

STATE OF NEW YORK

7868--A

2025-2026 Regular Sessions

IN ASSEMBLY

April 11, 2025

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

AN ACT to amend the vehicle and traffic law, in relation to establishing a fixed fee for the purchase of registration lists and title information

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

1 Section 1. Subdivision 4 of section 202 of the vehicle and traffic
2 law, as amended by chapter 61 of the laws of 1989, the subdivision head-
3 ing and paragraphs (a) and (e) as amended by chapter 496 of the laws of
4 1995, and paragraph (b) as amended by chapter 293 of the laws of 1989,
5 is amended and a new subdivision 6 is added to read as follows:
6 4. Registration lists and title information. (a) The commissioner
7 shall have discretion to contract with [~~the highest responsible~~ **any**
8 **successful** bidder or bidders to furnish the registration information
9 specified in this section from the records of all vehicle registrations
10 from any registration period, or number of periods not exceeding five
11 years in the aggregate, with respect to a given territory or information
12 on titles. In such event, the fees provided by this section shall not
13 apply to copies of records furnished under any such contract. Any such
14 contract entered into by the commissioner pursuant to this section shall
15 not be for a term of more than two years and shall contain language
16 prohibiting [~~the~~] **any** successful bidder **or bidders** from assigning the
17 contract and from any use or resale of the information received which
18 use or resale is contrary to the public policy of this state or is
19 contrary to the public morals or welfare. In addition, any such sale of
20 registration information shall be limited to only that part of the vehi-
21 cle registration records describing the name and address of the owner of
22 the vehicle and the make, model, year, weight, body style, number of

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

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1 passengers and cylinders, fuel, license number, type of registration and
2 transaction, validation and expiration date and vehicle identification
3 number of the vehicle.

4 (a-1) The commissioner shall affix a cost for the sale of such lists
5 or other records specified in paragraph (a) of this subdivision in bulk
6 not to exceed the annual cost of one million five hundred twenty thou-
7 sand dollars (\$1,520,000).

8 (b) The commissioner shall notify each vehicle registrant that the
9 registration information specified in paragraph (a) of this subdivision
10 has been or will be furnished to the contracting party. The commissioner
11 shall inform each vehicle registrant when such registrant first makes
12 application for a vehicle registration or when such registrant applies
13 to renew an existing vehicle registration how to achieve the deletion of
14 such information from the contracting party's file. The contract between
15 the commissioner and the contracting party shall provide that, upon the
16 request of the registrant made in such manner and in such form as shall
17 be prescribed by the commissioner, such registration information shall
18 be deleted from the contracting party's file for all purposes, except:
19 (i) issuance of manufacturer's warranty, safety recall or similar
20 notices, or (ii) statistical complications, or (iii) for use by any
21 insurer or by a self-insured entity or its agents, employees, or
22 contractor, in connection with motor vehicle claims investigation activ-
23 ities, antifraud activities, rating or underwriting.

24 (b-1) Vehicle accident report information and emissions information.
25 The commissioner shall have discretion to contract with responsible
26 vendors to furnish the vehicle accident report and emissions information
27 specified in this subdivision from the records of all vehicle accident
28 reports and emissions information in bulk for all accidents and emission
29 inspection records occurring during the course of the contract for use
30 in vehicle history reports. The vendors shall pay a fee for such infor-
31 mation with the combined cost not to exceed thirty percent of the bulk
32 title and registration fee. In such event, the fees provided by this
33 section shall not apply to copies of records furnished under any such
34 contract for the vehicle accident information. Any such contract entered
35 into by the commissioner pursuant to this section shall not be for a
36 term of more than two years and shall contain language prohibiting
37 successful vendors from assigning the contract and from any use or
38 resale of the information received which use or resale is contrary to
39 the public policy of this state or is contrary to the public morals or
40 welfare. Such bulk data set may include all requested relevant fields of
41 data but shall not contain personal information.

42 (c) Any material violation of the terms of such contract by ~~the~~ any
43 successful bidder or bidders not corrected or discontinued within thirty
44 days following receipt of notice of such violation will automatically
45 cancel and void its contract with the commissioner and disqualify it
46 from bidding for the five successive years following such cancellation.

47 (d) Any contract authorized by this section shall be subject to the
48 provisions of article nine of the state finance law.

49 (e) The commissioner may from time to time require that the contract-
50 ing party pursuant to this section submit written reports, in form
51 satisfactory to the commissioner, concerning the use of such registra-
52 tion or title information.

53 6. Additional requirements. The commissioner may require:

54 (a) Each successful bidder or bidders to post a performance bond in an
55 amount of not more than one million dollars;

1 (b) A prohibition on the sale or redisclosure of the personal informa-
2 tion for the purpose of marketing extended vehicle warranties;

3 (c) A requirement that the bidder or bidders provide proof of general
4 liability and cyber-threat insurance coverage in an amount specified by
5 the contracting agency that is:

6 (i) In the amount of three million dollars; and

7 (ii) Reasonably related to the risks associated with unauthorized
8 access and use of the records;

9 (d) A requirement that the bidder or bidders include in each contract
10 with a third party that receives the personal information from the
11 bidder or bidders that the third party must comply with federal and
12 state laws regarding the records;

13 (e) A requirement that the bidder or bidders and any third party
14 receiving the personal information from the requestor protect the
15 personal information with appropriate and accepted industry standard
16 security measures for the type of information and the known risks from
17 unauthorized access and use of the information; and

18 (f) A requirement that the bidder or bidders annually provide to the
19 agency a report of all third parties to which the personal information
20 was disclosed under this section and the purpose of such disclosure.

21 § 2. This act shall take effect immediately.