STATE OF NEW YORK

975--A

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. MAGNARELLI, HEVESI, BICHOTTE HERMELYN, SIMONE, GONZALEZ-ROJAS, ALVAREZ, SIMON, SEAWRIGHT, R. CARROLL, MAMDANI, CUNNINGHAM, EPSTEIN, GLICK, TAYLOR, DINOWITZ, GALLAGHER, TAPIA -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to suspending the registration of a vehicle which has been documented five times by a photo violation monitoring device for failure of an operator thereof to comply with traffic-control indications

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

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

4-i. Suspension of registration for imposition of liability through the use of traffic-control signal photo violation-monitoring systems. (a) Upon the receipt of a notification from a court or an administrative tribunal that an owner of a motor vehicle has been found monetarily liable by a court or an administrative tribunal for failure of an operator thereof to comply with traffic-control indications in violation of subdivision (d) of section eleven hundred eleven of this chapter through the installation and operation of traffic-control signal photo violation-monitoring systems in accordance with article twenty-four of this chapter, following entry of a final decision or decisions in response to five or more notices of liability, issued within an eighteen month period, imposing monetary liability on the owner of such vehicle for failure of an operator thereof to comply with traffic-control indications in violation of subdivision (d) of section eleven hundred eleven of this chapter through the installation and operation of traffic-control signal photo violation-monitoring systems in accordance with article twenty-

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

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

(b) In addition to complying with the requirements of article twenty-four of this chapter, a notice of liability issued to owners of motor vehicles for violations of subdivision (d) of section eleven hundred eleven of this chapter imposed for failure of an operator thereof to comply with traffic-control indications through the installation and operation of traffic-control signal photo violation-monitoring systems, in accordance with article twenty-four of this chapter, shall contain a warning to advise the persons charged that following entry of a final decision or decisions in response to five or more notices of liability issued within a period of eighteen months imposing liability upon such person as an owner for such violation, the registration of the motor vehicle involved in such violations shall be suspended for a period of ninety days.

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

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

(a) (i) Upon a judgment of conviction of any person of [~~(a)~~] (1) homicide or assault arising out of the operation of a motor vehicle, [~~(b)~~] (2) criminally negligent homicide arising out of the operation of a motor vehicle, [~~(c)~~] (3) a felony involving the use of a commercial motor vehicle, [~~(d)~~] (4) a violation of any of the provisions of this chapter (except one relating to parking, stopping or standing) or [~~(e)~~] (5) a violation of any law, ordinance, rule or regulation made by local authorities in relation to traffic (except one relating to parking, stopping or standing) or upon the forfeiture of bail given upon a charge of violating any such provision, law, ordinance, rule or regulation[~~,~~]; or (ii) upon entry of a final decision imposing monetary liability upon a person as a motor vehicle owner for a violation of subdivision (d) of section eleven hundred eleven of this chapter pursuant to a demonstration program established pursuant to article twenty-four of this chapter, the court or the clerk thereof shall within fifteen days certify the facts of the case or the finding of liability to the commissioner in such form and in such manner as may be prescribed by the commissioner, who shall record the same in [~~his~~] their office. Such certificate shall be presumptive evidence of the facts recited therein. If any such conviction or finding of liability shall be reversed upon appeal therefrom, or shall be vacated or set aside, the person whose conviction or finding of liability has been so reversed, vacated or set aside may serve on the commissioner a certified copy of the appropriate order and the commissioner shall thereupon record the same in connection with the record of such conviction or finding of liability.

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

§ 3. This act shall take effect one year after it shall have become a law and shall apply to violations committed on and after such date. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.