§ 205. County clerks as agents of the commissioner; fees. 1. The clerk of each county, except the counties of Rockland, Albany, Westchester, Suffolk, Nassau, Onondaga, Bronx, Kings, Queens, Richmond and New York, shall act as the agent of the commissioner in the registration of motor vehicles, motorcycles, and when directed by the commissioner snowmobiles, vessels and all terrain vehicles, and in the issuance of certificates thereof and number plates therefor, in receiving documents relating to certificates of title, and unless and until the commissioner shall otherwise direct in any county, in the issuance of non-driver identification cards and drivers' licenses upon the certification of inspectors, and motor vehicle enforcement transactions. Each such agent shall remit to the commissioner all fees collected by him for registrations, licenses, identification cards and transfers or relating to certificates of title, except as hereinafter provided, together with a complete record of such registrations, identification cards and licenses issued and transfers made, in accordance with the procedure prescribed by the commissioner, and with all documents relating to certificates of title received and such record thereof as the commissioner prescribes.

2. The commissioner may authorize such county clerk to establish one or more temporary branch offices within the county, when deemed necessary, to issue certificates of registration, and number plates therefor for motor vehicles, motorcycles, snowmobiles and vessels or the renewal or issuance of non-driver identification cards and drivers' licenses on certification of inspectors or to receive documents relating to certificates of title. The work in such temporary branch offices shall be performed by one or more employees of the clerk's office designated for the purpose without additional compensation. The expenses actually and necessarily incurred by the county clerk or such employees shall be a charge against the county.

3. Each such county clerk shall retain from fees collected for any motor vehicle related service described in subdivision one of this section processed by such county clerk an amount based on a percentage of gross receipts collected. For purposes of this section, the term "gross receipts" shall include all fines, fees and penalties collected

pursuant to this chapter by a county clerk acting as agent of the commissioner, but shall not include any state or local sales or compensating use taxes imposed under or pursuant to the authority of articles twenty-eight and twenty-nine of the tax law and collected by such clerk on behalf of the commissioner of taxation and finance. The retention percentage shall be 10.75 percent.

3-a. In addition to the fees retained pursuant to subdivision three of this section, each county clerk acting as the agent of the commissioner pursuant to subdivision one of this section shall retain a percentage of "enhanced internet and electronic partner revenue" collected by the commissioner. For the purposes of this subdivision, "enhanced internet and electronic partner revenue" shall mean the amount of gross receipts attributable to all transactions conducted on the internet by residents of such county and by designated partners of the department on behalf of such residents for the current calendar year. The commissioner shall certify the amounts to be retained by each county clerk pursuant to this subdivision. The retention percentage shall be 10.75 percent.

4. The commissioner may prescribe minimum staff requirements to be maintained by county clerks for the performance of their duties as agents of the commissioner. No such staff requirements shall require expenditures in excess of the amount of the percentage of gross receipts retained by any county or county clerk pursuant to subdivision three of this section.

5. For registration renewals pursuant to subdivision two of section four hundred three of this chapter, the commissioner shall reimburse each county clerk the actual postage expense incurred by such clerk in mailing a number plate or plates to a registrant, provided that mailing of such number plate or plates has been done in a manner prescribed by the commissioner.