STATE OF NEW YORK

6657--A

2023-2024 Regular Sessions

IN SENATE

May 3, 2023

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- 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 registration fees for certain vehicles; and to repeal certain provisions of such law relating thereto

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

Section 1. The opening paragraph of paragraph a of subdivision 6 of section 401 of the vehicle and traffic law, as amended by section 1 of part G of chapter 59 of the laws of 2009, is amended and two new paragraphs a-1 and a-2 are added to read as follows:

[~~The~~] **Prior to January first, two thousand twenty-four, the** following fees shall be paid to the commissioner, or agent, upon the registration or reregistration of a motor vehicle, including a suburban, in accordance with the provisions of this article:

a-1. Beginning in two thousand twenty-four, the commissioner shall be authorized to incrementally increase registration and reregistration fees annually until such fees reach the amounts set forth in paragraph a-two of this subdivision.

a-2.(i) Beginning in two thousand thirty, the following fees shall be paid to the commissioner, or agent, upon the registration or reregistration of a motor vehicle which is a sedan, hardtop, coupe, convertible, station wagon or hatchback in accordance with the provisions of this article:

The first nineteen hundred ninety-nine pounds of the weight of such motor vehicle, fully equipped, zero cents per pound; for each pound of motor vehicle weight of at least two thousand pounds but less than three thousand pounds, ten cents per pound; for each pound of motor vehicle weight of at least three thousand pounds but less than four thousand

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

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pounds, fifteen cents per pound; for each pound of motor vehicle weight of at least four thousand pounds but less than five thousand pounds, twenty-one cents per pound; for each pound of motor vehicle weight of at least five thousand pounds but less than six thousand pounds, thirty-one cents per pound; for each pound of motor vehicle weight of at least six thousand pounds but less than seven thousand pounds, forty-five cents per pound; for each pound of motor vehicle weight of at least seven thousand pounds but less than eight thousand pounds, sixty-six cents per pound; for each pound of motor vehicle weight of at least eight thousand pounds but less than nine thousand pounds, ninety-seven cents per pound; for each pound of motor vehicle weight of nine thousand pounds or greater, one dollar and forty-one cents per pound.

(ii) Beginning in two thousand thirty, the following fees shall be paid to the commissioner, or agent, upon the registration or reregistration of a motor vehicle which is a sports utility vehicle, minivan, or truck in accordance with the provisions of this article:

The first nineteen hundred ninety-nine pounds of the weight of such motor vehicle, fully equipped, ten cents per pound; for each pound of motor vehicle weight of at least two thousand pounds but less than three thousand pounds, fifteen cents per pound; for each pound of motor vehicle weight of at least three thousand pounds but less than four thousand pounds, twenty-two cents per pound; for each pound of motor vehicle weight of at least four thousand pounds but less than five thousand pounds, thirty-two cents per pound; for each pound of motor vehicle weight of at least five thousand pounds but less than six thousand pounds, forty-seven cents per pound; for each pound of motor vehicle weight of at least six thousand pounds but less than seven thousand pounds, sixty-eight cents per pound; for each pound of motor vehicle weight of at least seven thousand pounds but less than eight thousand pounds, one dollar per pound; for each pound of motor vehicle weight of at least eight thousand pounds but less than nine thousand pounds, one dollar and forty-five cents per pound; for each pound of motor vehicle weight of nine thousand pounds or greater, two dollars and twelve cents per pound.

(iii) For the registration or reregistration of any motor vehicle in accordance with subparagraphs (i) and (ii) of this paragraph that produces zero emissions and weighs no more than five thousand pounds, the fee for one thousand pounds of motor vehicle weight at a rate of ten cents per pound shall be waived.

(iv) Notwithstanding subparagraphs (i) and (ii) of this paragraph, for motor vehicles described in subdivision seven of this section, the fee for such registration shall be as therein prescribed.

(v) The curb weight of motor vehicle shall be accepted as the weight for the purpose of registration and reregistration under this paragraph.

§ 2. Subdivision 21 of section 401 of the vehicle and traffic law is REPEALED and a new subdivision 21 is added to read as follows:

21. a. The commissioner shall deposit daily the percentages listed below of all fees collected or received by the commissioner pursuant to certain registration fees imposed by (i) paragraphs a, a-one and a-two of subdivision six of this section, (ii) all schedules of subdivision seven of this section, and (iii) paragraph a of subdivision eight of this section in a responsible bank, banking house or trust company, which shall pay the highest rate of interest to the state for such deposit to the credit of the comptroller on account of the dedicated highway and bridge trust fund established pursuant to section eighty-nine-b of the state finance law. Annually, the commissioner shall so

deposit such registration fees so collected or so received after March thirty-first, two thousand twenty-four until such time as the annual financial plan of the dedicated highway and bridge trust fund and the dedicated mass transportation trust fund are met. Thereafter, seventy-five percent of such registration fees collected shall be directed to funding new state and local street safety projects including but not limited to protected bike lanes, bollards, road diets, pedestrianization of streets, pedestrian islands, raised crosswalks, chicanes, turn calming, rumble strips, leading pedestrian intervals and curb and sidewalk extensions. The remaining twenty-five percent shall be expended for maintenance, repair, and revitalization of state and local roadways, with a preference for projects that utilize green asphalt. The aforementioned funds for street safety and roadway projects shall be prioritized for use in local projects before use in state projects. Every bank, banking house or trust company that accepts such deposits shall execute and file in the office of the department of audit and control an undertaking to the state, in the sum, and with such sureties, as are required and approved by the comptroller for the safe keeping and prompt payment on legal demand therefor of all such moneys held by or on deposit in such bank, banking house, or trust company, with interest thereon on daily balances at such rate as the comptroller may fix. Every such undertaking shall have endorsed thereon or annexed thereto the approval of the attorney general as to its form.

b. Of the revenues so deposited, the comptroller shall retain in their hands such amount as the commissioner may determine to be necessary for refunds or reimbursements of the fees collected or received pursuant to (i) paragraphs a, a-one and a-two of subdivision six of this section, (ii) all schedules of subdivision seven of this section, and (iii) paragraph a of subdivision eight of this section to which registrants shall be entitled under the provisions of this article, out of which amount the commissioner shall pay any refunds or reimbursements of the fees collected or received pursuant to paragraphs a, a-one and a-two of subdivision six, all schedules of subdivision seven and paragraph a of subdivision eight of this section to which registrants shall be entitled under such provisions. The comptroller, after reserving the amount to pay such refunds or reimbursements, shall, on or before the last day of each month, deposit the balance of the revenue so deposited during such month into the dedicated highway and bridge trust fund established pursuant to section eighty-nine-b of the state finance law and the mass transportation trust fund established pursuant to section eighty-nine-c of the state finance law.

c. Notwithstanding any inconsistent provision of this section, eleven dollars and fifty cents of the registration fees collected pursuant to paragraph a of subdivision five of section four hundred ten of this title shall be deposited pursuant to this subdivision. Three dollars and fifty cents of such fees collected in relation to applications for new registrations and renewals of existing registrations shall be deposited to the credit of the dedicated highway and bridge trust fund. Two dollars and fifty cents of such registration fees shall be deposited into the motorcycle safety fund established pursuant to section ninety-two-g of the state finance law.

§ 3. The commissioner of the department of transportation shall submit a report to the governor and the legislature annually that lists, by county, the street safety projects and roadway improvement projects funded by paragraph a of subdivision 21 of section 410 of the vehicle and traffic law, as added by section two of this act. The report shall

also include, by county, vehicle weight data, the number of vehicles receiving a fee reduction for producing zero emissions and the number of vehicles categorized by vehicle weight involved in crashes with pedestrians, cyclists or other vehicles resulting in serious injuries or fatalities. The report shall be made publicly available on the department of transportation website.

§ 4. This act shall take effect January 1, 2024.