

# STATE OF NEW YORK

8253

2023-2024 Regular Sessions

## IN ASSEMBLY

November 15, 2023

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

AN ACT to amend the vehicle and traffic law, in relation to the surrender of number plates of all motor vehicles which a person has registered where such person has a suspended or revoked license

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

1 Section 1. The vehicle and traffic law is amended by adding a new  
2 section 403-c to read as follows:

3 § 403-c. Surrender of registration and number plates. 1. Any person  
4 who has had their license suspended or revoked pursuant to subdivision  
5 two or two-a of section five hundred ten or subdivision one or three of  
6 section five hundred ten-a of this chapter for conduct relating to the  
7 operation of a motor vehicle shall surrender to the department the  
8 number plates of all motor vehicles which such person has registered  
9 pursuant to this article, and shall have any motor vehicle registrations  
10 which belong to such person suspended. Such surrender of number plates  
11 and vehicle suspension or suspensions shall remain in effect as long as  
12 the suspension or revocation of such driver's license.

13 2. All motor vehicles registered to such person shall not be regis-  
14 tered or reregistered in the name of such person, or in any other name  
15 where the commissioner has reasonable grounds to believe that such  
16 registration or reregistration will have the effect of defeating the  
17 purposes of this section, and no other motor vehicle shall be registered  
18 in the name of such person during the period of such suspension.

19 3. Except as provided in subdivision five of section four hundred  
20 twenty-eight of this title, refunds of fees assessed pursuant to this  
21 article and article fourteen-A of this title shall not be provided when  
22 suspension is mandated pursuant to subdivision one of this section.

23 4. a. The commissioner or his or her duly authorized agent shall noti-  
24 fy each person whose license has been suspended or revoked of his or her

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

LBD01888-01-3

1 obligation to surrender the number plates of any motor vehicles which  
2 such person has registered pursuant to this article, and of the suspen-  
3 sion of any vehicle registrations in his or her name.

4 b. Such notice shall include the name and address of the person whose  
5 license has been suspended or revoked, the vehicle registration number  
6 or numbers which are suspended, the number plates of the vehicle or  
7 vehicles which must be surrendered, the infraction, infractions, offense  
8 and/or offenses for which the registration is suspended and number  
9 plates must be surrendered, and the dates and times of the convictions  
10 for such infractions and/or offenses.

11 c. The notice shall also contain a warning advising the person of the  
12 consequences of failure to surrender number plates.

13 d. The notice required by this subdivision shall be provided by first  
14 class mail to the registrant of the motor vehicle within thirty days of  
15 the license suspension or revocation.

16 e. Such person shall surrender any number plates for any vehicle for  
17 which the person is the registrant within fourteen days of receiving  
18 notice from the department. Failure to surrender number plates upon  
19 notice shall constitute an infraction, punishable upon conviction by a  
20 fine not less than one hundred fifty dollars nor more than five hundred  
21 dollars or imprisonment for not more than fifteen days or both such fine  
22 and imprisonment.

23 5. A waiver of the provisions of subdivisions one and two of this  
24 section shall be available for motor vehicles which are jointly used by  
25 spouses or other immediate family members if the implementation of such  
26 subdivision would result in an extreme hardship for the spouse or family  
27 member whose license has not been suspended or revoked. To be eligible  
28 for an extreme hardship exception, a duly licensed spouse or immediate  
29 family member must furnish proof acceptable to the commissioner or his  
30 or her duly authorized agent that he or she jointly uses a motor vehicle  
31 whose registration and number plates would otherwise be subject to  
32 suspension or surrender pursuant to subdivision one or two of this  
33 section. Acceptable proof shall include without limitation the spouse or  
34 immediate family member being named in a policy of liability insurance  
35 for the motor vehicle pursuant to article seven of this chapter before  
36 the date of conviction, and any additional factors that the commissioner  
37 or his or her duly authorized agent deems necessary to establish joint  
38 use. The commissioner or his or her duly authorized agent shall deter-  
39 mine whether an individual qualifies as an immediate family member,  
40 provided that such definition of immediate family members shall include  
41 without limitation domestic partners as defined in section four of the  
42 workers' compensation law and any children of the registrant.

43 § 2. This act shall take effect on the one hundred eightieth day after  
44 it shall have become a law.