STATE OF NEW YORK

5688--A

2025-2026 Regular Sessions

IN SENATE

February 27, 2025

Introduced by Sens. COONEY, GRIFFO, OBERACKER -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- reported favorably from said committee and committed to the Committee on Finance -- 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:

Section 1. Subdivision 4 of section 202 of the vehicle and traffic law, as amended by chapter 61 of the laws of 1989, the subdivision heading and paragraphs (a) and (e) as amended by chapter 496 of the laws of 1995, and paragraph (b) as amended by chapter 293 of the laws of 1989, is amended and a new subdivision 6 is added to read as follows:

4. Registration lists and title information. (a) The commissioner shall have discretion to contract with [~~the highest responsible~~] any successful bidder or bidders to furnish the registration information specified in this section from the records of all vehicle registrations from any registration period, or number of periods not exceeding five years in the aggregate, with respect to a given territory or information on titles. In such event, the fees provided by this section shall not apply to copies of records furnished under any such contract. Any such contract entered into by the commissioner pursuant to this section shall not be for a term of more than two years and shall contain language prohibiting [~~the~~] any successful bidder or bidders from assigning the contract and from any use or resale of the information received which use or resale is contrary to the public policy of this state or is contrary to the public morals or welfare. In addition, any such sale of registration information shall be limited to only that part of the vehicle registration records describing the name and address of the owner of

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

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the vehicle and the make, model, year, weight, body style, number of passengers and cylinders, fuel, license number, type of registration and transaction, validation and expiration date and vehicle identification number of the vehicle.

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

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

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

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

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

(e) The commissioner may from time to time require that the contracting party pursuant to this section submit written reports, in form satisfactory to the commissioner, concerning the use of such registration or title information.

6. Additional requirements. The commissioner may require:

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

(b) A prohibition on the sale or redisclosure of the personal information for the purpose of marketing extended vehicle warranties;

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

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

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

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

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

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

§ 2. This act shall take effect immediately.