

STATE OF NEW YORK

7953

2025-2026 Regular Sessions

IN SENATE

May 14, 2025

Introduced by Sen. COONEY -- 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 school bus stop-arm cameras; and to amend the general municipal law, in relation to the establishment of traffic violations bureaus

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

1 Section 1. Subdivision (h) of section 1174-a of the vehicle and traf-
2 fic law, as added by chapter 145 of the laws of 2019, is amended to read
3 as follows:

4 (h) [~~Adjudication of the liability imposed upon owners by this section~~
5 ~~shall be by a traffic violations bureau established pursuant to section~~
6 ~~three hundred seventy of the general municipal law where the violation~~
7 ~~occurred or, if there be none, by the court having jurisdiction over~~
8 ~~traffic infractions where the violation occurred, except that if a city~~
9 ~~has established an administrative tribunal to hear and determine~~
10 ~~complaints of traffic infractions constituting parking, standing or~~
11 ~~stopping violations such city may, by local law, authorize such adjudi-~~
12 ~~cation by such tribunal.] Notwithstanding any other provision of law,
13 adjudication of the liability imposed upon owners by this section who
14 have submitted a request to contest liability shall be by the adminis-
15 trative tribunal designated by the county, city, town or village which
16 has established the demonstration program.~~

17 (i) Within thirty-seven days of receipt of a timely request to contest
18 liability, the county, city, town, or village imposing liability shall
19 provide a copy of the notice of liability and the request to contest
20 liability, including the manner for contesting liability selected by the
21 owner to the applicable administrative tribunal which shall thereafter
22 have jurisdiction over the matter. If an in-person hearing is
23 requested, the administrative tribunal shall set a date for such hear-
24 ing, and, in its sole discretion, may provide options for the hearing to

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

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1 be held via online video conference. The administrative tribunal or its
2 designee, which may be any other entity authorized by such county, city,
3 town or village, shall mail a notice of hearing to the owner, which
4 shall include the date and time of the hearing. A manual or automatic
5 record of mailing prepared in the ordinary course of business shall be
6 prima facie evidence of the facts contained therein. In lieu of an
7 in-person or hearing by online video conference, the administrative
8 tribunal may, in its discretion, provide the owner an option to chal-
9 lenge liability through submission of a written explanation.

10 (ii) In all manners in which the owner challenges the liability, due
11 process shall govern the proceedings except that the rules of evidence
12 shall not apply. The decision of the hearing officer shall be based
13 upon a preponderance of the evidence. During the hearing, or in prepara-
14 tion thereof, the hearing officer shall access and review photographs,
15 microphotographs, videotapes, other recorded images and data produced by
16 school bus photo violation monitoring systems in the custody of the
17 county, city, town or village in which the violation occurred, or any
18 other entity authorized by such county, city, town or village. The
19 hearing officer shall also review documentation which may refute the
20 liability submitted by the owner contesting the liability.

21 (iii) Within fourteen business days after the hearing officer has
22 rendered a decision, a notice of decision shall be prepared and sent by
23 first class mail to the owner by the administrative tribunal or its
24 designee. A manual or automatic record of mailing prepared in the ordi-
25 nary course of business shall be prima facie evidence of the facts
26 contained therein. If the owner is deemed liable, such owner shall be
27 notified of the civil penalty imposed pursuant to subdivision (e) of
28 this section and methods of payment. Failure to pay within thirty days
29 of the posted date of the notice shall be deemed a default and shall
30 subject the owner to additional penalties and actions as prescribed in
31 subdivisions (d) and (e) of this section.

32 § 2. Subdivision (h) of section 1180-e of the vehicle and traffic law,
33 as added by chapter 421 of the laws of 2021, is amended to read as
34 follows:

35 (h) Adjudication of the liability imposed upon owners of this section
36 shall be by a traffic violations bureau established pursuant to section
37 three hundred seventy of the general municipal law where the violation
38 occurred or, if there be none, by the court having jurisdiction over
39 traffic infractions where the violation occurred, except that if a city
40 has established an administrative tribunal to hear and determine
41 complaints of traffic infractions constituting parking, standing or
42 stopping violations such city may, by local law, authorize such adjudi-
43 cation by such tribunal. For courts having jurisdiction over traffic
44 infractions where the violation occurred that adjudicate liability
45 imposed upon owners by this section, a notice of liability validly
46 imposed in accordance with subdivision (g) of this section shall be
47 valid for purposes of such court adjudicating such liability as if it
48 was a uniform traffic ticket or simplified traffic information, and such
49 court shall adjudicate such liability in a manner not inconsistent with
50 sections two hundred forty and two hundred forty-one of this chapter,
51 provided that subsequent judicial review may be sought pursuant to arti-
52 cle seventy-eight of the civil practice law and rules. Notwithstanding
53 any inconsistent provision of law, such courts may adjudicate such
54 liability remotely.

55 § 3. Subdivision 1 of section 370 of the general municipal law, as
56 added by chapter 496 of the laws of 1990, is amended to read as follows:

1 1. The legislative body of a city, village or town, may by ordinance
2 or local law authorize the court having jurisdiction of traffic cases to
3 establish a traffic violations bureau to assist the court in the dispo-
4 sition of infractions in relation to traffic violations. Provided,
5 additionally, that any legislative body that has established or estab-
6 lishes a traffic violations bureau pursuant to this subdivision shall
7 notify the state comptroller within ninety days of the effective date of
8 a chapter of the laws of two thousand twenty-five that amended this
9 subdivision of the existence of such bureau, and that any legislative
10 body that eliminates or repeals a traffic violations bureau shall notify
11 the state comptroller of such elimination or repeal.

12 § 4. Within 180 days of the effective date of this act, the commis-
13 sioner of motor vehicles, in consultation with the chief administrative
14 judge, shall provide each court and traffic violations bureau within the
15 state, to the extent such information is available, with a notification
16 advising such court or bureau of their municipality's obligation to
17 notify the office of the state comptroller of the existence or continued
18 operation of a traffic violations bureau, and if such bureau no longer
19 ceases to operate, pursuant to section 370 of the general municipal law.

20 § 5. This act shall take effect immediately, provided that:

21 (a) the amendments to subdivision (h) of section 1174-a of the vehicle
22 and traffic law made by section one of this act shall not affect the
23 repeal of such section and shall be deemed repealed therewith; and

24 (b) the amendments to subdivision (h) of section 1180-e of the vehicle
25 and traffic law made by section two of this act shall not affect the
26 repeal of such subdivision and shall be deemed repealed therewith.