§ 4173. Records; transcripts and certifications by registrars; fees. 1. Upon request, a certification of birth or of death or a certified copy or certified transcript of a birth or death record shall be issued by the registrar under regulations prescribed by the commissioner.

2. A certified copy or certified transcript of a birth record shall be issued only upon order of a court of competent jurisdiction or upon a specific request therefor by the person, if eighteen years of age or more, or by a parent or other lawful representative of the person to whom the record of birth relates including an authorized representative of the office of children and family services or a local social services district if the person is in the care and custody or custody and guardianship of such entity.

3. (a) Except as otherwise provided in paragraph (b) of this subdivision, the registrar shall be entitled to a fee of ten dollars for each certification of birth or death or for each certified copy or certified transcript of any record of a birth or of a death or for a certification that a search discloses no record of a birth or of a death, furnished by him to an applicant, except that no fee shall be charged for a search, certification of birth or death or certified copy or certified transcript of a birth or a death record to be used for school entrance, employment certificate or for purposes of public relief or government compensation or when required by the veterans administration to be used in determining the eligibility of any person to participate in the benefits made available by the veterans administration, provided, however, that if such registrar is a city clerk, town clerk or village clerk, he shall collect such fees for and on behalf of the city, town or village in which he serves, provided, however, that an amount equivalent to the sum of such fees shall be paid at least monthly by such city, town or village to such city clerk, town clerk or village clerk entitled to receive fees as a registrar of vital statistics.

(b) Notwithstanding paragraph (a) of this subdivision, in the following county jurisdictions the fee shall be set by the county health commissioner: Chemung, Monroe, Onondaga, Tompkins; and in the following local jurisdictions the fee shall be set by the local legislative body:

city of Oswego, city of Albany, city of Jamestown. In such jurisdictions, the fee may be set up to the amount charged by the commissioner as prescribed in subdivision two of section forty-one hundred seventy-four of this title.

4. All fees for searches, certification, certified copies and certified transcripts collected by a registrar of vital statistics in a state hospital, charitable or penal institution shall be transmitted by him to the executive department, having jurisdiction, management and control of such hospital or institution, to be paid into the state treasury as provided by section one hundred twenty-one of the state finance law.