

STATE OF NEW YORK

8367

2025-2026 Regular Sessions

IN SENATE

June 5, 2025

Introduced by Sen. HOYLMAN-SIGAL -- (at request of the Department of Motor Vehicles) -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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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