

STATE OF NEW YORK

8306

2025-2026 Regular Sessions

IN ASSEMBLY

May 12, 2025

Introduced by M. of A. P. CARROLL -- (at request of the Department of Motor Vehicles) -- read once and referred to the Committee on Judiciary

AN ACT to amend the estates, powers and trusts law, in relation to the value of a motor vehicle exempt from the provisions of a will or intestate distribution for the benefit of the family of a decedent

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

1 Section 1. Subparagraph 5 of paragraph (a) of section 5-3.1 of the
2 estates, powers and trusts law, as amended by chapter 437 of the laws of
3 2010, is amended to read as follows:

4 (5) One motor vehicle not exceeding in value [~~twenty-five~~] **fifty** thou-
5 sand dollars. In the alternative, if the decedent shall have been the
6 owner of one or more motor vehicles each of which exceed [~~twenty-five~~]
7 **fifty** thousand dollars in value, the surviving spouse or decedent's
8 children may acquire one such motor vehicle from the estate, regardless
9 of the fact that the decedent may also have been the owner of another
10 motor vehicle of lesser value than [~~twenty-five~~] **fifty** thousand dollars,
11 by payment to the estate of the amount by which the value of the motor
12 vehicle exceeds [~~twenty-five~~] **fifty** thousand dollars; in lieu of receiv-
13 ing such motor vehicle, the surviving spouse or children may elect to
14 receive in cash an amount equal to the value of the motor vehicle, not
15 to exceed [~~twenty-five~~] **fifty** thousand dollars. If any motor vehicle so
16 acquired by the spouse or children of the decedent was a specific legacy
17 in decedent's will, the payment to the estate of the amount by which the
18 value of the motor vehicle exceeds [~~twenty-five~~] **fifty** thousand dollars
19 shall vest in the specific legatee.

20 § 2. This act shall take effect on the first of January next succeed-
21 ing the date on which it shall have become a law.

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

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