

STATE OF NEW YORK

5440

2025-2026 Regular Sessions

IN ASSEMBLY

February 14, 2025

Introduced by M. of A. RAGA -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to owner liability for failure of an operator to comply with traffic control indicators; to amend the public officers law, in relation to access to records prepared pursuant to traffic control indicators; 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:

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

3 § 1111-i. Owner liability for failure of an operator to comply with
4 traffic control indicators. (a) 1. Notwithstanding any other provision
5 of law, the city of New York is hereby authorized to establish a demon-
6 stration program imposing monetary liability on the owner of a vehicle
7 for failure of an operator thereof to comply with posted traffic control
8 indicators in such city in accordance with the provisions of this
9 section. Such demonstration program shall empower the city to install
10 traffic control indicator photo devices on city vehicles and along
11 streets at locations determined by such city and to administer such
12 program in consultation with the New York city department of transporta-
13 tion.

14 2. Any photographs, microphotographs, videotape or other recorded
15 images captured by traffic control indicator photo devices shall be
16 inadmissible in any disciplinary proceeding convened by the city and any
17 proceeding initiated by the city involving licensure privileges of city
18 vehicle operators. Any traffic control indicator photo device mounted
19 along streets at locations determined by New York city or mounted on a
20 city vehicle shall be directed outwardly from such vehicle to capture
21 images of vehicles operated in violation of traffic control indicators,
22 and images produced by such device shall not be used for any other

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

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1 purpose in the absence of a court order requiring such images to be
2 produced.

3 3. No traffic control indicator vehicle photo device shall be used
4 unless on the day it is to be used it has successfully passed a self-
5 test of its functions.

6 4. (i) Such demonstration program shall utilize necessary technologies
7 to ensure, to the extent practicable, that photographs, microphoto-
8 graphs, videotape or other recorded images produced by such traffic
9 control indicator photo device shall not include images that identify
10 the driver, the passengers, or the contents of the vehicle. Provided,
11 however, that no notice of liability issued pursuant to this section
12 shall be dismissed solely because such a photograph, microphotograph,
13 videotape or other recorded image allows for the identification of the
14 driver, the passengers, or the contents of vehicles where the city shows
15 that it made reasonable efforts to comply with the provisions of this
16 paragraph in such case.

17 (ii) Photographs, microphotographs, videotape or any other recorded
18 image from a traffic control indicator photo device shall be for the
19 exclusive use of the city for the purpose of the adjudication of liabil-
20 ity imposed pursuant to this section and of the owner receiving a notice
21 of liability pursuant to this section, and shall be destroyed by the
22 city upon the final resolution of the notice of liability to which such
23 photographs, microphotographs, videotape or other recorded images
24 relate, or one year following the date of issuance of such notice of
25 liability, whichever is later. Notwithstanding the provisions of any
26 other law, rule or regulation to the contrary, photographs, microphoto-
27 graphs, videotape or any other recorded image from a traffic control
28 indicator photo device shall not be open to the public, nor subject to
29 civil or criminal process or discovery, nor used by any court or admin-
30 istrative or adjudicatory body in any action or proceeding therein
31 except that which is necessary for the adjudication of a notice of
32 liability issued pursuant to this section, and no public entity or
33 employee, officer or agent thereof shall disclose such information,
34 except that such photographs, microphotographs, videotape or any other
35 recorded images from such devices:

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

40 (B) (1) shall be furnished when described in a search warrant issued
41 by a court authorized to issue such a search warrant pursuant to article
42 six hundred ninety of the criminal procedure law or a federal court
43 authorized to issue such a search warrant under federal law, where such
44 search warrant states that there is reasonable cause to believe such
45 information constitutes evidence of, or tends to demonstrate that, a
46 misdemeanor or felony offense was committed in this state or another
47 state, or that a particular person participated in the commission of a
48 misdemeanor or felony offense in this state or another state, provided,
49 however, that if such offense was against the laws of another state, the
50 court shall only issue a warrant if the conduct comprising such offense
51 would, if occurring in this state, constitute a misdemeanor or felony
52 against the laws of this state; and

53 (2) shall be furnished in response to a subpoena duces tecum signed by
54 a judge of competent jurisdiction and issued pursuant to article six
55 hundred ten of the criminal procedure law or a judge or magistrate of a
56 federal court authorized to issue such a subpoena duces tecum under

1 federal law, where the judge finds and the subpoena states that there is
2 reasonable cause to believe such information is relevant and material to
3 the prosecution, or the defense, or the investigation by an authorized
4 law enforcement official, of the alleged commission of a misdemeanor or
5 felony in this state or another state, provided, however, that if such
6 offense was against the laws of another state, such judge or magistrate
7 shall only issue such subpoena if the conduct comprising such offense
8 would, if occurring in this state, constitute a misdemeanor or felony in
9 this state; and

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

13 5. Every city vehicle upon which a traffic control indicator photo
14 device is installed and operated pursuant to a demonstration program
15 authorized pursuant to this section shall be equipped with signs, plac-
16 ards or other displays giving notice to approaching motor vehicle opera-
17 tors that traffic control indicator photo devices are used to enforce
18 traffic control indicators.

19 6. Warning notices of violation shall be issued during the first sixty
20 days that traffic control indicator photo devices pursuant to a demon-
21 stration program authorized by this section are active and in operation.

22 7. The city shall adopt and enforce measures:

23 (i) to upgrade signage at regular intervals stating that traffic
24 control indicator photo devices are used to enforce traffic control
25 indicators along such routes; and

26 (ii) to prohibit the use or dissemination of vehicles' license plate
27 information and other information and images captured by traffic control
28 indicator photo devices except: (A) as required to establish liability
29 under this section or collect payment of penalties; (B) as required by
30 court order; or (C) as otherwise required by law.

31 (b) If the city has established a program pursuant to subdivision (a)
32 of this section, the owner of a vehicle shall be liable for a penalty
33 imposed pursuant to this section if such vehicle was parked in violation
34 of any parking rule of such city and such violation is evidenced by
35 information obtained from a traffic control indicator photo device.

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

38 1. "City" shall mean the city of New York.

39 2. "Manual on uniform traffic control devices" or "MUTCD" shall mean
40 the manual and specifications for a uniform system of traffic control
41 devices maintained by the commissioner of transportation pursuant to
42 section sixteen hundred eighty of this chapter.

43 3. "Owner" shall have the meaning provided in article two-B of this
44 chapter.

45 4. "Traffic control indicators" shall mean the prohibited parking,
46 standing or stopping of any vehicle by the city of New York during
47 designated time periods as posted by signs or street markings pursuant
48 to the rules of the New York city department of transportation.

49 5. "Traffic control indicator photo device" shall mean a device that
50 is mounted along streets at locations determined by New York city as
51 well as a device that is mounted on a vehicle, is capable of operating
52 independently of an enforcement officer and produces one or more images
53 of each vehicle at the time it is in violation of traffic control indi-
54 cators.

55 (d) A certificate, sworn to or affirmed by a technician employed by
56 the city, or a facsimile thereof, based upon inspection of photographs,

1 microphotographs, videotape or other recorded images produced by a traf-
2 fic control indicator photo device, shall be prima facie evidence of the
3 facts contained therein. Any photographs, microphotographs, videotape or
4 other recorded images evidencing such a violation shall be available for
5 inspection in any proceeding to adjudicate the liability for such
6 violation pursuant to this section.

7 (e) An owner liable for a violation of a parking rule imposed on any
8 route shall be liable for monetary penalties in accordance with a sched-
9 ule of fines and penalties promulgated by the parking violations bureau
10 of the city of New York; provided, however, that the monetary penalty
11 for violating a parking rule shall not exceed fifty dollars for the
12 first violation; one hundred dollars for a second violation within a
13 twelve-month period; one hundred fifty dollars for a third violation
14 within a twelve-month period; two hundred dollars for a fourth violation
15 within a twelve-month period; and two hundred fifty dollars for each
16 subsequent violation within a twelve-month period; provided, further,
17 that an owner shall be liable for an additional penalty not to exceed
18 twenty-five dollars for each violation for the failure to respond to a
19 notice of liability within the prescribed time period.

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

25 (g) 1. A notice of liability shall be sent by first class mail to each
26 person alleged to be liable as an owner for a violation of a parking
27 rule. Personal delivery on the owner shall not be required. A manual or
28 automatic record of mailing prepared in the ordinary course of business
29 shall be prima facie evidence of the facts contained therein.

30 2. A notice of liability shall contain the name and address of the
31 person alleged to be liable as an owner for violation of a parking rule,
32 the registration number of the vehicle involved in such violation, the
33 location where such violation took place including the street or cross
34 streets, one or more images identifying the violation, the date and time
35 of such violation and the identification number of the traffic control
36 indicator photo device that recorded the violation or other document
37 locator number.

38 3. The notice of liability shall contain information advising the
39 person charged of the manner and the time in which such person may
40 contest the liability alleged in the notice. Such notice of liability
41 shall also contain a warning to advise the person charged that failure
42 to contest in the manner and time provided shall be deemed an admission
43 of liability and that a default judgment may be entered thereon.

44 4. The notice of liability shall be prepared and mailed by the agency
45 or agencies designated by the city, or any other entity authorized by
46 such city to prepare and mail such notification of violation.

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

49 (h) If an owner of a vehicle receives a notice of liability pursuant
50 to this section for any time period during which the vehicle was
51 reported to the police department as having been stolen, it shall be a
52 valid defense to an allegation of liability for violation of a parking
53 rule of such city, that the vehicle had been reported to the police as
54 stolen prior to the time the violation occurred and had not been recov-
55 ered by such time. For purposes of asserting the defense provided by
56 this subdivision it shall be sufficient that a certified copy of the

1 police report on the stolen vehicle be sent by first class mail to the
2 city parking violations bureau.

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

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

9 (ii) within thirty-seven days after receiving notice from such bureau
10 of the date and time of such liability, together with the other informa-
11 tion contained in the original notice of liability, the lessor submits
12 to such bureau the correct name and address of the lessee of the vehicle
13 identified in the notice of liability at the time of such violation,
14 together with such other additional information contained in the rental,
15 lease or other contract document, as may be reasonably required by such
16 bureau pursuant to regulations that may be promulgated for such purpose.

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

20 3. Where the lessor complies with the provisions of paragraph one of
21 this subdivision, the lessee of such vehicle on the date of such
22 violation shall be deemed to be the owner of such vehicle for purposes
23 of this section, shall be subject to liability for such violation pursu-
24 ant to this section, and shall be sent a notice of liability pursuant to
25 subdivision (g) of this section.

26 (j) Nothing in this section shall be construed to limit the liability
27 of an operator of a vehicle for any violation of a parking rule.

28 (k) If the city adopts a demonstration program pursuant to subdivision
29 (a) of this section, such city's department of transportation shall
30 submit a report on the results of the use of traffic control indicator
31 photo devices to the governor, the temporary president of the senate,
32 and the speaker of the assembly two years after the demonstration is
33 adopted. The department of transportation of the city of New York shall
34 also make such reports available on their public-facing websites,
35 provided that they may provide aggregate data from paragraph one of this
36 subdivision if the city finds that publishing specific location data
37 would jeopardize public safety. Such report shall include, but not be
38 limited to:

39 1. a description of the locations and/or vehicles where traffic
40 control indicator vehicle photo devices were used;

41 2. the total number of violations recorded on a monthly and annual
42 basis;

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

44 4. the number of fines and total amount of fines paid after the first
45 notice of liability;

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

48 6. the total amount of revenue realized by such city and department
49 and an itemized list of expenditures made by the city and department
50 with these revenues;

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

52 8. the total number of cameras by type of camera used; and

53 9. the total cost to such city.

54 (l) It shall be a defense to any prosecution for a violation of a
55 parking rule pursuant to a demonstration program adopted pursuant to

1 this section that such traffic control indicator photo devices were
2 malfunctioning at the time of the alleged violation.

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

6 1. Notwithstanding any inconsistent provision of any general, special
7 or local law or administrative code to the contrary, in any city which
8 heretofore or hereafter is authorized to establish an administrative
9 tribunal: (a) to hear and determine complaints of traffic infractions
10 constituting parking, standing or stopping violations, or (b) to adjudi-
11 cate the liability of owners for violations of subdivision (d) of
12 section eleven hundred eleven of this chapter imposed pursuant to a
13 local law or ordinance imposing monetary liability on the owner of a
14 vehicle for failure of an operator thereof to comply with traffic-con-
15 trol indications through the installation and operation of traffic-con-
16 trol signal photo violation-monitoring systems, in accordance with arti-
17 cle twenty-four of this chapter, or (c) to adjudicate the liability of
18 owners for violations of subdivision (b), (c), (d), (f) or (g) of
19 section eleven hundred eighty of this chapter imposed pursuant to a
20 demonstration program imposing monetary liability on the owner of a
21 vehicle for failure of an operator thereof to comply with such posted
22 maximum speed limits through the installation and operation of photo
23 speed violation monitoring systems, in accordance with article thirty of
24 this chapter, or (d) to adjudicate the liability of owners for
25 violations of bus lane restrictions as defined by article twenty-four of
26 this chapter imposed pursuant to a bus rapid transit program imposing
27 monetary liability on the owner of a vehicle for failure of an operator
28 thereof to comply with such bus lane restrictions through the installa-
29 tion and operation of bus lane photo devices, in accordance with article
30 twenty-four of this chapter, or (e) to adjudicate the liability of
31 owners for violations of toll collection regulations imposed by certain
32 public authorities pursuant to the law authorizing such public authori-
33 ties to impose monetary liability on the owner of a vehicle for failure
34 of an operator thereof to comply with toll collection regulations of
35 such public authorities through the installation and operation of
36 photo-monitoring systems, in accordance with the provisions of section
37 two thousand nine hundred eighty-five of the public authorities law and
38 sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred
39 seventy-four of the laws of nineteen hundred fifty, or (f) to adjudicate
40 the liability of owners for violations of section eleven hundred seven-
41 ty-four of this chapter when meeting a school bus marked and equipped as
42 provided in subdivisions twenty and twenty-one-c of section three
43 hundred seventy-five of this chapter imposed pursuant to a local law or
44 ordinance imposing monetary liability on the owner of a vehicle for
45 failure of an operator thereof to comply with school bus red visual
46 signals through the installation and operation of school bus photo
47 violation monitoring systems, in accordance with article twenty-nine of
48 this chapter, or (g) to adjudicate the liability of owners for
49 violations of section three hundred eighty-five of this chapter and the
50 rules of the department of transportation of the city of New York in
51 relation to gross vehicle weight and/or axle weight violations imposed
52 pursuant to a weigh in motion demonstration program imposing monetary
53 liability on the owner of a vehicle for failure of an operator thereof
54 to comply with such gross vehicle weight and/or axle weight restrictions
55 through the installation and operation of weigh in motion violation
56 monitoring systems, in accordance with article ten of this chapter, or

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

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

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

1 the public authorities law and sections sixteen-a, sixteen-b and
2 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
3 hundred fifty, or (e) to adjudicate the liability of owners for
4 violations of section eleven hundred seventy-four of this chapter when
5 meeting a school bus marked and equipped as provided in subdivisions
6 twenty and twenty-one-c of section three hundred seventy-five of this
7 chapter imposed pursuant to a local law or ordinance imposing monetary
8 liability on the owner of a vehicle for failure of an operator thereof
9 to comply with school bus red visual signals through the installation
10 and operation of school bus photo violation monitoring systems, in
11 accordance with article twenty-nine of this chapter, or (f) to adjudi-
12 cate the liability of owners for violations of section three hundred
13 eighty-five of this chapter and the rules of the department of transpor-
14 tation of the city of New York in relation to gross vehicle weight
15 and/or axle weight violations imposed pursuant to a weigh in motion
16 demonstration program imposing monetary liability on the owner of a
17 vehicle for failure of an operator thereof to comply with such gross
18 vehicle weight and/or axle weight restrictions through the installation
19 and operation of weigh in motion violation monitoring systems, in
20 accordance with article ten of this chapter, or (g) to adjudicate the
21 liability of owners for violations of subdivision (b), (d), (f) or (g)
22 of section eleven hundred eighty of this chapter imposed pursuant to a
23 demonstration program imposing monetary liability on the owner of a
24 vehicle for failure of an operator thereof to comply with such posted
25 maximum speed limits within a highway construction or maintenance work
26 area through the installation and operation of photo speed violation
27 monitoring systems, in accordance with article thirty of this chapter,
28 or (h) to adjudicate the liability of owners for violations of bus oper-
29 ation-related traffic regulations as defined by article twenty-four of
30 this chapter imposed pursuant to a demonstration program imposing mone-
31 tary liability on the owner of a vehicle for failure of an operator
32 thereof to comply with such bus operation-related traffic regulations
33 through the installation and operation of bus operation-related photo
34 devices, in accordance with article twenty-four of this chapter, or (i)
35 to adjudicate the liability of owners for violations of traffic control
36 indicators as defined by article twenty-four of this chapter imposed
37 pursuant to a program imposing monetary liability on the owner of a
38 vehicle for failure of an operator thereof to comply with such traffic
39 control indicators through the installation and operation of traffic
40 control indicator photo devices, in accordance with article twenty-four
41 of this chapter. Such tribunal, except in a city with a population of
42 one million or more, shall also have jurisdiction of abandoned vehicle
43 violations. For the purposes of this article, a parking violation is the
44 violation of any law, rule or regulation providing for or regulating the
45 parking, stopping or standing of a vehicle. In addition for purposes of
46 this article, "commissioner" shall mean and include the commissioner of
47 traffic of the city or an official possessing authority as such a
48 commissioner.

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

52 f. "Notice of violation" means a notice of violation as defined in
53 subdivision nine of section two hundred thirty-seven of this article,
54 but shall not be deemed to include a notice of liability issued pursuant
55 to authorization set forth in articles ten, twenty-four, twenty-nine and
56 thirty of this chapter, section two thousand nine hundred eighty-five of

1 the public authorities law and sections sixteen-a, sixteen-b and
2 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
3 hundred fifty to impose monetary liability on the owner of a vehicle for
4 failure of an operator thereof: to comply with traffic-control indi-
5 cations in violation of subdivision (d) of section eleven hundred eleven
6 of this chapter through the installation and operation of traffic-con-
7 trol signal photo violation-monitoring systems, in accordance with arti-
8 cle twenty-four of this chapter; or to comply with certain posted maxi-
9 mum speed limits in violation of subdivision (b), (c), (d), (f) or (g)
10 of section eleven hundred eighty of this chapter through the installa-
11 tion and operation of photo speed violation monitoring systems, in
12 accordance with article thirty of this chapter; or to comply with bus
13 lane restrictions as defined by article twenty-four of this chapter
14 through the installation and operation of bus lane photo devices, in
15 accordance with article twenty-four of this chapter; or to comply with
16 toll collection regulations of certain public authorities through the
17 installation and operation of photo-monitoring systems, in accordance
18 with the provisions of section two thousand nine hundred eighty-five of
19 the public authorities law and sections sixteen-a, sixteen-b and
20 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
21 hundred fifty; or to stop for a school bus displaying a red visual
22 signal in violation of section eleven hundred seventy-four of this chap-
23 ter through the installation and operation of school bus photo violation
24 monitoring systems, in accordance with article twenty-nine of this chap-
25 ter; or to comply with certain posted maximum speed limits in violation
26 of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of
27 this chapter within a highway construction or maintenance work area
28 through the installation and operation of photo speed violation monitor-
29 ing systems, in accordance with article thirty of this chapter; or to
30 comply with gross vehicle weight and/or axle weight restrictions in
31 violation of section three hundred eighty-five of this chapter and the
32 rules of the department of transportation of the city of New York
33 through the installation and operation of weigh in motion violation
34 monitoring systems, in accordance with article ten of this chapter; or
35 to comply with bus operation-related traffic regulations as defined by
36 article twenty-four of this chapter in violation of the rules of the
37 department of transportation of the city of New York through the instal-
38 lation and operation of bus operation-related photo devices, in accord-
39 ance with article twenty-four of this chapter; or to comply with traffic
40 control indicators as defined by article twenty-four of this chapter
41 through the installation and operation of traffic control indicator
42 photo devices, in accordance with article twenty-four of this chapter.

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

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

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

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

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

32 In a city having a population of one million or more, at every hearing
33 for the adjudication of a notice of liability, as provided by this arti-
34 cle, there shall be a rebuttable presumption that the owner of a first-
35 response emergency vehicle alleged to be liable in accordance with any
36 provisions of law specifically authorizing the imposition of monetary
37 liability on the owner of a vehicle for failure of an operator thereof:
38 to comply with traffic-control indications in violation of subdivision
39 (d) of section eleven hundred eleven of this chapter through the instal-
40 lation and operation of traffic-control signal photo violation-monitor-
41 ing systems, in accordance with article twenty-four of this chapter; or
42 to comply with certain posted maximum speed limits in violation of
43 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
44 of this chapter through the installation and operation of photo speed
45 violation monitoring systems, in accordance with article thirty of this
46 chapter; or to comply with bus lane restrictions as defined by article
47 twenty-four of this chapter through the installation and operation of
48 bus lane photo devices, in accordance with article twenty-four of this
49 chapter; or to comply with bus operation-related traffic regulations as
50 defined by article twenty-four of this chapter in violation of the rules
51 of the department of transportation of the city of New York through the
52 installation and operation of bus operation-related photo devices, in
53 accordance with article twenty-four of this chapter; or to comply with
54 traffic control indicators as defined by article twenty-four of this
55 chapter through the installation and operation of traffic control indi-
56 cator photo devices, in accordance with article twenty-four of this

1 chapter is not liable for such alleged violation if such owner of the
2 first-response emergency vehicle provides the hearing officer with:

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

6 a. Every hearing for the adjudication of a charge of parking violation
7 or an allegation of liability of an owner for a violation of subdivision
8 (d) of section eleven hundred eleven of this chapter imposed pursuant to
9 a local law or ordinance imposing monetary liability on the owner of a
10 vehicle for failure of an operator thereof to comply with traffic-control
11 indications through the installation and operation of traffic-control
12 signal photo violation-monitoring systems, in accordance with article
13 twenty-four of this chapter, or an allegation of liability of an
14 owner for a violation of subdivision (b), (c), (d), (f) or (g) of
15 section eleven hundred eighty 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 certain posted
18 maximum speed limits through the installation and operation of photo
19 speed violation monitoring systems, in accordance with article thirty of
20 this chapter, or an allegation of liability of an owner for a violation
21 of bus lane restrictions as defined by article twenty-four of this chapter
22 imposed pursuant to a bus rapid transit program imposing monetary
23 liability on the owner of a vehicle for failure of an operator thereof
24 to comply with such bus lane restrictions through the installation and
25 operation of bus lane photo devices, in accordance with article twenty-
26 four of this chapter, or an allegation of liability of an owner for a
27 violation of toll collection regulations imposed by certain public
28 authorities pursuant to the law authorizing such public authorities to
29 impose monetary liability on the owner of a vehicle for failure of an
30 operator thereof to comply with toll collection regulations of such
31 public authorities through the installation and operation of photo-monitoring
32 systems, in accordance with the provisions of section two thousand
33 nine hundred eighty-five of the public authorities law and sections
34 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four
35 of the laws of nineteen hundred fifty, or an allegation of liability of
36 an owner for a violation of section eleven hundred seventy-four of this
37 chapter when meeting a school bus marked and equipped as provided in
38 subdivisions twenty and twenty-one-c of section three hundred seventy-
39 five of this chapter imposed pursuant to a local law or ordinance imposing
40 monetary liability on the owner of a vehicle for failure of an operator
41 thereof to comply with school bus red visual signals through the
42 installation and operation of school bus photo violation monitoring
43 systems, in accordance with article twenty-nine of this chapter, or an
44 allegation of liability of an owner for a violation of subdivision (b),
45 (d), (f) or (g) of section eleven hundred eighty of this chapter imposed
46 pursuant to a demonstration program imposing monetary liability on the
47 owner of a vehicle for failure of an operator thereof to comply with
48 certain posted maximum speed limits within a highway construction or
49 maintenance work area through the installation and operation of photo
50 speed violation monitoring systems, in accordance with article thirty of
51 this chapter, or an allegation of liability of an owner for a violation
52 of section three hundred eighty-five of this chapter and the rules of
53 the department of transportation of the city of New York in relation to
54 gross vehicle weight and/or axle weight violations imposed pursuant to a
55 weigh in motion demonstration program imposing monetary liability on the
56 owner of a vehicle for failure of an operator thereof to comply with

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

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

1 ance with article twenty-four of this chapter; or to comply with traffic
2 control indicators as defined by article twenty-four of this chapter
3 through the installation and operation of traffic control indicator
4 photo devices, in accordance with article twenty-four of this chapter,
5 is contested. Recording devices may be used for the making of the
6 record.

7 § 7. Subdivisions 1 and 2 of section 241 of the vehicle and traffic
8 law, as amended by section 7 of part MM of chapter 56 of the laws of
9 2023, are amended to read as follows:

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

1 nation roll maintained by the bureau together with records showing
2 payment and nonpayment of penalties.

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

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

1 thirty of this chapter; to comply with bus lane restrictions as defined
2 by article twenty-four of this chapter through the installation and
3 operation of bus lane photo devices, in accordance with article twenty-
4 four of this chapter; to comply with toll collection regulations of
5 certain public authorities through the installation and operation of
6 photo-monitoring systems, in accordance with the provisions of section
7 two thousand nine hundred eighty-five of the public authorities law and
8 sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred
9 seventy-four of the laws of nineteen hundred fifty; to stop for a school
10 bus displaying a red visual signal in violation of section eleven
11 hundred seventy-four of this chapter through the installation and opera-
12 tion of school bus photo violation monitoring systems, in accordance
13 with article twenty-nine of this chapter; to comply with certain posted
14 maximum speed limits in violation of subdivision (b), (d), (f) or (g) of
15 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; 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 traffic control indicators as defined by
29 article twenty-four of this chapter through the installation and opera-
30 tion of traffic control indicator photo devices, in accordance with
31 article twenty-four of this chapter; or making an appearance within
32 thirty days of the sending of such notice. Pleas entered and allegations
33 contested within that period shall be in the manner prescribed in the
34 notice and not subject to additional penalty or fee. Such notice of
35 impending default judgment shall not be required prior to the rendering
36 and entry thereof in the case of operators or owners who are non-resi-
37 dents of the state of New York. In no case shall a default judgment be
38 rendered or, where required, a notice of impending default judgment be
39 sent, more than two years after the expiration of the time prescribed
40 for entering a plea or contesting an allegation. When a person has
41 demanded a hearing, no fine or penalty shall be imposed for any reason,
42 prior to the holding of the hearing. If the hearing examiner shall make
43 a determination on the charges, sustaining them, ~~he or she~~ such exam-
44 iner shall impose no greater penalty or fine than those upon which the
45 person was originally charged.

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

49 (i) If at the time of application for a registration or renewal there-
50 of there is a certification from a court, parking violations bureau,
51 traffic and parking violations agency or administrative tribunal of
52 appropriate jurisdiction that the registrant or ~~his or her~~ their
53 representative failed to appear on the return date or any subsequent
54 adjourned date or failed to comply with the rules and regulations of an
55 administrative tribunal following entry of a final decision in response
56 to a total of three or more summonses or other process in the aggregate,

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

1 (ix) the registrant was liable for a violation of traffic control indi-
2 cators as defined by article twenty-four of this chapter imposed pursu-
3 ant to a program imposing monetary liability on the owner of a vehicle
4 for failure of an operator thereof to comply with such traffic control
5 indicators through the installation and operation of traffic control
6 indicator photo devices, in accordance with article twenty-four of this
7 chapter, the commissioner or [~~his or her~~] their agent shall deny the
8 registration or renewal application until the applicant provides proof
9 from the court, traffic and parking violations agency or administrative
10 tribunal wherein the charges are pending that an appearance or answer
11 has been made or in the case of an administrative tribunal that [~~he or~~
12 ~~she~~] such applicant has complied with the rules and regulations of said
13 tribunal following entry of a final decision. Where an application is
14 denied pursuant to this section, the commissioner may, in [~~his or her~~]
15 their discretion, deny a registration or renewal application to any
16 other person for the same vehicle and may deny a registration or renewal
17 application for any other motor vehicle registered in the name of the
18 applicant where the commissioner has determined that such registrant's
19 intent has been to evade the purposes of this subdivision and where the
20 commissioner has reasonable grounds to believe that such registration or
21 renewal will have the effect of defeating the purposes of this subdivi-
22 sion. Such denial shall only remain in effect as long as the summonses
23 remain unanswered, or in the case of an administrative tribunal, the
24 registrant fails to comply with the rules and regulations following
25 entry of a final decision.

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

29 1-a. Notwithstanding the provisions of subdivision one of this
30 section, the provisions of subdivision one of this section shall not
31 apply to an adjudication of liability of owners: (a) for violations of
32 subdivision (d) of section eleven hundred eleven of this chapter imposed
33 pursuant to a local law or ordinance imposing monetary liability on the
34 owner of a vehicle for failure of an operator thereof to comply with
35 traffic-control indications through the installation and operation of
36 traffic-control signal photo violation-monitoring systems, in accordance
37 with article twenty-four of this chapter; or (b) for violations of
38 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
39 of this chapter imposed pursuant to a demonstration program imposing
40 monetary liability on the owner of a vehicle for failure of an operator
41 thereof to comply with such posted maximum speed limits through the
42 installation and operation of photo speed violation monitoring systems,
43 in accordance with article thirty of this chapter; or (c) for violations
44 of bus lane restrictions as defined by article twenty-four of this chap-
45 ter imposed pursuant to a bus rapid transit program imposing monetary
46 liability on the owner of a vehicle for failure of an operator thereof
47 to comply with such bus lane restrictions through the installation and
48 operation of bus lane photo devices, in accordance with article twenty-
49 four of this chapter; or (d) for violations of toll collection regu-
50 lations imposed by certain public authorities pursuant to the law
51 authorizing such public authorities to impose monetary liability on the
52 owner of a vehicle for failure of an operator thereof to comply with
53 toll collection regulations of such public authorities through the
54 installation and operation of photo-monitoring systems, in accordance
55 with the provisions of section two thousand nine hundred eighty-five of
56 the public authorities law and sections sixteen-a, sixteen-b and

1 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
2 hundred fifty; or (e) for violations of section eleven hundred seventy-
3 four of this chapter when meeting a school bus marked and equipped as
4 provided in subdivisions twenty and twenty-one-c of section three
5 hundred seventy-five of this chapter imposed pursuant to a local law or
6 ordinance imposing monetary liability on the owner of a vehicle for
7 failure of an operator thereof to comply with school bus red visual
8 signals through the installation and operation of school bus photo
9 violation monitoring systems, in accordance with article twenty-nine of
10 this chapter; or (f) for violations of section three hundred eighty-five
11 of this chapter and the rules of the department of transportation of the
12 city of New York in relation to gross vehicle weight and/or axle weight
13 violations imposed pursuant to a weigh in motion demonstration program
14 imposing monetary liability on the owner of a vehicle for failure of an
15 operator thereof to comply with such gross vehicle weight and/or axle
16 weight restrictions through the installation and operation of weigh in
17 motion violation monitoring systems, in accordance with article ten of
18 this chapter; or (g) for violations of subdivision (b), (d), (f) or (g)
19 of section eleven hundred eighty of this chapter imposed pursuant to a
20 demonstration program imposing monetary liability on the owner of a
21 vehicle for failure of an operator thereof to comply with such posted
22 maximum speed limits within a highway construction or maintenance work
23 area through the installation and operation of photo speed violation
24 monitoring systems, in accordance with article thirty of this chapter;
25 or (h) for violations of bus operation-related traffic regulations as
26 defined by article twenty-four of this chapter imposed pursuant to a
27 demonstration program imposing monetary liability on the owner of a
28 vehicle for failure of an operator thereof to comply with such bus oper-
29 ation-related traffic regulations through the installation and operation
30 of bus operation-related photo devices, in accordance with article twen-
31 ty-four of this chapter; or (i) for violations of traffic control indi-
32 cators as defined by article twenty-four of this chapter imposed pursu-
33 ant to a program imposing monetary liability on the owner of a vehicle
34 for failure of an operator thereof to comply with such traffic control
35 indicators through the installation and operation of traffic control
36 indicator photo devices, in accordance with article twenty-four of this
37 chapter.

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

41 1. The provisions of any other general or special law notwithstanding,
42 whenever, in a city having a population of one hundred thousand or more
43 according to the nineteen hundred eighty United States census,
44 proceedings in an administrative tribunal or a court result in a finding
45 of liability, or conviction for the violation of any statute, local law,
46 ordinance or rule involving the parking, stopping or standing of a motor
47 vehicle, except (a) an adjudication of liability of an owner for a
48 violation of bus operation-related traffic regulations as defined by
49 article twenty-four of this chapter imposed pursuant to a demonstration
50 program imposing monetary liability on the owner of a vehicle for fail-
51 ure of an operator thereof to comply with such bus operation-related
52 traffic regulations through the installation and operation of bus opera-
53 tion-related photo devices, in accordance with article twenty-four of
54 this chapter, or (b) an adjudication of liability of an owner for a
55 violation of traffic control indicators as defined by article twenty-
56 four of this chapter imposed pursuant to a program imposing monetary

1 liability on the owner of a vehicle for failure of an operator thereof
2 to comply with such traffic control indicators through the installation
3 and operation of traffic control indicator photo devices, in accordance
4 with article twenty-four of this chapter, there shall be levied a manda-
5 tory surcharge in addition to any other sentence, fine or penalty other-
6 wise permitted or required, in the amount of fifteen dollars. Such
7 surcharge shall not be deemed a monetary penalty for the purposes of
8 section two hundred thirty-seven of this chapter or section 19-203 of
9 the administrative code of the city of New York.

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

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

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

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

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

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

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

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

10 § 15. This act shall take effect one year after it shall have become a
11 law; provided, however, that sections one, thirteen and fourteen of this
12 act shall expire six years after it shall have become a law, when upon
13 such date the provisions of such sections shall be deemed repealed;
14 provided further, however, that:

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

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