner is  
28 a resident of this state and within forty-five business days if such  
29 owner is a non-resident. Personal delivery on the owner shall not be  
30 required. A manual or automatic record of mailing prepared in the  
31 ordinary course of business shall be prima facie evidence of the facts  
32 contained therein.

33 2. A notice of liability shall contain the name and address of the  
34 person alleged to be liable as an owner for a violation of subdivision  
35 (b), (d), (f) or (g) of section eleven hundred eighty of this article  
36 pursuant to this section, the registration number of the vehicle  
37 involved in such violation, the location where such violation took  
38 place, the date and time of such violation, the identification number of  
39 the camera which recorded the violation or other document locator  
40 number, at least two date and time stamped images of the rear of the  
41 motor vehicle that include the same stationary object near the motor  
42 vehicle, and the certificate charging the liability.

43 3. The notice of liability shall contain information advising the  
44 person charged of the manner and the time in which he or she may contest  
45 the liability alleged in the notice. Such notice of liability shall also  
46 contain a prominent warning to advise the person charged that failure to  
47 contest in the manner and time provided shall be deemed an admission of  
48 liability and that a default judgment may be entered thereon.

49 4. The notice of liability shall be prepared and mailed by the commis-  
50 sioner or chair as applicable, or by any other entity authorized by the  
51 commissioner or chair to prepare and mail such notice of liability.

52 (h) Adjudication of the liability imposed upon owners of this section  
53 shall be by a traffic violations bureau established pursuant to section  
54 three hundred seventy of the general municipal law where the violation  
55 occurred or, if there be none, by the court having jurisdiction over  
56 traffic infractions where the violation occurred, except that if a city

1 has established an administrative tribunal to hear and determine  
2 complaints of traffic infractions constituting parking, standing or  
3 stopping violations such city may, by local law, authorize such adjudi-  
4 cation by such tribunal.

5 (i) If an owner receives a notice of liability pursuant to this  
6 section for any time period during which the vehicle or the number plate  
7 or plates of such vehicle was reported to the police department as  
8 having been stolen, it shall be a valid defense to an allegation of  
9 liability for a violation of subdivision (b), (d), (f) or (g) of section  
10 eleven hundred eighty of this article pursuant to this section that the  
11 vehicle or the number plate or plates of such vehicle had been reported  
12 to the police as stolen prior to the time the violation occurred and had  
13 not been recovered by such time. For purposes of asserting the defense  
14 provided by this subdivision, it shall be sufficient that a certified  
15 copy of the police report on the stolen vehicle or number plate or  
16 plates of such vehicle be sent by first class mail to the traffic  
17 violations bureau, court having jurisdiction or parking violations  
18 bureau.

19 (j) 1. Where the adjudication of liability imposed upon owners pursu-  
20 ant to this section is by a traffic violations bureau or a court having  
21 jurisdiction, an owner who is a lessor of a vehicle to which a notice of  
22 liability was issued pursuant to subdivision (g) of this section shall  
23 not be liable for the violation of subdivision (b), (d), (f) or (g) of  
24 section eleven hundred eighty of this article pursuant to this section,  
25 provided that he or she sends to the traffic violations bureau or court  
26 having jurisdiction a copy of the rental, lease or other such contract  
27 document covering such vehicle on the date of the violation, with the  
28 name and address of the lessee clearly legible, within thirty-seven days  
29 after receiving notice from the bureau or court of the date and time of  
30 such violation, together with the other information contained in the  
31 original notice of liability. Failure to send such information within  
32 such thirty-seven day time period shall render the owner liable for the  
33 penalty prescribed by this section. Where the lessor complies with the  
34 provisions of this paragraph, the lessee of such vehicle on the date of  
35 such violation shall be deemed to be the owner of such vehicle for  
36 purposes of this section, shall be subject to liability for the  
37 violation of subdivision (b), (d), (f) or (g) of section eleven hundred  
38 eighty of this article pursuant to this section and shall be sent a  
39 notice of liability pursuant to subdivision (g) of this section.

40 2. (i) In a city which, by local law, has authorized the adjudication  
41 of liability imposed upon owners by this section by a parking violations  
42 bureau, an owner who is a lessor of a vehicle to which a notice of  
43 liability was issued pursuant to subdivision (g) of this section shall  
44 not be liable for the violation of subdivision (b), (d), (f) or (g) of  
45 section eleven hundred eighty of this article, provided that:

46 (A) prior to the violation, the lessor has filed with the bureau in  
47 accordance with the provisions of section two hundred thirty-nine of  
48 this chapter; and

49 (B) within thirty-seven days after receiving notice from the bureau of  
50 the date and time of a liability, together with the other information  
51 contained in the original notice of liability, the lessor submits to the  
52 bureau the correct name and address of the lessee of the vehicle identi-  
53 fied in the notice of liability at the time of such violation, together  
54 with such other additional information contained in the rental, lease or  
55 other contract document, as may be reasonably required by the bureau  
56 pursuant to regulations that may be promulgated for such purpose.

1 (ii) Failure to comply with clause (B) of subparagraph (i) of this  
2 paragraph shall render the owner liable for the penalty prescribed in  
3 this section.

4 (iii) Where the lessor complies with the provisions of this paragraph,  
5 the lessee of such vehicle on the date of such violation shall be deemed  
6 to be the owner of such vehicle for purposes of this section, shall be  
7 subject to liability for such violation pursuant to this section and  
8 shall be sent a notice of liability pursuant to subdivision (g) of this  
9 section.

10 (k) 1. If the owner liable for a violation of subdivision (b), (d),  
11 (f) or (g) of section eleven hundred eighty of this article pursuant to  
12 this section was not the operator of the vehicle at the time of the  
13 violation, the owner may maintain an action for indemnification against  
14 the operator.

15 2. Notwithstanding any other provision of this section, no owner of a  
16 vehicle shall be subject to a monetary fine imposed pursuant to this  
17 section if the operator of such vehicle was operating such vehicle with-  
18 out the consent of the owner at the time such operator operated such  
19 vehicle in violation of subdivision (b), (d), (f) or (g) of section  
20 eleven hundred eighty of this article. For purposes of this subdivision  
21 there shall be a presumption that the operator of such vehicle was oper-  
22 ating such vehicle with the consent of the owner at the time such opera-  
23 tor operated such vehicle in violation of subdivision (b), (d), (f) or  
24 (g) of section eleven hundred eighty of this article.

25 (l) Nothing in this section shall be construed to limit the liability  
26 of an operator of a vehicle for any violation of subdivision (b), (d),  
27 (f) or (g) of section eleven hundred eighty of this article.

28 (m) If the commissioner or chair adopts a demonstration program pursu-  
29 ant to subdivision (a) of this section the commissioner or chair, as  
30 applicable, shall conduct a study and submit a report on or before May  
31 first, two thousand twenty-four and a report on or before May first, two  
32 thousand twenty-six on the results of the use of photo devices to the  
33 governor, the temporary president of the senate and the speaker of the  
34 assembly. The commissioner or chair shall also make such reports avail-  
35 able on their public-facing websites, provided that they may provide  
36 aggregate data from paragraph one of this subdivision if the commission-  
37 er or chair finds that publishing specific location data would jeopard-  
38 ize public safety. Such report shall include:

39 1. the locations where and dates when photo speed violation monitoring  
40 systems were used;

41 2. the aggregate number, type and severity of crashes, fatalities,  
42 injuries and property damage reported within all highway safety corridor  
43 on controlled-access highways or on the thruway, to the extent the  
44 information is maintained by the commissioner, chair or the department  
45 of motor vehicles of this state;

46 3. the aggregate number, type and severity of crashes, fatalities,  
47 injuries and property damage reported within highway safety corridor  
48 where photo speed violation monitoring systems were used, to the extent  
49 the information is maintained by the commissioner, chair or the depart-  
50 ment of motor vehicles of this state;

51 4. the number of violations recorded within all highway safety corri-  
52 dor on controlled-access highways or on the thruway, in the aggregate on  
53 a daily, weekly and monthly basis to the extent the information is main-  
54 tained by the commissioner, chair or the department of motor vehicles of  
55 this state;

1 5. the number of violations recorded within each highway safety corri-  
2 dor where a photo speed violation monitoring system is used, in the  
3 aggregate on a daily, weekly and monthly basis;

4 6. to the extent the information is maintained by the commissioner,  
5 chair or the department of motor vehicles of this state, the number of  
6 violations recorded within all highway safety corridor on controlled-ac-  
7 cess highways or on the thruway that were:

8 (i) more than ten but not more than twenty miles per hour over the  
9 posted speed limit;

10 (ii) more than twenty but not more than thirty miles per hour over the  
11 posted speed limit;

12 (iii) more than thirty but not more than forty miles per hour over the  
13 posted speed limit; and

14 (iv) more than forty miles per hour over the posted speed limit;

15 7. the number of violations recorded within each highway safety corri-  
16 dor where a photo speed violation monitoring system is used that were:

17 (i) more than ten but not more than twenty miles per hour over the  
18 posted speed limit;

19 (ii) more than twenty but not more than thirty miles per hour over the  
20 posted speed limit;

21 (iii) more than thirty but not more than forty miles per hour over the  
22 posted speed limit; and

23 (iv) more than forty miles per hour over the posted speed limit;

24 8. the total number of notices of liability issued for violations  
25 recorded by such systems;

26 9. the number of fines and total amount of fines paid after the first  
27 notice of liability issued for violations recorded by such systems, to  
28 the extent the information is maintained by the commissioner, chair or  
29 the department of motor vehicles of this state;

30 10. the number of violations adjudicated and the results of such adju-  
31 dications including breakdowns of dispositions made for violations  
32 recorded by such systems, to the extent the information is maintained by  
33 the commissioner, chair or the department of motor vehicles of this  
34 state;

35 11. the total amount of revenue realized by the state or thruway  
36 authority in connection with the program;

37 12. the expenses incurred by the state or the thruway authority in  
38 connection with the program;

39 13. an itemized list of expenditures made by the state and the thruway  
40 authority on safety corridor projects undertaken in accordance with  
41 subdivisions eleven and twelve of section eighteen hundred three of this  
42 chapter; and

43 14. the quality of the adjudication process and its results, to the  
44 extent the information is maintained by the commissioner, chair or the  
45 department of motor vehicles of this state.

46 (n) It shall be a defense to any prosecution for a violation of subdi-  
47 vision (b), (d), (f) or (g) of section eleven hundred eighty of this  
48 article pursuant to this section that such photo speed violation moni-  
49 toring system was malfunctioning at the time of the alleged violation.

50 § 14. Section 401 of the highway law, as renumbered by section 1 of  
51 this act, is amended to read as follows:

52 § 401. Saving clause. The repeal of a law, as specified in section  
53 [~~three hundred and fifty three~~] four hundred four of this article shall  
54 not affect or impair any contract, or any act done, or right accruing,  
55 accrued or acquired or any penalty, forfeiture, or punishment incurred  
56 prior to the time when this chapter or any section thereof takes effect,

1 under or by virtue of the laws so repealed, but the same may be  
2 asserted, enforced, prosecuted, or inflicted, as fully and to the same  
3 extent, as if such laws had not been repealed.

4 § 15. Section 402 of the highway law, as added by chapter 506 of the  
5 laws of 1936, and as renumbered by section 1 of this act, is amended to  
6 read as follows:

7 § 402. Effect of amendments to and repeals of provisions of the former  
8 highway law. 1. An act of the legislature of the year nineteen hundred  
9 thirty-six which, in form, amends or repeals or purports to amend or  
10 repeal any provision or provisions of the former highway law shall be  
11 legally effective notwithstanding the repeal of such former highway law  
12 by section [~~three hundred fifty-three~~] four hundred four of this  
13 article, and shall be construed as an amendment or repeal, as the case  
14 may be, of the corresponding provision or provisions of this chapter  
15 irrespective of whether such provision or provisions are contained in  
16 this chapter in one or more than one article, section, subdivision or  
17 other part thereof and such corresponding provision or provisions shall  
18 be deemed amended, modified, changed or repealed as though the same had  
19 been expressly and in terms so amended or repealed.

20 2. An act of the legislature of the year nineteen hundred thirty-six  
21 which adds or purports to add a new article, section, subdivision or  
22 other provision of law to the former highway law shall be legally effec-  
23 tive notwithstanding the repeal of such former highway law by section  
24 [~~three hundred fifty-three~~] four hundred four of this article and shall  
25 be construed as having been added to this chapter and shall be given  
26 full effect according to its context as if the same had been added  
27 expressly and in terms to this chapter and shall be deemed to have been  
28 inserted in this chapter in juxtaposition to and as modifying the effect  
29 of the corresponding provision or provisions of this chapter.

30 3. The repeal of such former highway law by section [~~three hundred~~  
31 ~~fifty-three~~] four hundred four of this article shall not be construed to  
32 impair or affect the validity of any act of the legislature of the year  
33 nineteen hundred thirty-six relating to highways, roads or bridges  
34 because of any reference to or dependency on such former law but such  
35 act shall be construed in connection with this chapter as though in  
36 terms and in effect such act referred to or dependent upon this chapter.

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