STATE OF NEW YORK

5952

2023-2024 Regular Sessions

IN SENATE

March 23, 2023

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to providing for the electronic transmission of certain documents

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

Section 1. Subdivision (f) of section 2101 of the vehicle and traffic law, as added by chapter 1134 of the laws of 1971, is amended to read as follows:

(f) To "mail" means to deposit in the United States mail properly addressed and with postage prepaid**, or electronically transmitted**.

§ 2. Subdivision (c) of section 2107 of the vehicle and traffic law, as added by chapter 521 of the laws of 1972, is amended to read as follows:

(c) When the commissioner issues a certificate of title for a vehicle as a result of an original application for a title or as a result of the filing of a security interest, he shall also issue and mail **or have electronically transmitted** to the lienholder or lienholders named in the original application, or to the lienholder who filed the subsequent security interest a notice of recorded lien.

§ 3. Section 2109 of the vehicle and traffic law, as added by section 1134 of the laws of 1971, is amended to read as follows:

§ 2109. Delivery. The certificate of title shall be mailed **or electronically transmitted** to the owner.

§ 4. Subdivision (a) of section 2112 of the vehicle and traffic law, as amended by chapter 175 of the laws of 1982, is amended to read as follows:

(a) If a certificate of title is lost, stolen, mutilated or destroyed or becomes illegible, the owner or legal representative of the owner named in the certificate, as shown by the records of the commissioner, shall promptly make application for and may obtain a duplicate upon

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

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furnishing information satisfactory to the commissioner. Unless the original certificate of title is surrendered to the commissioner, the duplicate certificate of title shall contain the legend "This is a duplicate certificate and may be subject to the rights of a person under the original certificate." It shall be mailed **or electronically transmitted** to the owner.

§ 5. Subdivisions (a) and (b) of section 2117 of the vehicle and traffic law, as added by chapter 1134 of the laws of 1971, are amended to read as follows:

(a) The commissioner, upon receipt of a properly assigned certificate of title, with an application for a new certificate of title, the required fee and any other documents required by law, shall check the identifying number of the vehicle against the appropriate records of vehicles required to be maintained, issue a new certificate of title in the name of the transferee as owner and mail it **or have it electronically transmitted** to the owner.

(b) The commissioner, upon receipt of an application for a new certificate of title by a transferee other than by voluntary transfer, with proof of the transfer, the required fee and any other documents required by law, shall check the identifying number of the vehicle against the appropriate records of vehicles required to be maintained, issue a new certificate of title in the name of the transferee as owner and mail it **or have it electronically transmitted** to the owner. If the outstanding certificate of title is not delivered to the commissioner, he shall demand it from the holder thereof.

§ 6. Subdivisions (b) and (c) of section 2119 of the vehicle and traffic law, as added by chapter 1134 of the laws of 1971, are amended to read as follows:

(b) The lienholder shall, immediately after the owner complies with subdivision (a), cause the certificate, application and the required fee to be mailed**, electronically transmitted** or delivered to the commissioner.

(c) Upon receipt of the certificate of title, application and the required fee, the commissioner shall either endorse on the certificate, or issue a new certificate containing, the name and address of the new lienholder, and mail **or electronically transmit** the certificate to the owner.

§ 7. This act shall take effect immediately.