

# STATE OF NEW YORK

442

2023-2024 Regular Sessions

## IN SENATE

(Prefiled)

January 4, 2023

Introduced by Sen. SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to allowing additional or relocated motor vehicle dealers to be located within six or ten miles of one another when separated by the Hudson River

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

1 Section 1. Subdivision 15 of section 462 of the vehicle and traffic  
2 law, as added by chapter 490 of the laws of 2008, is amended to read as  
3 follows:

4 15. "Relevant market area" means:

5 (a) if the proposed additional or relocated motor vehicle dealer is to  
6 be located in a county having a population in excess of one hundred  
7 thousand, the area within the radius of six miles of the intended site  
8 of the proposed or relocated dealer. Such six mile distance shall be  
9 determined by measuring the distance between the nearest surveyed bound-  
10 ary of the existing new motor vehicle dealer's principal place of busi-  
11 ness and the nearest surveyed boundary line of the proposed or relocated  
12 new motor vehicle dealer's place of business; ~~[or]~~

13 (b) if the proposed additional or relocated motor vehicle dealer is to  
14 be within a county having a population of less than one hundred thou-  
15 sand, the area within the radius of ten miles of the intended site of  
16 the proposed or relocated dealer. Such ten mile distance shall be deter-  
17 mined by measuring the distance between the nearest surveyed boundary  
18 line of the existing new motor vehicle dealer's principal place of busi-  
19 ness and the nearest surveyed boundary line of the proposed or relocated  
20 new motor vehicle dealer's principal place of business~~[-]~~; or

21 (c) notwithstanding paragraphs (a) and (b) of this subdivision, if the  
22 proposed additional or relocated motor vehicle dealer's relevant market  
23 area under paragraphs (a) or (b) of this subdivision includes the Hudson

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

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1 River, the area within ten miles of the intended site of the proposed or  
2 relocated dealer on the opposite side of the Hudson River. Such ten  
3 mile distance shall be determined by measuring the shortest distance a  
4 vehicle could travel on roadways from the nearest surveyed boundary of  
5 the existing new motor vehicle dealer's principal place of business and  
6 the nearest surveyed boundary line of the proposed or relocated new  
7 motor vehicle dealer's place of business.

8 In determining the population of a county, the most recent census by  
9 the U.S. Bureau of Census or the most recent population update, either  
10 from the National Planning Data Corporation or other similar recognized  
11 source, shall be used.

12 § 2. This act shall take effect immediately.