

STATE OF NEW YORK

4523--A

2025-2026 Regular Sessions

IN ASSEMBLY

February 4, 2025

Introduced by M. of A. CUNNINGHAM, BICHOTTE HERMELYN, LEE, TAPIA, GONZALEZ-ROJAS, TAYLOR, BORES, SIMONE, RAJKUMAR, LASHER, ANDERSON, LUCAS, ROSENTHAL, SIMON -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- 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 owner liability for failure of an operator to comply with street cleaning parking rules; to amend the public officers law, in relation to access to records prepared pursuant to street cleaning parking rules; and providing for the repeal of certain provisions upon expiration thereof

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

Section 1. The vehicle and traffic law is amended by adding a new section 1111-j to read as follows:

§ 1111-j. Owner liability for failure of an operator to comply with street cleaning parking rules. (a) 1. Notwithstanding any other provision of law, the city of New York is hereby authorized to establish a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with posted street cleaning parking rules in such city in accordance with the provisions of this section. Such demonstration program shall empower the New York city department of sanitation to install street cleaning vehicle photo devices on street cleaning vehicles along street cleaning routes at locations determined by such department in such city and to administer such program in consultation with the New York city department of transportation.

2. Any photographs, microphotographs, videotape or other recorded images captured by street cleaning vehicle photo devices shall be inadmissible in any disciplinary proceeding convened by the department and

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

LBD05516-02-6

1 any proceeding initiated by the department involving licensure privi-
2 leges of street cleaning vehicle operators. Any street cleaning vehicle
3 photo device mounted on a street cleaning vehicle shall be directed
4 outwardly from such vehicle to capture images of vehicles operated in
5 violation of street cleaning parking rules, and images produced by such
6 device shall not be used for any other purpose in the absence of a court
7 order requiring such images to be produced.

8 3. No street cleaning vehicle photo device shall be used unless on the
9 day it is to be used it has successfully passed a self-test of its func-
10 tions.

11 4. (i) The city of New York shall adopt and enforce measures to
12 protect the privacy of drivers, passengers, pedestrians and cyclists
13 whose identity and identifying information may be captured by a street
14 cleaning photo device. Such measures shall include:

15 (A) utilization of necessary technologies to ensure, to the extent
16 practicable, that photographs, microphotographs, videotape or other
17 recorded images produced by such street cleaning vehicle photo device
18 shall not include images that identify the driver, the passengers, or
19 the contents of the vehicle. Provided, however, that no notice
20 of liability issued pursuant to this section shall be dismissed solely
21 because such a photograph, microphotograph, videotape or other
22 recorded image allows for the identification of the driver, the passen-
23 gers, or the contents of vehicles where the city shows that it made
24 reasonable efforts to comply with the provisions of this paragraph in
25 such case; and

26 (B) oversight procedures to ensure compliance with the privacy
27 protection measures under this subdivision.

28 (ii) Photographs, microphotographs, videotape or any other recorded
29 image from a street cleaning vehicle photo device shall be for the
30 exclusive use of the city for the purpose of the adjudication of liabil-
31 ity imposed pursuant to this section and of the owner receiving a notice
32 of liability pursuant to this section, and shall be destroyed by the
33 city upon the final resolution of the notice of liability to which such
34 photographs, microphotographs, videotape or other recorded images
35 relate, or one year following the date of issuance of such notice of
36 liability, whichever is later. Notwithstanding the provisions of any
37 other law, rule or regulation to the contrary, photographs, microphoto-
38 graphs, videotape or any other recorded image from a street
39 cleaning vehicle photo device shall not be open to the public, nor
40 subject to civil or criminal process or discovery, nor used by any
41 court or administrative or adjudicatory body in any action or proceed-
42 ing therein except that which is necessary for the adjudication of a
43 notice of liability issued pursuant to this section, and no
44 public entity or employee, officer or agent thereof shall disclose
45 such information, except that such photographs, microphotographs,
46 videotape or any other recorded images from such devices:

47 (A) shall be available for inspection and copying and use by the motor
48 vehicle owner and operator for so long as such photographs, microphoto-
49 graphs, videotape or other recorded images are required to be maintained
50 or are maintained by such public entity, employee, officer or agent; and

51 (B) (1) shall be furnished when described in a search warrant issued
52 by a court authorized to issue such a search warrant pursuant to article
53 six hundred ninety of the criminal procedure law or a federal court
54 authorized to issue such a search warrant under federal law, where such
55 search warrant states that there is reasonable cause to believe such
56 information constitutes evidence of, or tends to demonstrate that, a

1 misdemeanor or felony offense was committed in this state or another
2 state, or that a particular person participated in the commission of a
3 misdemeanor or felony offense in this state or another state, provided,
4 however, that if such offense was against the laws of another state, the
5 court shall only issue a warrant if the conduct comprising such offense
6 would, if occurring in this state, constitute a misdemeanor or felony
7 against the laws of this state; and

8 (2) shall be furnished in response to a subpoena duces tecum signed by
9 a judge of competent jurisdiction and issued pursuant to article six
10 hundred ten of the criminal procedure law or a judge or magistrate of a
11 federal court authorized to issue such a subpoena duces tecum under
12 federal law, where the judge finds and the subpoena states that there is
13 reasonable cause to believe such information is relevant and material to
14 the prosecution, or the defense, or the investigation by an authorized
15 law enforcement official, of the alleged commission of a misdemeanor or
16 felony in this state or another state, provided, however, that if such
17 offense was against the laws of another state, such judge or magistrate
18 shall only issue such subpoena if the conduct comprising such offense
19 would, if occurring in this state, constitute a misdemeanor or felony in
20 this state; and

21 (3) may, if lawfully obtained pursuant to this clause and clause (A)
22 of this subparagraph and otherwise admissible, be used in such criminal
23 action or proceeding.

24 (iii) The demonstration program authorized pursuant to this section is
25 prohibited from utilizing and from arranging for the utilization of
26 biometric identifying technology, including but not limited to facial
27 recognition technology, for any purpose. The use, and the arrangement
28 for the use, of biometric identifying technology, including but not
29 limited to facial recognition technology, on photographs, microphoto-
30 graphs, videotape, or any other recorded image or data produced by a
31 street cleaning photo device, by any person for any purpose, are prohib-
32 ited. For purposes of this subparagraph, "person" shall include, but not
33 be limited to, a human being, a public or private corporation, an unin-
34 corporated association, a partnership, a government or a governmental
35 instrumentality, a court or an administrative or adjudicatory body, and
36 any employee, officer, and agent of the foregoing.

37 5. Every street cleaning vehicle upon which a street cleaning vehicle
38 photo device is installed and operated pursuant to a demonstration
39 program authorized pursuant to this section shall be equipped with
40 signs, placards or other displays giving notice to motor vehicle opera-
41 tors that street cleaning vehicle photo devices are used to enforce
42 street cleaning parking rules.

43 6. Warning notices of violation shall be issued during the first sixty
44 days that street cleaning vehicle photo devices pursuant to a demon-
45 stration program authorized by this section are active and in operation.

46 7. The city of New York shall adopt and enforce measures:

47 (i) to upgrade signage at regular intervals within street cleaning
48 routes stating that street cleaning vehicle photo devices are used to
49 enforce street cleaning parking rules along such routes; and

50 (ii) to prohibit the use or dissemination of vehicles' license plate
51 information and other information and images captured by street cleaning
52 vehicle photo devices except: (A) as required to establish liability
53 under this section or collect payment of penalties; (B) as required by
54 court order; or (C) as otherwise required by law.

55 (b) If the city of New York has established a program pursuant to
56 subdivision (a) of this section, the owner of a vehicle shall be liable

1 for a penalty imposed pursuant to this section if such vehicle was
2 parked in violation of any street cleaning parking rule of such city and
3 such violation is evidenced by information obtained from a street clean-
4 ing vehicle photo device.

5 (c) For purposes of this section, the following terms shall have the
6 following meanings:

7 1. "Biometric identifying technology" shall mean any tool using an
8 automated or semi-automated process that assists in verifying a person's
9 identity based on a person's biometric information.

10 2. "Biometric information" shall mean any measurable physical, physio-
11 logical or behavioral characteristics that are attributable to a person,
12 including but not limited to facial characteristics, fingerprint charac-
13 teristics, hand characteristics, eye characteristics, vocal character-
14 istics, and any other characteristics that can be used to identify a
15 person including, but not limited to: fingerprints; handprints; retina
16 and iris patterns; DNA sequence; voice; gait; and facial geometry.

17 3. "Facial recognition" shall mean any tool using an automated or
18 semiautomated process that assists in uniquely identifying or verifying
19 a person by comparing and analyzing patterns based on the person's face.

20 4. "Owner" shall have the meaning provided in article two-B of this
21 chapter.

22 5. "Street cleaning routes" shall mean street cleaning routes desig-
23 nated by the New York city department of sanitation that include
24 upgraded signage stating that street cleaning vehicle photo devices are
25 used to enforce street cleaning parking rules.

26 6. "Street cleaning parking rules" shall mean the prohibited parking
27 of any vehicle on one side of the street to allow for cleaning by the
28 New York city department of sanitation during designated time periods as
29 posted by sign pursuant to the rules of the New York city department of
30 transportation.

31 7. "Street cleaning vehicle" shall mean any vehicle operated by the
32 New York city department of sanitation that is designed to wash dirt and
33 grime, and remove litter and debris, from the street surface.

34 8. "Street cleaning vehicle photo device" shall mean a device that is
35 mounted on a street cleaning vehicle, is capable of operating independ-
36 ently of an enforcement officer and produces one or more images of each
37 vehicle at the time it is in violation of street cleaning parking rules.

38 (d) A certificate, sworn to or affirmed by a technician employed by
39 the city of New York in which the charged violation occurred, or a
40 facsimile thereof, based upon inspection of photographs, microphoto-
41 graphs, videotape or other recorded images produced by a street cleaning
42 vehicle photo device, shall be prima facie evidence of the facts
43 contained therein. Any photographs, microphotographs, videotape or other
44 recorded images evidencing such a violation shall be available for
45 inspection in any proceeding to adjudicate the liability for such
46 violation pursuant to this section.

47 (e) An owner liable for a violation of a street cleaning parking rule
48 imposed on any route shall be liable for monetary penalties in accord-
49 ance with a schedule of fines and penalties promulgated by the parking
50 violations bureau of the city of New York; provided, however, that the
51 monetary penalty for violating a street cleaning parking rule shall not
52 exceed fifty dollars for each violation; provided, further, that an
53 owner shall be liable for an additional penalty not to exceed twenty-
54 five dollars for each violation for the failure to respond to a notice
55 of liability within the prescribed time period.

1 (f) An imposition of liability under the demonstration program estab-
2 lished pursuant to this section shall not be deemed a conviction as an
3 operator and shall not be made part of the operating record of the
4 person upon whom such liability is imposed nor shall it be used for
5 insurance purposes in the provision of motor vehicle insurance coverage.

6 (g) 1. A notice of liability shall be sent by first class mail to each
7 person alleged to be liable as an owner for a violation of a street
8 cleaning parking rule. Personal delivery on the owner shall not be
9 required. A manual or automatic record of mailing prepared in the ordi-
10 nary course of business shall be prima facie evidence of the facts
11 contained therein.

12 2. A notice of liability shall contain the name and address of the
13 person alleged to be liable as an owner for violation of a street clean-
14 ing parking rule, the registration number of the vehicle involved in
15 such violation, the location where such violation took place including
16 the street or cross streets, one or more images identifying the
17 violation, the date and time of such violation and the identification
18 number of the street cleaning vehicle photo device that recorded the
19 violation or other document locator number.

20 3. The notice of liability shall contain information advising the
21 person charged of the manner and the time in which such person may
22 contest the liability alleged in the notice. Such notice of liability
23 shall also contain a warning to advise the person charged that failure
24 to contest in the manner and time provided shall be deemed an admission
25 of liability and that a default judgment may be entered thereon.

26 4. The notice of liability shall be prepared and mailed by an agency
27 or agencies designated by the city of New York, or any other entity
28 authorized by such city to prepare and mail such notification of
29 violation.

30 5. Adjudication of the liability imposed upon owners by this section
31 shall be by the New York city parking violations bureau.

32 (h) If an owner of a vehicle receives a notice of liability pursuant
33 to this section for any time period during which the vehicle was
34 reported to the police department as having been stolen, it shall be a
35 valid defense to an allegation of liability for violation of a street
36 cleaning parking rule of such city, that the vehicle had been reported
37 to the police as stolen prior to the time the violation occurred and had
38 not been recovered by such time. For purposes of asserting the defense
39 provided by this subdivision it shall be sufficient that a certified
40 copy of the police report on the stolen vehicle be sent by first class
41 mail to the parking violations bureau.

42 (i) 1. An owner who is a lessor of a vehicle to which a notice of
43 liability was issued pursuant to subdivision (g) of this section shall
44 not be liable for the violation of the street cleaning parking rule,
45 provided that:

46 (i) prior to the violation, the lessor has filed with such parking
47 violations bureau in accordance with the provisions of section two
48 hundred thirty-nine of this chapter; and

49 (ii) within thirty-seven days after receiving notice from such bureau
50 of the date and time of such liability, together with the other informa-
51 tion contained in the original notice of liability, the lessor submits
52 to such bureau the correct name and address of the lessee of the vehicle
53 identified in the notice of liability at the time of such violation,
54 together with such other additional information contained in the rental,
55 lease or other contract document, as may be reasonably required by such
56 bureau pursuant to regulations that may be promulgated for such purpose.

1 2. Failure to comply with subparagraph (ii) of paragraph one of this
2 subdivision shall render the lessor liable for the penalty prescribed in
3 this section.

4 3. Where the lessor complies with the provisions of paragraph one of
5 this subdivision, the lessee of such vehicle on the date of such
6 violation shall be deemed to be the owner of such vehicle for purposes
7 of this section, shall be subject to liability for such violation pursu-
8 ant to this section, and shall be sent a notice of liability pursuant to
9 subdivision (g) of this section.

10 (j) 1. If the owner liable for a violation of a street cleaning park-
11 ing rule pursuant to this section was not the operator of the vehicle
12 at the time of such violation, the owner may maintain an action for
13 indemnification against the operator.

14 2. Notwithstanding any other provision of this section, no owner of a
15 vehicle shall be subject to a monetary fine imposed pursuant to this
16 section if the operator of such vehicle was operating such vehicle with-
17 out the consent of the owner at the time such operator failed to obey a
18 street cleaning parking rule. For purposes of this subdivision there
19 shall be a presumption that the operator of such vehicle was operating
20 such vehicle with the consent of the owner at the time such operator
21 failed to obey a street cleaning parking rule.

22 (k) Nothing in this section shall be construed to limit the liability
23 of an operator of a vehicle for any violation of a street cleaning park-
24 ing rule.

25 (l) If the city of New York adopts a demonstration program pursuant to
26 subdivision (a) of this section, such city's department of sanitation
27 shall submit a report on the results of the use of street cleaning park-
28 ing rule-related photo devices to the governor, the temporary president
29 of the senate, and the speaker of the assembly by April first, two thou-
30 sand twenty-nine and every two years thereafter. The department of
31 sanitation of the city of New York shall also make such reports avail-
32 able on their public-facing websites, provided that they may provide
33 aggregate data from paragraph one of this subdivision if the city finds
34 that publishing specific location data would jeopardize public safety.
35 Such report shall include, but not be limited to:

36 1. a description of the locations and/or vehicles where street clean-
37 ing vehicle photo devices were used;

38 2. the total number of violations recorded on a monthly and annual
39 basis;

40 3. the total number of notices of liability issued;

41 4. the number of fines and total amount of fines paid after the first
42 notice of liability;

43 5. the number of violations adjudicated and results of such adjudi-
44 cations including breakdowns of dispositions made;

45 6. the total amount of revenue realized by such city and department;

46 7. the quality of the adjudication process and its results;

47 8. the total number of cameras;

48 9. the total cost to such city; and

49 10. an assessment by the New York city department of sanitation of
50 the efficacy of the program in enabling such department to clean the
51 city's streets.

52 (m) It shall be a defense to any prosecution for a violation of a
53 street cleaning parking rule pursuant to a demonstration program adopted
54 pursuant to this section that such street cleaning vehicle photo devices
55 were malfunctioning at the time of the alleged violation.

§ 2. Subdivision 1 of section 235 of the vehicle and traffic law, as amended by section 2 of part MM of chapter 56 of the laws of 2023, is amended to read as follows:

1. Notwithstanding any inconsistent provision of any general, special or local law or administrative code to the contrary, in any city which heretofore or hereafter is authorized to establish an administrative tribunal: (a) to hear and determine complaints of traffic infractions constituting parking, standing or stopping violations, or (b) to adjudicate the liability of owners for violations of subdivision (d) of section eleven hundred eleven of this chapter imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic-control indications through the installation and operation of traffic-control signal photo violation-monitoring systems, in accordance with article twenty-four of this chapter, or (c) to adjudicate the liability of owners for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such posted maximum speed limits through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter, or (d) to adjudicate the liability of owners for violations of bus lane restrictions as defined by article twenty-four of this chapter imposed pursuant to a bus rapid transit program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such bus lane restrictions through the installation and operation of bus lane photo devices, in accordance with article twenty-four of this chapter, or (e) to adjudicate the liability of owners for violations of toll collection regulations imposed by certain public authorities pursuant to the law authorizing such public authorities to impose monetary liability on the owner of a vehicle for failure of an operator thereof to comply with toll collection regulations of such public authorities through the installation and operation of photo-monitoring systems, in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, or (f) to adjudicate the liability of owners for violations of section eleven hundred seventy-four of this chapter when meeting a school bus marked and equipped as provided in subdivisions twenty and twenty-one-c of section three hundred seventy-five of this chapter imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with school bus red visual signals through the installation and operation of school bus photo violation monitoring systems, in accordance with article twenty-nine of this chapter, or (g) to adjudicate the liability of owners for violations of section three hundred eighty-five of this chapter and the rules of the department of transportation of the city of New York in relation to gross vehicle weight and/or axle weight violations imposed pursuant to a weigh in motion demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such gross vehicle weight and/or axle weight restrictions through the installation and operation of weigh in motion violation monitoring systems, in accordance with article ten of this chapter, or (h) to adjudicate the liability of owners for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter

1 imposed pursuant to a demonstration program imposing monetary liability
2 on the owner of a vehicle for failure of an operator thereof to comply
3 with such posted maximum speed limits within a highway construction or
4 maintenance work area through the installation and operation of photo
5 speed violation monitoring systems, in accordance with article thirty of
6 this chapter, or (i) to adjudicate the liability of owners for
7 violations of bus operation-related traffic regulations as defined by
8 article twenty-four of this chapter imposed pursuant to a demonstration
9 program imposing monetary liability on the owner of a vehicle for fail-
10 ure of an operator thereof to comply with such bus operation-related
11 traffic regulations through the installation and operation of bus opera-
12 tion-related photo devices, in accordance with article twenty-four of
13 this chapter, or (j) to adjudicate the liability of owners for
14 violations of street cleaning parking rules as defined by article twen-
15 ty-four of this chapter imposed pursuant to a program imposing monetary
16 liability on the owner of a vehicle for failure of an operator thereof
17 to comply with such street cleaning parking rules through the installa-
18 tion and operation of street cleaning vehicle photo devices, in accord-
19 ance with article twenty-four of this chapter, such tribunal and the
20 rules and regulations pertaining thereto shall be constituted in
21 substantial conformance with the following sections.

22 § 3. Subdivision 1 of section 236 of the vehicle and traffic law, as
23 amended by section 3 of part MM of chapter 56 of the laws of 2023, is
24 amended to read as follows:

25 1. Creation. In any city as hereinbefore or hereafter authorized such
26 tribunal when created shall be known as the parking violations bureau
27 and shall have jurisdiction of traffic infractions which constitute a
28 parking violation and, where authorized: (a) to adjudicate the liability
29 of owners for violations of subdivision (d) of section eleven hundred
30 eleven of this chapter imposed pursuant to a local law or ordinance
31 imposing monetary liability on the owner of a vehicle for failure of an
32 operator thereof to comply with traffic-control indications through the
33 installation and operation of traffic-control signal photo violation-
34 monitoring systems, in accordance with article twenty-four of this chap-
35 ter, or (b) to adjudicate the liability of owners for violations of
36 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
37 of this chapter imposed pursuant to a demonstration program imposing
38 monetary liability on the owner of a vehicle for failure of an operator
39 thereof to comply with such posted maximum speed limits through the
40 installation and operation of photo speed violation monitoring systems,
41 in accordance with article thirty of this chapter, or (c) to adjudicate
42 the liability of owners for violations of bus lane restrictions as
43 defined by article twenty-four of this chapter imposed pursuant to a bus
44 rapid transit program imposing monetary liability on the owner of a
45 vehicle for failure of an operator thereof to comply with such bus lane
46 restrictions through the installation and operation of bus lane photo
47 devices, in accordance with article twenty-four of this chapter, or (d)
48 to adjudicate the liability of owners for violations of toll collection
49 regulations imposed by certain public authorities pursuant to the law
50 authorizing such public authorities to impose monetary liability on the
51 owner of a vehicle for failure of an operator thereof to comply with
52 toll collection regulations of such public authorities through the
53 installation and operation of photo-monitoring systems, in accordance
54 with the provisions of section two thousand nine hundred eighty-five of
55 the public authorities law and sections sixteen-a, sixteen-b and
56 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen

hundred fifty, or (e) to adjudicate the liability of owners for violations of section eleven hundred seventy-four of this chapter when meeting a school bus marked and equipped as provided in subdivisions twenty and twenty-one-c of section three hundred seventy-five of this chapter imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with school bus red visual signals through the installation and operation of school bus photo violation monitoring systems, in accordance with article twenty-nine of this chapter, or (f) to adjudicate the liability of owners for violations of section three hundred eighty-five of this chapter and the rules of the department of transportation of the city of New York in relation to gross vehicle weight and/or axle weight violations imposed pursuant to a weigh in motion demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such gross vehicle weight and/or axle weight restrictions through the installation and operation of weigh in motion violation monitoring systems, in accordance with article ten of this chapter, or (g) to adjudicate the liability of owners for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such posted maximum speed limits within a highway construction or maintenance work area through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter, or (h) to adjudicate the liability of owners for violations of bus operation-related traffic regulations as defined by article twenty-four of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such bus operation-related traffic regulations through the installation and operation of bus operation-related photo devices, in accordance with article twenty-four of this chapter, or (i) to adjudicate the liability of owners for violations of street cleaning parking rules as defined by article twenty-four of this chapter imposed pursuant to a program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such street cleaning parking rules through the installation and operation of street cleaning vehicle photo devices, in accordance with article twenty-four of this chapter. Such tribunal, except in a city with a population of one million or more, shall also have jurisdiction of abandoned vehicle violations. For the purposes of this article, a parking violation is the violation of any law, rule or regulation providing for or regulating the parking, stopping or standing of a vehicle. In addition for purposes of this article, "commissioner" shall mean and include the commissioner of traffic of the city or an official possessing authority as such a commissioner.

§ 4. Paragraph f of subdivision 1 of section 239 of the vehicle and traffic law, as amended by section 4 of part MM of chapter 56 of the laws of 2023, is amended to read as follows:

f. "Notice of violation" means a notice of violation as defined in subdivision nine of section two hundred thirty-seven of this article, but shall not be deemed to include a notice of liability issued pursuant to authorization set forth in articles ten, twenty-four, twenty-nine and thirty of this chapter, section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen

hundred fifty to impose monetary liability on the owner of a vehicle for failure of an operator thereof: to comply with traffic-control indications in violation of subdivision (d) of section eleven hundred eleven of this chapter through the installation and operation of traffic-control signal photo violation-monitoring systems, in accordance with article twenty-four of this chapter; or to comply with certain posted maximum speed limits in violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter; or to comply with bus lane restrictions as defined by article twenty-four of this chapter through the installation and operation of bus lane photo devices, in accordance with article twenty-four of this chapter; or to comply with toll collection regulations of certain public authorities through the installation and operation of photo-monitoring systems, in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty; or to stop for a school bus displaying a red visual signal in violation of section eleven hundred seventy-four of this chapter through the installation and operation of school bus photo violation monitoring systems, in accordance with article twenty-nine of this chapter; or to comply with certain posted maximum speed limits in violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter within a highway construction or maintenance work area through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter; or to comply with gross vehicle weight and/or axle weight restrictions in violation of section three hundred eighty-five of this chapter and the rules of the department of transportation of the city of New York through the installation and operation of weigh in motion violation monitoring systems, in accordance with article ten of this chapter; or to comply with bus operation-related traffic regulations as defined by article twenty-four of this chapter in violation of the rules of the department of transportation of the city of New York through the installation and operation of bus operation-related photo devices, in accordance with article twenty-four of this chapter; or to comply with street cleaning parking rules as defined by article twenty-four of this chapter through the installation and operation of street cleaning vehicle photo devices, in accordance with article twenty-four of this chapter.

§ 5. Subdivisions 1, 1-a and the opening paragraph of paragraph (a) of subdivision 1-b of section 240 of the vehicle and traffic law, as amended by section 5 of part MM of chapter 56 of the laws of 2023, are amended to read as follows:

1. Notice of hearing. Whenever a person charged with a parking violation enters a plea of not guilty; or a person alleged to be liable in accordance with any provisions of law specifically authorizing the imposition of monetary liability on the owner of a vehicle for failure of an operator thereof: to comply with traffic-control indications in violation of subdivision (d) of section eleven hundred eleven of this chapter through the installation and operation of traffic-control signal photo violation-monitoring systems, in accordance with article twenty-four of this chapter; or to comply with certain posted maximum speed limits in violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter through the installation and operation of photo speed violation monitoring systems, in accordance with

1 article thirty of this chapter; or to comply with bus lane restrictions
2 as defined by article twenty-four of this chapter through the installa-
3 tion and operation of bus lane photo devices, in accordance with article
4 twenty-four of this chapter; or to comply with toll collection regu-
5 lations of certain public authorities through the installation and oper-
6 ation of photo-monitoring systems, in accordance with the provisions of
7 section two thousand nine hundred eighty-five of the public authorities
8 law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven
9 hundred seventy-four of the laws of nineteen hundred fifty; or to stop
10 for a school bus displaying a red visual signal in violation of section
11 eleven hundred seventy-four of this chapter through the installation and
12 operation of school bus photo violation monitoring systems, in accord-
13 ance with article twenty-nine of this chapter; or to comply with certain
14 posted maximum speed limits in violation of subdivision (b), (d), (f) or
15 (g) of section eleven hundred eighty of this chapter within a highway
16 construction or maintenance work area through the installation and oper-
17 ation of photo speed violation monitoring systems, in accordance with
18 article thirty of this chapter; or to comply with gross vehicle weight
19 and/or axle weight restrictions in violation of section three hundred
20 eighty-five of this chapter and the rules of the department of transpor-
21 tation of the city of New York through the installation and operation of
22 weigh in motion violation monitoring systems, in accordance with article
23 ten of this chapter; or to comply with bus operation-related traffic
24 regulations as defined by article twenty-four of this chapter in
25 violation of the rules of the department of transportation of the city
26 of New York through the installation and operation of bus operation-re-
27 lated photo devices, in accordance with article twenty-four of this
28 chapter; or to comply with street cleaning parking rules as defined by
29 article twenty-four of this chapter through the installation and opera-
30 tion of street cleaning vehicle photo devices, in accordance with arti-
31 cle twenty-four of this chapter, contests such allegation, the bureau
32 shall advise such person personally by such form of first class mail as
33 the director may direct of the date on which ~~[he or she]~~ such person
34 must appear to answer the charge at a hearing. The form and content of
35 such notice of hearing shall be prescribed by the director, and shall
36 contain a warning to advise the person so pleading or contesting that
37 failure to appear on the date designated, or on any subsequent adjourned
38 date, shall be deemed an admission of liability, and that a default
39 judgment may be entered thereon.

40 1-a. Fines and penalties. Whenever a plea of not guilty has been
41 entered, or the bureau has been notified that an allegation of liability
42 in accordance with provisions of law specifically authorizing the im-
43 position of monetary liability on the owner of a vehicle for failure of an
44 operator thereof: to comply with traffic-control indications in
45 violation of subdivision (d) of section eleven hundred eleven of this
46 chapter through the installation and operation of traffic-control signal
47 photo violation-monitoring systems, in accordance with article twenty-
48 four of this chapter; or to comply with certain posted maximum speed
49 limits in violation of subdivision (b), (c), (d), (f) or (g) of section
50 eleven hundred eighty of this chapter through the installation and oper-
51 ation of photo speed violation monitoring systems, in accordance with
52 article thirty of this chapter; or to comply with bus lane restrictions
53 as defined by article twenty-four of this chapter through the installa-
54 tion and operation of bus lane photo devices, in accordance with article
55 twenty-four of this chapter; or to comply with toll collection regu-
56 lations of certain public authorities through the installation and oper-

1 ation of photo-monitoring systems, in accordance with the provisions of
2 section two thousand nine hundred eighty-five of the public authorities
3 law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven
4 hundred seventy-four of the laws of nineteen hundred fifty; or to stop
5 for a school bus displaying a red visual signal in violation of section
6 eleven hundred seventy-four of this chapter through the installation and
7 operation of school bus photo violation monitoring systems, in accord-
8 ance with article twenty-nine of this chapter; or to comply with certain
9 posted maximum speed limits in violation of subdivision (b), (d), (f) or
10 (g) of section eleven hundred eighty of this chapter within a highway
11 construction or maintenance work area through the installation and oper-
12 ation of photo speed violation monitoring systems, in accordance with
13 article thirty of this chapter; or to comply with gross vehicle weight
14 and/or axle weight restrictions in violation of section three hundred
15 eighty-five of this chapter and the rules of the department of transpor-
16 tation of the city of New York through the installation and operation of
17 weigh in motion violation monitoring systems, in accordance with article
18 ten of this chapter; or to comply with bus operation-related traffic
19 regulations as defined by article twenty-four of this chapter in
20 violation of the rules of the department of transportation of the city
21 of New York through the installation and operation of bus operation-re-
22 lated photo devices, in accordance with article twenty-four of this
23 chapter; or to comply with street cleaning parking rules as defined by
24 article twenty-four of this chapter through the installation and opera-
25 tion of street cleaning vehicle photo devices, in accordance with arti-
26 cle twenty-four of this chapter, is being contested, by a person in a
27 timely fashion and a hearing upon the merits has been demanded, but has
28 not yet been held, the bureau shall not issue any notice of fine or
29 penalty to that person prior to the date of the hearing.

30 In a city having a population of one million or more, at every hearing
31 for the adjudication of a notice of liability, as provided by this arti-
32 cle, there shall be a rebuttable presumption that the owner of a first-
33 response emergency vehicle alleged to be liable in accordance with any
34 provisions of law specifically authorizing the imposition of monetary
35 liability on the owner of a vehicle for failure of an operator thereof:
36 to comply with traffic-control indications in violation of subdivision
37 (d) of section eleven hundred eleven of this chapter through the instal-
38 lation and operation of traffic-control signal photo violation-monitor-
39 ing systems, in accordance with article twenty-four of this chapter; or
40 to comply with certain posted maximum speed limits in violation of
41 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
42 of this chapter through the installation and operation of photo speed
43 violation monitoring systems, in accordance with article thirty of this
44 chapter; or to comply with bus lane restrictions as defined by article
45 twenty-four of this chapter through the installation and operation of
46 bus lane photo devices, in accordance with article twenty-four of this
47 chapter; or to comply with bus operation-related traffic regulations as
48 defined by article twenty-four of this chapter in violation of the rules
49 of the department of transportation of the city of New York through the
50 installation and operation of bus operation-related photo devices, in
51 accordance with article twenty-four of this chapter; or to comply with
52 street cleaning parking rules as defined by article twenty-four of this
53 chapter through the installation and operation of street cleaning
54 vehicle photo devices, in accordance with article twenty-four of this
55 chapter is not liable for such alleged violation if such owner of the
56 first-response emergency vehicle provides the hearing officer with:

§ 6. Paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law, as amended by section 6 of part MM of chapter 56 of the laws of 2023, are amended to read as follows:

a. Every hearing for the adjudication of a charge of parking violation or an allegation of liability of an owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic-control indications through the installation and operation of traffic-control signal photo violation-monitoring systems, in accordance with article twenty-four of this chapter, or an allegation of liability of an owner for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with certain posted maximum speed limits through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter, or an allegation of liability of an owner for a violation of bus lane restrictions as defined by article twenty-four of this chapter imposed pursuant to a bus rapid transit program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such bus lane restrictions through the installation and operation of bus lane photo devices, in accordance with article twenty-four of this chapter, or an allegation of liability of an owner for a violation of toll collection regulations imposed by certain public authorities pursuant to the law authorizing such public authorities to impose monetary liability on the owner of a vehicle for failure of an operator thereof to comply with toll collection regulations of such public authorities through the installation and operation of photo-monitoring systems, in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, or an allegation of liability of an owner for a violation of section eleven hundred seventy-four of this chapter when meeting a school bus marked and equipped as provided in subdivisions twenty and twenty-one-c of section three hundred seventy-five of this chapter imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with school bus red visual signals through the installation and operation of school bus photo violation monitoring systems, in accordance with article twenty-nine of this chapter, or an allegation of liability of an owner for a violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with certain posted maximum speed limits within a highway construction or maintenance work area through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter, or an allegation of liability of an owner for a violation of section three hundred eighty-five of this chapter and the rules of the department of transportation of the city of New York in relation to gross vehicle weight and/or axle weight violations imposed pursuant to a weigh in motion demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such gross vehicle weight and/or axle weight restrictions through the installation and operation of weigh in motion violation monitoring

1 systems, in accordance with article ten of this chapter, or an allega-
2 tion of liability of an owner for a violation of bus operation-related
3 traffic regulations as defined by article twenty-four of this chapter
4 imposed pursuant to a demonstration program imposing monetary liability
5 on the owner of a vehicle for failure of an operator thereof to comply
6 with such bus operation-related traffic regulations through the instal-
7 lation and operation of bus operation-related photo devices, in accord-
8 ance with article twenty-four of this chapter, or an allegation of
9 liability of an owner for a violation of street cleaning parking rules
10 as defined by article twenty-four of this chapter imposed pursuant to a
11 program imposing monetary liability on the owner of a vehicle for fail-
12 ure of an operator thereof to comply with such street cleaning parking
13 rules through the installation and operation of street cleaning vehicle
14 photo devices, in accordance with article twenty-four of this chapter,
15 shall be held before a hearing examiner in accordance with rules and
16 regulations promulgated by the bureau.

17 g. A record shall be made of a hearing on a plea of not guilty or of a
18 hearing at which liability in accordance with any provisions of law
19 specifically authorizing the imposition of monetary liability on the
20 owner of a vehicle for failure of an operator thereof: to comply with
21 traffic-control indications in violation of subdivision (d) of section
22 eleven hundred eleven of this chapter through the installation and oper-
23 ation of traffic-control signal photo violation-monitoring systems, in
24 accordance with article twenty-four of this chapter; to comply with
25 certain posted maximum speed limits in violation of subdivision (b),
26 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter
27 through the installation and operation of photo speed violation monitor-
28 ing systems, in accordance with article thirty of this chapter; to
29 comply with bus lane restrictions as defined by article twenty-four of
30 this chapter through the installation and operation of bus lane photo
31 devices, in accordance with article twenty-four of this chapter; to
32 comply with toll collection regulations of certain public authorities
33 through the installation and operation of photo-monitoring systems, in
34 accordance with the provisions of section two thousand nine hundred
35 eighty-five of the public authorities law and sections sixteen-a,
36 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the
37 laws of nineteen hundred fifty; to stop for a school bus displaying a
38 red visual signal in violation of section eleven hundred seventy-four of
39 this chapter through the installation and operation of school bus photo
40 violation monitoring systems, in accordance with article twenty-nine of
41 this chapter; to comply with certain posted maximum speed limits in
42 violation of subdivision (b), (d), (f) or (g) of section eleven hundred
43 eighty of this chapter within a highway construction or maintenance work
44 area through the installation and operation of photo speed violation
45 monitoring systems, in accordance with article thirty of this chapter;
46 to comply with gross vehicle weight and/or axle weight restrictions in
47 violation of section three hundred eighty-five of this chapter and the
48 rules of the department of transportation of the city of New York
49 through the installation and operation of weigh in motion violation
50 monitoring systems, in accordance with article ten of this chapter; or
51 to comply with bus operation-related traffic regulations as defined by
52 article twenty-four of this chapter in violation of the rules of the
53 department of transportation of the city of New York through the instal-
54 lation and operation of bus operation-related photo devices, in accord-
55 ance with article twenty-four of this chapter; or to comply with street
56 cleaning parking rules as defined by article twenty-four of this chapter

1 through the installation and operation of street cleaning vehicle photo
2 devices, in accordance with article twenty-four of this chapter, is
3 contested. Recording devices may be used for the making of the record.

4 § 7. Subdivisions 1 and 2 of section 241 of the vehicle and traffic
5 law, as amended by section 7 of part MM of chapter 56 of the laws of
6 2023, are amended to read as follows:

7 1. The hearing examiner shall make a determination on the charges,
8 either sustaining or dismissing them. Where the hearing examiner deter-
9 mines that the charges have been sustained [~~he or she~~] such examiner may
10 examine either the prior parking violations record or the record of
11 liabilities incurred in accordance with any provisions of law specif-
12 ically authorizing the imposition of monetary liability on the owner of
13 a vehicle for failure of an operator thereof: to comply with traffic-
14 control indications in violation of subdivision (d) of section eleven
15 hundred eleven of this chapter through the installation and operation of
16 traffic-control signal photo violation-monitoring systems, in accordance
17 with article twenty-four of this chapter; to comply with certain posted
18 maximum speed limits in violation of subdivision (b), (c), (d), (f) or
19 (g) of section eleven hundred eighty of this chapter through the instal-
20 lation and operation of photo speed violation monitoring systems, in
21 accordance with article thirty of this chapter; to comply with bus lane
22 restrictions as defined by article twenty-four of this chapter through
23 the installation and operation of bus lane photo devices, in accordance
24 with article twenty-four of this chapter; to comply with toll collection
25 regulations of certain public authorities through the installation and
26 operation of photo-monitoring systems, in accordance with the provisions
27 of section two thousand nine hundred eighty-five of the public authori-
28 ties law and sections sixteen-a, sixteen-b and sixteen-c of chapter
29 seven hundred seventy-four of the laws of nineteen hundred fifty; to
30 stop for a school bus displaying a red visual signal in violation of
31 section eleven hundred seventy-four of this chapter through the instal-
32 lation and operation of school bus photo violation monitoring systems,
33 in accordance with article twenty-nine of this chapter; to comply with
34 certain posted maximum speed limits in violation of subdivision (b),
35 (d), (f) or (g) of section eleven hundred eighty of this chapter within
36 a highway construction or maintenance work area through the installation
37 and operation of photo speed violation monitoring systems, in accordance
38 with article thirty of this chapter; to comply with gross vehicle weight
39 and/or axle weight restrictions in violation of section three hundred
40 eighty-five of this chapter and the rules of the department of transpor-
41 tation of the city of New York through the installation and operation of
42 weigh in motion violation monitoring systems, in accordance with article
43 ten of this chapter; [~~or~~] to comply with bus operation-related traffic
44 regulations as defined by article twenty-four of this chapter in
45 violation of the rules of the department of transportation of the city
46 of New York through the installation and operation of bus operation-re-
47 lated photo devices, in accordance with article twenty-four of this
48 chapter; or to comply with street cleaning parking rules as defined by
49 article twenty-four of this chapter through the installation and opera-
50 tion of street cleaning vehicle photo devices, in accordance with arti-
51 cle twenty-four of this chapter, of the person charged, as applicable
52 prior to rendering a final determination. Final determinations sustain-
53 ing or dismissing charges shall be entered on a final determination roll
54 maintained by the bureau together with records showing payment and
55 nonpayment of penalties.

1 2. Where an operator or owner fails to enter a plea to a charge of a
2 parking violation or contest an allegation of liability in accordance
3 with any provisions of law specifically authorizing the imposition of
4 monetary liability on the owner of a vehicle for failure of an operator
5 thereof: to comply with traffic-control indications in violation of
6 subdivision (d) of section eleven hundred eleven of this chapter through
7 the installation and operation of traffic-control signal photo viola-
8 tion-monitoring systems, in accordance with article twenty-four of this
9 chapter; to comply with certain posted maximum speed limits in violation
10 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred
11 eighty of this chapter through the installation and operation of photo
12 speed violation monitoring systems, in accordance with article thirty of
13 this chapter; to comply with bus lane restrictions as defined by article
14 twenty-four of this chapter through the installation and operation of
15 bus lane photo devices, in accordance with article twenty-four of this
16 chapter; to comply with toll collection regulations of certain public
17 authorities through the installation and operation of photo-monitoring
18 systems, in accordance with the provisions of section two thousand nine
19 hundred eighty-five of the public authorities law and sections
20 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four
21 of the laws of nineteen hundred fifty; to stop for a school bus display-
22 ing a red visual signal in violation of section eleven hundred seventy-
23 four of this chapter through the installation and operation of school
24 bus photo violation monitoring systems, in accordance with article twen-
25 ty-nine of this chapter; to comply with certain posted maximum speed
26 limits in violation of subdivision (b), (d), (f) or (g) of section elev-
27 en hundred eighty of this chapter within a highway construction or main-
28 tenance work area through the installation and operation of photo speed
29 violation monitoring systems, in accordance with article thirty of this
30 chapter; to comply with gross vehicle weight and/or axle weight
31 restrictions in violation of section three hundred eighty-five of this
32 chapter and the rules of the department of transportation of the city of
33 New York through the installation and operation of weigh in motion
34 violation monitoring systems, in accordance with article ten of this
35 chapter; ~~or~~ to comply with bus operation-related traffic regulations
36 as defined by article twenty-four of this chapter in violation of the
37 rules of the department of transportation of the city of New York
38 through the installation and operation of bus operation-related photo
39 devices, in accordance with article twenty-four of this chapter; or to
40 comply with street cleaning parking rules as defined by article twenty-
41 four of this chapter through the installation and operation of street
42 cleaning vehicle photo devices, in accordance with article twenty-four
43 of this chapter, or fails to appear on a designated hearing date or
44 subsequent adjourned date or fails after a hearing to comply with the
45 determination of a hearing examiner, as prescribed by this article or by
46 rule or regulation of the bureau, such failure to plead or contest,
47 appear or comply shall be deemed, for all purposes, an admission of
48 liability and shall be grounds for rendering and entering a default
49 judgment in an amount provided by the rules and regulations of the
50 bureau. However, after the expiration of the original date prescribed
51 for entering a plea and before a default judgment may be rendered, in
52 such case the bureau shall pursuant to the applicable provisions of law
53 notify such operator or owner, by such form of first class mail as the
54 commission may direct; (1) of the violation charged, or liability
55 alleged in accordance with any provisions of law specifically authoriz-
56 ing the imposition of monetary liability on the owner of a vehicle for

1 failure of an operator thereof: to comply with traffic-control indi-
2 cations in violation of subdivision (d) of section eleven hundred eleven
3 of this chapter through the installation and operation of traffic-con-
4 trol signal photo violation-monitoring systems, in accordance with arti-
5 cle twenty-four of this chapter; to comply with certain posted maximum
6 speed limits in violation of subdivision (b), (c), (d), (f) or (g) of
7 section eleven hundred eighty of this chapter through the installation
8 and operation of photo speed violation monitoring systems, in accordance
9 with article thirty of this chapter; to comply with bus lane
10 restrictions as defined by article twenty-four of this chapter through
11 the installation and operation of bus lane photo devices, in accordance
12 with article twenty-four of this chapter; to comply with toll collection
13 regulations of certain public authorities through the installation and
14 operation of photo-monitoring systems, in accordance with the provisions
15 of section two thousand nine hundred eighty-five of the public authori-
16 ties law and sections sixteen-a, sixteen-b and sixteen-c of chapter
17 seven hundred seventy-four of the laws of nineteen hundred fifty; to
18 stop for a school bus displaying a red visual signal in violation of
19 section eleven hundred seventy-four of this chapter through the instal-
20 lation and operation of school bus photo violation monitoring systems,
21 in accordance with article twenty-nine of this chapter; to comply with
22 certain posted maximum speed limits in violation of subdivision (b),
23 (d), (f) or (g) of section eleven hundred eighty of this chapter within
24 a highway construction or maintenance work area through the installation
25 and operation of photo speed violation monitoring systems, in accordance
26 with article thirty of this chapter; to comply with gross vehicle weight
27 and/or axle weight restrictions in violation of section three hundred
28 eighty-five of this chapter and the rules of the department of transpor-
29 tation of the city of New York through the installation and operation of
30 weigh in motion violation monitoring systems, in accordance with article
31 ten of this chapter; ~~[or]~~ to comply with bus operation-related traffic
32 regulations as defined by article twenty-four of this chapter in
33 violation of the rules of the department of transportation of the city
34 of New York through the installation and operation of bus operation-re-
35 lated photo devices, in accordance with article twenty-four of this
36 chapter; or to comply with street cleaning parking rules as defined by
37 article twenty-four of this chapter through the installation and opera-
38 tion of street cleaning vehicle photo devices, in accordance with arti-
39 cle twenty-four of this chapter, (2) of the impending default judgment,
40 (3) that such judgment will be entered in the Civil Court of the city in
41 which the bureau has been established, or other court of civil jurisdic-
42 tion or any other place provided for the entry of civil judgments within
43 the state of New York, and (4) that a default may be avoided by entering
44 a plea or contesting an allegation of liability in accordance with any
45 provisions of law specifically authorizing the imposition of monetary
46 liability on the owner of a vehicle for failure of an operator thereof:
47 to comply with traffic-control indications in violation of subdivision
48 (d) of section eleven hundred eleven of this chapter through the instal-
49 lation and operation of traffic-control signal photo violation-monitor-
50 ing systems, in accordance with article twenty-four of this chapter; to
51 comply with certain posted maximum speed limits in violation of subdivi-
52 sion (b), (c), (d), (f) or (g) of section eleven hundred eighty of this
53 chapter through the installation and operation of photo speed violation
54 monitoring systems, in accordance with article thirty of this chapter;
55 to comply with bus lane restrictions as defined by article twenty-four
56 of this chapter through the installation and operation of bus lane photo

1 devices, in accordance with article twenty-four of this chapter; to
2 comply with toll collection regulations of certain public authorities
3 through the installation and operation of photo-monitoring systems, in
4 accordance with the provisions of section two thousand nine hundred
5 eighty-five of the public authorities law and sections sixteen-a,
6 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the
7 laws of nineteen hundred fifty; to stop for a school bus displaying a
8 red visual signal in violation of section eleven hundred seventy-four of
9 this chapter through the installation and operation of school bus photo
10 violation monitoring systems, in accordance with article twenty-nine of
11 this chapter; to comply with certain posted maximum speed limits in
12 violation of subdivision (b), (d), (f) or (g) of section eleven hundred
13 eighty of this chapter within a highway construction or maintenance work
14 area through the installation and operation of photo speed violation
15 monitoring systems, in accordance with article thirty of this chapter;
16 to comply with gross vehicle weight and/or axle weight restrictions in
17 violation of section three hundred eighty-five of this chapter and the
18 rules of the department of transportation of the city of New York
19 through the installation and operation of weigh in motion violation
20 monitoring systems, in accordance with article ten of this chapter; ~~or~~
21 to comply with bus operation-related traffic regulations as defined by
22 article twenty-four of this chapter in violation of the rules of the
23 department of transportation of the city of New York through the instal-
24 lation and operation of bus operation-related photo devices, in accord-
25 ance with article twenty-four of this chapter; or to comply with street
26 cleaning parking rules as defined by article twenty-four of this chapter
27 through the installation and operation of street cleaning vehicle photo
28 devices, in accordance with article twenty-four of this chapter; or
29 making an appearance within thirty days of the sending of such notice.
30 Pleas entered and allegations contested within that period shall be in
31 the manner prescribed in the notice and not subject to additional penal-
32 ty or fee. Such notice of impending default judgment shall not be
33 required prior to the rendering and entry thereof in the case of opera-
34 tors or owners who are non-residents of the state of New York. In no
35 case shall a default judgment be rendered or, where required, a notice
36 of impending default judgment be sent, more than two years after the
37 expiration of the time prescribed for entering a plea or contesting an
38 allegation. When a person has demanded a hearing, no fine or penalty
39 shall be imposed for any reason, prior to the holding of the hearing. If
40 the hearing examiner shall make a determination on the charges, sustain-
41 ing them, ~~he or she~~ such examiner shall impose no greater penalty or
42 fine than those upon which the person was originally charged.

43 § 8. Subparagraph (i) of paragraph a of subdivision 5-a of section 401
44 of the vehicle and traffic law, as amended by section 8 of part MM of
45 chapter 56 of the laws of 2023, is amended to read as follows:

46 (i) If at the time of application for a registration or renewal there-
47 of there is a certification from a court, parking violations bureau,
48 traffic and parking violations agency or administrative tribunal of
49 appropriate jurisdiction that the registrant or ~~his or her~~ their
50 representative failed to appear on the return date or any subsequent
51 adjourned date or failed to comply with the rules and regulations of an
52 administrative tribunal following entry of a final decision in response
53 to a total of three or more summonses or other process in the aggregate,
54 issued within an eighteen month period, charging either that: (i) such
55 motor vehicle was parked, stopped or standing, or that such motor vehi-
56 cle was operated for hire by the registrant or ~~his or her~~ their agent

1 without being licensed as a motor vehicle for hire by the appropriate
2 local authority, in violation of any of the provisions of this chapter
3 or of any law, ordinance, rule or regulation made by a local authority;
4 or (ii) the registrant was liable for a violation of subdivision (d) of
5 section eleven hundred eleven of this chapter imposed pursuant to a
6 local law or ordinance imposing monetary liability on the owner of a
7 vehicle for failure of an operator thereof to comply with traffic-con-
8 trol indications through the installation and operation of traffic-con-
9 trol signal photo violation-monitoring systems, in accordance with arti-
10 cle twenty-four of this chapter; or (iii) the registrant was liable for
11 a violation of subdivision (b), (c), (d), (f) or (g) of section eleven
12 hundred eighty of this chapter imposed pursuant to a demonstration
13 program imposing monetary liability on the owner of a vehicle for fail-
14 ure of an operator thereof to comply with such posted maximum speed
15 limits through the installation and operation of photo speed violation
16 monitoring systems, in accordance with article thirty of this chapter;
17 or (iv) the registrant was liable for a violation of bus lane
18 restrictions as defined by article twenty-four of this chapter imposed
19 pursuant to a bus rapid transit program imposing monetary liability on
20 the owner of a vehicle for failure of an operator thereof to comply with
21 such bus lane restrictions through the installation and operation of bus
22 lane photo devices, in accordance with article twenty-four of this chap-
23 ter; or (v) the registrant was liable for a violation of section eleven
24 hundred seventy-four of this chapter when meeting a school bus marked
25 and equipped as provided in subdivisions twenty and twenty-one-c of
26 section three hundred seventy-five of this chapter imposed pursuant to a
27 local law or ordinance imposing monetary liability on the owner of a
28 vehicle for failure of an operator thereof to comply with school bus red
29 visual signals through the installation and operation of school bus
30 photo violation monitoring systems, in accordance with article twenty-
31 nine of this chapter; or (vi) the registrant was liable for a violation
32 of section three hundred eighty-five of this chapter and the rules of
33 the department of transportation of the city of New York in relation to
34 gross vehicle weight and/or axle weight violations imposed pursuant to a
35 weigh in motion demonstration program imposing monetary liability on the
36 owner of a vehicle for failure of an operator thereof to comply with
37 such gross vehicle weight and/or axle weight restrictions through the
38 installation and operation of weigh in motion violation monitoring
39 systems, in accordance with article ten of this chapter; or (vii) the
40 registrant was liable for a violation of subdivision (b), (d), (f) or
41 (g) of section eleven hundred eighty of this chapter imposed pursuant to
42 a demonstration program imposing monetary liability on the owner of a
43 vehicle for failure of an operator thereof to comply with such posted
44 maximum speed limits within a highway construction or maintenance work
45 area through the installation and operation of photo speed violation
46 monitoring systems, in accordance with article thirty of this
47 chapter[7]; or (viii) the registrant was liable for a violation of bus
48 operation-related traffic regulations as defined by article twenty-four
49 of this chapter imposed pursuant to a demonstration program imposing
50 monetary liability on the owner of a vehicle for failure of an operator
51 thereof to comply with such bus operation-related traffic regulations
52 through the installation and operation of bus operation-related photo
53 devices, in accordance with article twenty-four of this chapter[7]; or
54 (ix) the registrant was liable for a violation of street cleaning park-
55 ing rules as defined by article twenty-four of this chapter imposed
56 pursuant to a program imposing monetary liability on the owner of a

vehicle for failure of an operator thereof to comply with such street cleaning parking rules through the installation and operation of street cleaning vehicle photo devices, in accordance with article twenty-four of this chapter, the commissioner or [~~his or her~~] their agent shall deny the registration or renewal application until the applicant provides proof from the court, traffic and parking violations agency or administrative tribunal wherein the charges are pending that an appearance or answer has been made or in the case of an administrative tribunal that [~~he or she~~] such applicant has complied with the rules and regulations of said tribunal following entry of a final decision. Where an application is denied pursuant to this section, the commissioner may, in [~~his or her~~] their 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 subdivision and where the commissioner has reasonable grounds to believe that such registration or renewal will have the effect of defeating the purposes of this subdivision. Such denial shall only remain in effect as long as the summonses remain unanswered, or in the case of an administrative tribunal, the registrant fails to comply with the rules and regulations following entry of a final decision.

§ 9. Subdivision 1-a of section 1809 of the vehicle and traffic law, as amended by section 9 of part MM of chapter 56 of the laws of 2023, is amended to read as follows:

1-a. Notwithstanding the provisions of subdivision one of this section, the provisions of subdivision one of this section shall not apply to an adjudication of liability of owners: (a) for violations of subdivision (d) of section eleven hundred eleven of this chapter imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic-control indications through the installation and operation of traffic-control signal photo violation-monitoring systems, in accordance with article twenty-four of this chapter; or (b) for violations of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such posted maximum speed limits through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter; or (c) for violations of bus lane restrictions as defined by article twenty-four of this chapter imposed pursuant to a bus rapid transit program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such bus lane restrictions through the installation and operation of bus lane photo devices, in accordance with article twenty-four of this chapter; or (d) for violations of toll collection regulations imposed by certain public authorities pursuant to the law authorizing such public authorities to impose monetary liability on the owner of a vehicle for failure of an operator thereof to comply with toll collection regulations of such public authorities through the installation and operation of photo-monitoring systems, in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty; or (e) for violations of section eleven hundred seventy-four of this chapter when meeting a school bus marked and equipped as

provided in subdivisions twenty and twenty-one-c of section three hundred seventy-five of this chapter imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with school bus red visual signals through the installation and operation of school bus photo violation monitoring systems, in accordance with article twenty-nine of this chapter; or (f) for violations of section three hundred eighty-five of this chapter and the rules of the department of transportation of the city of New York in relation to gross vehicle weight and/or axle weight violations imposed pursuant to a weigh in motion demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such gross vehicle weight and/or axle weight restrictions through the installation and operation of weigh in motion violation monitoring systems, in accordance with article ten of this chapter; or (g) for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such posted maximum speed limits within a highway construction or maintenance work area through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter; or (h) for violations of bus operation-related traffic regulations as defined by article twenty-four of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such bus operation-related traffic regulations through the installation and operation of bus operation-related photo devices, in accordance with article twenty-four of this chapter; or (i) for violations of street cleaning parking rules as defined by article twenty-four of this chapter imposed pursuant to a program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such street cleaning parking rules through the installation and operation of street cleaning vehicle photo devices, in accordance with article twenty-four of this chapter.

§ 10. Subdivision 1 of section 1809-a of the vehicle and traffic law, as amended by section 10 of part MM of chapter 56 of the laws of 2023, is amended to read as follows:

1. The provisions of any other general or special law notwithstanding, whenever, in a city having a population of one hundred thousand or more according to the nineteen hundred eighty United States census, proceedings in an administrative tribunal or a court result in a finding of liability, or conviction for the violation of any statute, local law, ordinance or rule involving the parking, stopping or standing of a motor vehicle, except (a) an adjudication of liability of an owner for a violation of bus operation-related traffic regulations as defined by article twenty-four of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such bus operation-related traffic regulations through the installation and operation of bus operation-related photo devices, in accordance with article twenty-four of this chapter, or (b) an adjudication of liability of an owner for a violation of street cleaning parking rules as defined by article twenty-four of this chapter imposed pursuant to a program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such street cleaning parking rules through the installation and operation of street cleaning vehicle photo devices, in accord-

1 ance with article twenty-four of this chapter, there shall be levied a
2 mandatory surcharge in addition to any other sentence, fine or penalty
3 otherwise permitted or required, in the amount of fifteen dollars. Such
4 surcharge shall not be deemed a monetary penalty for the purposes of
5 section two hundred thirty-seven of this chapter or section 19-203 of
6 the administrative code of the city of New York.

7 § 11. Subdivision 1 of section 1809-aa of the vehicle and traffic law,
8 as amended by section 11 of part MM of chapter 56 of the laws of 2023,
9 is amended to read as follows:

10 1. Notwithstanding any other provision of law, whenever proceedings in
11 an administrative tribunal or court result in a conviction for a
12 violation of section twelve hundred, twelve hundred one or twelve
13 hundred two of this chapter, except (a) an adjudication of liability of
14 an owner for a violation of bus operation-related traffic regulations as
15 defined by article twenty-four of this chapter imposed pursuant to a
16 demonstration program imposing monetary liability on the owner of a
17 vehicle for failure of an operator thereof to comply with such bus oper-
18 ation-related traffic regulations through the installation and operation
19 of bus operation-related photo devices, in accordance with article twen-
20 ty-four of this chapter, or (b) an adjudication of liability of an
21 owner for a violation of street cleaning parking rules as defined by
22 article twenty-four of this chapter imposed pursuant to a program
23 imposing monetary liability on the owner of a vehicle for failure
24 of an operator thereof to comply with such street cleaning parking rules
25 through the installation and operation of street cleaning vehicle photo
26 devices, in accordance with article twenty-four of this chapter, there
27 shall be levied a mandatory surcharge in addition to any other sentence,
28 fine or penalty otherwise permitted or required, in the amount of twen-
29 ty-five dollars.

30 § 12. Paragraph a of subdivision 1 of section 1809-e of the vehicle
31 and traffic law, as amended by section 12 of part MM of chapter 56 of
32 the laws of 2023, is amended to read as follows:

33 a. Notwithstanding any other provision of law, whenever proceedings in
34 a court or an administrative tribunal of this state result in a
35 conviction for an offense under this chapter, except a conviction pursu-
36 ant to section eleven hundred ninety-two of this chapter, or for a traf-
37 fic infraction under this chapter, or a local law, ordinance, rule or
38 regulation adopted pursuant to this chapter, except: (i) a traffic
39 infraction involving standing, stopping, or parking or violations by
40 pedestrians or bicyclists; and (ii) an adjudication of liability of an
41 owner for a violation of subdivision (d) of section eleven hundred elev-
42 en of this chapter imposed pursuant to a local law or ordinance imposing
43 monetary liability on the owner of a vehicle for failure of an operator
44 thereof to comply with traffic-control indications through the installa-
45 tion and operation of traffic-control signal photo violation-monitoring
46 systems, in accordance with article twenty-four of this chapter; and
47 (iii) an adjudication of liability of an owner for a violation of subdivi-
48 sion (b), (c), (d), (f) or (g) of section eleven hundred eighty of
49 this chapter imposed pursuant to a demonstration program imposing mone-
50 tary liability on the owner of a vehicle for failure of an operator
51 thereof to comply with such posted maximum speed limits through the
52 installation and operation of photo speed violation monitoring systems,
53 in accordance with article thirty of this chapter; and (iv) an adjudi-
54 cation of liability of an owner for a violation of bus lane restrictions
55 as defined by article twenty-four of this chapter imposed pursuant to a
56 bus rapid transit program imposing monetary liability on the owner of a

1 vehicle for failure of an operator thereof to comply with such bus lane
2 restrictions through the installation and operation of bus lane photo
3 devices, in accordance with article twenty-four of this chapter; and (v)
4 an adjudication of liability of an owner for a violation of toll
5 collection regulations imposed by certain public authorities pursuant to
6 the law authorizing such public authorities to impose monetary liability
7 on the owner of a vehicle for failure of an operator thereof to comply
8 with toll collection regulations of such public authorities through the
9 installation and operation of photo-monitoring systems, in accordance
10 with section two thousand nine hundred eighty-five of the public author-
11 ities law or sections sixteen-a, sixteen-b and sixteen-c of chapter
12 seven hundred seventy-four of the laws of nineteen hundred fifty; and
13 (vi) an adjudication of liability of an owner for a violation of section
14 eleven hundred seventy-four of this chapter when meeting a school bus
15 marked and equipped as provided in subdivisions twenty and twenty-one-c
16 of section three hundred seventy-five of this chapter imposed pursuant
17 to a local law or ordinance imposing monetary liability on the owner of
18 a vehicle for failure of an operator thereof to comply with school bus
19 red visual signals through the installation and operation of school bus
20 photo violation monitoring systems, in accordance with article twenty-
21 nine of this chapter; and (vii) an adjudication of liability of an owner
22 for a violation of section three hundred eighty-five of this chapter and
23 the rules of the department of transportation of the city of New York in
24 relation to gross vehicle weight and/or axle weight violations imposed
25 pursuant to a weigh in motion demonstration program imposing monetary
26 liability on the owner of a vehicle for failure of an operator thereof
27 to comply with such gross vehicle weight and/or axle weight restrictions
28 through the installation and operation of weigh in motion violation
29 monitoring systems, in accordance with article ten of this chapter; and
30 (viii) an adjudication of liability of an owner for a violation of
31 subdivision (b), (d), (f) or (g) of section eleven hundred eighty of
32 this chapter imposed pursuant to a demonstration program imposing mone-
33 tary liability on the owner of a vehicle for failure of an operator
34 thereof to comply with such posted maximum speed limits within a highway
35 construction or maintenance work area through the installation and oper-
36 ation of photo speed violation monitoring systems, in accordance with
37 article thirty of this chapter; and (ix) an adjudication of liability of
38 an owner for a violation of bus operation-related traffic regulations as
39 defined by article twenty-four of this chapter imposed pursuant to a
40 demonstration program imposing monetary liability on the owner of a
41 vehicle for failure of an operator thereof to comply with such bus oper-
42 ation-related traffic regulations through the installation and operation
43 of bus operation-related photo devices, in accordance with article twen-
44 ty-four of this chapter; and (x) an adjudication of liability of an
45 owner for a violation of street cleaning parking rules as defined by
46 article twenty-four of this chapter imposed pursuant to a program impos-
47 ing monetary liability on the owner of a vehicle for failure of an
48 operator thereof to comply with such street cleaning parking rules
49 through the installation and operation of street cleaning vehicle photo
50 devices, in accordance with article twenty-four of this chapter, there
51 shall be levied in addition to any sentence, penalty or other surcharge
52 required or permitted by law, an additional surcharge of twenty-eight
53 dollars.

54 § 13. Subdivision 2 of section 87 of the public officers law is
55 amended by adding a new paragraph (v) to read as follows:

1 (v) are photographs, microphotographs, videotape or other recorded
2 images prepared under authority of section eleven hundred eleven-j of
3 the vehicle and traffic law.

4 § 14. The purchase or lease of equipment for a demonstration program
5 established pursuant to section 1111-i of the vehicle and traffic law,
6 as added by section one of this act, shall be subject to the provisions
7 of section 103 of the general municipal law.

8 § 15. This act shall take effect on the one hundred eightieth day
9 after it shall have become a law; provided, however, that sections one,
10 thirteen and fourteen of this act shall expire July 1, 2032, when upon
11 such date the provisions of such sections shall be deemed repealed;
12 provided further, however, that:

13 (a) the amendments to subdivision 1 of section 1809-a of the vehicle
14 and traffic law made by section ten of this act shall not affect the
15 repeal of such section and shall be deemed repealed therewith; and

16 (b) effective immediately, the addition, amendment and/or repeal of
17 any rule or regulation necessary for the implementation of section one
18 of this act on its effective date are authorized to be made and
19 completed on or before such effective date.