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:

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

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

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

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

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

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

4. Fees. Fees for registration of ATVs to be collected by the commissioner under this article are as follows.

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

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

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

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

1. An annual fee of forty dollars for each individual resident registration.

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

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

1. An annual fee of sixty dollars for each individual resident registration.

2. An annual fee of seventy-eight dollars for each individual nonresident registration.

[~~(c)~~] **(b)** An annual fee of twenty-five dollars for each dealer registration.

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

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

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

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

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

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

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