STATE OF NEW YORK

7703--A

2023-2024 Regular Sessions

IN SENATE

October 13, 2023

Introduced by Sens. HOYLMAN-SIGAL, SALAZAR -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to requiring limited use motorcycles to be registered at point of sale

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

Section 1. The vehicle and traffic law is amended by adding a new section 2267-a to read as follows:

§ 2267-a. Dealers and manufacturers of limited use motorcycles. 1. Where a dealer having a registration under the provisions of section four hundred fifteen of this chapter sells or transfers a limited use motorcycle, they shall issue a temporary registration for such limited use motorcycle, which registration shall permit such limited use motorcycle to be operated as a duly registered vehicle for a period of thirty days from the date of issuance, other provisions of this chapter notwithstanding. Such temporary registration may be extended by the commissioner for an additional thirty days and shall consist of a form or forms which shall be obtained from the commissioner by the dealer, and executed, issued and displayed in accordance with the provisions of this section and in such manner as the commissioner shall prescribe.

2. A qualified dealer may obtain temporary registrations to be issued in accordance with the provisions of this section by applying to the commissioner and paying a fee of three dollars for each such temporary registration. The commissioner may limit the number of temporary registrations given to a dealer at any one time or the number of unissued temporary registrations in the possession of a dealer at one time.

3. A qualified dealer shall issue a temporary registration under this section only to a person to whom they have sold or transferred a limited

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

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use motorcycle. Such a temporary registration may not be issued for a vehicle which is eligible for issuance of a temporary certificate of registration pursuant to subdivision seven of section four hundred twenty of this chapter. The commissioner may, by regulation, exclude specific classes or types of vehicles from the provisions of this section.

4. Before issuing a temporary registration, a qualified dealer must have in their possession all application forms properly completed, all documents, fees and any other charges which must be submitted to the commissioner for the issuance of a registration by the commissioner. Such dealer must make application for registration for such vehicle and must submit all such forms, documents, fees and charges to the commissioner in a manner prescribed by the commissioner and, unless otherwise provided by the commissioner, within five calendar days of the date of issuance of the temporary registration.

5. Before completion of the purchase of the limited use motorcycle, a qualified dealer must receive attestation from the purchaser that they possess the appropriate drivers' license pursuant to article nineteen of this chapter and are compliant with all requirements listed in this article, as applicable.

6. Any registration issued by the commissioner as a result of an application submitted by a qualified dealer who has issued a temporary registration for such limited use motorcycle pursuant to this section shall be issued as of the date the dealer issued the temporary registration.

7. In order for a temporary registration issued pursuant to this section to be valid, it must be displayed on the vehicle for which it is issued in the manner prescribed by the commissioner.

8. A dealer may not make a separate charge for the issuance of a temporary registration.

9. The commissioner may refuse to issue temporary registrations to a dealer registered pursuant to section four hundred fifteen of this chapter or they may require the surrender of unissued temporary registrations in the possession of such dealer, if he or she determines that the dealer has not complied with the provisions of this section or any regulations promulgated thereunder. If the commissioner refuses to issue such temporary registrations or requires the surrender of such temporary registrations, a qualified dealer may request a hearing on such determination by making a written request for such hearing to the commissioner. Upon receipt of such request, a hearing must be held within ten days of receipt.

10. If a dealer registration expires or is suspended or revoked, or if a dealer goes out of business, all unissued temporary registrations in the possession of such dealer must be surrendered to the commissioner. Upon application by such dealer, the fee for such unissued temporary registrations shall be refunded upon surrender, except that no such refund shall be made if the dealer registration has been suspended or revoked or the commissioner has required that temporary registrations be surrendered pursuant to subdivision five of this section.

11. The commissioner shall prescribe such rules and regulations as may be necessary to carry out the provisions of this section.

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