

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:

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

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

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

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

15 § 3. Section 2109 of the vehicle and traffic law, as added by section
16 1134 of the laws of 1971, is amended to read as follows:

17 § 2109. Delivery. The certificate of title shall be mailed or elec-
18 tronically transmitted to the owner.

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

22 (a) If a certificate of title is lost, stolen, mutilated or destroyed
23 or becomes illegible, the owner or legal representative of the owner
24 named in the certificate, as shown by the records of the commissioner,
25 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.

LBD10414-01-3

1 furnishing information satisfactory to the commissioner. Unless the
2 original certificate of title is surrendered to the commissioner, the
3 duplicate certificate of title shall contain the legend "This is a
4 duplicate certificate and may be subject to the rights of a person under
5 the original certificate." It shall be mailed or electronically trans-
6 mitted to the owner.

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

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

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

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

29 (b) The lienholder shall, immediately after the owner complies with
30 subdivision (a), cause the certificate, application and the required fee
31 to be mailed, electronically transmitted or delivered to the commission-
32 er.

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

38 § 7. This act shall take effect immediately.