§ 250. Exemption of non-resident owners and operators. 1. Except as otherwise provided in subdivision three of this section, the provisions of this chapter relative to the registration and equipment of motor vehicles, motorcycles and trailers and the display of registration numbers shall not apply to a motor vehicle, motorcycle or trailer owned by a non-resident of this state, provided that the owner thereof shall have complied with the provisions of the law of the foreign country, state, territory or federal district of his residence relative to registration and equipment of such motor vehicle, motorcycle or trailer, as the case may be, and the display of registration numbers thereon, and shall conspicuously display his registration numbers as required thereby. However, except for a vehicle owned by a person who has obtained a waiver pursuant to the provisions of paragraph b of subdivision three of this section, with respect to such vehicle, the provisions of this subdivision shall be operative as to a motor vehicle, motorcycle or trailer owned by a non-resident of this state only to the extent that under the laws of the foreign country, state, territory or federal district of his residence like exemptions and privileges are granted to motor vehicles, motorcycles and trailers duly registered under the laws of and owned by residents of this state.

A person, firm, association or corporation having a place of business in a foreign country, state, territory or federal district and owning a motor vehicle, motorcycle or trailer used in connection with and garaged at such place of business which such owner is compelled to register in such foreign jurisdiction shall be deemed a resident of such foreign jurisdiction and a non-resident of this state within the meaning of this subdivision for the purpose of enjoying the privileges of this subdivision with respect to such vehicle.

In case a non-resident becomes a resident of this state, he shall be entitled for a period not exceeding thirty days from the date he becomes a resident to the same exemption from registering his vehicles in this state as he would have enjoyed had he remained a non-resident.

2. A person of the age of sixteen years and upwards who shall be a nonresident of this state, and a resident of a state, territory, federal

district or foreign country having laws, with which such person has complied, which require such person, in order to operate a motor vehicle or motorcycle therein, to be licensed, may operate or drive a motor vehicle or motorcycle on the public highways of this state without being so licensed under this chapter, provided, however, that the recognition granted under this subdivision shall, with respect to a person under the age of eighteen years, only permit the operation of a motor vehicle or motorcycle in this state in accordance with the same restrictions imposed upon New York residents operating or driving motor vehicles or motorcycles with class DJ or MJ licenses under subdivision three of section five hundred one of this chapter. A nonresident entitled to operate a motor vehicle or motorcycle as herein provided who shall become a resident of this state may operate or drive a motor vehicle or motorcycle on the public highways of this state for a period not exceeding thirty days from the date he becomes a resident pending the obtaining of a license to operate such motor vehicle or motorcycle in this state. The exemption granted in this subdivision shall not apply to persons whose privilege of operating a motor vehicle in this state, or whose former license to drive in this state, has been suspended or revoked, until such suspension or revocation has been terminated or privilege of operating a motor vehicle restored.

3. (a) The exemptions provided in subdivisions one and four of this section shall not apply to a motor vehicle, motorcycle or trailer, other than a semitrailer drawn by a tractor registered in this state which is operated on any public highway of this state to transport persons or property for hire or profit from one point in this state to another point in this state or which is operated in doing any work performed under a contract for a public improvement to which the state, a municipal corporation, a school district or a commission appointed pursuant to law is a party, except to transport machinery, tools or other plant equipment to be used in the performance of such a contract; provided, however, that the mere makeup or breakup of a tandem trailer combination on the New York state thruway shall not, with respect to the tractor hauling such tandem trailer combination, constitute, in and of itself, a point in this state for the purpose of determining whether there has been a transportation of property for hire or profit from one

point in this state to another point in this state; provided, further, however, that the transportation by any tractor not registered in the state of New York of a trailer carrying property for profit, placed thereon within this state and consigned for delivery herein, shall be prohibited.

(b) The commissioner may, in his discretion, waive the provisions of this subdivision with respect to any motor vehicle, motorcycle, trailer or semitrailer, duly registered in another state, territory, federal district or foreign country, provided that the owner thereof has registered annually in this state a number of vehicles equal to or in excess of the average number of vehicles said owner will have available annually in this state for hire or operation therein. The commissioner is hereby authorized and empowered to adopt and amend rules and regulations to effectuate the provisions of this paragraph. Such regulations may include a requirement that the owner file annually and at such time and in such manner as shall be prescribed by the commissioner, a sworn statement including, but not limited to the following information: (1) the owner's total number of motor vehicles, motorcycles, trailers and/or semitrailers registered in Canada and the United States; (2) the owner's total annual registration of such vehicles in this state; and (3) the total number of such vehicles which are rented, leased or used in this state for the preceding twelve month period or in the absence of any past experience, the total anticipated number of such vehicles that will be rented, leased or used in this state. Nothing herein contained shall be construed as requiring the granting of the waiver authorized by this paragraph.

(c) The provisions of paragraph (a) of this subdivision, insofar as they require display of number plates issued by the commissioner, shall not apply to any motor vehicle, other than a bus, which is duly registered in another state and displays registration and number plates as required by that state, which registration and number plates permit the transportation of persons for-hire within that state, provided the registrant has been issued a registration for such motor vehicle by the commissioner, has paid the appropriate annual fee as provided in schedule C of subdivision seven of section four hundred one of this chapter and displays proof of such registration on such vehicle in accordance with regulations promulgated by the commissioner.

Notwithstanding any other provision of this chapter, the commissioner need not issue number plates to the registrant when issuing a registration intended to secure the authorization for operation within this state as provided by this paragraph.

4. a. The provisions of this chapter relative to the registration of motor vehicles, motorcycles and trailers and the display of registration numbers shall not apply to a motor vehicle, motorcycle or trailer owned by a non-resident of the state who is a seasonal farm laborer, for a period extending from the first day of April to and including the thirtieth day of November in each year, provided that the owner thereof shall have complied with the provisions of the law of the foreign country, state, territory or federal district of his residence relative to registration of such motor vehicle, motorcycle or trailer, as the case may be, and the display of registration numbers thereof, and provided further that the owner thereof shall furnish proof to the commissioner that such owner has in effect with respect to such motor vehicle an automobile liability policy issued by an insurance company authorized to do business in this state or by an unauthorized insurer authorized to transact business in the jurisdiction of his residence in at least the amount of twenty-five thousand dollars because of bodily injury to or fifty thousand dollars because of death of one person in any one accident and, subject to said limit for one person, in at least the amount of fifty thousand dollars because of bodily injury to or one hundred thousand dollars because of death of two or more persons in any accident, and in at least the amount of ten thousand dollars because of injury to or destruction of property of others in any one accident.

b. Upon filing of such proof of financial security, the commissioner shall issue to the owner of said motor vehicle, motorcycle or trailer, upon payment of a fee of two dollars, a certificate, which certificate shall be affixed to a prominent place on the interior of said motor vehicle, motorcycle or trailer, and shall bear the following information: (1) name and address of the owner of said motor vehicle, motorcycle or trailer, (2) make and year of said motor vehicle, motorcycle or trailer, (3) state of registration and registration number thereof, (4) date of expiration of the exemption period provided in this

subdivision and (5) such other information as the commissioner may direct.

c. The exemption provided in this subdivision shall in no way affect the non-resident status of the owner of said motor vehicle, motorcycle or trailer and he shall be subject to the provisions of all other laws, rules, codes and regulations with respect to the ownership and/or operation by a non-resident of a motor vehicle, motorcycle or trailer in this state. However, all said motor vehicles, motorcycles and trailers shall be subject to the provisions of article five of this chapter in the same manner as if they are registered in this state.

d. A non-resident of the state who is a seasonal farm laborer shall be entitled to a period not exceeding thirty days from the date of his entrance into the state within which to file proof of financial security and pay the fee required and secure the certificate authorized in paragraph b of subdivision four of this section, provided, however, that the limitations contained in subdivision three of this section shall be applicable until such time as the certificate authorized in paragraph b of this subdivision is obtained.

5. As used in this section, the term "resident" shall mean domiciliary, that is, one who lives in this state with the intention of making it a fixed and permanent abode. It shall be presumptive evidence that a person who maintains a place of abode in this state for a period of at least ninety days is a resident of this state.