

STATE OF NEW YORK

7905--A

2025-2026 Regular Sessions

IN SENATE

May 13, 2025

Introduced by Sens. GOUNARDES, FAHY, FERNANDEZ, JACKSON, KRUEGER, PERSAUD -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law and the vehicle and traffic 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:

1 Section 1. Subdivision 6 of section 2985 of the public authorities
2 law, as added by chapter 379 of the laws of 1992, is amended to read as
3 follows:
4 6. (a) An imposition of liability pursuant to this section shall be
5 based upon a preponderance of evidence as submitted. An imposition of
6 liability pursuant to this section shall not be deemed a conviction as
7 an operator and shall not be made part of the motor vehicle operating
8 record, furnished pursuant to section three hundred fifty-four of the
9 vehicle and traffic law, of the person upon whom such liability is
10 imposed nor shall it be used for insurance purposes in the provision of
11 motor vehicle insurance coverage.
12 (b) Notwithstanding paragraph (a) of this subdivision, an imposition
13 of liability pursuant to this section shall be deemed a conviction as an
14 operator and shall be made part of the motor vehicle operating record,
15 furnished pursuant to section three hundred fifty-four of the vehicle
16 and traffic law, of the person upon whom such liability is imposed and
17 shall be used for insurance purposes in the provision of motor vehicle
18 insurance coverage if an operator has unpaid liabilities pursuant to
19 this section from a series of convictions, not arising out of the same
20 incident, for covering or obscuring a license plate three or more times

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

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1 within a period of five years in violation of subparagraph (ii), (ii-a)
2 or (iii) of paragraph (b) of subdivision one of section four hundred two
3 of the vehicle and traffic law.

4 § 2. Subdivision 4-h of section 510 of the vehicle and traffic law, as
5 added by section 5 of subpart A of part WW of chapter 56 of the laws of
6 2024, is amended to read as follows:

7 4-h. Suspension of registration for covering license plates with a
8 license plate cover or material appearing to be a number plate or
9 obscuring license plates with any material or substance. (a) Upon
10 receipt of a notification from a court or an administrative tribunal
11 that an owner of a motor vehicle has been convicted three or more times
12 within a period of five years of a violation of subparagraph (ii),
13 (ii-a) or (iii) of paragraph (b) of subdivision one of section four
14 hundred two of this chapter not arising out of the same incident, the
15 commissioner or the commissioner's agent may suspend the registration of
16 the motor vehicle involved in such violation [~~for a period of ninety~~
17 ~~days~~] until a tolling authority described in section twenty-nine hundred
18 eighty-five of the public authorities law advises, in such form and
19 manner as the commissioner shall prescribe, that impositions of liabil-
20 ity provided pursuant to section twenty-nine hundred eighty-five of the
21 public authorities law have been answered and that any tolls, fees, or
22 other charges associated with the vehicle and such vehicle's vehicle
23 identification number have been paid to such tolling authority. The
24 commissioner may, in the commissioner's discretion, deny a registration
25 or, reregistration, renewal [~~application to any other person for the~~
26 ~~same vehicle and may deny a registration or renewal application~~],
27 replacement, or transfer of registration for any other motor vehicle
28 registered in the name of the applicant where the commissioner has
29 determined that such registrant's intent has been to evade the purposes
30 of this paragraph and where the commissioner has reasonable grounds to
31 believe that such registration, reregistration, [~~or~~] renewal, replace-
32 ment, or transfer of the registration will have the effect of defeating
33 the purposes of this paragraph. [~~Such denial shall remain in effect only~~
34 ~~as long as the suspension entered pursuant of this paragraph remains in~~
35 ~~effect.~~]

36 (b) Upon receipt of notification from a court or an administrative
37 tribunal that an owner of a motor vehicle has failed to comply with
38 paragraph (b) or (c) of subdivision eight of section four hundred two of
39 this chapter, the commissioner or the commissioner's agent may suspend
40 the registration of the motor vehicle involved in such violation and
41 such suspension shall remain in effect until such time as the commis-
42 sioner is advised that such owner has complied with such paragraphs, as
43 applicable. The commissioner may, in the commissioner's discretion, deny
44 a registration, reregistration, replacement, registration transfer or
45 renewal application to any other person for the same vehicle and may
46 deny a registration, reregistration, replacement, registration transfer
47 or renewal application for any other motor vehicle registered in the
48 name of the applicant where the commissioner has determined that such
49 registrant's intent has been to evade the purposes of this paragraph and
50 where the commissioner has reasonable grounds to believe that such
51 registration or renewal will have the effect of defeating the purposes
52 of this paragraph. Such denial shall remain in effect only as long as
53 the suspension entered pursuant to this paragraph remains in effect.

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

1 d. (i) No person other than a bona fide transferee of the vehicle in
2 an arms-length transaction may register, reregister, renew, replace, or
3 transfer the registration of, change the name, address, or other infor-
4 mation of the registered owner associated with, or change the registra-
5 tion classification of, any vehicle whose vehicle identification number
6 is associated with a vehicle whose registration has been suspended, or
7 is subject to a pending request from a tolling authority described in
8 section twenty-nine hundred eighty-five of the public authorities law to
9 suspend such registration, by the commissioner pursuant to paragraph d
10 of subdivision three of section five hundred ten of this chapter if such
11 vehicle could also have been suspended by the commissioner pursuant to
12 subdivision four-h of section five hundred ten of this chapter.
13 Provided, however, that the prohibition authorized pursuant to this
14 paragraph shall not remain in place after a toll authority advises the
15 commissioner that the circumstances that led to such request have been
16 satisfied in such form and manner as the commissioner shall prescribe.

17 (ii) For purposes of this paragraph, a bona fide purchaser in an arms-
18 length transaction shall mean a vehicle registration applicant who
19 provides a copy of the signed bill of sale or other such contract docu-
20 ment covering such vehicle to the commissioner or the commissioner's
21 agent, with the names and addresses of the seller and purchaser, the
22 purchase date, and the purchase price clearly legible.

23 § 4. Subdivision 2 of section 402-b of the vehicle and traffic law, as
24 added by section 4 of subpart A of part WW of chapter 56 of the laws of
25 2024, is amended to read as follows:

26 2. (a) If the vehicle is being driven or operated in violation of
27 subparagraph (ii), (ii-a) or (iii) of paragraph (b) of subdivision one
28 of section four hundred two of this article, such officer shall issue a
29 summons, provided, however, that a summons shall not be issued if, in
30 the discretion and at the request of such officer, the defect is
31 corrected in the presence of such officer. The refusal of a police offi-
32 cer to permit the repair of any defect in their presence shall not be
33 reviewable, and shall not be a defense to any violation charged in a
34 summons issued pursuant to the provisions of this section. Provided,
35 however, that upon making an arrest or upon issuing a summons or an
36 appearance ticket for a violation of subparagraph (ii), (ii-a) or (iii)
37 of paragraph (b) of subdivision one of section four hundred two of this
38 article committed in their presence, where the owner has been convicted
39 of a violation of subparagraph (ii), (ii-a) or (iii) of paragraph (b) of
40 such subdivision three or more times within a five-year period, a police
41 officer may arrange for the removal of any covering or coating with any
42 artificial or synthetic material or substance affixed over the number
43 plates which conceals or obscures the ability to easily read such number
44 plates or that distorts or obstructs a recorded or photographic image.

45 (b) For purposes of this section:

46 (i) The term "owner" shall mean an owner as defined in section one
47 hundred twenty-eight and in subdivision three of section three hundred
48 eighty-eight of this chapter.

49 (ii) The term "termination of the proceeding" shall mean the earliest
50 of (1) thirty-one days following the imposition of sentence; or (2) the
51 date of acquittal of a person arrested for an offense or date of
52 dismissal of a complaint; or (3) where leave to file new charges or to
53 resubmit the case is required and has not been granted, thirty-one days
54 following the dismissal of the last accusatory instrument filed in the
55 case, or, if applicable, upon expiration of the time granted by the
56 court or tribunal or permitted by statute for filing new charges or

1 resubmitting the case; or (4) where leave to file new charges or to
2 resubmit the case is not required, thirty-one days following the
3 dismissal of the last accusatory instrument filed in the case, or, if
4 applicable, upon expiration of the time granted by the court or permit-
5 ted by statute for filing new charges or resubmitting the case; or (5)
6 the date when, prior to the filing of an accusatory instrument against a
7 person charged with a violation of subparagraph (ii), (ii-a) or (iii) of
8 paragraph (b) of subdivision one of section four hundred two of this
9 article, the prosecuting authority elects not to prosecute such person.

10 (iii) Any covering or coating with any artificial or synthetic materi-
11 al or substance affixed over the number plates which conceals or
12 obscures the ability to easily read such number plates or that distorts
13 or obstructs a recorded or photographic image which has been or is being
14 used in violation of subparagraph (ii), (ii-a) or (iii) of subdivision
15 one of section four hundred two of this article may be seized by any
16 peace officer, acting pursuant to their special duties, or police offi-
17 cer, and forfeited as hereinafter provided in this section.

18 (iv) Any covering or coating with any artificial or synthetic material
19 or substance affixed over the number plates which conceals or obscures
20 the ability to easily read such number plates or that distorts or
21 obstructs a recorded or photographic image may be seized upon service of
22 a notice of violation upon the owner or operator of a vehicle. The
23 seized covering or coating shall be delivered by the officer having made
24 the seizure to the custody of the district attorney of the county where-
25 in the seizure was made, except that in the cities of New York, Yonkers,
26 Rochester and Buffalo the seized covering or coating shall be delivered
27 to the custody of the police department of such cities and such covering
28 or coating seized by a member or members of the state police shall be
29 delivered to the custody of the superintendent of state police, together
30 with a report of all the facts and circumstances of the seizure. Within
31 one business day after the seizure, notice of such violation and a copy
32 of the notice of violation shall be mailed to the owner of the motor
33 vehicle on which the covering or coating was affixed at the address for
34 such owner set forth in the records maintained by the department or, for
35 vehicles not registered in New York state, such equivalent record in
36 such state of registration.

37 (v) (1) The attorney general, in seizures by members of the state
38 police, or the district attorney of the county wherein the seizure is
39 made if elsewhere than in the cities of New York, Yonkers, Rochester or
40 Buffalo, or where the seizure is made in such cities the corporation
41 counsel of the city, shall inquire into the facts of the seizure so
42 reported to them. If it appears that there is a basis for the commence-
43 ment and prosecution of a crime or traffic infraction pursuant to this
44 section, the covering or coating which is the subject of such
45 proceedings shall remain in the custody of such district attorney,
46 police department or superintendent of state police, as applicable,
47 pending the final determination of such proceedings. (2) To the extent
48 applicable, the procedures of article thirteen-A of the civil practice
49 law and rules shall govern proceedings and actions under this section.
50 (3) Provided further that regulations are authorized to be promulgated
51 to the extent necessary to implement this section.

52 (vi) Notice of the seizure of the covering or coating shall be served
53 by personal service pursuant to the civil practice law and rules upon
54 all owners of the seized motor vehicle listed in the records maintained
55 by the department, or for vehicles not registered in New York state, in
56 the records maintained by the state of registration.

1 (vii) No action under this section for wrongful seizure shall be
2 instituted unless such action is commenced within two years after the
3 time when the coating or covering was seized.

4 (viii) The municipal police training council as established pursuant
5 to article thirty-five of the executive law, and the superintendent of
6 state police, may develop, maintain and disseminate, a model law
7 enforcement property disposal policy setting forth recommended policies
8 and procedures regarding disposal of coatings or coverings seized pursu-
9 ant to this section.

10 § 5. Section 2855 of the public authorities law, as added by section 1
11 of part KK of chapter 59 of the laws of 2006, is amended to read as
12 follows:

13 § 2855. Electronic method of payment; periodic charges. Notwithstand-
14 ing the provisions of any law to the contrary, if any authority shall
15 offer any electronic method of payment for tolls, fares, fees, rentals,
16 or other charges, including but not limited to a system called E-ZPass,
17 such authority shall not impose any periodic administrative or other
18 charge for the privilege of using such electronic method of payment for
19 such charges. Nothing in this section shall be construed to prohibit any
20 authority from making any charge for extra services requested by a hold-
21 er of such electronic method of payment, any charge for lost or damaged
22 equipment, or for defaults, such as charges for dishonored checks. The
23 authority shall not enter any agreement with bondholders that would
24 require the imposition of administrative or other periodic charges
25 relating to electronic methods of payment prohibited by this section. No
26 fee or administrative charge for the timely or late payment of a toll
27 bill for an obligation to pay a toll or tolls valued at two hundred
28 dollars or less shall exceed the authority's actual cost to impose the
29 charge and process payment of such obligation. Provided, further, any
30 authority offering such electronic payment methods shall publish their
31 updated fee waiver policy in a prominent location on their website.

32 § 6. Subdivision 8 of section 2985 of the public authorities law, as
33 amended by section 6 of subpart A of part WW of chapter 56 of the laws
34 of 2024, is amended to read as follows:

35 8. (a) (i) Adjudication of the liability imposed upon owners by this
36 section shall be by the entity having jurisdiction over violations of
37 the rules and regulations of the public authority serving the notice of
38 liability or where authorized by an administrative tribunal and all
39 violations shall be heard and determined in the county in which the
40 violation is alleged to have occurred, or in New York city and upon the
41 consent of both parties, in any county within New York city in which the
42 public authority operates or maintains a facility, and in the same
43 manner as charges of other regulatory violations of such public authori-
44 ty or pursuant to the rules and regulations of such administrative
45 tribunal as the case may be.

46 (ii) The owner of the vehicle or other individual upon whom liability
47 is imposed may designate an agent in writing, including an attorney or
48 elected official, to dispute or resolve a toll incurred pursuant to this
49 section or section twenty-nine hundred eighty-five-a of this title with
50 the relevant tolling authority's customer service center and/or toll
51 payer advocate office identified in section twenty-nine hundred eighty-
52 five-a of this title.

53 (b) Upon exhaustion of remedies pursuant to this section or section
54 twenty-nine hundred eighty-five-a of this title, as applicable, the New
55 York state bridge authority, thruway authority, triborough bridge and
56 tunnel authority, metropolitan transportation authority, and port

1 authority of New York and New Jersey, a bi-state agency created by
2 compact set forth in chapter one hundred fifty-four of the laws of nine-
3 teen hundred twenty-one, shall have the power to enter judgments for
4 unpaid liabilities, provided that such unpaid liabilities include the
5 failure to pay tolls, fees, or other charges or the failure to have such
6 tolls, fees or other charges dismissed or transferred in response to
7 three or more notices of violation issued within a five year period
8 charging the registrant of a motor vehicle with a violation of toll
9 collection regulations, and to enforce such judgments, which shall
10 include vehicle immobilization for failure to have such tolls, fees or
11 other charges dismissed or transferred in response to twenty or more
12 notices of violation issued within a three-year period charging the
13 registrant of a motor vehicle with a violation of toll collection regu-
14 lations, without court proceedings, in the same manner as the enforce-
15 ment of money judgments in civil actions in any court of competent
16 jurisdiction or any other place provided for the entry of civil judgment
17 within the state of New York, after a period of notice pursuant to para-
18 graph (c) of this subdivision. The applicable tolling authority shall
19 not enforce such judgments until thirty days have elapsed from issuing a
20 notice pursuant to paragraph (c) of this subdivision. The applicable
21 tolling authority shall not have the power to enter or enforce judgments
22 for unpaid liabilities for failure to pay two hundred dollars or less in
23 tolls incurred within a five-year period.

24 (c) Prior to entering judgments for unpaid liabilities pursuant to
25 paragraph (b) of this subdivision, the applicable tolling authority
26 shall notify the person subject to such judgment, by first class mail,
27 that such person is at risk of entry of a judgment against them if they
28 fail to pay such unpaid liabilities. The form and content of such notice
29 shall be prescribed by the applicable tolling authority, and shall
30 contain a warning to advise the person that failure to pay the applica-
31 ble unpaid liabilities within a period of not less than thirty days of
32 such notice will result in the enforcement of a judgment against them,
33 and shall further contain information about the process to dispute such
34 liabilities, consistent with this section or section twenty-nine hundred
35 eighty-five-a of this title, as applicable. Any person, firm, corpo-
36 ration, or other entity charged with a toll violation may pay such tolls
37 in full and have any toll violation fees related to such paid tolls
38 waived for a period of six months following the effective date of the
39 chapter of the laws of two thousand twenty-six which amended this para-
40 graph.

41 (d) With respect to an obligation to pay a toll or tolls valued at one
42 hundred dollars or less, any toll violation fee charged to any person,
43 firm, corporation, or other entity for the use of a toll highway, bridge
44 or tunnel facility operated by a public authority shall not exceed twice
45 the amount of the toll charged for using such highway, bridge or tunnel
46 for a period of ninety days following the effective date of this para-
47 graph, and shall not exceed three times the amount of the toll charged
48 for using such highway, bridge or tunnel for an additional ninety-day
49 period following the initial ninety-day period.

50 § 7. Subdivisions 3, 4, 11 and 13 of section 2985-a of the public
51 authorities law, as added by section 2 of subpart B of part WW of chap-
52 ter 56 of the laws of 2024, are amended to read as follows:

53 3. In the case of an owner who incurs an obligation to pay a toll for
54 the first time in six months under the tolls by mail program at a cash-
55 less tolling facility, a toll bill shall be sent within ten business
56 days after the end of the initial billing cycle and of each subsequent

1 billing cycle. In the case of all other owners incurring an obligation
2 to pay a toll at a cashless tolling facility, a toll bill shall be sent
3 at the end of the next billing cycle. Toll bills shall be sent to the
4 owner by first class mail, and may additionally be sent by electronic
5 means of communication upon the affirmative consent of the owner, by or
6 on behalf of the public authority which operates such cashless tolling
7 facility. The owner shall have thirty days from the date of the toll
8 bill to pay the incurred toll. The toll bill shall include: (i) the
9 total amount of the incurred tolls due, (ii) the date by which payment
10 of the incurred tolls is due, (iii) any administrative fees, (iv) the
11 address for receipt of payment and methods of payment for the toll, (v)
12 the procedure for contesting any toll and the contact information for
13 the relevant toll payer advocate office and customer service center and
14 procedure for designating an agent to contest any toll on the owner's
15 behalf, (vi) information related to the failure to timely pay or respond
16 to the notice of liability, in addition to the possibility that a judg-
17 ment can be entered for repeat unpaid liabilities that could lead to a
18 vehicle being towed or immobilized, (vii) a website address or hyperlink
19 for the owner to access time-stamped photographs or footage of each toll
20 incurred by electronic means, (viii) information related to the avail-
21 ability of the toll payer advocate to discuss payment options, and (ix)
22 other information required by law or by the public authority. Each toll
23 bill shall identify the date, time, location, license plate number, and
24 jurisdiction of the license plate for each toll that has been incurred.
25 Each toll bill shall include an image of the license plate of the vehi-
26 cle being used or operated on the toll facility. If the owner fails to
27 pay the initial toll bill, a second toll bill shall be sent in the next
28 billing cycle, which shall also indicate the overdue toll or tolls and
29 any administrative or late fees due.

30 4. In the case of an owner who does not pay a toll incurred under the
31 tolls by mail program on a cashless facility at the place and time and
32 in the manner established for collection of such toll in the second toll
33 bill, a notice of violation shall be sent notifying the owner that the
34 toll is unpaid and administrative violation fees are being imposed. The
35 notice of violation shall be sent to the owner by first class mail, and
36 may additionally be sent by electronic means of communication upon the
37 affirmative consent of the owner, by or on behalf of the public authori-
38 ty which operates such cashless tolling facility. The notice of
39 violation shall include: (i) the total amount of unpaid tolls and admin-
40 istrative violation fees due, (ii) the date by which payment of the
41 tolls and administrative violation fees is due, (iii) the address for
42 receipt of payment and methods of payment for the toll, (iv) the proce-
43 dure for contesting any toll and the contact information for the rele-
44 vant toll payer advocate office and customer service center and proce-
45 dure for designating an agent to contest any toll on the owner's behalf,
46 (v) information related to the failure to timely pay or respond to the
47 notice of liability, in addition to the possibility that a judgment can
48 be entered for repeat unpaid liabilities that could lead to a vehicle
49 being towed or immobilized, (vi) a website address or hyperlink for the
50 owner to access time-stamped photographs or footage of each toll
51 incurred by electronic means, (vii) information related to the avail-
52 ability of the toll payer advocate to discuss payment options, and
53 (viii) other information required by law or by the public authority.
54 Each notice of violation shall identify the date, time, location,
55 license plate number, and jurisdiction of the license plate for each
56 unpaid toll that has been incurred.

1 11. Any public authority that operates a cashless tolling facility
2 shall: (i) maintain a website and toll-free phone number for any person
3 to receive updated information on any tolls or fees which are outstand-
4 ing; and (ii) establish procedures for owners to dispute any tolls and
5 violation fees incurred in connection with toll bills, including a
6 requirement that written determinations in such disputes shall be issued
7 within forty-five days of receipt of the owner's declaration of dispute.
8 Such information shall be prominently displayed on such public authori-
9 ty's toll bills, notices of violation and website. The authority shall
10 publish its fee waiver policy in a prominent location on its website,
11 including any updates to such policy.

12 13. Every public authority that operates a cashless tolling facility
13 shall establish an office of such authority's toll payer advocate,
14 designed to further assist owners who remain unsatisfied after first
15 attempting resolution in writing of their concern with, and receiving
16 written determination from, such authority's customer service center.
17 The office of the toll payer advocate shall also endeavor to identify
18 any systemic issues and recommend reasonable improvements regarding the
19 use of and process involved with the payment of tolls under the tolls by
20 mail program at cashless tolling facilities to the public authority.
21 The owner of the vehicle or other individual upon whom liability is
22 imposed may designate an agent, in writing, including an attorney or
23 elected official, to dispute or resolve a toll incurred pursuant to this
24 section or section twenty-nine hundred eighty-five of this title with
25 the relevant tolling authority's customer service center and toll payer
26 advocate office.

27 § 8. No later than 270 days after the effective date of this act,
28 every public authority that operates a cashless tolling facility pursu-
29 ant to article 9 of the public authorities law or central business
30 district tolling program pursuant to article 44-C of the vehicle and
31 traffic law shall report to the governor, temporary president of the
32 senate, speaker of the assembly, and chairs of the corporations and
33 public authorities committees in the senate and assembly on the follow-
34 ing: (1) the total number of toll bills issued involving license plates
35 which were disputed by the owner as not having used such tolling asset
36 or been present at the time the toll was incurred or having lawfully
37 surrendered the license plates to which the toll bill was issued; (2)
38 the total number of toll bills issued to owners where a tolling system
39 incorrectly billed an owner for tolls incurred by a distinctive license
40 plate or government use motor vehicle; (3) a summary of how such toll
41 bill disputes were resolved; (4) an explanation of steps taken to
42 prevent similar future issues; and (5) any remedial steps or compen-
43 sation provided to owners.

44 § 9. This act shall take effect immediately. With respect to the Port
45 Authority of New York and New Jersey, this act shall take effect upon
46 the enactment into law by the state of New Jersey of legislation having
47 an identical effect with such act upon the Port Authority of New York
48 and New Jersey; but if the state of New Jersey shall have already
49 enacted such legislation, this act shall take effect immediately;
50 provided, that the chair of the port authority shall notify the legisla-
51 tive bill drafting commission upon the occurrence of the enactment of
52 the legislation provided for in section seven of this act in order that
53 the commission may maintain an accurate and timely effective data base
54 of the official text of the laws of the state of New York in furtherance
55 of effectuating the provisions of section 44 of the legislative law and
56 section 70-b of the public officers law.