

STATE OF NEW YORK

8052--A

2023-2024 Regular Sessions

IN ASSEMBLY

September 27, 2023

Introduced by M. of A. BORES, SEAWRIGHT, HEVESI, TAYLOR, EICHENSTEIN, CRUZ, LEVENBERG, McMAHON, GLICK, FAHY, O'DONNELL, BENEDETTO, ZACCARO, BERGER, CARROLL, EPSTEIN, WEPRIN, COLTON, CHANG -- read once and referred to the Committee on Consumer Affairs and Protection -- recommitted to the Committee on Consumer Affairs and Protection in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to requiring that all limited use motorcycles sold in the state of New York be registered

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

1 Section 1. Paragraph b of subdivision 16 of section 415 of the vehicle
2 and traffic law, as amended by chapter 7 of the laws of 2000, is amended
3 to read as follows:

4 b. Except as provided in paragraph c of this subdivision, any person
5 who operates as a dealer without being registered shall be required to
6 pay to the people of this state a civil penalty in the sum of [~~one~~] two
7 thousand dollars. However, any such person against whom such penalty has
8 been assessed may avoid all but [~~five~~] seven hundred fifty dollars of
9 such penalty by obtaining a registration as required by this article,
10 provided that application for such registration is made not more than
11 ten days after the imposition of such penalty.

12 § 2. The vehicle and traffic law is amended by adding a new section
13 2267-a to read as follows:

14 § 2267-a. Dealers and manufacturers of limited use motorcycles. 1. No
15 person shall engage in the business of selling limited use motorcycles,
16 as defined in section one hundred twenty-one-b of this chapter, unless
17 there shall have been issued to them a dealer registration in accordance
18 with section four hundred fifteen of this chapter. The commissioner may,

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

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1 by regulation, provide for identification of dealers as being dealers in
2 limited use motorcycles, and shall make provisions for the issuance of
3 appropriate dealer demonstrator number plates to such dealers.

4 2. No dealer shall acquire any limited use motorcycle for the purpose
5 of resale for use on the public highways within this state unless such
6 limited use motorcycle has a vehicle identification number in a form and
7 manner acceptable to the commissioner permanently affixed to the frame
8 by the manufacturer or authorized agent of the manufacturer.

9 3. Fees assessed under this section shall be paid to the commissioner
10 for deposit to the general fund which shall be deposited to the dedi-
11 cated highway and bridge trust fund established pursuant to section
12 eighty-nine-b of the state finance law and the dedicated mass transpor-
13 tation fund established pursuant to section eighty-nine-c of the state
14 finance law and distributed according to the provisions of subdivision
15 (d) of section three hundred one-j of the tax law.

16 4. The commissioner may prescribe, by regulation, procedures to be
17 followed by dealers with respect to record keeping and documents
18 required upon the sale of a limited use motorcycle, and procedures to be
19 followed by manufacturers with respect to the assignment and affixing of
20 vehicle identification numbers.

21 § 3. This act shall take effect on the one hundred eightieth day after
22 it shall have become a law. Effective immediately, the addition, amend-
23 ment and/or repeal of any rule or regulation necessary for the implemen-
24 tation of this act on its effective date are authorized to be made and
25 completed on or before such effective date.