

STATE OF NEW YORK

6064

2023-2024 Regular Sessions

IN ASSEMBLY

April 3, 2023

Introduced by M. of A. SOLAGES -- read once and referred to the Committee on Transportation

AN ACT to amend the highway law, in relation to establishing a highway safety corridor on the Southern State Parkway located in Long Island and to making conforming changes; to amend the vehicle and traffic law and the general municipal law, in relation to certain notices of liability; to amend the vehicle and traffic law, in relation to establishing a demonstration program implementing speed violation monitoring systems in the Southern State Parkway safety zone by means of photo devices

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

Section 1. Article 13 of the highway law is redesignated article 15 and sections 350, 351, 351-a, 352, 353 and 354 are renumbered sections 400, 401, 402, 403, 404 and 405.

§ 2. The highway law is amended by adding a new article 13 to read as follows:

ARTICLE 13

HIGHWAY SAFETY CORRIDORS

Section 375. Purpose and application.

375-a. Definitions.

375-b. Southern State Parkway highway safety corridor.

375-c. Traffic signs.

§ 375. Purpose and application. 1. This article is enacted to improve safety in a targeted high crash location designated as a highway safety corridor where motorists are exposed to increased levels of enforcement and increased penalties for moving violations relating to unsafe driving behavior.

2. The signs specified in this article are in addition to the traffic-control devices required by department regulations and apply to public highways within this state.

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

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1 § 375-a. Definitions. As used in this article, "Southern State Park-
2 way highway safety corridor" or "corridor" means the Southern State
3 Parkway.

4 § 375-b. Southern State Parkway highway safety corridor. The corridor
5 shall be designated as a highway safety corridor in which increased
6 penalties will apply for violations relating to the duty of a driver
7 under the vehicle and traffic law provided there is a written commitment
8 from the local and state law enforcement agencies responsible for high-
9 way patrol along the corridor to provide visible, sustained enforcement
10 activity within the limits of the marked corridor.

11 § 375-c. Traffic signs. Traffic signs shall be installed as follows:

12 1. A sign reading "SAFETY CORRIDOR-ELECTRONIC SPEED ENFORCEMENT AND
13 FINES DOUBLED" shall be installed as close as practical to the beginning
14 of the Southern State Parkway highway safety corridor and after each
15 interchange along the corridor; and

16 2. A sign reading "END SAFETY CORRIDOR ZONE" shall be installed imme-
17 diately at the end of each highway safety corridor.

18 § 3. Subdivision 1 of section 235 of the vehicle and traffic law, as
19 separately added by chapters 421, 460 and 773 of the laws of 2021, para-
20 graph h as relettered by chapter 258 of the laws of 2022, is amended to
21 read as follows:

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

ty-four of this chapter when meeting a school bus marked and equipped as provided in subdivisions twenty and twenty-one-c of section three hundred seventy-five of this chapter imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with school bus red visual signals through the installation and operation of school bus photo violation monitoring systems, in accordance with article twenty-nine of this chapter, or (g) to adjudicate the liability of owners for violations of section three hundred eighty-five of this chapter and the rules of the department of transportation of the city of New York in relation to gross vehicle weight and/or axle weight violations imposed pursuant to a weigh in motion demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such gross vehicle weight and/or axle weight restrictions through the installation and operation of weigh in motion violation monitoring systems, in accordance with article ten of this chapter, or (h) to adjudicate the liability of owners for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such posted maximum speed limits within a highway construction or maintenance work area through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter, such tribunal and the rules and regulations pertaining thereto shall be constituted in substantial conformance with the following sections, or (i) to adjudicate the liability of owners for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty-f of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such posted maximum speed limits within a highway safety corridor through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter, such tribunal and the rules and regulations pertaining thereto shall be constituted in substantial conformance with the following sections.

§ 4. Subdivision 1 of section 236 of the vehicle and traffic law, as separately added by chapters 421, 460 and 773 of the laws of 2021, paragraph g as relettered by chapter 258 of the laws of 2022, is amended to read as follows:

1. Creation. In any city as hereinbefore or hereafter authorized such tribunal when created shall be known as the parking violations bureau and shall have jurisdiction of traffic infractions which constitute a parking violation and, where authorized: (a) to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven of this chapter imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic-control indications through the installation and operation of traffic-control signal photo violation-monitoring systems, in accordance with article twenty-four of this chapter, or (b) to adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such posted maximum speed limits through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter, or (c) to adjudicate

1 the liability of owners for violations of bus lane restrictions as
2 defined by article twenty-four of this chapter imposed pursuant to a bus
3 rapid transit program imposing monetary liability on the owner of a
4 vehicle for failure of an operator thereof to comply with such bus lane
5 restrictions through the installation and operation of bus lane photo
6 devices, in accordance with article twenty-four of this chapter, or (d)
7 to adjudicate the liability of owners for violations of toll collection
8 regulations 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) to adjudicate the liability of owners for
17 violations of section eleven hundred seventy-four of this chapter when
18 meeting a school bus marked and equipped as provided in subdivisions
19 twenty and twenty-one-c of section three hundred seventy-five of this
20 chapter imposed pursuant to a local law or ordinance imposing monetary
21 liability on the owner of a vehicle for failure of an operator thereof
22 to comply with school bus red visual signals through the installation
23 and operation of school bus photo violation monitoring systems, in
24 accordance with article twenty-nine of this chapter, or (f) to adjudi-
25 cate the liability of owners for violations 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 in relation to gross vehicle weight
28 and/or axle weight violations imposed pursuant to a weigh in motion
29 demonstration program imposing monetary liability on the owner of a
30 vehicle for failure of an operator thereof to comply with such gross
31 vehicle weight and/or axle weight restrictions through the installation
32 and operation of weigh in motion violation monitoring systems, in
33 accordance with article ten of this chapter, or (g) to adjudicate the
34 liability of owners for violations of subdivision (b), (d), (f) or (g)
35 of section eleven hundred eighty of this chapter imposed pursuant to a
36 demonstration program imposing monetary liability on the owner of a
37 vehicle for failure of an operator thereof to comply with such posted
38 maximum speed limits within a highway construction or maintenance work
39 area through the installation and operation of photo speed violation
40 monitoring systems, in accordance with article thirty of this chapter,
41 or (h) to adjudicate the liability of owners for violations of subdivi-
42 sion (b), (d), (f) or (g) of section eleven hundred eighty-f of this
43 chapter imposed pursuant to a demonstration program imposing monetary
44 liability on the owner of a vehicle for failure of an operator thereof
45 to comply with such posted maximum speed limits within a highway
46 construction or maintenance work area through the installation and oper-
47 ation of photo speed violation monitoring systems, in accordance
48 with article thirty of this chapter, such tribunal and the rules and
49 regulations pertaining thereto shall be constituted in substantial
50 conformance with the following sections.

51 Such tribunal, except in a city with a population of one million or
52 more, shall also have jurisdiction of abandoned vehicle violations. For
53 the purposes of this article, a parking violation is the violation of
54 any law, rule or regulation providing for or regulating the parking,
55 stopping or standing of a vehicle. In addition for purposes of this
56 article, "commissioner" shall mean and include the commissioner of traf-

1 fic of the city or an official possessing authority as such a commis-
2 sioner.

3 § 5. Paragraph f of subdivision 1 of section 239 of the vehicle and
4 traffic law, as separately added by chapters 421, 460 and 773 of the
5 laws of 2021, is amended to read as follows:

6 f. "Notice of violation" means a notice of violation as defined in
7 subdivision nine of section two hundred thirty-seven of this article,
8 but shall not be deemed to include a notice of liability issued pursuant
9 to authorization set forth in articles ten, twenty-four, twenty-nine and
10 thirty of this chapter, section two thousand nine hundred eighty-five of
11 the public authorities law and sections sixteen-a, sixteen-b and
12 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
13 hundred fifty to impose monetary liability on the owner of a vehicle for
14 failure of an operator thereof: to comply with traffic-control indi-
15 cations in violation of subdivision (d) of section eleven hundred eleven
16 of this chapter through the installation and operation of traffic-con-
17 trol signal photo violation-monitoring systems, in accordance with arti-
18 cle twenty-four of this chapter; or to comply with certain posted maxi-
19 mum speed limits in violation of subdivision (b), (c), (d), (f) or (g)
20 of section eleven hundred eighty of this chapter through the installa-
21 tion and operation of photo speed violation monitoring systems, in
22 accordance with article thirty of this chapter; or to comply with bus
23 lane restrictions as defined by article twenty-four of this chapter
24 through the installation and operation of bus lane photo devices, in
25 accordance with article twenty-four of this chapter; or to comply with
26 toll collection regulations of certain public authorities through the
27 installation and operation of photo-monitoring systems, in accordance
28 with the provisions of section two thousand nine hundred eighty-five of
29 the public authorities law and sections sixteen-a, sixteen-b and
30 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
31 hundred fifty; or to stop for a school bus displaying a red visual
32 signal in violation of section eleven hundred seventy-four of this chap-
33 ter through the installation and operation of school bus photo violation
34 monitoring systems, in accordance with article twenty-nine of this chap-
35 ter, or to comply with certain posted maximum speed limits in violation
36 of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of
37 this chapter within a highway construction or maintenance work area
38 through the installation and operation of photo speed violation monitor-
39 ing systems, in accordance with article thirty of this chapter; or to
40 comply with certain posted maximum speed limits in violation of subdivi-
41 sion (b), (d), (f) or (g) of section eleven hundred eighty-f of this
42 chapter within a highway safety corridor through the installation and
43 operation of photo speed violation monitoring systems, in accordance
44 with article thirty of this chapter; or to comply with gross vehicle
45 weight and/or axle weight restrictions in violation of section three
46 hundred eighty-five of this chapter and the rules of the department of
47 transportation of the city of New York through the installation and
48 operation of weigh in motion violation monitoring systems, in accordance
49 with article ten of this chapter.

50 § 6. Subdivisions 1 and 1-a of section 240 of the vehicle and traffic
51 law, as separately added by chapters 421, 460 and 773 of the laws of
52 2021, are amended to read as follows:

53 1. Notice of hearing. Whenever a person charged with a parking
54 violation enters a plea of not guilty; or a person alleged to be liable
55 in accordance with any provisions of law specifically authorizing the
56 imposition of monetary liability on the owner of a vehicle for failure

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

44 1-a. Fines and penalties. Whenever a plea of not guilty has been
45 entered, or the bureau has been notified that an allegation of liability
46 in accordance with provisions of law specifically authorizing the im-
47 position of monetary liability on the owner of a vehicle for failure of an
48 operator thereof: to comply with traffic-control indications in
49 violation of subdivision (d) of section eleven hundred eleven of this
50 chapter through the installation and operation of traffic-control signal
51 photo violation-monitoring systems, in accordance with article twenty-
52 four of this chapter; or to comply with certain posted maximum speed
53 limits in violation of subdivision (b), (c), (d), (f) or (g) of section
54 eleven hundred eighty of this chapter through the installation and oper-
55 ation of photo speed violation monitoring systems, in accordance with
56 article thirty of this chapter; or to comply with bus lane restrictions

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

31 § 7. Paragraphs a and g of subdivision 2 of section 240 of the vehicle
32 and traffic law, as separately added by chapters 421, 460 and 773 of the
33 laws of 2021, are amended to read as follows:

34 a. Every hearing for the adjudication of a charge of parking violation
35 or an allegation of liability of an owner for a violation of subdivision
36 (d) of section eleven hundred eleven of this chapter imposed pursuant to
37 a local law or ordinance imposing monetary liability on the owner of a
38 vehicle for failure of an operator thereof to comply with traffic-con-
39 trol indications through the installation and operation of traffic-con-
40 trol signal photo violation-monitoring systems, in accordance with arti-
41 cle twenty-four of this chapter, or an allegation of liability of an
42 owner for a violation of subdivision (b), (c), (d), (f) or (g) of
43 section eleven hundred eighty of this chapter imposed pursuant to a
44 demonstration program imposing monetary liability on the owner of a
45 vehicle for failure of an operator thereof to comply with certain posted
46 maximum speed limits through the installation and operation of photo
47 speed violation monitoring systems, in accordance with article thirty of
48 this chapter, or an allegation of liability of an owner for a violation
49 of bus lane restrictions as defined by article twenty-four of this chap-
50 ter imposed pursuant to a bus rapid transit program imposing monetary
51 liability on the owner of a vehicle for failure of an operator thereof
52 to comply with such bus lane restrictions through the installation and
53 operation of bus lane photo devices, in accordance with article twenty-
54 four of this chapter, or an allegation of liability of an owner for a
55 violation of toll collection regulations imposed by certain public
56 authorities pursuant to the law authorizing such public authorities to

1 impose monetary liability on the owner of a vehicle for failure of an
2 operator thereof to comply with toll collection regulations of such
3 public authorities through the installation and operation of photo-mon-
4 itoring systems, in accordance with the provisions of section two thou-
5 sand nine hundred eighty-five of the public authorities law and sections
6 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four
7 of the laws of nineteen hundred fifty, or an allegation of liability of
8 an owner for a violation of section eleven hundred seventy-four of this
9 chapter when meeting a school bus marked and equipped as provided in
10 subdivisions twenty and twenty-one-c of section three hundred seventy-
11 five of this chapter imposed pursuant to a local law or ordinance impos-
12 ing monetary liability on the owner of a vehicle for failure of an oper-
13 ator thereof to comply with school bus red visual signals through the
14 installation and operation of school bus photo violation monitoring
15 systems, in accordance with article twenty-nine of this chapter, or an
16 allegation of liability of an owner for a violation of subdivision (b),
17 (d), (f) or (g) of section eleven hundred eighty of this chapter imposed
18 pursuant to a demonstration program imposing monetary liability on the
19 owner of a vehicle for failure of an operator thereof to comply with
20 certain posted maximum speed limits within a highway construction or
21 maintenance work area through the installation and operation of photo
22 speed violation monitoring systems, in accordance with article thirty of
23 this chapter, or an allegation of liability of an owner for a violation
24 of subdivision (b), (d), (f) or (g) of section eleven hundred eighty-f
25 of this chapter imposed pursuant to a demonstration program imposing
26 monetary liability on the owner of a vehicle for failure of an operator
27 thereof to comply with certain posted maximum speed limits in violation
28 of subdivision (b), (d), (f) or (g) of section eleven hundred eighty-f
29 of this chapter within a highway safety corridor through the installa-
30 tion and operation of photo speed violation monitoring systems, in
31 accordance with article thirty of this chapter, or an allegation of
32 liability of an owner for a violation of section three hundred eighty-
33 five of this chapter and the rules of the department of transportation
34 of the city of New York in relation to gross vehicle weight and/or axle
35 weight violations imposed pursuant to a weigh in motion demonstration
36 program imposing monetary liability on the owner of a vehicle for fail-
37 ure of an operator thereof to comply with such gross vehicle weight
38 and/or axle weight restrictions through the installation and operation
39 of weigh in motion violation monitoring systems, in accordance with
40 article ten of this chapter, shall be held before a hearing examiner in
41 accordance with rules and regulations promulgated by the bureau.

42 g. A record shall be made of a hearing on a plea of not guilty or of a
43 hearing at which liability in accordance with any provisions of law
44 specifically authorizing the imposition of monetary liability on the
45 owner of a vehicle for failure of an operator thereof: to comply with
46 traffic-control indications in violation of subdivision (d) of section
47 eleven hundred eleven of this chapter through the installation and oper-
48 ation of traffic-control signal photo violation-monitoring systems, in
49 accordance with article twenty-four of this chapter; to comply with
50 certain posted maximum speed limits in violation of subdivision (b),
51 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter
52 through the installation and operation of photo speed violation monitor-
53 ing systems, in accordance with article thirty of this chapter; to
54 comply with bus lane restrictions as defined by article twenty-four of
55 this chapter through the installation and operation of bus lane photo
56 devices, in accordance with article twenty-four of this chapter; to

1 comply with toll collection regulations of certain public authorities
2 through the installation and operation of photo-monitoring systems, in
3 accordance with the provisions of section two thousand nine hundred
4 eighty-five of the public authorities law and sections sixteen-a,
5 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the
6 laws of nineteen hundred fifty; or to stop for a school bus displaying a
7 red visual signal in violation of section eleven hundred seventy-four of
8 this chapter through the installation and operation of school bus photo
9 violation monitoring systems, in accordance with article twenty-nine of
10 this chapter, or to comply with certain posted maximum speed limits in
11 violation of subdivision (b), (d), (f) or (g) of section eleven hundred
12 eighty of this chapter within a highway construction or maintenance work
13 area through the installation and operation of photo speed violation
14 monitoring systems, in accordance with article thirty of this chapter,
15 or an allegation of liability of an owner for a violation of subdivision
16 (b), (d), (f) or (g) of section eleven hundred eighty-f of this chapter
17 imposed pursuant to a demonstration program imposing monetary liability
18 on the owner of a vehicle for failure of an operator thereof to comply
19 with certain posted maximum speed limits within a highway safety corri-
20 dor through the installation and operation of photo speed violation
21 monitoring systems, in accordance with article thirty of this chapter,
22 or to comply with gross vehicle weight and/or axle weight restrictions
23 in violation of section three hundred eighty-five of this chapter and
24 the rules of the department of transportation of the city of New York
25 through the installation and operation of weigh in motion violation
26 monitoring systems, in accordance with article ten of this chapter, is
27 contested. Recording devices may be used for the making of the record.

28 § 8. Subdivisions 1 and 2 of section 241 of the vehicle and traffic
29 law, as separately added by chapters 421, 460 and 773 of the laws of
30 2021, are amended to read as follows:

31 1. The hearing examiner shall make a determination on the charges,
32 either sustaining or dismissing them. Where the hearing examiner deter-
33 mines that the charges have been sustained he or she may examine either
34 the prior parking violations record or the record of liabilities
35 incurred in accordance with any provisions of law specifically authoriz-
36 ing the imposition of monetary liability on the owner of a vehicle for
37 failure of an operator thereof: to comply with traffic-control indi-
38 cations in violation of subdivision (d) of section eleven hundred eleven
39 of this chapter through the installation and operation of traffic-con-
40 trol signal photo violation-monitoring systems, in accordance with arti-
41 cle twenty-four of this chapter; to comply with certain posted maximum
42 speed limits in violation of subdivision (b), (c), (d), (f) or (g) of
43 section eleven hundred eighty of this chapter through the installation
44 and operation of photo speed violation monitoring systems, in accordance
45 with article thirty of this chapter; to comply with bus lane
46 restrictions as defined by article twenty-four of this chapter through
47 the installation and operation of bus lane photo devices, in accordance
48 with article twenty-four of this chapter; to comply with toll collection
49 regulations of certain public authorities through the installation and
50 operation of photo-monitoring systems, in accordance with the provisions
51 of section two thousand nine hundred eighty-five of the public authori-
52 ties law and sections sixteen-a, sixteen-b and sixteen-c of chapter
53 seven hundred seventy-four of the laws of nineteen hundred fifty; or to
54 stop for a school bus displaying a red visual signal in violation of
55 section eleven hundred seventy-four of this chapter through the instal-
56 lation and operation of school bus photo violation monitoring systems,

1 in accordance with article twenty-nine of this chapter, or to comply
2 with certain posted maximum speed limits in violation of subdivision
3 (b), (d), (f) or (g) of section eleven hundred eighty of this chapter
4 within a highway construction or maintenance work area through the
5 installation and operation of photo speed violation monitoring systems,
6 in accordance with article thirty of this chapter; or to comply with
7 certain posted maximum speed limits in violation of subdivision (b),
8 (d), (f) or (g) of section eleven hundred eighty-f of this chapter with-
9 in a highway safety corridor through the installation and operation of
10 photo speed violation monitoring systems, in accordance with article
11 thirty of this chapter; or to comply with gross vehicle weight and/or
12 axle weight restrictions in violation of section three hundred eighty-
13 five of this chapter and the rules of the department of transportation
14 of the city of New York through the installation and operation of weigh
15 in motion violation monitoring systems, in accordance with article ten
16 of this chapter, of the person charged, as applicable prior to rendering
17 a final determination. Final determinations sustaining or dismissing
18 charges shall be entered on a final determination roll maintained by the
19 bureau together with records showing payment and nonpayment of penal-
20 ties.

21 2. Where an operator or owner fails to enter a plea to a charge of a
22 parking violation or contest an allegation of liability in accordance
23 with any provisions of law specifically authorizing the imposition of
24 monetary liability on the owner of a vehicle for failure of an operator
25 thereof: to comply with traffic-control indications in violation of
26 subdivision (d) of section eleven hundred eleven of this chapter through
27 the installation and operation of traffic-control signal photo viola-
28 tion-monitoring systems, in accordance with article twenty-four of this
29 chapter; to comply with certain posted maximum speed limits in violation
30 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred
31 eighty of this chapter through the installation and operation of photo
32 speed violation monitoring systems, in accordance with article thirty of
33 this chapter; to comply with bus lane restrictions as defined by article
34 twenty-four of this chapter through the installation and operation of
35 bus lane photo devices, in accordance with article twenty-four of this
36 chapter; to comply with toll collection regulations of certain public
37 authorities through the installation and operation of photo-monitoring
38 systems, in accordance with the provisions of section two thousand nine
39 hundred eighty-five of the public authorities law and sections
40 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four
41 of the laws of nineteen hundred fifty; to stop for a school bus display-
42 ing a red visual signal in violation of section eleven hundred seventy-
43 four of this chapter through the installation and operation of school
44 bus photo violation monitoring systems, in accordance with article twen-
45 ty-nine of this chapter, or to comply with certain posted maximum speed
46 limits in violation of subdivision (b), (d), (f) or (g) of section elev-
47 en hundred eighty of this chapter within a highway construction or main-
48 tenance work area through the installation and operation of photo speed
49 violation monitoring systems, in accordance with article thirty of this
50 chapter; or to comply with certain posted maximum speed limits in
51 violation of subdivision (b), (d), (f) or (g) of section eleven
52 hundred eighty-f of this chapter within a highway safety corridor
53 through the installation and operation of photo speed violation monitor-
54 ing systems, in accordance with article thirty of this chapter; or to
55 comply with gross vehicle weight and/or axle weight restrictions in
56 violation of section three hundred eighty-five of this chapter and the

1 rules of the department of transportation of the city of New York
2 through the installation and operation of weigh in motion violation
3 monitoring systems, in accordance with article ten of this chapter; or
4 fails to appear on a designated hearing date or subsequent adjourned
5 date or fails after a hearing to comply with the determination of a
6 hearing examiner, as prescribed by this article or by rule or regulation
7 of the bureau, such failure to plead or contest, appear or comply shall
8 be deemed, for all purposes, an admission of liability and shall be
9 grounds for rendering and entering a default judgment in an amount
10 provided by the rules and regulations of the bureau. However, after the
11 expiration of the original date prescribed for entering a plea and
12 before a default judgment may be rendered, in such case the bureau shall
13 pursuant to the applicable provisions of law notify such operator or
14 owner, by such form of first class mail as the commission may direct;
15 (1) of the violation charged, or liability alleged in accordance with
16 any provisions of law specifically authorizing the imposition of mone-
17 tary 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, or 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; or to comply with certain posted maximum speed limits in
44 violation of subdivision (b), (d), (f) or (g) of section eleven hundred
45 eighty-f of this chapter within a highway safety corridor through the
46 installation and operation of photo speed violation monitoring systems,
47 in accordance with article thirty of this chapter; or to comply with
48 gross vehicle weight and/or axle weight restrictions in violation of
49 section three hundred eighty-five of this chapter and the rules of the
50 department of transportation of the city of New York through the instal-
51 lation and operation of weigh in motion violation monitoring systems, in
52 accordance with article ten of this chapter, (2) of the impending
53 default judgment, (3) that such judgment will be entered in the Civil
54 Court of the city in which the bureau has been established, or other
55 court of civil jurisdiction or any other place provided for the entry of
56 civil judgments within the state of New York, and (4) that a default may

1 be avoided by entering a plea or contesting an allegation of liability
2 in accordance with any provisions of law specifically authorizing the
3 imposition of monetary liability on the owner of a vehicle for failure
4 of an operator thereof: to comply with traffic-control indications in
5 violation of subdivision (d) of section eleven hundred eleven of this
6 chapter through the installation and operation of traffic-control signal
7 photo violation-monitoring systems, in accordance with article twenty-
8 four of this chapter; to comply with certain posted maximum speed limits
9 in violation of subdivision (b), (c), (d), (f) or (g) of section eleven
10 hundred eighty of this chapter through the installation and operation of
11 photo speed violation monitoring systems, in accordance with article
12 thirty of this chapter; to comply with bus lane restrictions as defined
13 by article twenty-four of this chapter through the installation and
14 operation of bus lane photo devices, in accordance with article twenty-
15 four of this chapter; to comply with toll collection regulations of
16 certain public authorities through the installation and operation of
17 photo-monitoring systems, in accordance with the provisions of section
18 two thousand nine hundred eighty-five of the public authorities law and
19 sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred
20 seventy-four of the laws of nineteen hundred fifty; to stop for a school
21 bus displaying a red visual signal in violation of section eleven
22 hundred seventy-four of this chapter through the installation and opera-
23 tion of school bus photo violation monitoring systems, in accordance
24 with article twenty-nine of this chapter, or to comply with certain
25 posted maximum speed limits in violation of subdivision (b), (d), (f) or
26 (g) of section eleven hundred eighty of this chapter within a highway
27 construction or maintenance work area through the installation and oper-
28 ation of photo speed violation monitoring systems, in accordance with
29 article thirty of this chapter; or to comply with certain posted maximum
30 speed limits in violation of subdivision (b), (d), (f) or (g) of
31 section eleven hundred eighty-f of this chapter within a highway safety
32 corridor through the installation and operation of photo speed violation
33 monitoring systems, in accordance with article thirty of this chapter;
34 or to comply with gross vehicle weight and/or axle weight restrictions
35 in violation of section three hundred eighty-five of this chapter and
36 the rules of the department of transportation of the city of New York
37 through the installation and operation of weigh in motion violation
38 monitoring systems, in accordance with article ten of this chapter; or
39 making an appearance within thirty days of the sending of such notice.
40 Pleas entered and allegations contested within that period shall be in
41 the manner prescribed in the notice and not subject to additional penal-
42 ty or fee. Such notice of impending default judgment shall not be
43 required prior to the rendering and entry thereof in the case of opera-
44 tors or owners who are non-residents of the state of New York. In no
45 case shall a default judgment be rendered or, where required, a notice
46 of impending default judgment be sent, more than two years after the
47 expiration of the time prescribed for entering a plea or contesting an
48 allegation. When a person has demanded a hearing, no fine or penalty
49 shall be imposed for any reason, prior to the holding of the hearing. If
50 the hearing examiner shall make a determination on the charges, sustain-
51 ing them, he or she shall impose no greater penalty or fine than those
52 upon which the person was originally charged.

53 § 9. Paragraph a of subdivision 5-a of section 401 of the vehicle and
54 traffic law, as separately added by chapters 421, 460 and 773 of the
55 laws of 2021, clause (vii) of subparagraph (i) as renumbered by chapter
56 258 of the laws of 2022 is amended to read as follows:

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

1 monitoring systems, in accordance with article thirty of this
2 chapter~~[7]~~; or (viii) the registrant was liable for a violation of
3 subdivision (b), (d), (f) or (g) of section eleven hundred eighty-f of
4 this chapter imposed pursuant to a demonstration program imposing mone-
5 tary liability on the owner of a vehicle for failure of an operator
6 thereof to comply with such posted maximum speed limits within a high-
7 way safety corridor through the installation and operation of photo
8 speed violation monitoring systems, in accordance with article thirty
9 of this chapter, the commissioner or his or her agent shall deny the
10 registration or renewal application until the applicant provides proof
11 from the court, traffic and parking violations agency or administrative
12 tribunal wherein the charges are pending that an appearance or answer
13 has been made or in the case of an administrative tribunal that he or
14 she has complied with the rules and regulations of said tribunal follow-
15 ing entry of a final decision. Where an application is denied pursuant
16 to this section, the commissioner may, in his or her discretion, deny a
17 registration or renewal application to any other person for the same
18 vehicle and may deny a registration or renewal application for any other
19 motor vehicle registered in the name of the applicant where the commis-
20 sioner has determined that such registrant's intent has been to evade
21 the purposes of this subdivision and where the commissioner has reason-
22 able grounds to believe that such registration or renewal will have the
23 effect of defeating the purposes of this subdivision. Such denial shall
24 only remain in effect as long as the summonses remain unanswered, or in
25 the case of an administrative tribunal, the registrant fails to comply
26 with the rules and regulations following entry of a final decision.
27 ~~[(ii)]~~ For purposes of this paragraph, the term "motor vehicle operated
28 for hire" shall mean and include a taxicab, livery, coach, limousine or
29 tow truck.

30 § 10. Subdivision 1-a of section 1809 of the vehicle and traffic law,
31 as separately added by chapters 421, 460 and 773 of the laws of 2021,
32 paragraph (g) as relettered by chapter 258 of the laws of 2022, is
33 amended to read as follows:

34 1-a. Notwithstanding the provisions of subdivision one of this
35 section, the provisions of subdivision one of this section shall not
36 apply to an adjudication of liability of owners: (a) for violations of
37 subdivision (d) of section eleven hundred eleven of this chapter imposed
38 pursuant to a local law or ordinance imposing monetary liability on the
39 owner of a vehicle for failure of an operator thereof to comply with
40 traffic-control indications through the installation and operation of
41 traffic-control signal photo violation-monitoring systems, in accordance
42 with article twenty-four of this chapter; or (b) for violations of
43 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
44 of this chapter imposed pursuant to a demonstration program imposing
45 monetary liability on the owner of a vehicle for failure of an operator
46 thereof to comply with such posted maximum speed limits through the
47 installation and operation of photo speed violation monitoring systems,
48 in accordance with article thirty of this chapter; or (c) for violations
49 of bus lane restrictions as defined by article twenty-four of this chap-
50 ter imposed pursuant to a bus rapid transit program imposing monetary
51 liability on the owner of a vehicle for failure of an operator thereof
52 to comply with such bus lane restrictions through the installation and
53 operation of bus lane photo devices, in accordance with article twenty-
54 four of this chapter; or (d) for violations of toll collection regu-
55 lations imposed by certain public authorities pursuant to the law
56 authorizing such public authorities to impose monetary liability on the

owner of a vehicle for failure of an operator thereof to comply with toll collection regulations of such public authorities through the installation and operation of photo-monitoring systems, in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty; or (e) for violations of section eleven hundred seventy-four of this chapter when meeting a school bus marked and equipped as provided in subdivisions twenty and twenty-one-c of section three hundred seventy-five of this chapter imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with school bus red visual signals through the installation and operation of school bus photo violation monitoring systems, in accordance with article twenty-nine of this chapter; or (f) for violations of section three hundred eighty-five of this chapter and the rules of the department of transportation of the city of New York in relation to gross vehicle weight and/or axle weight violations imposed pursuant to a weigh in motion demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such gross vehicle weight and/or axle weight restrictions through the installation and operation of weigh in motion violation monitoring systems, in accordance with article ten of this chapter; or (g) for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such posted maximum speed limits within a highway construction or maintenance work area through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter; or (h) for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty-f of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such posted maximum speed limits within a highway construction or maintenance work area through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter.

§ 11. Paragraph a of subdivision 1 of section 1809-e of the vehicle and traffic law, as separately added by chapters 421, 460 and 773 of the laws of 2021, subparagraph (viii) as relettered by chapter 258 of the laws of 2022, is amended to read as follows:

a. Notwithstanding any other provision of law, whenever proceedings in a court or an administrative tribunal of this state result in a conviction for an offense under this chapter, except a conviction pursuant to section eleven hundred ninety-two of this chapter, or for a traffic infraction under this chapter, or a local law, ordinance, rule or regulation adopted pursuant to this chapter, except: (i) a traffic infraction involving standing, stopping, or parking or violations by pedestrians or bicyclists; and (ii) an adjudication of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic-control indications through the installation and operation of traffic-control signal photo violation-monitoring systems, in accordance with article twenty-four of this chapter; and (iii) an adjudication of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of

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

§ 12. Section 371-a of the general municipal law, as separately added by chapters 421, 460 and 773 of the laws of 2021, is amended to read as follows:

§ 371-a. Additional jurisdiction and procedure related to the adjudication of certain notices of liability. A traffic violations bureau established pursuant to subdivision one and a traffic and parking violations agency established pursuant to subdivision two of section three hundred seventy-one of this article may be authorized to adjudicate, in accordance with the provisions of this article, the liability of owners: (a) for violations of subdivision (d) of section eleven hundred eleven of the vehicle and traffic law imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic-control indications through the installation and operation of traffic-control signal photo violation-monitoring systems, in accordance with article twenty-four of the vehicle and traffic law; or (b) for violations of section eleven hundred seventy-four of the vehicle and traffic law when meeting a school bus marked and equipped as provided in subdivisions twenty and twenty-one-c of section three hundred seventy-five of the vehicle and traffic law imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with school bus red visual signals through the installation and operation of school bus photo violation monitoring systems, in accordance with article twenty-nine of the vehicle and traffic law; or (c) for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of the vehicle and traffic law imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such posted maximum speed limits within a highway construction or maintenance work area through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter; or (d) for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty-f of the vehicle and traffic law imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such posted maximum speed limits within a highway construction or maintenance work area through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of the vehicle and traffic law.

§ 13. The vehicle and traffic law is amended by adding a new section 1180-f to read as follows:

§ 1180-f. Owner liability for failure of operator to comply with certain posted maximum speed limits. (a) 1. Notwithstanding any other provision of law, the commissioner of transportation is hereby authorized to establish a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with posted maximum speed limits in a highway safety corridor. The commissioner, in consultation with the superintendent of the division of state police, shall determine the location in the highway safety corridor in which to install and operate photo speed violation monitoring systems. In selecting a location in a highway safety corridor in which to install and operate a photo speed violation monitoring system, the commissioner shall consider criteria including, but not limited to, the speed data, crash history, and roadway geometry applicable to such highway safety corridor. A photo speed violation monitoring system shall not be installed or operated on a controlled-access highway exit ramp.

1 2. Notwithstanding any other provision of law, after holding a public
2 hearing in accordance with the public officers law and subsequent
3 approval of the establishment of a demonstration program in accordance
4 with this section by a majority of the members of the entire board of
5 the thruway authority, the chair of the thruway authority is hereby
6 authorized to establish a demonstration program imposing monetary
7 liability on the owner of a vehicle for failure of an operator thereof
8 to comply with posted maximum speed limits in a highway safety corridor.
9 The chair, in consultation with the superintendent of the division of
10 state police, shall determine the location of the highway safety corri-
11 dor located on the thruway in which to install and operate photo speed
12 violation monitoring systems. In selecting an area in which to install
13 and operate a photo speed violation monitoring system, the chair shall
14 consider criteria including, but not limited to, the speed data, crash
15 history, and roadway geometry applicable to such highway safety corri-
16 dor. A photo speed violation monitoring system shall not be installed or
17 operated on a thruway exit ramp.

18 3. No photo speed violation monitoring system shall be used in a high-
19 way safety corridor unless (i) on the day it is to be used it has
20 successfully passed a self-test of its functions; and (ii) it has under-
21 gone an annual calibration check performed pursuant to paragraph five of
22 this subdivision. The commissioner or chair, as applicable, shall
23 install signs giving notice that a photo speed violation monitoring
24 system is in use, in conformance with standards established in the
25 MUTCD.

26 4. Operators of photo speed violation monitoring systems shall have
27 completed training in the procedures for setting up, testing, and oper-
28 ating such systems. Each such operator shall complete and sign a daily
29 set-up log for each such system that he or she operates that (i) states
30 the date and time when, and the location where, the system was set up
31 that day, and (ii) states that such operator successfully performed, and
32 the system passed, the self-tests of such system before producing a
33 recorded image that day. The commissioner or the chair, as applicable,
34 shall retain each such daily log until the later of the date on which
35 the photo speed violation monitoring system to which it applies has been
36 permanently removed from use or the final resolution of all cases
37 involving notices of liability issued based on photographs, microphoto-
38 graphs, video or other recorded images produced by such system.

39 5. Each photo speed violation monitoring system shall undergo an annu-
40 al calibration check performed by an independent calibration laboratory
41 which shall issue a signed certificate of calibration. The commissioner
42 or the chair, as applicable, shall keep each such annual certificate of
43 calibration on file until the final resolution of all cases involving a
44 notice of liability issued during such year which were based on photo-
45 graphs, microphotographs, videotape or other recorded images produced by
46 such photo speed violation monitoring system.

47 6. (i) Such demonstration program shall utilize necessary technologies
48 to ensure, to the extent practicable, that photographs, microphoto-
49 graphs, videotape or other recorded images produced by such photo speed
50 violation monitoring systems shall not include images that identify the
51 driver, the passengers, or the contents of the vehicle. Provided, howev-
52 er, that no notice of liability issued pursuant to this section shall be
53 dismissed solely because such a photograph, microphotograph, videotape
54 or other recorded image allows for the identification of the driver, the
55 passengers, or the contents of vehicles where the commissioner or the

1 chair, as applicable, shows that they made reasonable efforts to comply
2 with the provisions of this paragraph in such case.

3 (ii) Photographs, microphotographs, videotape or any other recorded
4 image from a photo speed violation monitoring system shall be for the
5 exclusive use of the commissioner or the chair, as applicable, for the
6 purpose of the adjudication of liability imposed pursuant to this
7 section and of the owner receiving a notice of liability pursuant to
8 this section, and shall be destroyed by the commissioner or chair, as
9 applicable, upon the final resolution of the notice of liability to
10 which such photographs, microphotographs, videotape or other recorded
11 images relate, or one year following the date of issuance of such notice
12 of liability, whichever is later. Notwithstanding the provisions of any
13 other law, rule or regulation to the contrary, photographs, microphoto-
14 graphs, videotape or any other recorded image from a photo speed
15 violation monitoring system shall not be open to the public, nor subject
16 to civil or criminal process or discovery, nor used by any court or
17 administrative or adjudicatory body in any action or proceeding therein
18 except that which is necessary for the adjudication of a notice of
19 liability issued pursuant to this section, and no public entity or
20 employee, officer or agent thereof shall disclose such information,
21 except that such photographs, microphotographs, videotape or any other
22 recorded images from such systems:

23 (A) shall be available for inspection and copying and use by the motor
24 vehicle owner and operator for so long as such photographs, microphoto-
25 graphs, videotape or other recorded images are required to be maintained
26 or are maintained by such public entity, employee, officer or agent; and

27 (B) (1) shall be furnished when described in a search warrant issued
28 by a court authorized to issue such a search warrant pursuant to article
29 six hundred ninety of the criminal procedure law or a federal court
30 authorized to issue such a search warrant under federal law, where such
31 search warrant states that there is reasonable cause to believe such
32 information constitutes evidence of, or tends to demonstrate that, a
33 misdemeanor or felony offense was committed in this state or another
34 state, or that a particular person participated in the commission of a
35 misdemeanor or felony offense in this state or another state, provided,
36 however, that if such offense was against the laws of another state, the
37 court shall only issue a warrant if the conduct comprising such offense
38 would, if occurring in this state, constitute a misdemeanor or felony
39 against the laws of this state; and

40 (2) shall be furnished in response to a subpoena duces tecum signed by
41 a judge of competent jurisdiction and issued pursuant to article six
42 hundred ten of the criminal procedure law or a judge or magistrate of a
43 federal court authorized to issue such a subpoena duces tecum under
44 federal law, where the judge finds and the subpoena states that there is
45 reasonable cause to believe such information is relevant and material to
46 the prosecution, or the defense, or the investigation by an authorized
47 law enforcement official, of the alleged commission of a misdemeanor or
48 felony in this state or another state, provided, however, that if such
49 offense was against the laws of another state, such judge or magistrate
50 shall only issue such subpoena if the conduct comprising such offense
51 would, if occurring in this state, constitute a misdemeanor or felony in
52 this state; and

53 (3) may, if lawfully obtained pursuant to this clause and clause (A)
54 of this subparagraph and otherwise admissible, be used in such criminal
55 action or proceeding.

(b) If the commissioner or chair establishes a demonstration program pursuant to subdivision (a) of this section, the owner of a vehicle shall be liable for a penalty imposed pursuant to this section if such vehicle was used or operated with the permission of the owner, express or implied, within a highway safety corridor located on a controlled-access highway or on the thruway in violation of paragraph two of subdivision (d) or subdivision (f), or when other speed limits are in effect in violation of subdivision (b) or (g) or paragraph one of subdivision (d), of section eleven hundred eighty of this article, such vehicle was traveling at a speed of more than ten miles per hour above the posted speed limit in effect within such highway safety corridor, and such violation is evidenced by information obtained from a photo speed violation monitoring system; provided however that no owner of a vehicle shall be liable for a penalty imposed pursuant to this section where the operator of such vehicle has been convicted of the underlying violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this article.

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

1. "chair" shall mean the chair of the New York state thruway authority;

2. "commissioner" shall mean the commissioner of transportation;

3. "controlled-access highway" shall mean a controlled-access highway as defined by section one hundred nine of this chapter under the commissioner's jurisdiction which has been functionally classified by the department of transportation as principal arterial - interstate or principal arterial - other freeway/expressway on official functional classification maps approved by the federal highway administration pursuant to part 470.105 of title 23 of the code of federal regulations, as amended from time to time;

4. "manual on uniform traffic control devices" or "MUTCD" shall mean the manual and specifications for a uniform system of traffic control devices maintained by the commissioner of transportation pursuant to section sixteen hundred eighty of this chapter;

5. "owner" shall have the meaning provided in article two-B of this chapter;

6. "photo speed violation monitoring system" shall mean a vehicle sensor installed to work in conjunction with a speed measuring device which automatically produces two or more photographs, two or more microphotographs, a videotape or other recorded images of each vehicle at the time it is used or operated in a highway safety corridor located on a controlled-access highway or on the thruway in violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this article in accordance with the provisions of this section;

7. "thruway authority" shall mean the New York state thruway authority, a body corporate and politic constituting a public corporation created and constituted pursuant to title nine of article two of the public authorities law; and

8. "thruway" shall mean generally a divided highway under the jurisdiction of the thruway authority for mixed traffic with access limited as the authority may determine and generally with grade separations at intersections.

(d) A certificate, sworn to or affirmed by a technician employed by the commissioner or chair as applicable, or a facsimile thereof, based upon inspection of photographs, microphotographs, videotape or other recorded images produced by a photo speed violation monitoring system,

1 shall be prima facie evidence of the facts contained therein. Any photo-
2 graphs, microphotographs, videotape or other recorded images evidencing
3 such a violation shall include at least two date and time stamped images
4 of the rear of the motor vehicle that include the same stationary object
5 near the motor vehicle and shall be available for inspection reasonably
6 in advance of and at any proceeding to adjudicate the liability for such
7 violation pursuant to this section.

8 (e) An owner liable for a violation of subdivision (b), (d), (f) or
9 (g) of section eleven hundred eighty of this article pursuant to a
10 demonstration program established pursuant to this section shall be
11 liable for monetary penalties not to exceed fifty dollars for a first
12 violation, seventy-five dollars for a second violation both of which
13 were committed within a period of eighteen months, and one hundred
14 dollars for a third or subsequent violation all of which were committed
15 within a period of eighteen months; provided, however, that an addi-
16 tional penalty not in excess of twenty-five dollars for each violation
17 may be imposed for the failure to respond to a notice of liability with-
18 in the prescribed time period.

19 (f) An imposition of liability under the demonstration program estab-
20 lished pursuant to this section shall not be deemed a conviction as an
21 operator and shall not be made part of the operating record of the
22 person upon whom such liability is imposed nor shall it be used for
23 insurance purposes in the provision of motor vehicle insurance coverage.

24 (g) 1. A notice of liability shall be sent by first class mail to each
25 person alleged to be liable as an owner for a violation of subdivision
26 (b), (d), (f) or (g) of section eleven hundred eighty of this article
27 pursuant to this section, within fourteen business days if such owner is
28 a resident of this state and within forty-five business days if such
29 owner is a non-resident. Personal delivery on the owner shall not be
30 required. A manual or automatic record of mailing prepared in the
31 ordinary course of business shall be prima facie evidence of the facts
32 contained therein.

33 2. A notice of liability shall contain the name and address of the
34 person alleged to be liable as an owner for a violation of subdivision
35 (b), (d), (f) or (g) of section eleven hundred eighty of this article
36 pursuant to this section, the registration number of the vehicle
37 involved in such violation, the location where such violation took
38 place, the date and time of such violation, the identification number of
39 the camera which recorded the violation or other document locator
40 number, at least two date and time stamped images of the rear of the
41 motor vehicle that include the same stationary object near the motor
42 vehicle, and the certificate charging the liability.

43 3. The notice of liability shall contain information advising the
44 person charged of the manner and the time in which he or she may contest
45 the liability alleged in the notice. Such notice of liability shall also
46 contain a prominent warning to advise the person charged that failure to
47 contest in the manner and time provided shall be deemed an admission of
48 liability and that a default judgment may be entered thereon.

49 4. The notice of liability shall be prepared and mailed by the commis-
50 sioner or chair as applicable, or by any other entity authorized by the
51 commissioner or chair to prepare and mail such notice of liability.

52 (h) Adjudication of the liability imposed upon owners of this section
53 shall be by a traffic violations bureau established pursuant to section
54 three hundred seventy of the general municipal law where the violation
55 occurred or, if there be none, by the court having jurisdiction over
56 traffic infractions where the violation occurred, except that if a city

1 has established an administrative tribunal to hear and determine
2 complaints of traffic infractions constituting parking, standing or
3 stopping violations such city may, by local law, authorize such adjudi-
4 cation by such tribunal.

5 (i) If an owner receives a notice of liability pursuant to this
6 section for any time period during which the vehicle or the number plate
7 or plates of such vehicle was reported to the police department as
8 having been stolen, it shall be a valid defense to an allegation of
9 liability for a violation of subdivision (b), (d), (f) or (g) of section
10 eleven hundred eighty of this article pursuant to this section that the
11 vehicle or the number plate or plates of such vehicle had been reported
12 to the police as stolen prior to the time the violation occurred and had
13 not been recovered by such time. For purposes of asserting the defense
14 provided by this subdivision, it shall be sufficient that a certified
15 copy of the police report on the stolen vehicle or number plate or
16 plates of such vehicle be sent by first class mail to the traffic
17 violations bureau, court having jurisdiction or parking violations
18 bureau.

19 (j) 1. Where the adjudication of liability imposed upon owners pursu-
20 ant to this section is by a traffic violations bureau or a court having
21 jurisdiction, an owner who is a lessor of a vehicle to which a notice of
22 liability was issued pursuant to subdivision (g) of this section shall
23 not be liable for the violation of subdivision (b), (d), (f) or (g) of
24 section eleven hundred eighty of this article pursuant to this section,
25 provided that he or she sends to the traffic violations bureau or court
26 having jurisdiction a copy of the rental, lease or other such contract
27 document covering such vehicle on the date of the violation, with the
28 name and address of the lessee clearly legible, within thirty-seven days
29 after receiving notice from the bureau or court of the date and time of
30 such violation, together with the other information contained in the
31 original notice of liability. Failure to send such information within
32 such thirty-seven day time period shall render the owner liable for the
33 penalty prescribed by this section. Where the lessor complies with the
34 provisions of this paragraph, the lessee of such vehicle on the date of
35 such violation shall be deemed to be the owner of such vehicle for
36 purposes of this section, shall be subject to liability for the
37 violation of subdivision (b), (d), (f) or (g) of section eleven hundred
38 eighty of this article pursuant to this section and shall be sent a
39 notice of liability pursuant to subdivision (g) of this section.

40 2. (i) In a city which, by local law, has authorized the adjudication
41 of liability imposed upon owners by this section by a parking violations
42 bureau, an owner who is a lessor of a vehicle to which a notice of
43 liability was issued pursuant to subdivision (g) of this section shall
44 not be liable for the violation of subdivision (b), (d), (f) or (g) of
45 section eleven hundred eighty of this article, provided that:

46 (A) prior to the violation, the lessor has filed with the bureau in
47 accordance with the provisions of section two hundred thirty-nine of
48 this chapter; and

49 (B) within thirty-seven days after receiving notice from the bureau of
50 the date and time of a liability, together with the other information
51 contained in the original notice of liability, the lessor submits to the
52 bureau the correct name and address of the lessee of the vehicle identi-
53 fied in the notice of liability at the time of such violation, together
54 with such other additional information contained in the rental, lease or
55 other contract document, as may be reasonably required by the bureau
56 pursuant to regulations that may be promulgated for such purpose.

1 (ii) Failure to comply with clause (B) of subparagraph (i) of this
2 paragraph shall render the owner liable for the penalty prescribed in
3 this section.

4 (iii) Where the lessor complies with the provisions of this paragraph,
5 the lessee of such vehicle on the date of such violation shall be deemed
6 to be the owner of such vehicle for purposes of this section, shall be
7 subject to liability for such violation pursuant to this section and
8 shall be sent a notice of liability pursuant to subdivision (g) of this
9 section.

10 (k) 1. If the owner liable for a violation of subdivision (b), (d),
11 (f) or (g) of section eleven hundred eighty of this article pursuant to
12 this section was not the operator of the vehicle at the time of the
13 violation, the owner may maintain an action for indemnification against
14 the operator.

15 2. Notwithstanding any other provision of this section, no owner of a
16 vehicle shall be subject to a monetary fine imposed pursuant to this
17 section if the operator of such vehicle was operating such vehicle with-
18 out the consent of the owner at the time such operator operated such
19 vehicle in violation of subdivision (b), (d), (f) or (g) of section
20 eleven hundred eighty of this article. For purposes of this subdivision
21 there shall be a presumption that the operator of such vehicle was oper-
22 ating such vehicle with the consent of the owner at the time such opera-
23 tor operated such vehicle in violation of subdivision (b), (d), (f) or
24 (g) of section eleven hundred eighty of this article.

25 (l) Nothing in this section shall be construed to limit the liability
26 of an operator of a vehicle for any violation of subdivision (b), (d),
27 (f) or (g) of section eleven hundred eighty of this article.

28 (m) If the commissioner or chair adopts a demonstration program pursu-
29 ant to subdivision (a) of this section the commissioner or chair, as
30 applicable, shall conduct a study and submit a report on or before May
31 first, two thousand twenty-four and a report on or before May first, two
32 thousand twenty-six on the results of the use of photo devices to the
33 governor, the temporary president of the senate and the speaker of the
34 assembly. The commissioner or chair shall also make such reports avail-
35 able on their public-facing websites, provided that they may provide
36 aggregate data from paragraph one of this subdivision if the commission-
37 er or chair finds that publishing specific location data would jeopard-
38 ize public safety. Such report shall include:

39 1. the locations where and dates when photo speed violation monitoring
40 systems were used;

41 2. the aggregate number, type and severity of crashes, fatalities,
42 injuries and property damage reported within all highway safety corridor
43 on controlled-access highways or on the thruway, to the extent the
44 information is maintained by the commissioner, chair or the department
45 of motor vehicles of this state;

46 3. the aggregate number, type and severity of crashes, fatalities,
47 injuries and property damage reported within highway safety corridor
48 where photo speed violation monitoring systems were used, to the extent
49 the information is maintained by the commissioner, chair or the depart-
50 ment of motor vehicles of this state;

51 4. the number of violations recorded within all highway safety corri-
52 dor on controlled-access highways or on the thruway, in the aggregate on
53 a daily, weekly and monthly basis to the extent the information is main-
54 tained by the commissioner, chair or the department of motor vehicles of
55 this state;

1 5. the number of violations recorded within each highway safety corri-
2 dor where a photo speed violation monitoring system is used, in the
3 aggregate on a daily, weekly and monthly basis;

4 6. to the extent the information is maintained by the commissioner,
5 chair or the department of motor vehicles of this state, the number of
6 violations recorded within all highway safety corridor on controlled-ac-
7 cess highways or on the thruway that were:

8 (i) more than ten but not more than twenty miles per hour over the
9 posted speed limit;

10 (ii) more than twenty but not more than thirty miles per hour over the
11 posted speed limit;

12 (iii) more than thirty but not more than forty miles per hour over the
13 posted speed limit; and

14 (iv) more than forty miles per hour over the posted speed limit;

15 7. the number of violations recorded within each highway safety corri-
16 dor where a photo speed violation monitoring system is used that were:

17 (i) more than ten but not more than twenty miles per hour over the
18 posted speed limit;

19 (ii) more than twenty but not more than thirty miles per hour over the
20 posted speed limit;

21 (iii) more than thirty but not more than forty miles per hour over the
22 posted speed limit; and

23 (iv) more than forty miles per hour over the posted speed limit;

24 8. the total number of notices of liability issued for violations
25 recorded by such systems;

26 9. the number of fines and total amount of fines paid after the first
27 notice of liability issued for violations recorded by such systems, to
28 the extent the information is maintained by the commissioner, chair or
29 the department of motor vehicles of this state;

30 10. the number of violations adjudicated and the results of such adju-
31 dications including breakdowns of dispositions made for violations
32 recorded by such systems, to the extent the information is maintained by
33 the commissioner, chair or the department of motor vehicles of this
34 state;

35 11. the total amount of revenue realized by the state or thruway
36 authority in connection with the program;

37 12. the expenses incurred by the state or the thruway authority in
38 connection with the program;

39 13. an itemized list of expenditures made by the state and the thruway
40 authority on safety corridor projects undertaken in accordance with
41 subdivisions eleven and twelve of section eighteen hundred three of this
42 chapter; and

43 14. the quality of the adjudication process and its results, to the
44 extent the information is maintained by the commissioner, chair or the
45 department of motor vehicles of this state.

46 (n) It shall be a defense to any prosecution for a violation of subdi-
47 vision (b), (d), (f) or (g) of section eleven hundred eighty of this
48 article pursuant to this section that such photo speed violation moni-
49 toring system was malfunctioning at the time of the alleged violation.

50 § 14. Section 401 of the highway law, as renumbered by section 1 of
51 this act, is amended to read as follows:

52 § 401. Saving clause. The repeal of a law, as specified in section
53 ~~three hundred and fifty-three~~ four hundred four of this article shall
54 not affect or impair any contract, or any act done, or right accruing,
55 accrued or acquired or any penalty, forfeiture, or punishment incurred
56 prior to the time when this chapter or any section thereof takes effect,

1 under or by virtue of the laws so repealed, but the same may be
2 asserted, enforced, prosecuted, or inflicted, as fully and to the same
3 extent, as if such laws had not been repealed.

4 § 15. Section 402 of the highway law, as added by chapter 506 of the
5 laws of 1936, and as renumbered by section 1 of this act, is amended to
6 read as follows:

7 § 402. Effect of amendments to and repeals of provisions of the former
8 highway law. 1. An act of the legislature of the year nineteen hundred
9 thirty-six which, in form, amends or repeals or purports to amend or
10 repeal any provision or provisions of the former highway law shall be
11 legally effective notwithstanding the repeal of such former highway law
12 by section [~~three hundred fifty-three~~] four hundred four of this
13 article, and shall be construed as an amendment or repeal, as the case
14 may be, of the corresponding provision or provisions of this chapter
15 irrespective of whether such provision or provisions are contained in
16 this chapter in one or more than one article, section, subdivision or
17 other part thereof and such corresponding provision or provisions shall
18 be deemed amended, modified, changed or repealed as though the same had
19 been expressly and in terms so amended or repealed.

20 2. An act of the legislature of the year nineteen hundred thirty-six
21 which adds or purports to add a new article, section, subdivision or
22 other provision of law to the former highway law shall be legally effec-
23 tive notwithstanding the repeal of such former highway law by section
24 [~~three hundred fifty-three~~] four hundred four of this article and shall
25 be construed as having been added to this chapter and shall be given
26 full effect according to its context as if the same had been added
27 expressly and in terms to this chapter and shall be deemed to have been
28 inserted in this chapter in juxtaposition to and as modifying the effect
29 of the corresponding provision or provisions of this chapter.

30 3. The repeal of such former highway law by section [~~three hundred~~
31 ~~fifty-three~~] four hundred four of this article shall not be construed to
32 impair or affect the validity of any act of the legislature of the year
33 nineteen hundred thirty-six relating to highways, roads or bridges
34 because of any reference to or dependency on such former law but such
35 act shall be construed in connection with this chapter as though in
36 terms and in effect such act referred to or dependent upon this chapter.

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