

STATE OF NEW YORK

8902--B

IN ASSEMBLY

January 26, 2024

Introduced by M. of A. CUNNINGHAM, BICHOTTE HERMELYN, LEE, DAVILA -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to owner liability for failure of an operator to comply with street cleaning parking rules; to amend the public officers law, in relation to access to records prepared pursuant to street cleaning parking rules; and providing for the repeal of certain provisions upon expiration thereof

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

1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 1111-h to read as follows:

3 § 1111-h. Owner liability for failure to comply with street cleaning
4 parking rules. (a) 1. Notwithstanding any other provision of law, the
5 city of New York is hereby authorized and empowered to establish a
6 program imposing monetary liability on the owner of a vehicle for fail-
7 ure to comply with street cleaning parking rules in such city in accord-
8 ance with the provisions of this section. The New York city department
9 of sanitation, for purposes of the implementation of such program, shall
10 operate street cleaning vehicle photo devices on street cleaning vehi-
11 cles along all street cleaning routes in such city.

12 2. The city of New York shall adopt and enforce measures:

13 (i) to ensure, to the extent practicable, that photographs produced by
14 such street cleaning vehicle photo devices shall not include images that
15 identify any person or persons who may be occupying the vehicle, or the
16 contents of the vehicle. However, a notice of liability issued pursuant
17 to this section shall not be dismissed solely because a photograph or
18 photographs allow for the identification of a person or persons who may
19 be occupying the vehicle or the contents of a vehicle;

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

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1 (ii) to upgrade signage at regular intervals within street cleaning
2 routes stating that street cleaning vehicle photo devices are used to
3 enforce street cleaning parking rules along such routes; and

4 (iii) to prohibit the use or dissemination of vehicles' license plate
5 information and other information and images captured by street cleaning
6 vehicle photo devices except: (A) as required to establish liability
7 under this section or collect payment of penalties; (B) as required by
8 court order; or (C) as otherwise required by law.

9 (b) If the city of New York has established a program pursuant to
10 subdivision (a) of this section, the owner of a vehicle shall be liable
11 for a penalty imposed pursuant to this section if such vehicle was
12 parked in violation of any street cleaning parking rule of such city and
13 such violation is evidenced by information obtained from a street clean-
14 ing vehicle photo device.

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

17 1. "Owner" shall have the meaning provided in article two-B of this
18 chapter.

19 2. "Street cleaning routes" shall mean street cleaning routes desig-
20 nated by the New York city department of sanitation that include
21 upgraded signage stating that street cleaning vehicle photo devices are
22 used to enforce street cleaning parking rules.

23 3. "Street cleaning parking rules" shall mean the prohibited parking
24 of any vehicle on one side of the street to allow for cleaning by the
25 New York city department of sanitation during designated time periods as
26 posted by sign.

27 4. "Street cleaning vehicle" shall mean any vehicle operated by the
28 New York city department of sanitation that is designed to wash dirt and
29 grime, and remove litter and debris, from the street surface.

30 5. "Street cleaning vehicle photo device" shall mean a device that is
31 mounted on a street cleaning vehicle, is capable of operating independ-
32 ently of an enforcement officer and produces one or more images of each
33 vehicle at the time it is in violation of street cleaning parking rules.

34 (d) A certificate, sworn to or affirmed by a technician employed by
35 the city of New York in which the charged violation occurred, or a
36 facsimile thereof, based upon inspection of photographs, microphoto-
37 graphs, videotape or other recorded images produced by a street cleaning
38 vehicle photo device, shall be prima facie evidence of the facts
39 contained therein. Any photographs, microphotographs, videotape or other
40 recorded images evidencing such a violation shall be available for
41 inspection in any proceeding to adjudicate the liability for such
42 violation pursuant to this section.

43 (e) An owner liable for a violation of a street cleaning parking rule
44 imposed on any route shall be liable for monetary penalties in accord-
45 ance with a schedule of fines and penalties promulgated by the parking
46 violations bureau of the city of New York; provided, however, that the
47 monetary penalty for violating a street cleaning parking rule shall not
48 exceed fifty dollars for each violation; provided, further, that an
49 owner shall be liable for an additional penalty not to exceed twenty-
50 five dollars for each violation for the failure to respond to a notice
51 of liability within the prescribed time period.

52 (f) An imposition of liability under a local law or ordinance adopted
53 pursuant to this section shall not be deemed a conviction as an operator
54 and shall not be made part of the operating record of the person upon
55 whom such liability is imposed nor shall it be used for insurance
56 purposes in the provision of motor vehicle insurance coverage.

1 (g) 1. A notice of liability shall be sent by first class mail to each
2 person alleged to be liable as an owner for a violation of a street
3 cleaning parking rule. Personal delivery on the owner shall not be
4 required. A manual or automatic record of mailing prepared in the ordi-
5 nary course of business shall be prima facie evidence of the facts
6 contained therein.

7 2. A notice of liability shall contain the name and address of the
8 person alleged to be liable as an owner for violation of a street clean-
9 ing parking rule, the registration number of the vehicle involved in
10 such violation, the location where such violation took place including
11 the street or cross streets, one or more images identifying the
12 violation, the date and time of such violation and the identification
13 number of the street cleaning vehicle photo device that recorded the
14 violation or other document locator number.

15 3. The notice of liability shall contain information advising the
16 person charged of the manner and the time in which such person may
17 contest the liability alleged in the notice. Such notice of liability
18 shall also contain a warning to advise the person charged that failure
19 to contest in the manner and time provided shall be deemed an admission
20 of liability and that a default judgment may be entered thereon.

21 4. The notice of liability shall be prepared and mailed by the agency
22 or agencies designated by the city of New York, or any other entity
23 authorized by such city to prepare and mail such notification of
24 violation.

25 5. Adjudication of the liability imposed upon owners by this section
26 shall be by the New York city parking violations bureau.

27 (h) If an owner of a vehicle receives a notice of liability pursuant
28 to this section for any time period during which the vehicle was
29 reported to the police department as having been stolen, it shall be a
30 valid defense to an allegation of liability for violation of a street
31 cleaning parking rule of such city, that the vehicle had been reported
32 to the police as stolen prior to the time the violation occurred and had
33 not been recovered by such time. For purposes of asserting the defense
34 provided by this subdivision it shall be sufficient that a certified
35 copy of the police report on the stolen vehicle be sent by first class
36 mail to the parking violations bureau.

37 (i) 1. An owner who is a lessor of a vehicle to which a notice of
38 liability was issued pursuant to subdivision (g) of this section shall
39 not be liable for the violation of the street cleaning parking rule,
40 provided that:

41 (i) prior to the violation, the lessor has filed with such parking
42 violations bureau in accordance with the provisions of section two
43 hundred thirty-nine of this chapter; and

44 (ii) within thirty-seven days after receiving notice from such bureau
45 of the date and time of such liability, together with the other informa-
46 tion contained in the original notice of liability, the lessor submits
47 to such bureau the correct name and address of the lessee of the vehicle
48 identified in the notice of liability at the time of such violation,
49 together with such other additional information contained in the rental,
50 lease or other contract document, as may be reasonably required by such
51 bureau pursuant to regulations that may be promulgated for such purpose.

52 2. Failure to comply with subparagraph (ii) of paragraph one of this
53 subdivision shall render the lessor liable for the penalty prescribed in
54 this section.

55 3. Where the lessor complies with the provisions of paragraph one of
56 this subdivision, the lessee of such vehicle on the date of such

1 violation shall be deemed to be the owner of such vehicle for purposes
2 of this section, shall be subject to liability for such violation pursu-
3 ant to this section, and shall be sent a notice of liability pursuant to
4 subdivision (g) of this section.

5 § 2. Subdivision 1 of section 235 of the vehicle and traffic law, as
6 amended by section 2 of part MM of chapter 56 of the laws of 2023, is
7 amended to read as follows:

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

1 through the installation and operation of weigh in motion violation
2 monitoring systems, in accordance with article ten of this chapter, or
3 (h) to adjudicate the liability of owners for violations of subdivision
4 (b), (d), (f) or (g) of section eleven hundred eighty of this chapter
5 imposed pursuant to a demonstration program imposing monetary liability
6 on the owner of a vehicle for failure of an operator thereof to comply
7 with such posted maximum speed limits within a highway construction or
8 maintenance work area through the installation and operation of photo
9 speed violation monitoring systems, in accordance with article thirty of
10 this chapter, or (i) to adjudicate the liability of owners for
11 violations of bus operation-related traffic regulations as defined by
12 article twenty-four of this chapter imposed pursuant to a demonstration
13 program imposing monetary liability on the owner of a vehicle for fail-
14 ure of an operator thereof to comply with such bus operation-related
15 traffic regulations through the installation and operation of bus opera-
16 tion-related photo devices, in accordance with article twenty-four of
17 this chapter, or (j) to adjudicate the liability of owners for
18 violations of street cleaning parking rules as defined by article twen-
19 ty-four of this chapter imposed pursuant to a program imposing monetary
20 liability on the owner of a vehicle for failure of an operator thereof
21 to comply with such street cleaning parking rules through the installa-
22 tion and operation of street cleaning vehicle photo devices, in accord-
23 ance with article twenty-four of this chapter, such tribunal and the
24 rules and regulations pertaining thereto shall be constituted in
25 substantial conformance with the following sections.

26 § 3. Subdivision 1 of section 236 of the vehicle and traffic law, as
27 amended by section 3 of part MM of chapter 56 of the laws of 2023, is
28 amended to read as follows:

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

1 installation and operation of photo-monitoring systems, in accordance
2 with the provisions of section two thousand nine hundred eighty-five of
3 the public authorities law and sections sixteen-a, sixteen-b and
4 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
5 hundred fifty, or (e) to adjudicate the liability of owners for
6 violations of section eleven hundred seventy-four of this chapter when
7 meeting a school bus marked and equipped as provided in subdivisions
8 twenty and twenty-one-c of section three hundred seventy-five of this
9 chapter imposed pursuant to a local law or ordinance imposing monetary
10 liability on the owner of a vehicle for failure of an operator thereof
11 to comply with school bus red visual signals through the installation
12 and operation of school bus photo violation monitoring systems, in
13 accordance with article twenty-nine of this chapter, or (f) to adjudi-
14 cate the liability of owners for violations of section three hundred
15 eighty-five of this chapter and the rules of the department of transpor-
16 tation of the city of New York in relation to gross vehicle weight
17 and/or axle weight violations imposed pursuant to a weigh in motion
18 demonstration program imposing monetary liability on the owner of a
19 vehicle for failure of an operator thereof to comply with such gross
20 vehicle weight and/or axle weight restrictions through the installation
21 and operation of weigh in motion violation monitoring systems, in
22 accordance with article ten of this chapter, or (g) to adjudicate the
23 liability of owners 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) to adjudicate the liability of owners for violations of bus oper-
31 ation-related traffic regulations as defined by article twenty-four of
32 this chapter imposed pursuant to a demonstration program imposing mone-
33 tary liability on the owner of a vehicle for failure of an operator
34 thereof to comply with such bus operation-related traffic regulations
35 through the installation and operation of bus operation-related photo
36 devices, in accordance with article twenty-four of this chapter, or (i)
37 to adjudicate the liability of owners for violations of street cleaning
38 parking rules as defined by article twenty-four of this chapter
39 imposed pursuant to a program imposing monetary liability on the owner
40 of a vehicle for failure of an operator thereof to comply with
41 such street cleaning parking rules through the installation and opera-
42 tion of street cleaning vehicle photo devices, in accordance with arti-
43 cle twenty-four of this chapter. Such tribunal, except in a city with a
44 population of one million or more, shall also have jurisdiction of aban-
45 doned vehicle violations. For the purposes of this article, a parking
46 violation is the violation of any law, rule or regulation providing for
47 or regulating the parking, stopping or standing of a vehicle. In addi-
48 tion for purposes of this article, "commissioner" shall mean and include
49 the commissioner of traffic of the city or an official possessing
50 authority as such a commissioner.

51 § 4. Paragraph f of subdivision 1 of section 239 of the vehicle and
52 traffic law, as amended by section 4 of part MM of chapter 56 of the
53 laws of 2023, is amended to read as follows:

54 f. "Notice of violation" means a notice of violation as defined in
55 subdivision nine of section two hundred thirty-seven of this article,
56 but shall not be deemed to include a notice of liability issued pursuant

1 to authorization set forth in articles ten, twenty-four, twenty-nine and
2 thirty of this chapter, section two thousand nine hundred eighty-five of
3 the public authorities law and sections sixteen-a, sixteen-b and
4 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
5 hundred fifty to impose monetary liability on the owner of a vehicle for
6 failure of an operator thereof: to comply with traffic-control indi-
7 cations in violation of subdivision (d) of section eleven hundred eleven
8 of this chapter through the installation and operation of traffic-con-
9 trol signal photo violation-monitoring systems, in accordance with arti-
10 cle twenty-four of this chapter; or to comply with certain posted maxi-
11 mum speed limits in violation of subdivision (b), (c), (d), (f) or (g)
12 of section eleven hundred eighty of this chapter through the installa-
13 tion and operation of photo speed violation monitoring systems, in
14 accordance with article thirty of this chapter; or to comply with bus
15 lane restrictions as defined by article twenty-four of this chapter
16 through the installation and operation of bus lane photo devices, in
17 accordance with article twenty-four of this chapter; or to comply with
18 toll collection regulations of certain public authorities through the
19 installation and operation of photo-monitoring systems, in accordance
20 with the provisions of section two thousand nine hundred eighty-five of
21 the public authorities law and sections sixteen-a, sixteen-b and
22 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
23 hundred fifty; or to stop for a school bus displaying a red visual
24 signal in violation of section eleven hundred seventy-four of this chap-
25 ter through the installation and operation of school bus photo violation
26 monitoring systems, in accordance with article twenty-nine of this chap-
27 ter; or to comply with certain posted maximum speed limits in violation
28 of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of
29 this chapter within a highway construction or maintenance work area
30 through the installation and operation of photo speed violation monitor-
31 ing systems, in accordance with article thirty of this chapter; or to
32 comply with gross vehicle weight and/or axle weight restrictions in
33 violation of section three hundred eighty-five of this chapter and the
34 rules of the department of transportation of the city of New York
35 through the installation and operation of weigh in motion violation
36 monitoring systems, in accordance with article ten of this chapter; or
37 to comply with bus operation-related traffic regulations as defined by
38 article twenty-four of this chapter in violation of the rules of the
39 department of transportation of the city of New York through the instal-
40 lation and operation of bus operation-related photo devices, in accord-
41 ance with article twenty-four of this chapter; or to comply with street
42 cleaning parking rules as defined by article twenty-four of this chapter
43 in violation of the rules of the department of transportation of the
44 city of New York through the installation and operation of street clean-
45 ing vehicle photo devices, in accordance with article twenty-four of
46 this chapter.

47 § 5. Subdivisions 1, 1-a and the opening subparagraph of paragraph (a)
48 of subdivision 1-b of section 240 of the vehicle and traffic law, as
49 amended by section 5 of part MM of chapter 56 of the laws of 2023, are
50 amended to read as follows:

51 1. Notice of hearing. Whenever a person charged with a parking
52 violation enters a plea of not guilty; or a person alleged to be liable
53 in accordance with any provisions of law specifically authorizing the
54 imposition of monetary liability on the owner of a vehicle for failure
55 of an operator thereof: to comply with traffic-control indications in
56 violation of subdivision (d) of section eleven hundred eleven of this

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

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

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

39 In a city having a population of one million or more, at every hearing
40 for the adjudication of a notice of liability, as provided by this arti-
41 cle, there shall be a rebuttable presumption that the owner of a first-
42 response emergency vehicle alleged to be liable in accordance with any
43 provisions of law specifically authorizing the imposition of monetary
44 liability on the owner of a vehicle for failure of an operator thereof:
45 to comply with traffic-control indications in violation of subdivision
46 (d) of section eleven hundred eleven of this chapter through the instal-
47 lation and operation of traffic-control signal photo violation-monitor-
48 ing systems, in accordance with article twenty-four of this chapter; or
49 to comply with certain posted maximum speed limits in violation of
50 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
51 of this chapter through the installation and operation of photo speed
52 violation monitoring systems, in accordance with article thirty of this
53 chapter; or to comply with bus lane restrictions as defined by article
54 twenty-four of this chapter through the installation and operation of
55 bus lane photo devices, in accordance with article twenty-four of this
56 chapter; or to comply with bus operation-related traffic regulations as

1 defined by article twenty-four of this chapter in violation of the rules
2 of the department of transportation of the city of New York through the
3 installation and operation of bus operation-related photo devices, in
4 accordance with article twenty-four of this chapter; or to comply with
5 street cleaning parking rules as defined by article twenty-four of this
6 chapter in violation of the rules of the department of transportation
7 of the city of New York through the installation and operation of
8 street cleaning vehicle photo devices, in accordance with article twen-
9 ty-four of this chapter is not liable for such alleged violation if such
10 owner of the first-response emergency vehicle provides the hearing offi-
11 cer with:

12 § 6. Paragraphs a and g of subdivision 2 of section 240 of the vehicle
13 and traffic law, as amended by section 6 of part MM of chapter 56 of the
14 laws of 2023, are amended to read as follows:

15 a. Every hearing for the adjudication of a charge of parking violation
16 or an allegation of liability of an owner for a violation of subdivision
17 (d) of section eleven hundred eleven of this chapter imposed pursuant to
18 a local law or ordinance imposing monetary liability on the owner of a
19 vehicle for failure of an operator thereof to comply with traffic-con-
20 trol indications through the installation and operation of traffic-con-
21 trol signal photo violation-monitoring systems, in accordance with arti-
22 cle twenty-four of this chapter, or an allegation of liability of an
23 owner for a violation of subdivision (b), (c), (d), (f) or (g) of
24 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 certain posted
27 maximum speed limits through the installation and operation of photo
28 speed violation monitoring systems, in accordance with article thirty of
29 this chapter, or an allegation of liability of an owner for a violation
30 of bus lane restrictions as defined by article twenty-four of this chap-
31 ter imposed pursuant to a bus rapid transit program imposing monetary
32 liability on the owner of a vehicle for failure of an operator thereof
33 to comply with such bus lane restrictions through the installation and
34 operation of bus lane photo devices, in accordance with article twenty-
35 four of this chapter, or an allegation of liability of an owner for a
36 violation of toll collection regulations imposed by certain public
37 authorities pursuant to the law authorizing such public authorities to
38 impose monetary liability on the owner of a vehicle for failure of an
39 operator thereof to comply with toll collection regulations of such
40 public authorities through the installation and operation of photo-moni-
41 toring systems, in accordance with the provisions of section two thou-
42 sand nine hundred eighty-five of the public authorities law and sections
43 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four
44 of the laws of nineteen hundred fifty, or an allegation of liability of
45 an owner for a violation of section eleven hundred seventy-four of this
46 chapter when meeting a school bus marked and equipped as provided in
47 subdivisions twenty and twenty-one-c of section three hundred seventy-
48 five of this chapter imposed pursuant to a local law or ordinance impos-
49 ing monetary liability on the owner of a vehicle for failure of an oper-
50 ator thereof to comply with school bus red visual signals through the
51 installation and operation of school bus photo violation monitoring
52 systems, in accordance with article twenty-nine of this chapter, or an
53 allegation of liability of an owner for a violation of subdivision (b),
54 (d), (f) or (g) of section eleven hundred eighty of this chapter imposed
55 pursuant to a demonstration program imposing monetary liability on the
56 owner of a vehicle for failure of an operator thereof to comply with

1 certain posted maximum speed limits within a highway construction or
2 maintenance work area through the installation and operation of photo
3 speed violation monitoring systems, in accordance with article thirty of
4 this chapter, or an allegation of liability of an owner for a violation
5 of section three hundred eighty-five of this chapter and the rules of
6 the department of transportation of the city of New York in relation to
7 gross vehicle weight and/or axle weight violations imposed pursuant to a
8 weigh in motion demonstration program imposing monetary liability on the
9 owner of a vehicle for failure of an operator thereof to comply with
10 such gross vehicle weight and/or axle weight restrictions through the
11 installation and operation of weigh in motion violation monitoring
12 systems, in accordance with article ten of this chapter, or an allega-
13 tion of liability of an owner for a violation of bus operation-related
14 traffic regulations as defined by article twenty-four of this chapter
15 imposed pursuant to a demonstration program imposing monetary liability
16 on the owner of a vehicle for failure of an operator thereof to comply
17 with such bus operation-related traffic regulations through the instal-
18 lation and operation of bus operation-related photo devices, in accord-
19 ance with article twenty-four of this chapter, or an allegation of
20 liability of an owner for a violation of street cleaning parking rules
21 as defined by article twenty-four of this chapter imposed pursuant to a
22 program imposing monetary liability on the owner of a vehicle for fail-
23 ure of an operator thereof to comply with such street cleaning parking
24 rules through the installation and operation of street cleaning vehicle
25 photo devices, in accordance with article twenty-four of this chapter,
26 shall be held before a hearing examiner in accordance with rules and
27 regulations promulgated by the bureau.

28 g. A record shall be made of a hearing on a plea of not guilty or of a
29 hearing at which liability in accordance with any provisions of law
30 specifically authorizing the imposition of monetary liability on the
31 owner of a vehicle for failure of an operator thereof: to comply with
32 traffic-control indications in violation of subdivision (d) of section
33 eleven hundred eleven of this chapter through the installation and oper-
34 ation of traffic-control signal photo violation-monitoring systems, in
35 accordance with article twenty-four of this chapter; to comply with
36 certain posted maximum speed limits in violation of subdivision (b),
37 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter
38 through the installation and operation of photo speed violation monitor-
39 ing systems, in accordance with article thirty of this chapter; to
40 comply with bus lane restrictions as defined by article twenty-four of
41 this chapter through the installation and operation of bus lane photo
42 devices, in accordance with article twenty-four of this chapter; to
43 comply with toll collection regulations of certain public authorities
44 through the installation and operation of photo-monitoring systems, in
45 accordance with the provisions of section two thousand nine hundred
46 eighty-five of the public authorities law and sections sixteen-a,
47 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the
48 laws of nineteen hundred fifty; to stop for a school bus displaying a
49 red visual signal in violation of section eleven hundred seventy-four of
50 this chapter through the installation and operation of school bus photo
51 violation monitoring systems, in accordance with article twenty-nine of
52 this chapter; to comply with certain posted maximum speed limits in
53 violation of subdivision (b), (d), (f) or (g) of section eleven hundred
54 eighty of this chapter within a highway construction or maintenance work
55 area through the installation and operation of photo speed violation
56 monitoring systems, in accordance with article thirty of this chapter;

1 to comply with gross vehicle weight and/or axle weight restrictions in
2 violation of section three hundred eighty-five of this chapter and the
3 rules of the department of transportation of the city of New York
4 through the installation and operation of weigh in motion violation
5 monitoring systems, in accordance with article ten of this chapter; or
6 to comply with bus operation-related traffic regulations as defined by
7 article twenty-four of this chapter in violation of the rules of the
8 department of transportation of the city of New York through the instal-
9 lation and operation of bus operation-related photo devices, in accord-
10 ance with article twenty-four of this chapter; or to comply with street
11 cleaning parking rules as defined by article twenty-four of this chapter
12 in violation of the rules of the department of transportation of the
13 city of New York through the installation and operation of street clean-
14 ing vehicle photo devices, in accordance with article twenty-four of
15 this chapter, is contested. Recording devices may be used for the making
16 of the record.

17 § 7. Subdivisions 1 and 2 of section 241 of the vehicle and traffic
18 law, as amended by section 7 of part MM of chapter 56 of the laws of
19 2023, are amended to read as follows:

20 1. The hearing examiner shall make a determination on the charges,
21 either sustaining or dismissing them. Where the hearing examiner deter-
22 mines that the charges have been sustained [~~he or she~~] such examiner may
23 examine either the prior parking violations record or the record of
24 liabilities incurred in accordance with any provisions of law specif-
25 ically authorizing the imposition of monetary liability on the owner of
26 a vehicle for failure of an operator thereof: to comply with traffic-
27 control indications in violation of subdivision (d) of section eleven
28 hundred eleven of this chapter through the installation and operation of
29 traffic-control signal photo violation-monitoring systems, in accordance
30 with article twenty-four of this chapter; to comply with certain posted
31 maximum speed limits in violation of subdivision (b), (c), (d), (f) or
32 (g) of section eleven hundred eighty of this chapter through the instal-
33 lation and operation of photo speed violation monitoring systems, in
34 accordance with article thirty of this chapter; to comply with bus lane
35 restrictions as defined by article twenty-four of this chapter through
36 the installation and operation of bus lane photo devices, in accordance
37 with article twenty-four of this chapter; to comply with toll collection
38 regulations of certain public authorities through the installation and
39 operation of photo-monitoring systems, in accordance with the provisions
40 of section two thousand nine hundred eighty-five of the public authori-
41 ties law and sections sixteen-a, sixteen-b and sixteen-c of chapter
42 seven hundred seventy-four of the laws of nineteen hundred fifty; to
43 stop for a school bus displaying a red visual signal in violation of
44 section eleven hundred seventy-four of this chapter through the instal-
45 lation and operation of school bus photo violation monitoring systems,
46 in accordance with article twenty-nine of this chapter; to comply with
47 certain posted maximum speed limits in violation of subdivision (b),
48 (d), (f) or (g) of section eleven hundred eighty of this chapter within
49 a highway construction or maintenance work area through the installation
50 and operation of photo speed violation monitoring systems, in accordance
51 with article thirty of this chapter; to comply with gross vehicle weight
52 and/or axle weight restrictions in violation of section three hundred
53 eighty-five of this chapter and the rules of the department of transpor-
54 tation of the city of New York through the installation and operation of
55 weigh in motion violation monitoring systems, in accordance with article
56 ten of this chapter; [~~or~~] to comply with bus operation-related traffic

1 regulations as defined by article twenty-four of this chapter in
2 violation of the rules of the department of transportation of the city
3 of New York through the installation and operation of bus operation-re-
4 lated photo devices, in accordance with article twenty-four of this
5 chapter; or to comply with street cleaning parking rules as defined by
6 article twenty-four of this chapter in violation of the rules of the
7 department of transportation of the city of New York through the instal-
8 lation and operation of street cleaning vehicle photo devices, in
9 accordance with article twenty-four of this chapter, of the person
10 charged, as applicable prior to rendering a final determination. Final
11 determinations sustaining or dismissing charges shall be entered on a
12 final determination roll maintained by the bureau together with records
13 showing payment and nonpayment of penalties.

14 2. Where an operator or owner fails to enter a plea to a charge of a
15 parking violation or contest an allegation of liability in accordance
16 with any provisions of law specifically authorizing the imposition of
17 monetary 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; 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; to comply with gross vehicle weight and/or axle weight
44 restrictions in violation of section three hundred eighty-five of this
45 chapter and the rules of the department of transportation of the city of
46 New York through the installation and operation of weigh in motion
47 violation monitoring systems, in accordance with article ten of this
48 chapter; ~~[or]~~ to comply with bus operation-related traffic regulations
49 as defined by article twenty-four of this chapter in violation of the
50 rules of the department of transportation of the city of New York
51 through the installation and operation of bus operation-related photo
52 devices, in accordance with article twenty-four of this chapter; or to
53 comply with street cleaning parking rules as defined by article twenty-
54 four of this chapter in violation of the rules of the department of
55 transportation of the city of New York through the installation and
56 operation of street cleaning vehicle photo devices, in accordance with

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

1 other court of civil jurisdiction or any other place provided for the
2 entry of civil judgments within the state of New York, and (4) that a
3 default may be avoided by entering a plea or contesting an allegation of
4 liability in accordance with any provisions of law specifically author-
5 izing the imposition of monetary liability on the owner of a vehicle for
6 failure of an operator thereof: to comply with traffic-control indi-
7 cations in violation of subdivision (d) of section eleven hundred eleven
8 of this chapter through the installation and operation of traffic-con-
9 trol signal photo violation-monitoring systems, in accordance with arti-
10 cle twenty-four of this chapter; to comply with certain posted maximum
11 speed limits in violation of subdivision (b), (c), (d), (f) or (g) of
12 section eleven hundred eighty of this chapter through the installation
13 and operation of photo speed violation monitoring systems, in accordance
14 with article thirty of this chapter; to comply with bus lane
15 restrictions as defined by article twenty-four of this chapter through
16 the installation and operation of bus lane photo devices, in accordance
17 with article twenty-four of this chapter; to comply with toll collection
18 regulations of certain public authorities through the installation and
19 operation of photo-monitoring systems, in accordance with the provisions
20 of section two thousand nine hundred eighty-five of the public authori-
21 ties law and sections sixteen-a, sixteen-b and sixteen-c of chapter
22 seven hundred seventy-four of the laws of nineteen hundred fifty; to
23 stop for a school bus displaying a red visual signal in violation of
24 section eleven hundred seventy-four of this chapter through the instal-
25 lation and operation of school bus photo violation monitoring systems,
26 in accordance with article twenty-nine of this chapter; to comply with
27 certain posted maximum speed limits in violation of subdivision (b),
28 (d), (f) or (g) of section eleven hundred eighty of this chapter within
29 a highway construction or maintenance work area through the installation
30 and operation of photo speed violation monitoring systems, in accordance
31 with article thirty of this chapter; to comply with gross vehicle weight
32 and/or axle weight restrictions in violation of section three hundred
33 eighty-five of this chapter and the rules of the department of transpor-
34 tation of the city of New York through the installation and operation of
35 weigh in motion violation monitoring systems, in accordance with article
36 ten of this chapter; ~~[or]~~ to comply with bus operation-related traffic
37 regulations as defined by article twenty-four of this chapter in
38 violation of the rules of the department of transportation of the city
39 of New York through the installation and operation of bus operation-re-
40 lated photo devices, in accordance with article twenty-four of this
41 chapter; or to comply with street cleaning parking rules as defined by
42 article twenty-four of this chapter in violation of the rules of the
43 department of transportation of the city of New York through the instal-
44 lation and operation of street cleaning vehicle photo devices, in
45 accordance with article twenty-four of this chapter; or making an
46 appearance within thirty days of the sending of such notice. Pleas
47 entered and allegations contested within that period shall be in the
48 manner prescribed in the notice and not subject to additional penalty or
49 fee. Such notice of impending default judgment shall not be required
50 prior to the rendering and entry thereof in the case of operators or
51 owners who are non-residents of the state of New York. In no case shall
52 a default judgment be rendered or, where required, a notice of impending
53 default judgment be sent, more than two years after the expiration of
54 the time prescribed for entering a plea or contesting an allegation.
55 When a person has demanded a hearing, no fine or penalty shall be
56 imposed for any reason, prior to the holding of the hearing. If the

1 hearing examiner shall make a determination on the charges, sustaining
2 them, [~~he or she~~] such examiner shall impose no greater penalty or fine
3 than those upon which the person was originally charged.

4 § 8. Subparagraph (i) of paragraph a of subdivision 5-a of section 401
5 of the vehicle and traffic law, as amended by section 8 of part MM of
6 chapter 56 of the laws of 2023, is amended to read as follows:

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

1 registrant was liable for a violation of subdivision (b), (d), (f) or
2 (g) of section eleven hundred eighty of this chapter imposed pursuant to
3 a demonstration program imposing monetary liability on the owner of a
4 vehicle for failure of an operator thereof to comply with such posted
5 maximum speed limits within a highway construction or maintenance work
6 area through the installation and operation of photo speed violation
7 monitoring systems, in accordance with article thirty of this
8 chapter[7]; or (viii) the registrant was liable for a violation of bus
9 operation-related traffic regulations as defined by article twenty-four
10 of this chapter imposed pursuant to a demonstration program imposing
11 monetary liability on the owner of a vehicle for failure of an operator
12 thereof to comply with such bus operation-related traffic regulations
13 through the installation and operation of bus operation-related photo
14 devices, in accordance with article twenty-four of this chapter[7]; or
15 (ix) the registrant was liable for a violation of street cleaning park-
16 ing rules as defined by article twenty-four of this chapter imposed
17 pursuant to a program imposing monetary liability on the owner of a
18 vehicle for failure of an operator thereof to comply with such street
19 cleaning parking rules through the installation and operation of street
20 cleaning vehicle photo devices, in accordance with article twenty-four
21 of this chapter, the commissioner or [~~his or her~~] their agent shall deny
22 the registration or renewal application until the applicant provides
23 proof from the court, traffic and parking violations agency or adminis-
24 trative tribunal wherein the charges are pending that an appearance or
25 answer has been made or in the case of an administrative tribunal that
26 [~~he or she~~] such applicant has complied with the rules and regulations
27 of said tribunal following entry of a final decision. Where an applica-
28 tion is denied pursuant to this section, the commissioner may, in [~~his~~
29 ~~or her~~] their discretion, deny a registration or renewal application to
30 any other person for the same vehicle and may deny a registration or
31 renewal application for any other motor vehicle registered in the name
32 of the applicant where the commissioner has determined that such regis-
33 trant's intent has been to evade the purposes of this subdivision
34 where the commissioner has reasonable grounds to believe that such
35 registration or renewal will have the effect of defeating the purposes
36 of this subdivision. Such denial shall only remain in effect as long as
37 the summonses remain unanswered, or in the case of an administrative
38 tribunal, the registrant fails to comply with the rules and regulations
39 following entry of a final decision.

40 § 9. Subdivision 1-a of section 1809 of the vehicle and traffic law,
41 as amended by section 9 of part MM of chapter 56 of the laws of 2023, is
42 amended to read as follows:

43 1-a. Notwithstanding the provisions of subdivision one of this
44 section, the provisions of subdivision one of this section shall not
45 apply to an adjudication of liability of owners: (a) for violations of
46 subdivision (d) of section eleven hundred eleven of this chapter imposed
47 pursuant to a local law or ordinance imposing monetary liability on the
48 owner of a vehicle for failure of an operator thereof to comply with
49 traffic-control indications through the installation and operation of
50 traffic-control signal photo violation-monitoring systems, in accordance
51 with article twenty-four of this chapter; or (b) for violations of
52 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
53 of this chapter imposed pursuant to a demonstration program imposing
54 monetary liability on the owner of a vehicle for failure of an operator
55 thereof to comply with such posted maximum speed limits through the
56 installation and operation of photo speed violation monitoring systems,

1 in accordance with article thirty of this chapter; or (c) for violations
2 of bus lane restrictions as defined by article twenty-four of this chap-
3 ter imposed pursuant to a bus rapid transit program imposing monetary
4 liability on the owner of a vehicle for failure of an operator thereof
5 to comply with such bus lane restrictions through the installation and
6 operation of bus lane photo devices, in accordance with article twenty-
7 four of this chapter; or (d) for violations of toll collection regu-
8 lations 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) for violations of section eleven hundred seventy-
17 four of this chapter when meeting a school bus marked and equipped as
18 provided in subdivisions twenty and twenty-one-c of section three
19 hundred seventy-five of this chapter imposed pursuant to a local law or
20 ordinance imposing monetary liability on the owner of a vehicle for
21 failure of an operator thereof to comply with school bus red visual
22 signals through the installation and operation of school bus photo
23 violation monitoring systems, in accordance with article twenty-nine of
24 this chapter; or (f) for violations of section three hundred eighty-five
25 of this chapter and the rules of the department of transportation of the
26 city of New York in relation to gross vehicle weight and/or axle weight
27 violations imposed pursuant to a weigh in motion demonstration program
28 imposing monetary liability on the owner of a vehicle for failure of an
29 operator thereof to comply with such gross vehicle weight and/or axle
30 weight restrictions through the installation and operation of weigh in
31 motion violation monitoring systems, in accordance with article ten of
32 this chapter; or (g) for violations of subdivision (b), (d), (f) or (g)
33 of section eleven hundred eighty of this chapter imposed pursuant to a
34 demonstration program imposing monetary liability on the owner of a
35 vehicle for failure of an operator thereof to comply with such posted
36 maximum speed limits within a highway construction or maintenance work
37 area through the installation and operation of photo speed violation
38 monitoring systems, in accordance with article thirty of this chapter;
39 or (h) for violations of bus operation-related traffic regulations as
40 defined by article twenty-four of this chapter imposed pursuant to a
41 demonstration program imposing monetary liability on the owner of a
42 vehicle for failure of an operator thereof to comply with such bus oper-
43 ation-related traffic regulations through the installation and operation
44 of bus operation-related photo devices, in accordance with article twen-
45 ty-four of this chapter; or (i) for violations of street cleaning park-
46 ing rules as defined by article twenty-four of this chapter imposed
47 pursuant to a program imposing monetary liability on the owner of a
48 vehicle for failure of an operator thereof to comply with such street
49 cleaning parking rules through the installation and operation of street
50 cleaning vehicle photo devices, in accordance with article twenty-four
51 of this chapter.

52 § 10. Subdivision 1 of section 1809-a of the vehicle and traffic law,
53 as amended by section 10 of part MM of chapter 56 of the laws of 2023,
54 is amended to read as follows:

55 1. The provisions of any other general or special law notwithstanding,
56 whenever, in a city having a population of one hundred thousand or more

1 according to the nineteen hundred eighty United States census,
2 proceedings in an administrative tribunal or a court result in a finding
3 of liability, or conviction for the violation of any statute, local law,
4 ordinance or rule involving the parking, stopping or standing of a motor
5 vehicle, except (a) an adjudication of liability of an owner for a
6 violation of bus operation-related traffic regulations as defined by
7 article twenty-four of this chapter imposed pursuant to a demonstration
8 program imposing monetary liability on the owner of a vehicle for fail-
9 ure of an operator thereof to comply with such bus operation-related
10 traffic regulations through the installation and operation of bus opera-
11 tion-related photo devices, in accordance with article twenty-four of
12 this chapter, or (b) an adjudication of liability of an owner for a
13 violation of street cleaning parking rules as defined by article twen-
14 ty-four of this chapter imposed pursuant to a program imposing monetary
15 liability on the owner of a vehicle for failure of an operator thereof
16 to comply with such street cleaning parking rules through the installa-
17 tion and operation of street cleaning vehicle photo devices, in accord-
18 ance with article twenty-four of this chapter, there shall be levied a
19 mandatory surcharge in addition to any other sentence, fine or penalty
20 otherwise permitted or required, in the amount of fifteen dollars. Such
21 surcharge shall not be deemed a monetary penalty for the purposes of
22 section two hundred thirty-seven of this chapter or section 19-203 of
23 the administrative code of the city of New York.

24 § 11. Subdivision 1 of section 1809-aa of the vehicle and traffic law,
25 as amended by section 11 of part MM of chapter 56 of the laws of 2023,
26 is amended to read as follows:

27 1. Notwithstanding any other provision of law, whenever proceedings in
28 an administrative tribunal or court result in a conviction for a
29 violation of section twelve hundred, twelve hundred one or twelve
30 hundred two of this chapter, except (a) an adjudication of liability of
31 an owner for a violation of bus operation-related traffic regulations as
32 defined by article twenty-four of this chapter imposed pursuant to a
33 demonstration program imposing monetary liability on the owner of a
34 vehicle for failure of an operator thereof to comply with such bus oper-
35 ation-related traffic regulations through the installation and operation
36 of bus operation-related photo devices, in accordance with article twen-
37 ty-four of this chapter, or (b) an adjudication of liability of an
38 owner for a violation of street cleaning parking rules as defined by
39 article twenty-four of this chapter imposed pursuant to a program
40 imposing monetary liability on the owner of a vehicle for failure
41 of an operator thereof to comply with such street cleaning parking rules
42 through the installation and operation of street cleaning vehicle photo
43 devices, in accordance with article twenty-four of this chapter, there
44 shall be levied a mandatory surcharge in addition to any other sentence,
45 fine or penalty otherwise permitted or required, in the amount of twen-
46 ty-five dollars.

47 § 12. Paragraph a of subdivision 1 of section 1809-e of the vehicle
48 and traffic law, as amended by section 12 of part MM of chapter 56 of
49 the laws of 2023, is amended to read as follows:

50 a. Notwithstanding any other provision of law, whenever proceedings in
51 a court or an administrative tribunal of this state result in a
52 conviction for an offense under this chapter, except a conviction pursu-
53 ant to section eleven hundred ninety-two of this chapter, or for a traf-
54 fic infraction under this chapter, or a local law, ordinance, rule or
55 regulation adopted pursuant to this chapter, except: (i) a traffic
56 infraction involving standing, stopping, or parking or violations by

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

1 demonstration program imposing monetary liability on the owner of a
2 vehicle for failure of an operator thereof to comply with such bus oper-
3 ation-related traffic regulations through the installation and operation
4 of bus operation-related photo devices, in accordance with article twen-
5 ty-four of this chapter; and (x) an adjudication of liability of an
6 owner for a violation of street cleaning parking rules as defined by
7 article twenty-four of this chapter imposed pursuant to a program impos-
8 ing monetary liability on the owner of a vehicle for failure of an
9 operator thereof to comply with such street cleaning parking rules
10 through the installation and operation of street cleaning vehicle photo
11 devices, in accordance with article twenty-four of this chapter, there
12 shall be levied in addition to any sentence, penalty or other surcharge
13 required or permitted by law, an additional surcharge of twenty-eight
14 dollars.

15 § 13. Subdivision 2 of section 87 of the public officers law is
16 amended by adding a new paragraph (u) to read as follows:

17 (u) are photographs, microphotographs, videotape or other recorded
18 images prepared under authority of section eleven hundred eleven-h of
19 the vehicle and traffic law.

20 § 14. This act shall take effect one year after it shall have become a
21 law; provided, however, that sections one and thirteen of this act shall
22 expire July 1, 2029, when upon such date the provisions of such sections
23 shall be deemed repealed; provided further, however, that:

24 (a) the amendments to subdivision 1 of section 1809-a of the vehicle
25 and traffic law made by section ten of this act shall not affect the
26 repeal of such section and shall be deemed repealed therewith;

27 (b) if section 2 of part MM of chapter 56 of the laws of 2023 shall
28 not have taken effect on or before such date then section two of this
29 act shall take effect on the same date and in the same manner as such
30 chapter of the laws of 2023, takes effect;

31 (c) if section 3 of part MM of chapter 56 of the laws of 2023 shall
32 not have taken effect on or before such date then section three of this
33 act shall take effect on the same date and in the same manner as such
34 chapter of the laws of 2023, takes effect;

35 (d) if section 4 of part MM of chapter 56 of the laws of 2023 shall
36 not have taken effect on or before such date then section four of this
37 act shall take effect on the same date and in the same manner as such
38 chapter of the laws of 2023, takes effect;

39 (e) if section 5 of part MM of chapter 56 of the laws of 2023 shall
40 not have taken effect on or before such date then section five of this
41 act shall take effect on the same date and in the same manner as such
42 chapter of the laws of 2023, takes effect;

43 (f) if section 6 of part MM of chapter 56 of the laws of 2023 shall
44 not have taken effect on or before such date then section six of this
45 act shall take effect on the same date and in the same manner as such
46 chapter of the laws of 2023, takes effect;

47 (g) if section 7 of part MM of chapter 56 of the laws of 2023 shall
48 not have taken effect on or before such date then section seven of this
49 act shall take effect on the same date and in the same manner as such
50 chapter of the laws of 2023, takes effect;

51 (h) if section 8 of part MM of chapter 56 of the laws of 2023 shall
52 not have taken effect on or before such date then section eight of this
53 act shall take effect on the same date and in the same manner as such
54 chapter of the laws of 2023, takes effect;

55 (i) if section 9 of part MM of chapter 56 of the laws of 2023 shall
56 not have taken effect on or before such date then section nine of this

1 act shall take effect on the same date and in the same manner as such
2 chapter of the laws of 2023, takes effect;

3 (j) if section 10 of part MM of chapter 56 of the laws of 2023 shall
4 not have taken effect on or before such date then section ten of this
5 act shall take effect on the same date and in the same manner as such
6 chapter of the laws of 2023, takes effect;

7 (k) if section 11 of part MM of chapter 56 of the laws of 2023 shall
8 not have taken effect on or before such date then section eleven of this
9 act shall take effect on the same date and in the same manner as such
10 chapter of the laws of 2023, takes effect;

11 (l) if section 12 of part MM of chapter 56 of the laws of 2023 shall
12 not have taken effect on or before such date then section twelve of this
13 act shall take effect on the same date and in the same manner as such
14 chapter of the laws of 2023, takes effect.

15 Effective immediately, the addition, amendment and/or repeal of any
16 rule or regulation necessary for the implementation of section one of
17 this act on its effective date are authorized to be made and completed
18 on or before such effective date.