

# STATE OF NEW YORK

7024

2023-2024 Regular Sessions

## IN SENATE

May 16, 2023

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

AN ACT to amend the state finance law and the vehicle and traffic law, in relation to the weight limit for all terrain vehicles and fee schedule for all terrain vehicle registration

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

1 Section 1. Subdivision 2 of section 95-e of the state finance law, as  
2 amended by section 7 of part AA of chapter 56 of the laws of 2020, is  
3 amended to read as follows:

4 2. Such fund shall consist of all revenues received pursuant to the  
5 provisions of section four hundred four-v of the vehicle and traffic  
6 law, as added by chapter three hundred one of the laws of two thousand  
7 four, all revenues received pursuant to section six hundred thirty-d of  
8 the tax law, certain revenues received pursuant to subdivision four of  
9 section two thousand eighty-two of the vehicle and traffic law and all  
10 other moneys appropriated, credited, or transferred thereto from any  
11 other fund or source pursuant to law. Nothing contained in this section  
12 shall prevent the state from receiving grants, gifts or bequests for the  
13 purposes of the fund as defined in this section and depositing them into  
14 the fund according to law.

15 § 2. Paragraph (a) of subdivision 1 of section 2281 of the vehicle and  
16 traffic law, as amended by chapter 319 of the laws of 1997, is amended  
17 to read as follows:

18 (a) "All terrain vehicle" or "ATV" means any self-propelled vehicle  
19 which is manufactured for sale for operation primarily on off-highway  
20 trails or off-highway competitions and only incidentally operated on  
21 public highways providing that such vehicle does not exceed seventy  
22 inches in width, or [~~one~~] two thousand pounds dry weight. Provided,  
23 however, this definition shall not include a "snowmobile" or other self-  
24 propelled vehicles manufactured for off-highway use exclusively designed  
25 for travel on snow or ice, steered by skis or runners and supported in  
26 whole or in part by one or more skis, belts or cleats which utilize an  
27 endless belt tread.

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

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1 § 3. Subdivision 4 of section 2282 of the vehicle and traffic law, as  
2 amended by chapter 402 of the laws of 1986, paragraphs (a) and (b) as  
3 amended and the closing paragraph as added by section 4 of part G of  
4 chapter 59 of the laws of 2009, is amended to read as follows:

5 4. Fees. Fees for registration of ATVs to be collected by the commis-  
6 sioner under this article are as follows.

7 (a) (i) One thousand pounds dry weight or less:

8 1. An annual fee of [~~twelve~~] **fifteen** dollars [~~and fifty cents~~] for  
9 each individual resident registration.

10 [~~(b)~~] 2. An annual fee of [~~twelve~~] **nineteen** dollars and fifty cents  
11 for each individual nonresident registration.

12 (ii) One thousand one pounds dry weight to one thousand five hundred  
13 pounds dry weight:

14 1. An annual fee of forty dollars for each individual resident regis-  
15 tration.

16 2. An annual fee of fifty-two dollars for each individual nonresident  
17 registration.

18 (iii) One thousand five hundred one pounds dry weight to two thousand  
19 pounds dry weight:

20 1. An annual fee of sixty dollars for each individual resident regis-  
21 tration.

22 2. An annual fee of seventy-eight dollars for each individual nonresi-  
23 dent registration.

24 [~~(e)~~] (b) An annual fee of twenty-five dollars for each dealer regis-  
25 tration.

26 [~~(d)~~] (c) An annual fee of five dollars for each additional dealer  
27 demonstrator registration number.

28 [~~(e)~~] (d) A fee of three dollars for replacement of a lost, mutilated  
29 or destroyed certificate.

30 [~~(f)~~] (e) Provided, however, that the provisions of paragraphs (b) and  
31 (c) [~~and (d)~~] of this subdivision with respect to the payment of dealer  
32 registration fees shall not apply to dealers registered pursuant to  
33 section four hundred fifteen of this chapter.

34 [~~(g)~~] (f) Annual fees shall not be prorated and such fees shall be  
35 applicable to a year or any portion of a year.

36 Notwithstanding any inconsistent provision of this section, the  
37 difference collected between the fees set forth in the former paragraphs  
38 (a) and (b) of this subdivision in effect on and after September first,  
39 two thousand nine and the fees set forth in such former paragraphs in  
40 effect prior to such date shall be deposited to the credit of the dedi-  
41 cated highway and bridge trust fund.

42 Notwithstanding any inconsistent provision of this section, the  
43 difference collected between the fees set forth in subparagraph (i) of  
44 paragraph (a) of this subdivision in effect on and after September  
45 first, two thousand twenty-four and the fees set forth in the former  
46 paragraphs (a) and (b) of this subdivision in effect prior to the chap-  
47 ter of the laws of two thousand twenty-three which amended this subdivi-  
48 sion shall be deposited to the credit of the New York state autism  
49 awareness and research fund; provided, further, that the total collected  
50 from the fees set forth in subparagraphs (ii) and (iii) of paragraph (a)  
51 of this subdivision shall be deposited to the credit of the New York  
52 state autism awareness and research fund.

53 § 4. This act shall take effect September 1, 2024; provided, however,  
54 that section three of this act shall apply to registrations issued or  
55 renewed on and after such effective date.