

STATE OF NEW YORK

8902--A

IN ASSEMBLY

January 26, 2024

Introduced by M. of A. CUNNINGHAM -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to owner liability for failure of an operator to comply with street cleaning parking rules; to amend the public officers law, in relation to access to records prepared pursuant to street cleaning parking rules; and providing for the repeal of certain provisions upon expiration thereof

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 1111-h to read as follows:

3 § 1111-h. Owner liability for failure to comply with street cleaning
4 parking rules. (a) 1. Notwithstanding any other provision of law, the
5 city of New York is hereby authorized and empowered to establish a
6 program imposing monetary liability on the owner of a vehicle for fail-
7 ure to comply with street cleaning parking rules in such city in accord-
8 ance with the provisions of this section. The New York city department
9 of sanitation, for purposes of the implementation of such program, shall
10 operate street cleaning vehicle photo devices on street cleaning vehi-
11 cles along all street cleaning routes in such city.

12 2. The city of New York shall adopt and enforce measures:

13 (i) to ensure, to the extent practicable, that photographs produced by
14 such street cleaning vehicle photo devices shall not include images that
15 identify any person or persons who may be occupying the vehicle, or the
16 contents of the vehicle. However, a notice of liability issued pursuant
17 to this section shall not be dismissed solely because a photograph or
18 photographs allow for the identification of a person or persons who may
19 be occupying the vehicle or the contents of a vehicle;

20 (ii) to upgrade signage at regular intervals within street cleaning
21 routes stating that street cleaning vehicle photo devices are used to
22 enforce street cleaning parking rules along such routes; and

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

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1 (iii) to prohibit the use or dissemination of vehicles' license plate
2 information and other information and images captured by street cleaning
3 vehicle photo devices except: (A) as required to establish liability
4 under this section or collect payment of penalties; (B) as required by
5 court order; or (C) as otherwise required by law.

6 (b) If the city of New York has established a program pursuant to
7 subdivision (a) of this section, the owner of a vehicle shall be liable
8 for a penalty imposed pursuant to this section if such vehicle was
9 parked in violation of any street cleaning rule of such city and
10 such violation is evidenced by information obtained from a street clean-
11 ing vehicle photo device.

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

14 1. "Owner" shall have the meaning provided in article two-B of this
15 chapter.

16 2. "Street cleaning routes" shall mean street cleaning routes desig-
17 nated by the New York city department of sanitation that include
18 upgraded signage stating that street cleaning vehicle photo devices are
19 used to enforce street cleaning parking rules.

20 3. "Street cleaning parking rules" shall mean the prohibited parking
21 of any vehicle on one side of the street to allow for cleaning by the
22 New York city department of sanitation during designated time periods as
23 posted by sign.

24 4. "Street cleaning vehicle" shall mean any vehicle operated by the
25 New York city department of sanitation that is designed to wash dirt and
26 grime, and remove litter and debris, from the street surface.

27 5. "Street cleaning vehicle photo device" shall mean a device that is
28 mounted on a street cleaning vehicle, is capable of operating independ-
29 ently of an enforcement officer and produces one or more images of each
30 vehicle at the time it is in violation of street cleaning parking rules.

31 (d) A certificate, sworn to or affirmed by a technician employed by
32 the city of New York in which the charged violation occurred, or a
33 facsimile thereof, based upon inspection of photographs, microphoto-
34 graphs, videotape or other recorded images produced by a street cleaning
35 vehicle photo device, shall be prima facie evidence of the facts
36 contained therein. Any photographs, microphotographs, videotape or other
37 recorded images evidencing such a violation shall be available for
38 inspection in any proceeding to adjudicate the liability for such
39 violation pursuant to this section.

40 (e) An owner liable for a violation of a street cleaning parking rule
41 imposed on any route shall be liable for monetary penalties in accord-
42 ance with a schedule of fines and penalties promulgated by the parking
43 violations bureau of the city of New York; provided, however, that the
44 monetary penalty for violating a street cleaning parking rule shall not
45 exceed fifty dollars for each violation; provided, further, that an
46 owner shall be liable for an additional penalty not to exceed twenty-
47 five dollars for each violation for the failure to respond to a notice
48 of liability within the prescribed time period.

49 (f) An imposition of liability under a local law or ordinance adopted
50 pursuant to this section shall not be deemed a conviction as an operator
51 and shall not be made part of the operating record of the person upon
52 whom such liability is imposed nor shall it be used for insurance
53 purposes in the provision of motor vehicle insurance coverage.

54 (g) 1. A notice of liability shall be sent by first class mail to each
55 person alleged to be liable as an owner for a violation of a street
56 cleaning parking rule. Personal delivery on the owner shall not be

1 required. A manual or automatic record of mailing prepared in the ordi-
2 nary course of business shall be prima facie evidence of the facts
3 contained therein.

4 2. A notice of liability shall contain the name and address of the
5 person alleged to be liable as an owner for violation of a street clean-
6 ing parking rule, the registration number of the vehicle involved in
7 such violation, the location where such violation took place including
8 the street or cross streets, one or more images identifying the
9 violation, the date and time of such violation and the identification
10 number of the street cleaning vehicle photo device that recorded the
11 violation or other document locator number.

12 3. The notice of liability shall contain information advising the
13 person charged of the manner and the time in which such person may
14 contest the liability alleged in the notice. Such notice of liability
15 shall also contain a warning to advise the person charged that failure
16 to contest in the manner and time provided shall be deemed an admission
17 of liability and that a default judgment may be entered thereon.

18 4. The notice of liability shall be prepared and mailed by the agency
19 or agencies designated by the city of New York, or any other entity
20 authorized by such city to prepare and mail such notification of
21 violation.

22 5. Adjudication of the liability imposed upon owners by this section
23 shall be by the New York city parking violations bureau.

24 (h) If an owner of a vehicle receives a notice of liability pursuant
25 to this section for any time period during which the vehicle was
26 reported to the police department as having been stolen, it shall be a
27 valid defense to an allegation of liability for violation of a street
28 cleaning parking rule of such city, that the vehicle had been reported
29 to the police as stolen prior to the time the violation occurred and had
30 not been recovered by such time. For purposes of asserting the defense
31 provided by this subdivision it shall be sufficient that a certified
32 copy of the police report on the stolen vehicle be sent by first class
33 mail to the parking violations bureau.

34 (i) 1. An owner who is a lessor of a vehicle to which a notice of
35 liability was issued pursuant to subdivision (g) of this section shall
36 not be liable for the violation of the street cleaning parking rule,
37 provided that:

38 (i) prior to the violation, the lessor has filed with such parking
39 violations bureau in accordance with the provisions of section two
40 hundred thirty-nine of this chapter; and

41 (ii) within thirty-seven days after receiving notice from such bureau
42 of the date and time of such liability, together with the other informa-
43 tion contained in the original notice of liability, the lessor submits
44 to such bureau the correct name and address of the lessee of the vehicle
45 identified in the notice of liability at the time of such violation,
46 together with such other additional information contained in the rental,
47 lease or other contract document, as may be reasonably required by such
48 bureau pursuant to regulations that may be promulgated for such purpose.

49 2. Failure to comply with subparagraph (ii) of paragraph one of this
50 subdivision shall render the lessor liable for the penalty prescribed in
51 this section.

52 3. Where the lessor complies with the provisions of paragraph one of
53 this subdivision, the lessee of such vehicle on the date of such
54 violation shall be deemed to be the owner of such vehicle for purposes
55 of this section, shall be subject to liability for such violation pursu-

1 ant to this section, and shall be sent a notice of liability pursuant to
2 subdivision (g) of this section.

3 § 2. Subdivision 1 of section 235 of the vehicle and traffic law, as
4 amended by section 2 of part MM of chapter 56 of the laws of 2023, is
5 amended to read as follows:

6 1. Notwithstanding any inconsistent provision of any general, special
7 or local law or administrative code to the contrary, in any city which
8 heretofore or hereafter is authorized to establish an administrative
9 tribunal: (a) to hear and determine complaints of traffic infractions
10 constituting parking, standing or stopping violations, or (b) to adjudi-
11 cate the liability of owners for violations of subdivision (d) of
12 section eleven hundred eleven of this chapter imposed pursuant to a
13 local law or ordinance imposing monetary liability on the owner of a
14 vehicle for failure of an operator thereof to comply with traffic-con-
15 trol indications through the installation and operation of traffic-con-
16 trol signal photo violation-monitoring systems, in accordance with arti-
17 cle twenty-four of this chapter, or (c) to adjudicate the liability of
18 owners for violations of subdivision (b), (c), (d), (f) or (g) of
19 section eleven hundred eighty of this chapter imposed pursuant to a
20 demonstration program imposing monetary liability on the owner of a
21 vehicle for failure of an operator thereof to comply with such posted
22 maximum speed limits through the installation and operation of photo
23 speed violation monitoring systems, in accordance with article thirty of
24 this chapter, or (d) to adjudicate the liability of owners for
25 violations of bus lane restrictions as defined by article twenty-four of
26 this chapter imposed pursuant to a bus rapid transit program imposing
27 monetary liability on the owner of a vehicle for failure of an operator
28 thereof to comply with such bus lane restrictions through the installa-
29 tion and operation of bus lane photo devices, in accordance with article
30 twenty-four of this chapter, or (e) to adjudicate the liability of
31 owners for violations of toll collection regulations imposed by certain
32 public authorities pursuant to the law authorizing such public authori-
33 ties to impose monetary liability on the owner of a vehicle for failure
34 of an operator thereof to comply with toll collection regulations of
35 such public authorities through the installation and operation of
36 photo-monitoring systems, in accordance with the provisions of section
37 two thousand nine hundred eighty-five of the public authorities law and
38 sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred
39 seventy-four of the laws of nineteen hundred fifty, or (f) to adjudicate
40 the liability of owners for violations of section eleven hundred seven-
41 ty-four of this chapter when meeting a school bus marked and equipped as
42 provided in subdivisions twenty and twenty-one-c of section three
43 hundred seventy-five of this chapter imposed pursuant to a local law or
44 ordinance imposing monetary liability on the owner of a vehicle for
45 failure of an operator thereof to comply with school bus red visual
46 signals through the installation and operation of school bus photo
47 violation monitoring systems, in accordance with article twenty-nine of
48 this chapter, or (g) to adjudicate the liability of owners for
49 violations of section three hundred eighty-five of this chapter and the
50 rules of the department of transportation of the city of New York in
51 relation to gross vehicle weight and/or axle weight violations imposed
52 pursuant to a weigh in motion demonstration program imposing monetary
53 liability on the owner of a vehicle for failure of an operator thereof
54 to comply with such gross vehicle weight and/or axle weight restrictions
55 through the installation and operation of weigh in motion violation
56 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, or (i) to adjudicate the liability of owners for violations of bus operation-related traffic regulations as defined by article twenty-four 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 bus operation-related traffic regulations through the installation and operation of bus operation-related photo devices, in accordance with article twenty-four of this chapter, or (j) to adjudicate the liability of owners for violations of street cleaning parking rules as defined by article twenty-four 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 street cleaning parking rules through the installation and operation of street cleaning vehicle photo devices, in accordance with article twenty-four of this chapter, such tribunal and the rules and regulations pertaining thereto shall be constituted in substantial conformance with the following sections.

§ 3. Subdivision 1 of section 236 of the vehicle and traffic law, as amended by section 3 of part MM of chapter 56 of the laws of 2023, 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 the liability of owners for violations of bus lane restrictions as defined by article twenty-four of this chapter imposed pursuant to a bus rapid transit program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such bus lane restrictions through the installation and operation of bus lane photo devices, in accordance with article twenty-four of this chapter, or (d) to adjudicate the liability of owners for violations of toll collection regulations imposed by certain public authorities pursuant to the law 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

1 the public authorities law and sections sixteen-a, sixteen-b and
2 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
3 hundred fifty, or (e) to adjudicate the liability of owners for
4 violations of section eleven hundred seventy-four of this chapter when
5 meeting a school bus marked and equipped as provided in subdivisions
6 twenty and twenty-one-c of section three hundred seventy-five of this
7 chapter imposed pursuant to a local law or ordinance imposing monetary
8 liability on the owner of a vehicle for failure of an operator thereof
9 to comply with school bus red visual signals through the installation
10 and operation of school bus photo violation monitoring systems, in
11 accordance with article twenty-nine of this chapter, or (f) to adjudi-
12 cate the liability of owners for violations of section three hundred
13 eighty-five of this chapter and the rules of the department of transpor-
14 tation of the city of New York in relation to gross vehicle weight
15 and/or axle weight violations imposed pursuant to a weigh in motion
16 demonstration program imposing monetary liability on the owner of a
17 vehicle for failure of an operator thereof to comply with such gross
18 vehicle weight and/or axle weight restrictions through the installation
19 and operation of weigh in motion violation monitoring systems, in
20 accordance with article ten of this chapter, or (g) to adjudicate the
21 liability of owners for violations of subdivision (b), (d), (f) or (g)
22 of section eleven hundred eighty of this chapter imposed pursuant to a
23 demonstration program imposing monetary liability on the owner of a
24 vehicle for failure of an operator thereof to comply with such posted
25 maximum speed limits within a highway construction or maintenance work
26 area through the installation and operation of photo speed violation
27 monitoring systems, in accordance with article thirty of this chapter,
28 or (h) to adjudicate the liability of owners for violations of bus oper-
29 ation-related traffic regulations as defined by article twenty-four of
30 this chapter imposed pursuant to a demonstration program imposing mone-
31 tary liability on the owner of a vehicle for failure of an operator
32 thereof to comply with such bus operation-related traffic regulations
33 through the installation and operation of bus operation-related photo
34 devices, in accordance with article twenty-four of this chapter, or (i)
35 to adjudicate the liability of owners for violations of street cleaning
36 parking rules as defined by article twenty-four of this chapter
37 imposed pursuant to a demonstration program imposing monetary liability
38 on the owner of a vehicle for failure of an operator thereof to
39 comply with such street cleaning parking rules through the installation
40 and operation of street cleaning vehicle photo devices, in accordance
41 with article twenty-four of this chapter. Such tribunal, except in a
42 city with a population of one million or more, shall also have jurisdic-
43 tion of abandoned vehicle violations. For the purposes of this article,
44 a parking violation is the violation of any law, rule or regulation
45 providing for or regulating the parking, stopping or standing of a vehi-
46 cle. In addition for purposes of this article, "commissioner" shall mean
47 and include the commissioner of traffic of the city or an official
48 possessing authority as such a commissioner.

49 § 4. Paragraph f of subdivision 1 of section 239 of the vehicle and
50 traffic law, as amended by section 4 of part MM of chapter 56 of the
51 laws of 2023, is amended to read as follows:

52 f. "Notice of violation" means a notice of violation as defined in
53 subdivision nine of section two hundred thirty-seven of this article,
54 but shall not be deemed to include a notice of liability issued pursuant
55 to authorization set forth in articles ten, twenty-four, twenty-nine and
56 thirty of this chapter, 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 to impose monetary liability on the owner of a vehicle for failure of an operator thereof: to comply with traffic-control indications in violation of subdivision (d) of section eleven hundred eleven of this chapter through the installation and operation of traffic-control signal photo violation-monitoring systems, in accordance with article twenty-four of this chapter; or to comply with certain posted maximum speed limits in violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter; or to comply with bus lane restrictions as defined by article twenty-four of this chapter through the installation and operation of bus lane photo devices, in accordance with article twenty-four of this chapter; or to comply with toll collection regulations of certain 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 to stop for a school bus displaying a red visual signal in violation of section eleven hundred seventy-four of this chapter through the installation and operation of school bus photo violation monitoring systems, in accordance with article twenty-nine of this chapter; or to comply with certain posted maximum speed limits in violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter 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 to comply with gross vehicle weight and/or axle weight restrictions in violation of section three hundred eighty-five of this chapter and the rules of the department of transportation of the city of New York through the installation and operation of weigh in motion violation monitoring systems, in accordance with article ten of this chapter; or to comply with bus operation-related traffic regulations as defined by article twenty-four of this chapter in violation of the rules of the department of transportation of the city of New York through the installation and operation of bus operation-related photo devices, in accordance with article twenty-four of this chapter; or to comply with street cleaning parking rules as defined by article twenty-four of this chapter in violation of the rules of the department of transportation of the city of New York through the installation and operation of street cleaning vehicle photo devices, in accordance with article twenty-four of this chapter.

§ 5. Subdivisions 1, 1-a and the opening subparagraph of paragraph (a) of subdivision 1-b of section 240 of the vehicle and traffic law, as amended by section 5 of part MM of chapter 56 of the laws of 2023, are amended to read as follows:

1. Notice of hearing. Whenever a person charged with a parking violation enters a plea of not guilty; or a person alleged to be liable in accordance with any provisions of law specifically authorizing the imposition of monetary liability on the owner of a vehicle for failure of an operator thereof: to comply with traffic-control indications in violation of subdivision (d) of section eleven hundred eleven of this chapter through the installation and operation of traffic-control signal photo violation-monitoring systems, in accordance with article twenty-

four of this chapter; or to comply with certain posted maximum speed limits in violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter; or to comply with bus lane restrictions as defined by article twenty-four of this chapter through the installation and operation of bus lane photo devices, in accordance with article twenty-four of this chapter; or to comply with toll collection regulations of certain 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 to stop for a school bus displaying a red visual signal in violation of section eleven hundred seventy-four of this chapter through the installation and operation of school bus photo violation monitoring systems, in accordance with article twenty-nine of this chapter; or to comply with certain posted maximum speed limits in violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter 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 to comply with gross vehicle weight and/or axle weight restrictions in violation of section three hundred eighty-five of this chapter and the rules of the department of transportation of the city of New York through the installation and operation of weigh in motion violation monitoring systems, in accordance with article ten of this chapter; or to comply with bus operation-related traffic regulations as defined by article twenty-four of this chapter in violation of the rules of the department of transportation of the city of New York through the installation and operation of bus operation-related photo devices, in accordance with article twenty-four of this chapter; or to comply with street cleaning parking rules as defined by article twenty-four of this chapter in violation of the rules of the department of transportation of the city of New York through the installation and operation of street cleaning vehicle photo devices, in accordance with article twenty-four of this chapter, contests such allegation, the bureau shall advise such person personally by such form of first class mail as the director may direct of the date on which ~~he or she~~ such person must appear to answer the charge at a hearing. The form and content of such notice of hearing shall be prescribed by the director, and shall contain a warning to advise the person so pleading or contesting that failure to appear on the date designated, or on any subsequent adjourned date, shall be deemed an admission of liability, and that a default judgment may be entered thereon.

1-a. Fines and penalties. Whenever a plea of not guilty has been entered, or the bureau has been notified that an allegation of liability in accordance with provisions of law specifically authorizing the imposition of monetary liability on the owner of a vehicle for failure of an operator thereof: to comply with traffic-control indications in violation of subdivision (d) of section eleven hundred eleven of this chapter through the installation and operation of traffic-control signal photo violation-monitoring systems, in accordance with article twenty-four of this chapter; or to comply with certain posted maximum speed limits in violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter through the installation and operation of photo speed violation monitoring systems, in accordance with

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

37 In a city having a population of one million or more, at every hearing
38 for the adjudication of a notice of liability, as provided by this arti-
39 cle, there shall be a rebuttable presumption that the owner of a first-
40 response emergency vehicle alleged to be liable in accordance with any
41 provisions of law specifically authorizing the imposition of monetary
42 liability on the owner of a vehicle for failure of an operator thereof:
43 to comply with traffic-control indications in violation of subdivision
44 (d) of section eleven hundred eleven of this chapter through the instal-
45 lation and operation of traffic-control signal photo violation-monitor-
46 ing systems, in accordance with article twenty-four of this chapter; or
47 to comply with certain posted maximum speed limits in violation of
48 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
49 of this chapter through the installation and operation of photo speed
50 violation monitoring systems, in accordance with article thirty of this
51 chapter; or to comply with bus lane restrictions as defined by article
52 twenty-four of this chapter through the installation and operation of
53 bus lane photo devices, in accordance with article twenty-four of this
54 chapter; or to comply with bus operation-related traffic regulations as
55 defined by article twenty-four of this chapter in violation of the rules
56 of the department of transportation of the city of New York through the

1 installation and operation of bus operation-related photo devices, in
2 accordance with article twenty-four of this chapter; or to comply with
3 street cleaning parking rules as defined by article twenty-four of this
4 chapter in violation of the rules of the department of transportation
5 of the city of New York through the installation and operation of
6 street cleaning vehicle photo devices, in accordance with article twen-
7 ty-four of this chapter is not liable for such alleged violation if such
8 owner of the first-response emergency vehicle provides the hearing offi-
9 cer with:

10 § 6. Paragraphs a and g of subdivision 2 of section 240 of the vehicle
11 and traffic law, as amended by section 6 of part MM of chapter 56 of the
12 laws of 2023, are amended to read as follows:

13 a. Every hearing for the adjudication of a charge of parking violation
14 or an allegation of liability of an owner for a violation of subdivision
15 (d) of section eleven hundred eleven of this chapter imposed pursuant to
16 a local law or ordinance imposing monetary liability on the owner of a
17 vehicle for failure of an operator thereof to comply with traffic-con-
18 trol indications through the installation and operation of traffic-con-
19 trol signal photo violation-monitoring systems, in accordance with arti-
20 cle twenty-four of this chapter, or an allegation of liability of an
21 owner for a violation of subdivision (b), (c), (d), (f) or (g) of
22 section eleven hundred eighty of this chapter imposed pursuant to a
23 demonstration program imposing monetary liability on the owner of a
24 vehicle for failure of an operator thereof to comply with certain posted
25 maximum speed limits through the installation and operation of photo
26 speed violation monitoring systems, in accordance with article thirty of
27 this chapter, or an allegation of liability of an owner for a violation
28 of bus lane restrictions as defined by article twenty-four of this chap-
29 ter imposed pursuant to a bus rapid transit program imposing monetary
30 liability on the owner of a vehicle for failure of an operator thereof
31 to comply with such bus lane restrictions through the installation and
32 operation of bus lane photo devices, in accordance with article twenty-
33 four of this chapter, or an allegation of liability of an owner for a
34 violation of toll collection regulations imposed by certain public
35 authorities pursuant to the law authorizing such public authorities to
36 impose monetary liability on the owner of a vehicle for failure of an
37 operator thereof to comply with toll collection regulations of such
38 public authorities through the installation and operation of photo-moni-
39 toring systems, in accordance with the provisions of section two thou-
40 sand nine hundred eighty-five of the public authorities law and sections
41 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four
42 of the laws of nineteen hundred fifty, or an allegation of liability of
43 an owner for a violation of section eleven hundred seventy-four of this
44 chapter when meeting a school bus marked and equipped as provided in
45 subdivisions twenty and twenty-one-c of section three hundred seventy-
46 five of this chapter imposed pursuant to a local law or ordinance impos-
47 ing monetary liability on the owner of a vehicle for failure of an oper-
48 ator thereof to comply with school bus red visual signals through the
49 installation and operation of school bus photo violation monitoring
50 systems, in accordance with article twenty-nine of this chapter, or an
51 allegation of liability of an owner for a violation of subdivision (b),
52 (d), (f) or (g) of section eleven hundred eighty of this chapter imposed
53 pursuant to a demonstration program imposing monetary liability on the
54 owner of a vehicle for failure of an operator thereof to comply with
55 certain posted maximum speed limits within a highway construction or
56 maintenance work area through the installation and operation of photo

1 speed violation monitoring systems, in accordance with article thirty of
2 this chapter, or an allegation of liability of an owner for a violation
3 of section three hundred eighty-five of this chapter and the rules of
4 the department of transportation of the city of New York in relation to
5 gross vehicle weight and/or axle weight violations imposed pursuant to a
6 weigh in motion demonstration program imposing monetary liability on the
7 owner of a vehicle for failure of an operator thereof to comply with
8 such gross vehicle weight and/or axle weight restrictions through the
9 installation and operation of weigh in motion violation monitoring
10 systems, in accordance with article ten of this chapter, or an allega-
11 tion of liability of an owner for a violation of bus operation-related
12 traffic regulations as defined by article twenty-four of this chapter
13 imposed pursuant to a demonstration program imposing monetary liability
14 on the owner of a vehicle for failure of an operator thereof to comply
15 with such bus operation-related traffic regulations through the instal-
16 lation and operation of bus operation-related photo devices, in accord-
17 ance with article twenty-four of this chapter, or an allegation of
18 liability of an owner for a violation of street cleaning parking rules
19 as defined by article twenty-four of this chapter imposed pursuant to a
20 demonstration program imposing monetary liability on the owner of a
21 vehicle for failure of an operator thereof to comply with such street
22 cleaning parking rules through the installation and operation of street
23 cleaning vehicle photo devices, in accordance with article twenty-four
24 of this chapter, shall be held before a hearing examiner in accordance
25 with rules and regulations promulgated by the bureau.

26 g. A record shall be made of a hearing on a plea of not guilty or of a
27 hearing at which liability in accordance with any provisions of law
28 specifically authorizing the imposition of monetary liability on the
29 owner of a vehicle for failure of an operator thereof: to comply with
30 traffic-control indications in violation of subdivision (d) of section
31 eleven hundred eleven of this chapter through the installation and oper-
32 ation of traffic-control signal photo violation-monitoring systems, in
33 accordance with article twenty-four of this chapter; to comply with
34 certain posted maximum speed limits in violation of subdivision (b),
35 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter
36 through the installation and operation of photo speed violation monitor-
37 ing systems, in accordance with article thirty of this chapter; to
38 comply with bus lane restrictions as defined by article twenty-four of
39 this chapter through the installation and operation of bus lane photo
40 devices, in accordance with article twenty-four of this chapter; to
41 comply with toll collection regulations of certain public authorities
42 through the installation and operation of photo-monitoring systems, in
43 accordance with the provisions of section two thousand nine hundred
44 eighty-five of the public authorities law and sections sixteen-a,
45 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the
46 laws of nineteen hundred fifty; to stop for a school bus displaying a
47 red visual signal in violation of section eleven hundred seventy-four of
48 this chapter through the installation and operation of school bus photo
49 violation monitoring systems, in accordance with article twenty-nine of
50 this chapter; to comply with certain posted maximum speed limits in
51 violation of subdivision (b), (d), (f) or (g) of section eleven hundred
52 eighty of this chapter within a highway construction or maintenance work
53 area through the installation and operation of photo speed violation
54 monitoring systems, in accordance with article thirty of this chapter;
55 to 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 to comply with bus operation-related traffic regulations as defined by
5 article twenty-four of this chapter in violation of the rules of the
6 department of transportation of the city of New York through the instal-
7 lation and operation of bus operation-related photo devices, in accord-
8 ance with article twenty-four of this chapter; or to comply with street
9 cleaning parking rules as defined by article twenty-four of this chapter
10 in violation of the rules of the department of transportation of the
11 city of New York through the installation and operation of street clean-
12 ing vehicle photo devices, in accordance with article twenty-four of
13 this chapter, is contested. Recording devices may be used for the making
14 of the record.

15 § 7. Subdivisions 1 and 2 of section 241 of the vehicle and traffic
16 law, as amended by section 7 of part MM of chapter 56 of the laws of
17 2023, are amended to read as follows:

18 1. The hearing examiner shall make a determination on the charges,
19 either sustaining or dismissing them. Where the hearing examiner deter-
20 mines that the charges have been sustained [~~he or she~~] such examiner may
21 examine either the prior parking violations record or the record of
22 liabilities incurred in accordance with any provisions of law specif-
23 ically authorizing the imposition of monetary liability on the owner of
24 a vehicle for failure of an operator thereof: to comply with traffic-
25 control indications in violation of subdivision (d) of section eleven
26 hundred eleven of this chapter through the installation and operation of
27 traffic-control signal photo violation-monitoring systems, in accordance
28 with article twenty-four of this chapter; to comply with certain posted
29 maximum speed limits in violation of subdivision (b), (c), (d), (f) or
30 (g) of section eleven hundred eighty of this chapter through the instal-
31 lation and operation of photo speed violation monitoring systems, in
32 accordance with article thirty of this chapter; to comply with bus lane
33 restrictions as defined by article twenty-four of this chapter through
34 the installation and operation of bus lane photo devices, in accordance
35 with article twenty-four of this chapter; to comply with toll collection
36 regulations of certain public authorities through the installation and
37 operation of photo-monitoring systems, in accordance with the provisions
38 of section two thousand nine hundred eighty-five of the public authori-
39 ties law and sections sixteen-a, sixteen-b and sixteen-c of chapter
40 seven hundred seventy-four of the laws of nineteen hundred fifty; to
41 stop for a school bus displaying a red visual signal in violation of
42 section eleven hundred seventy-four of this chapter through the instal-
43 lation and operation of school bus photo violation monitoring systems,
44 in accordance with article twenty-nine of this chapter; to comply with
45 certain posted maximum speed limits in violation of subdivision (b),
46 (d), (f) or (g) of section eleven hundred eighty of this chapter within
47 a highway construction or maintenance work area through the installation
48 and operation of photo speed violation monitoring systems, in accordance
49 with article thirty of this chapter; to comply with gross vehicle weight
50 and/or axle weight restrictions in violation of section three hundred
51 eighty-five of this chapter and the rules of the department of transpor-
52 tation of the city of New York through the installation and operation of
53 weigh in motion violation monitoring systems, in accordance with article
54 ten of this chapter; [~~or~~] to comply with bus operation-related traffic
55 regulations as defined by article twenty-four of this chapter in
56 violation of the rules of the department of transportation of the city

1 of New York through the installation and operation of bus operation-re-
2 lated photo devices, in accordance with article twenty-four of this
3 chapter; or to comply with street cleaning parking rules as defined by
4 article twenty-four of this chapter in violation of the rules of the
5 department of transportation of the city of New York through the instal-
6 lation and operation of street cleaning vehicle photo devices, in
7 accordance with article twenty-four of this chapter, of the person
8 charged, as applicable prior to rendering a final determination. Final
9 determinations sustaining or dismissing charges shall be entered on a
10 final determination roll maintained by the bureau together with records
11 showing payment and nonpayment of penalties.

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

1 comply with the determination of a hearing examiner, as prescribed by
2 this article or by rule or regulation of the bureau, such failure to
3 plead or contest, appear or comply shall be deemed, for all purposes, an
4 admission of liability and shall be grounds for rendering and entering a
5 default judgment in an amount provided by the rules and regulations of
6 the bureau. However, after the expiration of the original date
7 prescribed for entering a plea and before a default judgment may be
8 rendered, in such case the bureau shall pursuant to the applicable
9 provisions of law notify such operator or owner, by such form of first
10 class mail as the commission may direct; (1) of the violation charged,
11 or liability alleged in accordance with any provisions of law specif-
12 ically authorizing the imposition of monetary liability on the owner of
13 a vehicle for failure of an operator thereof: to comply with traffic-
14 control indications in violation of subdivision (d) of section eleven
15 hundred eleven of this chapter through the installation and operation of
16 traffic-control signal photo violation-monitoring systems, in accordance
17 with article twenty-four of this chapter; to comply with certain posted
18 maximum speed limits in violation of subdivision (b), (c), (d), (f) or
19 (g) of section eleven hundred eighty of this chapter through the instal-
20 lation and operation of photo speed violation monitoring systems, in
21 accordance with article thirty of this chapter; to comply with bus lane
22 restrictions as defined by article twenty-four of this chapter through
23 the installation and operation of bus lane photo devices, in accordance
24 with article twenty-four of this chapter; to comply with toll collection
25 regulations of certain public authorities through the installation and
26 operation of photo-monitoring systems, in accordance with the provisions
27 of section two thousand nine hundred eighty-five of the public authori-
28 ties law and sections sixteen-a, sixteen-b and sixteen-c of chapter
29 seven hundred seventy-four of the laws of nineteen hundred fifty; to
30 stop for a school bus displaying a red visual signal in violation of
31 section eleven hundred seventy-four of this chapter through the instal-
32 lation and operation of school bus photo violation monitoring systems,
33 in accordance with article twenty-nine of this chapter; to comply with
34 certain posted maximum speed limits in violation of subdivision (b),
35 (d), (f) or (g) of section eleven hundred eighty of this chapter within
36 a highway construction or maintenance work area through the installation
37 and operation of photo speed violation monitoring systems, in accordance
38 with article thirty of this chapter; to comply with gross vehicle weight
39 and/or axle weight restrictions in violation of section three hundred
40 eighty-five of this chapter and the rules of the department of transpor-
41 tation of the city of New York through the installation and operation of
42 weigh in motion violation monitoring systems, in accordance with article
43 ten of this chapter; ~~or~~ to comply with bus operation-related traffic
44 regulations as defined by article twenty-four of this chapter in
45 violation of the rules of the department of transportation of the city
46 of New York through the installation and operation of bus operation-re-
47 lated photo devices, in accordance with article twenty-four of this
48 chapter; or to comply with street cleaning parking rules as defined by
49 article twenty-four of this chapter in violation of the rules of the
50 department of transportation of the city of New York through the instal-
51 lation and operation of street cleaning vehicle photo devices, in
52 accordance with article twenty-four of this chapter, (2) of the impend-
53 ing default judgment, (3) that such judgment will be entered in the
54 Civil Court of the city in which the bureau has been established, or
55 other court of civil jurisdiction or any other place provided for the
56 entry of civil judgments within the state of New York, and (4) that a

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

1 them, [~~he or she~~] such examiner shall impose no greater penalty or fine
2 than those upon which the person was originally charged.

3 § 8. Subparagraph (i) of paragraph a of subdivision 5-a of section 401
4 of the vehicle and traffic law, as amended by section 8 of part MM of
5 chapter 56 of the laws of 2023, is amended to read as follows:

6 (i) If at the time of application for a registration or renewal there-
7 of there is a certification from a court, parking violations bureau,
8 traffic and parking violations agency or administrative tribunal of
9 appropriate jurisdiction that the registrant or [~~his or her~~] their
10 representative failed to appear on the return date or any subsequent
11 adjourned date or failed to comply with the rules and regulations of an
12 administrative tribunal following entry of a final decision in response
13 to a total of three or more summonses or other process in the aggregate,
14 issued within an eighteen month period, charging either that: (i) such
15 motor vehicle was parked, stopped or standing, or that such motor vehi-
16 cle was operated for hire by the registrant or [~~his or her~~] their agent
17 without being licensed as a motor vehicle for hire by the appropriate
18 local authority, in violation of any of the provisions of this chapter
19 or of any law, ordinance, rule or regulation made by a local authority;
20 or (ii) the registrant was liable for a violation of subdivision (d) of
21 section eleven hundred eleven of this chapter imposed pursuant to a
22 local law or ordinance imposing monetary liability on the owner of a
23 vehicle for failure of an operator thereof to comply with traffic-con-
24 trol indications through the installation and operation of traffic-con-
25 trol signal photo violation-monitoring systems, in accordance with arti-
26 cle twenty-four of this chapter; or (iii) the registrant was liable for
27 a violation of subdivision (b), (c), (d), (f) or (g) of section eleven
28 hundred eighty of this chapter imposed pursuant to a demonstration
29 program imposing monetary liability on the owner of a vehicle for fail-
30 ure of an operator thereof to comply with such posted maximum speed
31 limits through the installation and operation of photo speed violation
32 monitoring systems, in accordance with article thirty of this chapter;
33 or (iv) the registrant was liable for a violation of bus lane
34 restrictions as defined by article twenty-four of this chapter imposed
35 pursuant to a bus rapid transit program imposing monetary liability on
36 the owner of a vehicle for failure of an operator thereof to comply with
37 such bus lane restrictions through the installation and operation of bus
38 lane photo devices, in accordance with article twenty-four of this chap-
39 ter; or (v) the registrant was liable for a violation of section eleven
40 hundred seventy-four of this chapter when meeting a school bus marked
41 and equipped as provided in subdivisions twenty and twenty-one-c of
42 section three hundred seventy-five of this chapter imposed pursuant to a
43 local law or ordinance imposing monetary liability on the owner of a
44 vehicle for failure of an operator thereof to comply with school bus red
45 visual signals through the installation and operation of school bus
46 photo violation monitoring systems, in accordance with article twenty-
47 nine of this chapter; or (vi) the registrant was liable for a violation
48 of section three hundred eighty-five of this chapter and the rules of
49 the department of transportation of the city of New York in relation to
50 gross vehicle weight and/or axle weight violations imposed pursuant to a
51 weigh in motion demonstration program imposing monetary liability on the
52 owner of a vehicle for failure of an operator thereof to comply with
53 such gross vehicle weight and/or axle weight restrictions through the
54 installation and operation of weigh in motion violation monitoring
55 systems, in accordance with article ten of this chapter; or (vii) the
56 registrant was liable for a violation 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~~[7]~~; or (viii) the registrant was liable for a violation of bus operation-related traffic regulations as defined by article twenty-four 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 bus operation-related traffic regulations through the installation and operation of bus operation-related photo devices, in accordance with article twenty-four of this chapter~~[7]~~; or (ix) the registrant was liable for a violation of street cleaning parking rules as defined by article twenty-four 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 street cleaning parking rules through the installation and operation of street cleaning vehicle photo devices, in accordance with article twenty-four of this chapter, the commissioner or ~~[his or her]~~ their agent shall deny the registration or renewal application until the applicant provides proof from the court, traffic and parking violations agency or administrative tribunal wherein the charges are pending that an appearance or answer has been made or in the case of an administrative tribunal that ~~[he or she]~~ such applicant has complied with the rules and regulations of said tribunal following entry of a final decision. Where an application is denied pursuant to this section, the commissioner may, in ~~[his or her]~~ their discretion, deny a registration or renewal application to any other person for the same vehicle and may deny a registration or renewal application for any other motor vehicle registered in the name of the applicant where the commissioner has determined that such registrant's intent has been to evade the purposes of this subdivision and where the commissioner has reasonable grounds to believe that such registration or renewal will have the effect of defeating the purposes of this subdivision. Such denial shall only remain in effect as long as the summonses remain unanswered, or in the case of an administrative tribunal, the registrant fails to comply with the rules and regulations following entry of a final decision.

§ 9. Subdivision 1-a of section 1809 of the vehicle and traffic law, as amended by section 9 of part MM of chapter 56 of the laws of 2023, is amended to read as follows:

1-a. Notwithstanding the provisions of subdivision one of this section, the provisions of subdivision one of this section shall not apply to an adjudication of liability of owners: (a) 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) 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) for violations

1 of bus lane restrictions as defined by article twenty-four of this chap-
2 ter imposed pursuant to a bus rapid transit program imposing monetary
3 liability on the owner of a vehicle for failure of an operator thereof
4 to comply with such bus lane restrictions through the installation and
5 operation of bus lane photo devices, in accordance with article twenty-
6 four of this chapter; or (d) for violations of toll collection regu-
7 lations imposed by certain public authorities pursuant to the law
8 authorizing such public authorities to impose monetary liability on the
9 owner of a vehicle for failure of an operator thereof to comply with
10 toll collection regulations of such public authorities through the
11 installation and operation of photo-monitoring systems, in accordance
12 with the provisions of section two thousand nine hundred eighty-five of
13 the public authorities law and sections sixteen-a, sixteen-b and
14 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
15 hundred fifty; or (e) for violations of section eleven hundred seventy-
16 four of this chapter when meeting a school bus marked and equipped as
17 provided in subdivisions twenty and twenty-one-c of section three
18 hundred seventy-five of this chapter imposed pursuant to a local law or
19 ordinance imposing monetary liability on the owner of a vehicle for
20 failure of an operator thereof to comply with school bus red visual
21 signals through the installation and operation of school bus photo
22 violation monitoring systems, in accordance with article twenty-nine of
23 this chapter; or (f) for violations of section three hundred eighty-five
24 of this chapter and the rules of the department of transportation of the
25 city of New York in relation to gross vehicle weight and/or axle weight
26 violations imposed pursuant to a weigh in motion demonstration program
27 imposing monetary liability on the owner of a vehicle for failure of an
28 operator thereof to comply with such gross vehicle weight and/or axle
29 weight restrictions through the installation and operation of weigh in
30 motion violation monitoring systems, in accordance with article ten of
31 this chapter; or (g) for violations of subdivision (b), (d), (f) or (g)
32 of section eleven hundred eighty of this chapter imposed pursuant to a
33 demonstration program imposing monetary liability on the owner of a
34 vehicle for failure of an operator thereof to comply with such posted
35 maximum speed limits within a highway construction or maintenance work
36 area through the installation and operation of photo speed violation
37 monitoring systems, in accordance with article thirty of this chapter;
38 or (h) for violations of bus operation-related traffic regulations as
39 defined by article twenty-four of this chapter imposed pursuant to a
40 demonstration program imposing monetary liability on the owner of a
41 vehicle for failure of an operator thereof to comply with such bus oper-
42 ation-related traffic regulations through the installation and operation
43 of bus operation-related photo devices, in accordance with article twen-
44 ty-four of this chapter; or (i) for violations of street cleaning park-
45 ing rules as defined by article twenty-four of this chapter imposed
46 pursuant to a demonstration program imposing monetary liability on the
47 owner of a vehicle for failure of an operator thereof to comply with
48 such street cleaning parking rules through the installation and opera-
49 tion of street cleaning vehicle photo devices, in accordance with arti-
50 cle twenty-four of this chapter.

51 § 10. Subdivision 1 of section 1809-a of the vehicle and traffic law,
52 as amended by section 10 of part MM of chapter 56 of the laws of 2023,
53 is amended to read as follows:

54 1. The provisions of any other general or special law notwithstanding,
55 whenever, in a city having a population of one hundred thousand or more
56 according to the nineteen hundred eighty United States census,

proceedings in an administrative tribunal or a court result in a finding of liability, or conviction for the violation of any statute, local law, ordinance or rule involving the parking, stopping or standing of a motor vehicle, except (a) an adjudication of liability of an owner for a violation of bus operation-related traffic regulations as defined by article twenty-four 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 bus operation-related traffic regulations through the installation and operation of bus operation-related photo devices, in accordance with article twenty-four of this chapter, or (b) an adjudication of liability of an owner for a violation of street cleaning parking rules as defined by article twenty-four 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 street cleaning parking rules through the installation and operation of street cleaning vehicle photo devices, in accordance with article twenty-four of this chapter, there shall be levied a mandatory surcharge in addition to any other sentence, fine or penalty otherwise permitted or required, in the amount of fifteen dollars. Such surcharge shall not be deemed a monetary penalty for the purposes of section two hundred thirty-seven of this chapter or section 19-203 of the administrative code of the city of New York.

§ 11. Subdivision 1 of section 1809-aa of the vehicle and traffic law, as amended by section 11 of part MM of chapter 56 of the laws of 2023, is amended to read as follows:

1. Notwithstanding any other provision of law, whenever proceedings in an administrative tribunal or court result in a conviction for a violation of section twelve hundred, twelve hundred one or twelve hundred two of this chapter, except (a) an adjudication of liability of an owner for a violation of bus operation-related traffic regulations as defined by article twenty-four 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 bus operation-related traffic regulations through the installation and operation of bus operation-related photo devices, in accordance with article twenty-four of this chapter, or (b) an adjudication of liability of an owner for a violation of street cleaning parking rules as defined by article twenty-four 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 street cleaning parking rules through the installation and operation of street cleaning vehicle photo devices, in accordance with article twenty-four of this chapter, there shall be levied a mandatory surcharge in addition to any other sentence, fine or penalty otherwise permitted or required, in the amount of twenty-five dollars.

§ 12. Paragraph a of subdivision 1 of section 1809-e of the vehicle and traffic law, as amended by section 12 of part MM of chapter 56 of the laws of 2023, 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

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

1 vehicle for failure of an operator thereof to comply with such bus oper-
2 ation-related traffic regulations through the installation and operation
3 of bus operation-related photo devices, in accordance with article twen-
4 ty-four of this chapter; and (x) an adjudication of liability of an
5 owner for a violation of street cleaning parking rules as defined by
6 article twenty-four of this chapter imposed pursuant to a demonstration
7 program imposing monetary liability on the owner of a vehicle for fail-
8 ure of an operator thereof to comply with such street cleaning parking
9 rules through the installation and operation of street cleaning vehicle
10 photo devices, in accordance with article twenty-four of this chapter,
11 there shall be levied in addition to any sentence, penalty or other
12 surcharge required or permitted by law, an additional surcharge of twen-
13 ty-eight dollars.

14 § 13. Subdivision 2 of section 87 of the public officers law is
15 amended by adding a new paragraph (u) to read as follows:

16 (u) are photographs, microphotographs, videotape or other recorded
17 images prepared under authority of section eleven hundred eleven-h of
18 the vehicle and traffic law.

19 § 14. This act shall take effect one year after it shall have become a
20 law; provided, however, that sections one and thirteen of this act shall
21 expire July 1, 2029, when upon such date the provisions of such sections
22 shall be deemed repealed; provided further, however, that:

23 (a) the amendments to subdivision 1 of section 1809-a of the vehicle
24 and traffic law made by section ten of this act shall not affect the
25 repeal of such section and shall be deemed repealed therewith;

26 (b) if section 2 of part MM of chapter 56 of the laws of 2023 shall
27 not have taken effect on or before such date then section two of this
28 act shall take effect on the same date and in the same manner as such
29 chapter of the laws of 2023, takes effect;

30 (c) if section 3 of part MM of chapter 56 of the laws of 2023 shall
31 not have taken effect on or before such date then section three of this
32 act shall take effect on the same date and in the same manner as such
33 chapter of the laws of 2023, takes effect;

34 (d) if section 4 of part MM of chapter 56 of the laws of 2023 shall
35 not have taken effect on or before such date then section four of this
36 act shall take effect on the same date and in the same manner as such
37 chapter of the laws of 2023, takes effect;

38 (e) if section 5 of part MM of chapter 56 of the laws of 2023 shall
39 not have taken effect on or before such date then section five of this
40 act shall take effect on the same date and in the same manner as such
41 chapter of the laws of 2023, takes effect;

42 (f) if section 6 of part MM of chapter 56 of the laws of 2023 shall
43 not have taken effect on or before such date then section six of this
44 act shall take effect on the same date and in the same manner as such
45 chapter of the laws of 2023, takes effect;

46 (g) if section 7 of part MM of chapter 56 of the laws of 2023 shall
47 not have taken effect on or before such date then section seven of this
48 act shall take effect on the same date and in the same manner as such
49 chapter of the laws of 2023, takes effect;

50 (h) if section 8 of part MM of chapter 56 of the laws of 2023 shall
51 not have taken effect on or before such date then section eight of this
52 act shall take effect on the same date and in the same manner as such
53 chapter of the laws of 2023, takes effect;

54 (i) if section 9 of part MM of chapter 56 of the laws of 2023 shall
55 not have taken effect on or before such date then section nine of this

1 act shall take effect on the same date and in the same manner as such
2 chapter of the laws of 2023, takes effect;

3 (j) if section 10 of part MM of chapter 56 of the laws of 2023 shall
4 not have taken effect on or before such date then section ten of this
5 act shall take effect on the same date and in the same manner as such
6 chapter of the laws of 2023, takes effect;

7 (k) if section 11 of part MM of chapter 56 of the laws of 2023 shall
8 not have taken effect on or before such date then section eleven of this
9 act shall take effect on the same date and in the same manner as such
10 chapter of the laws of 2023, takes effect;

11 (l) if section 12 of part MM of chapter 56 of the laws of 2023 shall
12 not have taken effect on or before such date then section twelve of this
13 act shall take effect on the same date and in the same manner as such
14 chapter of the laws of 2023, takes effect.

15 Effective immediately, the addition, amendment and/or repeal of any
16 rule or regulation necessary for the implementation of section one of
17 this act on its effective date are authorized to be made and completed
18 on or before such effective date.