

STATE OF NEW YORK

4011--A

2025-2026 Regular Sessions

IN ASSEMBLY

January 30, 2025

Introduced by M. of A. MAGNARELLI, GLICK, REYES, CUNNINGHAM, MEEKS, LUPARDO, DILAN, DAVILA -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to suspending the registration of vehicles which have been documented multiple times by a photo speed violation monitoring system for speeding in a highway construction or maintenance work area

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

1 Section 1. Section 510 of the vehicle and traffic law is amended by
2 adding a new subdivision 4-i to read as follows:

3 4-i. Suspension of registration for imposition of liability through
4 the use of photo speed violation monitoring systems within controlled
5 access highway construction or maintenance work areas. Upon the receipt
6 of a notification from a court or an administrative tribunal that an
7 owner of a motor vehicle has been found monetarily liable by a court or
8 an administrative tribunal for failure of an operator thereof to comply
9 with certain posted maximum speed limits in violation of subdivision
10 (b), (d), (f) or (g) of section eleven hundred eighty of this chapter
11 through the installation and operation of photo speed violation monitor-
12 ing systems in a highway construction or maintenance work area located
13 on a controlled-access highway in accordance with article thirty of this
14 chapter, following entry of a final decision or decisions in response to
15 five or more notices of liability, issued within an eighteen month peri-
16 od, imposing monetary liability on the owner of such vehicle for failure
17 of an operator thereof to comply with certain posted maximum speed
18 limits in violation of subdivision (b), (d), (f) or (g) of section elev-
19 en hundred eighty of this chapter through the installation and operation
20 of photo speed violation monitoring systems in a highway construction or
21 maintenance work area located on a controlled-access highway in accord-

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

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ance with article thirty of this chapter not arising out of the same incident, the commissioner or the commissioner's agent shall suspend the registration of the motor vehicle involved in such imposition of liability for a period of ninety days.

§ 2. Paragraph 3 of subdivision (g) of section 1180-e of the vehicle and traffic law, as added by chapter 421 of the laws of 2021, is amended to read as follows:

3. The notice of liability shall contain information advising the person charged of the manner and the time in which ~~[he or she]~~ such person may contest the liability alleged in the notice. Such notice of liability shall also contain a prominent warning to advise the person charged that failure to contest in the manner and time provided shall be deemed an admission of liability and that a default judgment may be entered thereon and a warning to advise the persons charged that following entry of a final decision or decisions in response to five or more notices of liability issued within a period of eighteen months imposing monetary liability upon such person as an owner for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this article pursuant to this section, the registration of the motor vehicle involved in such violations shall be suspended for a period of ninety days.

§ 3. The section heading and paragraphs (a) and (c) of subdivision 1 of section 514 of the vehicle and traffic law, the section heading and paragraph (a) of subdivision 1 as amended by chapter 406 of the laws of 2001 and paragraph (c) of subdivision 1 as amended by chapter 892 of the laws of 1983, are amended to read as follows:

Certifying convictions, findings of liability, forfeitures and nonappearances to the commissioner and recording convictions and findings of liability.

(a) (i) Upon a judgment of conviction of any person of (a) homicide or assault arising out of the operation of a motor vehicle, (b) criminally negligent homicide arising out of the operation of a motor vehicle, (c) a felony involving the use of a commercial motor vehicle, (d) a violation of any of the provisions of this chapter (except one relating to parking, stopping or standing) or (e) a violation of any law, ordinance, rule or regulation made by local authorities in relation to traffic (except one relating to parking, stopping or standing) or upon the forfeiture of bail given upon a charge of violating any such provision, law, ordinance, rule or regulation, or (ii) upon entry of a final decision imposing monetary liability upon a person as a motor vehicle owner for a violation, committed within a highway construction or maintenance work area located on a controlled-access highway, of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter pursuant to a demonstration program established pursuant to article thirty of this chapter, the court or the clerk thereof shall within fifteen days certify the facts of the case or the finding of liability to the commissioner in such form and in such manner as may be prescribed by the commissioner, who shall record the same in ~~[his]~~ their office. Such certificate shall be presumptive evidence of the facts recited therein. If any such conviction or finding of liability shall be reversed upon appeal therefrom, or shall be vacated or set aside, the person whose conviction or finding of liability has been so reversed, vacated or set aside may serve on the commissioner a certified copy of the appropriate order and the commissioner shall thereupon record the same in connection with the record of such conviction or finding of liability.

1 (c) Notwithstanding the provisions of paragraphs (a) and (b) of this
2 subdivision, the commissioner may prescribe time limitations for the
3 reporting of judgments of conviction or findings of liability and trans-
4 mission of such license that are longer than those prescribed by this
5 section for any courts to which this section is applicable.

6 § 4. This act shall take effect one year after it shall have become a
7 law and shall apply to violations committed on and after such date;
8 provided, however, the amendments to subdivision (g) of section 1180-e
9 of the vehicle and traffic law made by section two of this act shall not
10 affect the repeal of such section and shall be deemed repealed there-
11 with. Effective immediately, the addition, amendment and/or repeal of
12 any rule or regulation necessary for the implementation of this act on
13 its effective date are authorized to be made and completed on or before
14 such effective date.