STATE OF NEW YORK

8860

2025-2026 Regular Sessions

IN ASSEMBLY

June 9, 2025

Introduced by M. of A. DAIS -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, the vehicle and traffic law, the penal law, the civil practice law and rules and the lien law, in relation to enforcement of toll collection regulations and license plate violations

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

Section 1. Subdivision 6 of section 2985 of the public authorities law, as added by chapter 379 of the laws of 1992, is amended to read as follows:

6. **a.** An imposition of liability pursuant to this section shall be based upon a preponderance of evidence as submitted. An imposition of liability pursuant to this section shall not be deemed a conviction as an operator and shall not be made part of the motor vehicle operating record, furnished pursuant to section three hundred fifty-four of the vehicle and traffic law, of the person upon whom such liability is imposed nor shall it be used for insurance purposes in the provision of motor vehicle insurance coverage.

b. Notwithstanding any provision of law, rule, or regulation to the contrary, an imposition of liability pursuant to this section shall be deemed a conviction as an operator and shall be made part of the motor vehicle operating record, furnished pursuant to section three hundred fifty-four of the vehicle and traffic law, of the person upon whom such liability is imposed and shall be used for insurance purposes in the provision of motor vehicle insurance coverage if an operator has unpaid liabilities pursuant to this section from a series of convictions, not arising out of the same incident, for covering or obscuring a license plate two or more times within a period of five years in violation of subparagraph (ii), (ii-a) or (iii) of paragraph (b) of subdivision one of section four hundred two of the vehicle and traffic law.

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

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§ 2. 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, is amended to read as follows:

4-h. 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. [~~(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 subparagraph (ii), (ii-a) or (iii) of paragraph (b) of subdivision one of section four hundred two of this chapter 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~~] impose a vehicle identification number block to deny the registration, reregistration, renewal, replacement, or transfer of registration of a vehicle until a tolling authority described in section two thousand nine hundred eighty-five of the public authorities law advises, in such form and manner as the commissioner shall prescribe, that notices of liability provided pursuant to such section have been answered and that any tolls, fees, or other charges associated with the vehicle and such vehicle's vehicle identification number have been paid to such tolling authority. The commissioner may, in the commissioner's discretion, deny [~~a~~] an application for registration [~~or~~] , reregistration, renewal [~~application to any other person for the same vehicle and may deny a registration or renewal application~~], replacement, or transfer of registration 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, reregistration, [~~or~~] renewal, replacement, or transfer of the registration 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 of this paragraph remains in effect.~~] Such vehicle identification number block shall only remain in effect until a tolling authority described in section two thousand nine hundred eighty-five of the public authorities law advises, in such form and manner as the commissioner shall prescribe, that notices of liability provided pursuant to such section have been answered and any tolls, fees, or other charges associated with the vehicle and such vehicle's vehicle identification number have been paid to such tolling authority.

[~~(b) Upon receipt of notification from a court or an administrative tribunal that an owner of a motor vehicle has failed to comply with paragraph (b) or (c) of subdivision eight of section four hundred two of this chapter, the commissioner or the commissioner's agent may suspend the registration of the motor vehicle involved in such violation and such suspension shall remain in effect until such time as the commissioner is advised that such owner has complied with such paragraphs, as applicable. 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.~~]

§ 3. Subdivision 5-a of section 401 of the vehicle and traffic law is amended by adding a new paragraph d to read as follows:

d. (i) No person other than a bona fide purchaser of the vehicle in an arms-length transaction may register, reregister, renew, replace, or transfer the registration of, change the name, address, or other information of the registered owner associated with, or change the registration classification of, any vehicle whose vehicle identification number is associated with a vehicle whose registration has been suspended, or is subject to a pending request from a tolling authority described in section two thousand nine hundred eighty-five of the public authorities law to suspend such registration, by the commissioner pursuant to paragraph d of subdivision three of section five hundred ten of this chapter.

(ii) The commissioner or the commissioner's agent may impose a vehicle identification number block to deny an application for registration, reregistration, renewal, replacement, or transfer of registration of a vehicle until such tolling authority advises, in such form and manner as the commissioner shall prescribe, that notices of liability provided pursuant to section two thousand nine hundred eighty-five of the public authorities law have been answered and that any unpaid tolls, fees or other charges associated with the vehicle and the vehicle identification number have been paid to such tolling authority. The commissioner may, in the commissioner's discretion, deny an application for registration, reregistration, renewal, replacement, or transfer of the registration 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, reregistration, renewal, replacement, or transfer of registration will have the effect of defeating the purposes of this paragraph. Such vehicle identification number block and denial shall only remain in effect until such tolling authority advises, in such form and manner as the commissioner shall prescribe, that notices of liability provided pursuant to section two thousand nine hundred eighty-five of the public authorities law have been answered and that any unpaid tolls, fees, or other charges associated with the vehicle and the vehicle identification number have been paid to such tolling authority. Such discretionary vehicle identification number block and discretionary registration application denial described herein shall not apply to a bona fide purchaser in an arms-length transaction.

(iii) For purposes of this paragraph, a bona fide purchaser in an arms-length transaction shall mean a vehicle registration applicant who provides a copy of the signed bill of sale or other such contract document covering such vehicle to the commissioner or the commissioner's agent, with the name and address of the seller and purchaser, the purchase date, and the purchase price clearly legible.

§ 4. Subdivision 2 of 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:

2. If the vehicle is being driven or operated in violation of subparagraph (ii), (ii-a) or (iii) of paragraph (b) of subdivision one of section four hundred two of this article, 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. **Provided, however, that if the defect is not corrected by the driver or operator at the time a summons is issued, the officer shall be authorized to correct such defect by seizing and confiscating any material which obscures, distorts, or alters a number plate in violation of the provisions of section four hundred two of this article.**

§ 5. The vehicle and traffic law is amended by adding a new section 2105-b to read as follows:

§ 2105-b. Liens on motor vehicles for failure to make payments of tolls, fees and other charges. (a) The commissioner, on behalf of the department, shall prescribe the procedures for creation of security interests on vehicles in favor of the Triborough bridge and tunnel authority as provided for in section two hundred twelve of the lien law and subdivision eight of section two thousand nine hundred eighty-five of the public authorities law.

(b) Such procedures shall include:

(1) notification that the Triborough bridge and tunnel authority will provide to the department of a security interest arising for failure to make payments of tolls, fees, or other charges, including how the authority and department will determine that the person against whom such lien will be imposed is the person owing such arrears;

(2) notification from the Triborough bridge and tunnel authority to the department that an individual has satisfied the security interest; and

(3) such other matters that the department shall deem necessary to carry out the provisions of this section, section two hundred twelve of the lien law and subdivision eight of section two thousand nine hundred eighty-five of the public authorities law.

(c) A security interest arising under section two hundred twelve of the lien law and entered into the records of the department pursuant to this article shall be listed on any subsequent certificate of title issued to such person for the same or any other vehicle.

§ 6. Paragraph (b) of subdivision 8 of section 2985 of the public authorities law, as added by section 6 of subpart A of part WW of chapter 56 of the laws of 2024, is amended to read as follows:

(b) Upon exhaustion of remedies pursuant to this section or section twenty-nine hundred eighty-five-a of this title, as applicable, the New York state bridge authority, thruway authority, triborough bridge and tunnel authority, metropolitan transportation authority, and port authority of New York and New Jersey, a bi-state agency created by compact set forth in chapter one hundred fifty-four of the laws of nineteen hundred twenty-one, shall have the power to enter judgments for unpaid liabilities, provided that such unpaid liabilities include the failure to pay tolls, fees, or other charges or the failure to have such tolls, fees or other charges dismissed or transferred in response to three or more notices of violation issued within a five year period charging the registrant of a motor vehicle with a violation of toll collection regulations, and to enforce such judgments, **which shall include vehicle seizure,** without court proceedings, in the same manner as the enforcement of money judgments in civil actions in any court of competent jurisdiction or any other place provided for the entry of civil judgment within the state of New York, after a period of notice pursuant to paragraph (c) of this subdivision. The applicable tolling

authority shall not enforce such judgments until thirty days have elapsed from issuing a notice pursuant to paragraph (c) of this subdivision.

§ 7. Subdivision 3 of section 165.15 of the penal law is amended to read as follows:

3. With intent to obtain railroad, subway, bus, air, taxi or any other public transportation service **or to access any tolled highway, parkway, road, bridge, tunnel, or tolled central business district** without payment of the lawful charge **or toll** therefor, or to avoid payment of the lawful charge **or toll** for such transportation service **or access** which has been rendered to [~~him~~] **them**, [~~he obtains~~] **they obtain** or [~~attempts~~] **attempt** to obtain such service **or access to any tolled highway, parkway, road, bridge, tunnel, or tolled central business district** or [~~avoids~~] **avoid** or [~~attempts~~] **attempt** to avoid payment therefor by force, intimidation, stealth, deception**,** or mechanical tampering, or by unjustifiable failure or refusal to pay; or

§ 8. Subdivision (b) of section 5230 of the civil practice law and rules, as amended by chapter 831 of the laws of 2021, is amended to read as follows:

(b) Issuance. At any time before a judgment or order is satisfied or vacated, an execution may be issued from the supreme court, county court or a family court, in the county in which the judgment was first docketed, by the clerk of the court or the attorney for the judgment creditor as officer of the court, to the sheriffs of one or more counties of the state, **to the metropolitan transportation authority police department, or to peace officers of the triborough bridge and tunnel authority** directing each of them to satisfy the judgment or order out of the real and personal property of the judgment debtor or obligor and the debts due to [~~him or her~~] **them**. Provided, however, if the applicable interest rate changes pursuant to section five thousand four of this chapter while an execution is ongoing, the clerk of the court of the supreme court, county court or a family court, in the county in which the judgment was first docketed, or the attorney for the judgment creditor as officer of the court, shall be authorized to issue an amended execution to the sheriffs of one or more counties of the state**, to the metropolitan transportation authority police department, or to peace officers of the triborough bridge and tunnel authority** and shall issue [~~an~~] **such** amended execution within sixty days of the effective date of the chapter of the laws of two thousand twenty-one which amended this subdivision, effective as of the date of the rate change. **Provided however, an execution issued pursuant to this paragraph to the metropolitan transportation authority police department or to peace officers of the triborough bridge and tunnel authority may only be issued where the execution relates to a judgment for which such authority is the judgment creditor.** Where the judgment or order is for support and is payable to the support collection unit designated by the appropriate social services district, such unit shall be authorized to issue the execution and to satisfy the judgment or order out of the real and personal property of the judgment debtor or obligor and the debts due to [~~him or her~~] **them**.

§ 9. Subdivision (d) of section 5230 of the civil practice law and rules, as amended by chapter 59 of the laws of 1993, is amended to read as follows:

(d) Records of sheriff or support collection unit. Each sheriff**, metropolitan transportation authority police department, peace officer of the triborough bridge and tunnel authority** or support collection unit

shall keep a record of executions delivered showing the names of the parties and the judgment debtor or obligor; the dates of issue and return; the date and time of delivery, which shall be endorsed upon the execution; the amount due at the time the execution was delivered; and the amount of the judgment or order and of the sheriff's fees unpaid, if any, at the time of the return.

§ 10. Subdivision 1 of section 184 of the lien law, as amended by chapter 137 of the laws of 1984, is amended to read as follows:

1. A person keeping a garage, hangar or place for the storage, maintenance, keeping or repair of motor vehicles as defined by the vehicle and traffic law, or of motor boats as defined by article seven of the navigation law, or of aircraft as defined by article fourteen of the general business law, and who in connection therewith tows, stores, maintains, keeps or repairs any motor vehicle, motor boat, or aircraft or furnishes gasoline or other supplies therefor at the request or with the consent of the owner or **who**, subject to the provisions of subdivision two of this section, tows and stores any motor vehicle at the request of a law enforcement officer authorized to remove such motor vehicle, whether or not such motor vehicle, motor boat or aircraft is subject to a security interest, **or who has entered a judgment for failure to pay tolls, fees, or other charges pursuant to subdivision eight of section two thousand nine hundred eighty-five of the public authorities law,** has a lien upon such motor vehicle, motor boat or aircraft for the sum due for such towing, storing, maintaining, keeping or repairing of such motor vehicle, motor boat or aircraft or for furnishing gasoline or other supplies therefor and may detain such motor vehicle, motor boat or aircraft at any time it may be lawfully in [~~his~~] **their** possession until such sum is paid, except that if the lienor, subsequent to thirty days from the accrual of such lien, allows the motor vehicle, motor boat or aircraft out of [~~his~~] **their** actual possession the lien provided for in this section shall thereupon become void as against all security interests, whether or not perfected, in such motor vehicles, motor boat or aircraft and executed prior to the accrual of such lien, notwithstanding possession of such motor vehicle, motor boat or aircraft is thereafter acquired by such lienor. **Notwithstanding any other provision of law to the contrary, possession of a motor vehicle is not required for a lienor who has entered a judgement for failure to pay tolls, fees, or other charges against such motor vehicle pursuant to subdivision eight of section two thousand nine hundred eighty-five of the public authorities law.** However, if the bailee of a motor vehicle, motor boat or aircraft has furnished a written estimate of the cost of towing, storage, maintenance, repair or any other service on such motor vehicle, motor boat or aircraft, any lien sought by such bailee for such service may not be in an amount in excess of the written estimate.

§ 11. The lien law is amended by adding a new section 212 to read as follows:

§ 212. Arrears/past due tolls, fees and other charges. 1. The triborough bridge and tunnel authority shall have a lien against personal property upon the entry of judgment pursuant to subdivision eight of section two thousand nine hundred eighty-five of the public authorities law for failure to pay tolls, fees, or other charges. In the case of a vehicle, as defined in subdivision (n) of section twenty-one hundred one of the vehicle and traffic law, such lien shall be perfected with the department of motor vehicles. The filing of a notice of lien or of a release of lien shall be completed without payment of a fee. The filing of notice of lien or release of lien may be done by electronic means.

2. The state shall accord full faith and credit to liens which arise in another state when such state agency, party, or other entity seeking to enforce such a lien complies with the procedural rules relating to such liens as provided for in article forty-six of the vehicle and traffic law or this article as is appropriate. Such rules may not require judicial notice or hearing prior to enforcement of such a lien and enforcement shall be governed by this article.

§ 12. This act shall take effect immediately.