STATE OF NEW YORK

759

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. RAJKUMAR -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, the criminal procedure law and the administrative code of the city of New York, in relation to improving enforcement of violations related to license plates

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

Section 1. This act shall be known and may be cited as the "ghostbuster act".

§ 2. Subdivision 2 of section 238 of the vehicle and traffic law, as amended by chapter 224 of the laws of 1995, is amended to read as follows:

2. A notice of violation shall be served personally upon the operator of a motor vehicle who is present at the time of service, and [~~his~~] **such operator's** name, together with the plate designation and the plate type as shown by the registration plates of said vehicle [~~and~~]~~,~~ the expiration date **and the vehicle identification number**; the make or model[~~, and body type~~] of said vehicle; a description of the charged violation, including but not limited to a reference to the applicable traffic rule or provision of this chapter; information as to the days and hours the applicable rule or provision of this chapter is in effect, unless always in effect pursuant to rule or this chapter and where appropriate the word ALL when the days and/or hours in effect are everyday and/or twenty-four hours a day; the meter number for a meter violation, where appropriate; and the date, time and particular place of occurrence of the charged violation, shall be inserted therein. A mere listing of a meter number in cases of charged meter violations shall not be deemed to constitute a sufficient description of a particular place of occurrence for purposes of this subdivision. The notice of violation shall be served upon the owner of the motor vehicle if the operator is not pres-

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

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ent, by affixing such notice to said vehicle in a conspicuous place. Whenever such notice is so affixed, in lieu of inserting the name of the person charged with the violation in the space provided for the identification of said person, the words "owner of the vehicle bearing license" may be inserted to be followed by the plate designation and plate type as shown by the registration plates of said vehicle together with the expiration date **and the vehicle identification number**; the make or model[~~, and body type~~] of said vehicle; a description of the charged violation, including but not limited to a reference to the applicable traffic rule or provision of this chapter; information as to the days and hours the applicable rule or provision of this chapter is in effect unless always in effect pursuant to rule or this chapter and where appropriate the word ALL when the days and/or hours in effect are every day and/or twenty-four hours a day; the meter number for a meter violation where appropriate; and the date, time and particular place of occurrence of the charged violation. Service of the notice of violation, or a duplicate thereof by affixation as herein provided shall have the same force and effect and shall be subject to the same penalties for disregard thereof as though the same was personally served with the name of the person charged with the violation inserted therein.

§ 3. Paragraph (a) of subdivision 2-a of section 238 of the vehicle and traffic law, as added by chapter 224 of the laws of 1995, is amended to read as follows:

(a) Notwithstanding any inconsistent provision of subdivision two of this section, where the plate type or the expiration date are not shown on either the registration plates or sticker of a vehicle or where the registration sticker is covered, faded, defaced or mutilated so that it is unreadable**, or where the vehicle identification number is destroyed, covered, defaced, altered or otherwise changed in violation of section 170.65 of the penal law, or where the authenticity cannot be verified by a search of the license plate database**, the plate type or the expiration date **or vehicle identification number** may be omitted from the notice of violation; provided, however, such condition must be so described and inserted on the notice of violation.

§ 4. Subdivisions 3 and 4 of section 402 of the vehicle and traffic law are amended and a new subdivision 9 is added to read as follows:

3. No person shall operate [~~or~~]**,** drive **or park** a motor vehicle drawing a trailer on the public highways of the state, unless such trailer shall have a distinctive number assigned to it by the commissioner and a number plate issued by such commissioner with a number corresponding to that of the certificate of registration displayed and fastened on the rear in the manner provided for number plates on the rear of a motor vehicle. The provisions of subdivision two of this section relating to number plates for motor vehicles shall apply to number plates for any such trailer. The provisions of this subdivision shall not apply when a newly constructed trailer is being drawn to or from a weighing station solely for the purpose of determining the weight thereof.

4. No person shall operate [~~or~~]**,** drive **or park** a motor vehicle upon the public highways of this state having displayed thereon number plates not proper for such vehicle under the provisions of this chapter and, upon a conviction for this offense, the number plates shall be surrendered to the court for delivery to the commissioner. The failure to produce the certificate of registration or registration renewal stub of a vehicle**, or a vehicle bearing temporary registration or indicia of registration issued by a foreign country, state, territory or federal district, or an agent thereof,** shall be presumptive evidence of display-

ing number plates not proper for the vehicle. Every annual number plate issued shall remain the property of the state until the correct registration fee is paid. Every number plate of a permanent nature for use with a removable date tag which shall be issued shall remain the property of the state unless and until the commissioner finds that the state no longer has use for it. Number plates belonging to the state shall be under the control of the commissioner.

9. (a) In addition to the penalties set forth in subdivision eight of this section, whenever any police officer, or in a city having a population in excess of one million any person designated by the commissioner of traffic of such city, or on highways under the jurisdiction of the New York state thruway authority, the office of parks and recreation, a county park commission, a parkway authority, a bridge authority or a bridge and tunnel authority any person designated by such office, commission or authority, finds a vehicle which is in violation of the provisions of this section such officer is hereby authorized to provide for the removal of such vehicle, semitrailer or trailer to a garage, automobile pound or other place of safety, or to attach a mechanical device to the wheel or tire of such vehicle to prevent its usual manner of movement provided that such act is done by a person licensed to do so in accordance with any other applicable provision of law.

(b) The owner or other person lawfully entitled to the possession of such vehicle may be charged with any reasonable costs including removal and storage, payable before the vehicle is released.

§ 5. The subdivision heading and paragraph (a) of subdivision 4-h of section 510 of the vehicle and traffic law, as added by section 5 of subpart A of part WW of chapter 56 of the laws of 2024, are amended to read as follows:

Suspension of registration for covering license plates with a license plate cover or material appearing to be a number plate [~~or~~]**,** obscuring license plates with any material or substance**, displaying an improper plate or forgery of a vehicle identification number**. (a) Upon receipt of a notification from a court or an administrative tribunal that an owner of a motor vehicle has been convicted three or more times within a period of five years of a violation of **paragraph (a) or** subparagraph (ii), (ii-a) or (iii) of paragraph (b) of subdivision one of section four hundred two of this chapter **or section 170.65 of the penal law,** not arising out of the same incident, the commissioner or the commissioner's agent may suspend the registration of the motor vehicle involved in such violation for a period of ninety days. The commissioner may, in the commissioner's discretion, deny a registration or renewal application to any other person for the same vehicle and may deny a registration or renewal application for any other motor vehicle registered in the name of the applicant where the commissioner has determined that such registrant's intent has been to evade the purposes of this paragraph and where the commissioner has reasonable grounds to believe that such registration or renewal will have the effect of defeating the purposes of this paragraph. Such denial shall remain in effect only as long as the suspension entered pursuant to this paragraph remains in effect.

§ 6. Section 402-b of the vehicle and traffic law, as added by section 4 of subpart A of part WW of chapter 56 of the laws of 2024, is amended to read as follows:

§ 402-b. Obscured and obstructed license plates **or vehicle identification numbers**. 1. If any vehicle is driven [~~or~~]**,** operated **or parked** on a public highway in violation of subparagraph (ii), (ii-a), or (iii) of paragraph (b) of subdivision one of section four hundred two of this

article, or section 170.65 of the penal law, and is committed in their presence, a police officer, as defined in section one hundred thirty-two of this chapter, shall be authorized to take such actions as may be required or permitted by the provisions of this section.

2. If the vehicle is being driven [~~or~~], operated or parked in violation of subparagraph (ii), (ii-a) or (iii) of paragraph (b) of subdivision one of section four hundred two of this article, or section 170.65 of the penal law, such officer shall issue a summons[~~, provided, however, that a summons shall not be issued if, in the discretion and at the request of such officer, the defect is corrected in the presence of such officer. The refusal of a police officer to permit the repair of any defect in their presence shall not be reviewable, and shall not be a defense to any violation charged in a summons issued pursuant to the provisions of this section~~] and confiscate any instrument used in connection with the violation. A vehicle bearing a temporary registration or indicia of a registration issued by a foreign country, state, territory or federal district, or by an agent thereof, shall be presumptive evidence of a violation. Such summons shall be issued irrespective of any correction of the defect in the presence of the officer.

3. Any complaint issued for any violation of subparagraph (ii), (ii-a) or (iii) of paragraph (b) of subdivision one of section four hundred two of this article may be dismissed by the court before which the summons is returnable if the violation as set forth in the summons is corrected not later than one-half hour after sunset on the first full business day after the issuance of the summons and proof of such correction is submitted to the court or administrative tribunal. For the purposes of this subdivision, "business day" shall mean any calendar day except Saturday and Sunday, or the following business holidays: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, and Christmas Day.

§ 7. Paragraph (b) of subdivision 1 of section 1.20 of the criminal procedure law, as added by chapter 450 of the laws of 2019, is amended to read as follows:

(b) an appearance ticket issued for a parking infraction when (i) such ticket is based on personal knowledge or information and belief of the police officer or other public servant who issues the ticket, (ii) the police officer or other public servant who issues such ticket verifies that false statements made therein are punishable as a class A misdemeanor, (iii) the infraction or infractions contained therein are stated in detail and not in conclusory terms so as to provide the defendant with sufficient notice including, but not limited, to the applicable provision of law allegedly violated, and the date, time and particular place of the alleged infraction, and (iv) such ticket contains: (1) the license plate designation of the ticketed vehicle, (2) the license plate type of the ticketed vehicle, (3) the expiration of the ticketed vehicle's registration, (4) the make or model of the ticketed vehicle, and (5) the [~~body type~~] vehicle identification number of the ticketed vehicle, provided, however, that where the plate type or the expiration date are not shown on either the registration plates or sticker of a vehicle or where the registration sticker or vehicle identification number is covered, faded, defaced or mutilated so that it is unreadable, the plate type [~~or~~], the expiration date or the vehicle identification number may be omitted, provided, further, however, that such condition must be so described and inserted on the instrument.

§ 8. Section 422 of the vehicle and traffic law, as amended by chapter 726 of the laws of 1983, is amended to read as follows:

§ 422. Special vehicle identification numbers. The commissioner [~~may~~] **shall**, by regulation, provide for the issuance of a special vehicle identification number. Such regulations shall be applicable whenever a special vehicle identification number is required by any provision of law. With respect to a vehicle part for which an inspection is required pursuant to subdivision two of section four hundred twenty-three-a of this chapter, a special identification number may consist of a distinguishing mark. Such special vehicle identification number shall be [~~affixed~~] **engraved** only by or under the direction of a member of the department of motor vehicles who has the powers of a peace officer pursuant to section three hundred ninety-two-b of this chapter. A fee of twenty-five dollars shall be paid to the commissioner before such number shall be issued, except that no fee shall be required of a governmental agency.

§ 9. Subdivision 1 of section 431 of the vehicle and traffic law, as amended by chapter 692 of the laws of 1979, is amended to read as follows:

1. Every manufacturer or assembler of a vehicle sold in this state shall [~~provide such vehicle with~~] **engrave** a vehicle identification number **on each vehicle** and, upon request of the commissioner, shall inform [~~him~~] **such commissioner** concerning the location or locations of every vehicle identification number and other identifying numbers on such vehicle. The commissioner may refuse to register or issue a certificate of title for a vehicle made by a manufacturer or assembler who fails to comply with this section.

§ 10. Subdivision 2 of section 420-a of the vehicle and traffic law, as amended by section 1-b of part A of chapter 63 of the laws of 2005, is amended to read as follows:

2. A qualified dealer may obtain temporary registrations to be issued in accordance with the provisions of this section by applying to the commissioner and paying a fee of five dollars for each such temporary registration. The commissioner may limit the number of temporary registrations given to a dealer at any one time or the number of unissued temporary registrations in the possession of a dealer at one time. **The commissioner shall issue a temporary registration to a dealer in another state in such manner as the commissioner shall prescribe.**

§ 11. Paragraph (a) of subdivision 1 of section 1224 of the vehicle and traffic law, as amended by chapter 795 of the laws of 1974, is amended to read as follows:

(a) with no number plates affixed thereto[~~, for more than six hours~~] on any highway or other public place;

§ 12. The vehicle and traffic law is amended by adding a new section 2130-a to read as follows:

§ 2130-a. (a) No person, firm, partnership, association or corporation shall sell, offer for sale or process a transaction for any vehicle certificate of origin or any certificate of title, including via an online platform, in violation of this section.

(b) Whenever there shall be a violation of this section, application may be made by the attorney general in the name of the people of the state of New York to a court or justice having jurisdiction by a special proceeding to issue an injunction and upon notice to the defendant of not less than five days, to enjoin and restrain the continuance of such violation or to enforce the provisions of this section; and if it shall appear to the satisfaction of the court or justice that the defendant has, in fact, violated this section, an injunction may be issued by such court or justice, enjoining and restraining any further violation, with-

out requiring proof that any person has, in fact, been injured or damaged thereby. Whenever the court shall determine that a violation of this section has occurred the court may impose a civil penalty of not more than five hundred dollars for each violation. In connection with any such proposed application, the attorney general is authorized to take proof and make a determination of the relevant facts and issue subpoenas in accordance with the civil practice law and rules.

§ 13. The vehicle and traffic law is amended by adding a new section 402-c to read as follows:

§ 402-c. Notice on sale of temporary license plates. Any person, firm, partnership, association or corporation which distributes or sells, or offers to distribute or sell, temporary license plates or tags of any other state, district or territory, or of any foreign country, or a reproduction thereof, to any resident of this state, including through an online platform, shall provide a written notice stating, "Not legal for use in the state of New York. A motor vehicle bearing this license plate or tag in New York state may be subject to booting or impounding at owner's expense."

§ 14. Subdivision d of section 19-169.2 of the administrative code of the city of New York, as added by local law number 24 of the city of New York for the year 1995, is amended to read as follows:

d. In addition to the provisions of subdivision c of this section, no motor vehicle may be booted (1) unless such vehicle: (i) is unlawfully parked, (ii) has obscured or obstructed license plates or displays number plates not proper for such vehicle in violation of section 402 of the vehicle and traffic law, (iii) the vehicle identification number is destroyed, covered, defaced, altered or otherwise changed in violation of section 170.65 of the penal law, or (iv) is an abandoned vehicle as defined by section 1224 of the vehicle and traffic law; (2) where such vehicle is occupied by any person or live animal; (3) when such vehicle is parked on the roadway side of a vehicle stopped, standing or parked at the curb; (4) where such vehicle is parked in a fire lane, or in front of or immediately adjacent to a fire hydrant, fire connection or building emergency exit; (5) unless the express written authorization of the owner of a private driveway blocked by such vehicle has been obtained, which authorization includes the location, make, model, color and license plate number of such vehicle; (6) if such vehicle is an ambulance, correction vehicle, police vehicle, fire vehicle, civil defense emergency vehicle, emergency ambulance service vehicle, environmental emergency response vehicle, sanitation patrol vehicle, hazardous materials emergency vehicle, ordnance disposal vehicle of the armed forces of the United States; and (7) where such vehicle bears a special vehicle identification parking permit issued in accordance with the provisions of paragraph 15 of subdivision a of section 2903 of the New York city charter or issued in accordance with the provisions of section 1203-a of the vehicle and traffic law, or "MD" New York registration plates.

§ 15. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 16. This act shall take effect on the ninetieth day after it shall have become a law; provided, however, that sections two and three shall take effect one year after they shall have become a law; and provided, further, that sections eight and nine of this act shall take effect three years after they shall have become a law.