

STATE OF NEW YORK

8756

IN SENATE

March 7, 2024

Introduced by Sens. JACKSON, SEPULVEDA, PERSAUD -- 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 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

23 (iii) to prohibit the use or dissemination of vehicles' license plate
24 information and other information and images captured by street cleaning

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

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1 vehicle photo devices except: (A) as required to establish liability
2 under this section or collect payment of penalties; (B) as required by
3 court order; or (C) as otherwise required by law.

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

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

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

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

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

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

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

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

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

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

52 (g) 1. A notice of liability shall be sent by first class mail to each
53 person alleged to be liable as an owner for a violation of a street
54 cleaning parking rule. Personal delivery on the owner shall not be
55 required. A manual or automatic record of mailing prepared in the ordi-

1 nary course of business shall be prima facie evidence of the facts
2 contained therein.

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

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

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

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

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

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

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

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

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

51 3. Where the lessor complies with the provisions of paragraph one of
52 this subdivision, the lessee of such vehicle on the date of such
53 violation shall be deemed to be the owner of such vehicle for purposes
54 of this section, shall be subject to liability for such violation pursu-
55 ant to this section, and shall be sent a notice of liability pursuant to
56 subdivision (g) of this section.

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

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

1 imposed pursuant to a demonstration program imposing monetary liability
2 on the owner of a vehicle for failure of an operator thereof to comply
3 with such posted maximum speed limits within a highway construction or
4 maintenance work area through the installation and operation of photo
5 speed violation monitoring systems, in accordance with article thirty of
6 this chapter, or (i) to adjudicate the liability of owners for
7 violations of bus operation-related traffic regulations as defined by
8 article twenty-four of this chapter imposed pursuant to a demonstration
9 program imposing monetary liability on the owner of a vehicle for fail-
10 ure of an operator thereof to comply with such bus operation-related
11 traffic regulations through the installation and operation of bus opera-
12 tion-related photo devices, in accordance with article twenty-four of
13 this chapter, or (j) to adjudicate the liability of owners for
14 violations of street cleaning parking rules as defined by article twen-
15 ty-four of this chapter imposed pursuant to a program imposing monetary
16 liability on the owner of a vehicle for failure of an operator thereof
17 to comply with such street cleaning parking rules through the installa-
18 tion and operation of street cleaning vehicle photo devices, in accord-
19 ance with article twenty-four of this chapter, such tribunal and the
20 rules and regulations pertaining thereto shall be constituted in
21 substantial conformance with the following sections.

22 § 3. Subdivision 1 of section 236 of the vehicle and traffic law, as
23 amended by section 3 of part MM of chapter 56 of the laws of 2023, is
24 amended to read as follows:

25 1. Creation. In any city as hereinbefore or hereafter authorized such
26 tribunal when created shall be known as the parking violations bureau
27 and shall have jurisdiction of traffic infractions which constitute a
28 parking violation and, where authorized: (a) to adjudicate the liability
29 of owners for violations of subdivision (d) of section eleven hundred
30 eleven of this chapter imposed pursuant to a local law or ordinance
31 imposing monetary liability on the owner of a vehicle for failure of an
32 operator thereof to comply with traffic-control indications through the
33 installation and operation of traffic-control signal photo violation-
34 monitoring systems, in accordance with article twenty-four of this chap-
35 ter, or (b) to adjudicate the liability of owners for violations of
36 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
37 of this chapter imposed pursuant to a demonstration program imposing
38 monetary liability on the owner of a vehicle for failure of an operator
39 thereof to comply with such posted maximum speed limits through the
40 installation and operation of photo speed violation monitoring systems,
41 in accordance with article thirty of this chapter, or (c) to adjudicate
42 the liability of owners for violations of bus lane restrictions as
43 defined by article twenty-four of this chapter imposed pursuant to a bus
44 rapid transit program imposing monetary liability on the owner of a
45 vehicle for failure of an operator thereof to comply with such bus lane
46 restrictions through the installation and operation of bus lane photo
47 devices, in accordance with article twenty-four of this chapter, or (d)
48 to adjudicate the liability of owners for violations of toll collection
49 regulations imposed by certain public authorities pursuant to the law
50 authorizing such public authorities to impose monetary liability on the
51 owner of a vehicle for failure of an operator thereof to comply with
52 toll collection regulations of such public authorities through the
53 installation and operation of photo-monitoring systems, in accordance
54 with the provisions of section two thousand nine hundred eighty-five of
55 the public authorities law and sections sixteen-a, sixteen-b and
56 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen

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

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

50 f. "Notice of violation" means a notice of violation as defined in
51 subdivision nine of section two hundred thirty-seven of this article,
52 but shall not be deemed to include a notice of liability issued pursuant
53 to authorization set forth in articles ten, twenty-four, twenty-nine and
54 thirty of this chapter, section two thousand nine hundred eighty-five of
55 the public authorities law and sections sixteen-a, sixteen-b and
56 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen

1 hundred fifty to impose monetary liability on the owner of a vehicle for
2 failure of an operator thereof: to comply with traffic-control indi-
3 cations in violation of subdivision (d) of section eleven hundred eleven
4 of this chapter through the installation and operation of traffic-con-
5 trol signal photo violation-monitoring systems, in accordance with arti-
6 cle twenty-four of this chapter; or to comply with certain posted maxi-
7 mum speed limits in violation of subdivision (b), (c), (d), (f) or (g)
8 of section eleven hundred eighty of this chapter through the installa-
9 tion and operation of photo speed violation monitoring systems, in
10 accordance with article thirty of this chapter; or to comply with bus
11 lane restrictions as defined by article twenty-four of this chapter
12 through the installation and operation of bus lane photo devices, in
13 accordance with article twenty-four of this chapter; or to comply with
14 toll collection regulations of certain public authorities through the
15 installation and operation of photo-monitoring systems, in accordance
16 with the provisions of section two thousand nine hundred eighty-five of
17 the public authorities law and sections sixteen-a, sixteen-b and
18 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
19 hundred fifty; or to stop for a school bus displaying a red visual
20 signal in violation of section eleven hundred seventy-four of this chap-
21 ter through the installation and operation of school bus photo violation
22 monitoring systems, in accordance with article twenty-nine of this chap-
23 ter; or to comply with certain posted maximum speed limits in violation
24 of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of
25 this chapter within a highway construction or maintenance work area
26 through the installation and operation of photo speed violation monitor-
27 ing systems, in accordance with article thirty of this chapter; or to
28 comply with gross vehicle weight and/or axle weight restrictions in
29 violation of section three hundred eighty-five of this chapter and the
30 rules of the department of transportation of the city of New York
31 through the installation and operation of weigh in motion violation
32 monitoring systems, in accordance with article ten of this chapter; or
33 to comply with bus operation-related traffic regulations as defined by
34 article twenty-four of this chapter in violation of the rules of the
35 department of transportation of the city of New York through the instal-
36 lation and operation of bus operation-related photo devices, in accord-
37 ance with article twenty-four of this chapter; or to comply with street
38 cleaning parking rules as defined by article twenty-four of this chapter
39 in violation of the rules of the department of transportation of the
40 city of New York through the installation and operation of street clean-
41 ing vehicle photo devices, in accordance with article twenty-four of
42 this chapter.

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

47 1. Notice of hearing. Whenever a person charged with a parking
48 violation enters a plea of not guilty; or a person alleged to be liable
49 in accordance with any provisions of law specifically authorizing the
50 imposition of monetary liability on the owner of a vehicle for failure
51 of an operator thereof: to comply with traffic-control indications in
52 violation of subdivision (d) of section eleven hundred eleven of this
53 chapter through the installation and operation of traffic-control signal
54 photo violation-monitoring systems, in accordance with article twenty-
55 four of this chapter; or to comply with certain posted maximum speed
56 limits in violation of subdivision (b), (c), (d), (f) or (g) of section

1 eleven hundred eighty of this chapter through the installation and oper-
2 ation of photo speed violation monitoring systems, in accordance with
3 article thirty of this chapter; or to comply with bus lane restrictions
4 as defined by article twenty-four of this chapter through the installa-
5 tion and operation of bus lane photo devices, in accordance with article
6 twenty-four of this chapter; or to comply with toll collection regu-
7 lations of certain public authorities through the installation and oper-
8 ation of photo-monitoring systems, in accordance with the provisions of
9 section two thousand nine hundred eighty-five of the public authorities
10 law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven
11 hundred seventy-four of the laws of nineteen hundred fifty; or to stop
12 for a school bus displaying a red visual signal in violation of section
13 eleven hundred seventy-four of this chapter through the installation and
14 operation of school bus photo violation monitoring systems, in accord-
15 ance with article twenty-nine of this chapter; or to comply with certain
16 posted maximum speed limits in violation of subdivision (b), (d), (f) or
17 (g) of section eleven hundred eighty of this chapter within a highway
18 construction or maintenance work area through the installation and oper-
19 ation of photo speed violation monitoring systems, in accordance with
20 article thirty of this chapter; or to comply with gross vehicle weight
21 and/or axle weight restrictions in violation of section three hundred
22 eighty-five of this chapter and the rules of the department of transpor-
23 tation of the city of New York through the installation and operation of
24 weigh in motion violation monitoring systems, in accordance with article
25 ten of this chapter; or to comply with bus operation-related traffic
26 regulations as defined by article twenty-four of this chapter in
27 violation of the rules of the department of transportation of the city
28 of New York through the installation and operation of bus operation-re-
29 lated photo devices, in accordance with article twenty-four of this
30 chapter; or to comply with street cleaning parking rules as defined by
31 article twenty-four of this chapter in violation of the rules of the
32 department of transportation of the city of New York through the instal-
33 lation and operation of street cleaning vehicle photo devices, in
34 accordance with article twenty-four of this chapter, contests such alle-
35 gation, the bureau shall advise such person personally by such form of
36 first class mail as the director may direct of the date on which [~~he or~~
37 ~~she~~] such person must appear to answer the charge at a hearing. The form
38 and content of such notice of hearing shall be prescribed by the direc-
39 tor, and shall contain a warning to advise the person so pleading or
40 contesting that failure to appear on the date designated, or on any
41 subsequent adjourned date, shall be deemed an admission of liability,
42 and that a default judgment may be entered thereon.

43 1-a. Fines and penalties. Whenever a plea of not guilty has been
44 entered, or the bureau has been notified that an allegation of liability
45 in accordance with provisions of law specifically authorizing the impo-
46 sition of monetary liability on the owner of a vehicle for failure of an
47 operator thereof: to comply with traffic-control indications in
48 violation of subdivision (d) of section eleven hundred eleven of this
49 chapter through the installation and operation of traffic-control signal
50 photo violation-monitoring systems, in accordance with article twenty-
51 four of this chapter; or to comply with certain posted maximum speed
52 limits in violation of subdivision (b), (c), (d), (f) or (g) of section
53 eleven hundred eighty of this chapter through the installation and oper-
54 ation of photo speed violation monitoring systems, in accordance with
55 article thirty of this chapter; or to comply with bus lane restrictions
56 as defined by article twenty-four of this chapter through the installa-

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

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

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

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

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

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

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

1 monitoring systems, in accordance with article ten of this chapter; or
2 to comply with bus operation-related traffic regulations as defined by
3 article twenty-four of this chapter in violation of the rules of the
4 department of transportation of the city of New York through the instal-
5 lation and operation of bus operation-related photo devices, in accord-
6 ance with article twenty-four of this chapter; or to comply with street
7 cleaning parking rules as defined by article twenty-four of this chapter
8 in violation of the rules of the department of transportation of the
9 city of New York through the installation and operation of street clean-
10 ing vehicle photo devices, in accordance with article twenty-four of
11 this chapter, is contested. Recording devices may be used for the making
12 of the record.

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

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

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

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

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

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

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

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

1 vehicle for failure of an operator thereof to comply with such posted
2 maximum speed limits within a highway construction or maintenance work
3 area through the installation and operation of photo speed violation
4 monitoring systems, in accordance with article thirty of this
5 chapter[7]; or (viii) the registrant was liable for a violation of bus
6 operation-related traffic regulations as defined by article twenty-four
7 of this chapter imposed pursuant to a demonstration program imposing
8 monetary liability on the owner of a vehicle for failure of an operator
9 thereof to comply with such bus operation-related traffic regulations
10 through the installation and operation of bus operation-related photo
11 devices, in accordance with article twenty-four of this chapter[7]; or
12 (ix) the registrant was liable for a violation of street cleaning park-
13 ing rules as defined by article twenty-four of this chapter imposed
14 pursuant to a program imposing monetary liability on the owner of a
15 vehicle for failure of an operator thereof to comply with such street
16 cleaning parking rules through the installation and operation of street
17 cleaning vehicle photo devices, in accordance with article twenty-four
18 of this chapter, the commissioner or [~~his or her~~] their agent shall deny
19 the registration or renewal application until the applicant provides
20 proof from the court, traffic and parking violations agency or adminis-
21 trative tribunal wherein the charges are pending that an appearance or
22 answer has been made or in the case of an administrative tribunal that
23 [~~he or she~~] such applicant has complied with the rules and regulations
24 of said tribunal following entry of a final decision. Where an applica-
25 tion is denied pursuant to this section, the commissioner may, in [~~his~~
26 ~~or her~~] their discretion, deny a registration or renewal application to
27 any other person for the same vehicle and may deny a registration or
28 renewal application for any other motor vehicle registered in the name
29 of the applicant where the commissioner has determined that such regis-
30 trant's intent has been to evade the purposes of this subdivision and
31 where the commissioner has reasonable grounds to believe that such
32 registration or renewal will have the effect of defeating the purposes
33 of this subdivision. Such denial shall only remain in effect as long as
34 the summonses remain unanswered, or in the case of an administrative
35 tribunal, the registrant fails to comply with the rules and regulations
36 following entry of a final decision.

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

40 1-a. Notwithstanding the provisions of subdivision one of this
41 section, the provisions of subdivision one of this section shall not
42 apply to an adjudication of liability of owners: (a) for violations of
43 subdivision (d) of section eleven hundred eleven of this chapter imposed
44 pursuant to a local law or ordinance imposing monetary liability on the
45 owner of a vehicle for failure of an operator thereof to comply with
46 traffic-control indications through the installation and operation of
47 traffic-control signal photo violation-monitoring systems, in accordance
48 with article twenty-four of this chapter; or (b) for violations of
49 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
50 of this chapter imposed pursuant to a demonstration program imposing
51 monetary liability on the owner of a vehicle for failure of an operator
52 thereof to comply with such posted maximum speed limits through the
53 installation and operation of photo speed violation monitoring systems,
54 in accordance with article thirty of this chapter; or (c) for violations
55 of bus lane restrictions as defined by article twenty-four of this chap-
56 ter imposed pursuant to a bus rapid transit program imposing monetary

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

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

52 1. The provisions of any other general or special law notwithstanding,
53 whenever, in a city having a population of one hundred thousand or more
54 according to the nineteen hundred eighty United States census,
55 proceedings in an administrative tribunal or a court result in a finding
56 of liability, or conviction for the violation of any statute, local law,

1 ordinance or rule involving the parking, stopping or standing of a motor
2 vehicle, except (a) an adjudication of liability of an owner for a
3 violation of bus operation-related traffic regulations as defined by
4 article twenty-four of this chapter imposed pursuant to a demonstration
5 program imposing monetary liability on the owner of a vehicle for fail-
6 ure of an operator thereof to comply with such bus operation-related
7 traffic regulations through the installation and operation of bus opera-
8 tion-related photo devices, in accordance with article twenty-four of
9 this chapter, or (b) an adjudication of liability of an owner for a
10 violation of street cleaning parking rules as defined by article twen-
11 ty-four of this chapter imposed pursuant to a program imposing monetary
12 liability on the owner of a vehicle for failure of an operator thereof
13 to comply with such street cleaning parking rules through the installa-
14 tion and operation of street cleaning vehicle photo devices, in accord-
15 ance with article twenty-four of this chapter, there shall be levied a
16 mandatory surcharge in addition to any other sentence, fine or penalty
17 otherwise permitted or required, in the amount of fifteen dollars. Such
18 surcharge shall not be deemed a monetary penalty for the purposes of
19 section two hundred thirty-seven of this chapter or section 19-203 of
20 the administrative code of the city of New York.

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

24 1. Notwithstanding any other provision of law, whenever proceedings in
25 an administrative tribunal or court result in a conviction for a
26 violation of section twelve hundred, twelve hundred one or twelve
27 hundred two of this chapter, except (a) an adjudication of liability of
28 an owner for a violation of bus operation-related traffic regulations as
29 defined by article twenty-four of this chapter imposed pursuant to a
30 demonstration program imposing monetary liability on the owner of a
31 vehicle for failure of an operator thereof to comply with such bus oper-
32 ation-related traffic regulations through the installation and operation
33 of bus operation-related photo devices, in accordance with article twen-
34 ty-four of this chapter, or (b) an adjudication of liability of an
35 owner for a violation of street cleaning parking rules as defined by
36 article twenty-four of this chapter imposed pursuant to a program
37 imposing monetary liability on the owner of a vehicle for failure
38 of an operator thereof to comply with such street cleaning parking rules
39 through the installation and operation of street cleaning vehicle photo
40 devices, in accordance with article twenty-four of this chapter, there
41 shall be levied a mandatory surcharge in addition to any other sentence,
42 fine or penalty otherwise permitted or required, in the amount of twen-
43 ty-five dollars.

44 § 12. Paragraph a of subdivision 1 of section 1809-e of the vehicle
45 and traffic law, as amended by section 12 of part MM of chapter 56 of
46 the laws of 2023, is amended to read as follows:

47 a. Notwithstanding any other provision of law, whenever proceedings in
48 a court or an administrative tribunal of this state result in a
49 conviction for an offense under this chapter, except a conviction pursu-
50 ant to section eleven hundred ninety-two of this chapter, or for a traf-
51 fic infraction under this chapter, or a local law, ordinance, rule or
52 regulation adopted pursuant to this chapter, except: (i) a traffic
53 infraction involving standing, stopping, or parking or violations by
54 pedestrians or bicyclists; and (ii) an adjudication of liability of an
55 owner for a violation of subdivision (d) of section eleven hundred elev-
56 en of this chapter imposed pursuant to a local law or ordinance imposing

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

1 of bus operation-related photo devices, in accordance with article twenty-four of this chapter; and (x) 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 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 in addition to any sentence, penalty or other surcharge required or permitted by law, an additional surcharge of twenty-eight dollars.

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

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

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

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

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

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

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

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

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

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

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

52 (i) if section 9 of part MM of chapter 56 of the laws of 2023 shall not have taken effect on or before such date then section nine of this act shall take effect on the same date and in the same manner as such chapter of the laws of 2023, takes effect;

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

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

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

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