

§ 401. Registration of motor vehicles; fees; renewals. 1. Registration by owners. a. No motor vehicle shall be operated or driven upon the public highways of this state without first being registered in accordance with the provisions of this article, except as otherwise expressly provided in this chapter.

b. Every owner of a motor vehicle which shall be operated or driven upon the public highways of this state shall, except as otherwise expressly provided, cause to be presented, by mail or otherwise, to the office or a branch office of the commissioner, or to any agent of the commissioner, constituted as provided in this chapter, an application for registration addressed to the commissioner, and on a blank to be prepared under the direction of and furnished by the commissioner for that purpose, containing: (a) a brief description of the motor vehicle to be registered, including the name and factory number of such vehicle, and such other facts as the commissioner shall require; (b) the weight of the vehicle upon which the registration fee is based if the fee is based on weight; (c) the name and residence, including county of the owner of such motor vehicle; (d) provided that, if such motor vehicle is used or to be used as an omnibus, the applicant also shall so certify, and in the case of an omnibus also certify as to the seating capacity, and if the omnibus is to be operated wholly within a municipality pursuant to a franchise other than a franchise express or implied in articles of incorporation upon certain streets designated in such franchise, those facts shall also be certified, and a certified copy of such franchise furnished to the commissioner; (e) provided, that, if such motor vehicle is an altered livery, the applicant shall so furnish a certified copy of the length of the center panel of such vehicle, provided, however, that the commissioner shall require such proof, as he may determine is necessary, in the application for registration and provided further, if the center panel of such vehicle exceeds one hundred inches, the commissioner shall require proof that such vehicle is in compliance with all applicable federal and state motor vehicle safety standards; and (f) such additional facts or evidence as the commissioner may require in connection with the application for registration. Every owner of a trailer shall also make application for the registration thereof in the manner herein provided for an

application to register a motor vehicle, but shall contain a statement showing the manufacturer's number or other identification satisfactory to the commissioner and no number plate for a trailer issued under the provisions of subdivision three of section four hundred two of this chapter shall be transferred to or used upon any other trailer than the one for which number plate is issued. The commissioner shall require proof, in the application for registration, or otherwise, as such commissioner may determine, that the motor vehicle for which registration is applied for is equipped with lights conforming in all respects to the requirements of this chapter, and no motor vehicle shall be registered unless it shall appear by such proofs that such motor vehicle is equipped with proper lights as aforesaid. The said application shall contain or be accompanied by such evidence of the ownership of the motor vehicle described in the application as may be required by the commissioner or his agent and which, with respect to new vehicles, shall include, unless otherwise specifically provided by the commissioner, the manufacturer's statement of origin. Applications received by an agent of the commissioner shall be forwarded to the commissioner as he shall direct for filing. No application for registration shall be accepted unless the applicant is at least sixteen years of age.

2. Registration record. Upon the receipt of a sufficient application for registration of a motor vehicle or trailer, as provided in this article, the commissioner, or the agent receiving it, shall register such motor vehicle or trailer and maintain a record of the registration of such vehicle under the distinctive number assigned to such motor vehicle or trailer as provided in this section, and the information in such record may be obtained upon payment of the fees specified in section two hundred two of this chapter.

3. Certificates of registration. a. Upon filing of such application and the payment of the fee hereinafter provided, the commissioner shall assign to such motor vehicle a distinctive number and, without expense to the applicant, issue and deliver in such manner as the commissioner may select to the owner a certificate of registration, in such form as the commissioner shall prescribe, and two number plates at a place

within the state of New York named by the applicant in his or her application. A number plate, within the meaning of this chapter, may, in the discretion of the commissioner, be a plate of a permanent nature, treated with reflectorized material according to specifications prescribed by the commissioner, and with a date tag attached to such plate or to the vehicle as prescribed by regulations of the commissioner indicating the validity of the plate during a certain period and the issuance of such a number plate with such date tag to a person possessing such a number plate shall be deemed the issuance of a number plate. An additional fee, not to exceed twenty-five dollars, shall be paid to the commissioner whenever a set of reflectorized number plates is issued for any vehicle for which a registration fee is normally charged except that, with respect to any number plate which is specifically requested by the applicant, such fee shall be paid to the commissioner upon approval of such request. In the event of the loss, mutilation or destruction of any certificate of registration, any number plate or set of number plates whether with or without a date tag or tags, or any date tag or set of date tags provided for in this article, the owner of a registered motor vehicle may file such statement and proof of the facts as the commissioner shall require, with a fee of three dollars, in the office of the commissioner, or, unless and until the commissioner shall otherwise direct, in the office of the agent who issued the certificate, plate, plates, tag or tags and the commissioner or his or her agent, as the case may be, shall issue a duplicate or substitute. It shall be the duty of every owner holding a certificate of registration to notify the commissioner in writing of any change of residence of such person within ten days after such change occurs, and to inscribe on such certificate, in the place provided by the commissioner, a record of such change of residence.

b. During a registration period the commissioner may, upon application by the owner of a registered motor vehicle and upon payment of a fee of three dollars and seventy-five cents, change the distinctive number assigned to such motor vehicle and issue a new set of number plates provided the original registration and number plates are surrendered. Notwithstanding any inconsistent provision of this section, the difference collected between the fees set forth in this subdivision in

effect on and after September first, two thousand nine and the fees set forth in this subdivision in effect prior to such date shall be deposited to the credit of the dedicated highway and bridge trust fund.

c. The commissioner may waive the payment of fees required by paragraph a of this subdivision if the applicant is a victim of crime and the certificate of registration or number plates applied for are a replacement for those that were lost or destroyed as a result of the crime.

d. In processing any application for a certificate of registration pursuant to this article or to title eleven of this chapter, the commissioner shall provide the applicant with informational materials describing the lead-acid battery management, return and collection requirements set forth in title seventeen of article twenty-seven of the environmental conservation law, and the used oil management, recycling and disposal requirements set forth in title twenty-three of article twenty-three of the environmental conservation law. Such informational materials shall be distributed at the first opportunity and periodically thereafter.

4. Carrying certificate of registration. Any magistrate, motor vehicle inspector, peace officer, acting pursuant to his special duties, or police officer may request that the operator of any motor vehicle produce for inspection the certificate of registration for such vehicle and such operator shall furnish to such magistrate, inspector, peace officer or police officer any information necessary for the identification of such vehicle and its owner, and all information required concerning his license to operate, if he is required by law to have such a license, and shall, if required, sign his name in the presence of such magistrate, inspector, peace officer or police officer as a further means of identification. The production of a license to a magistrate, inspector, peace officer or police officer shall be prima facie evidence in a prosecution for a violation of any provision of this chapter, other than section three hundred ninety-two of this chapter, that the person who so produced the license is the person identified on such license. Provided, however, that a photostatic copy of the

certificate of registration may be produced in lieu of the original certificate. If a vehicle does not have affixed a validating sticker which indicates the plate number, the vehicle identification number and the expiration date of the registration, the failure to produce the certificate of registration, or a photostatic copy of such certificate, shall be presumptive evidence of operating a motor vehicle or trailer which is not registered as required by this article.

5. Times for registration, reregistration and renewal; proportionate fees. a. Registrations, reregistrations and renewals shall take effect and expire on dates determined by the commissioner. However, where the expiration date of the registration of any vehicle, except a taxi or an omnibus, falls on a Saturday, Sunday or state holiday, such registration shall be valid for the operation of such vehicle until midnight of the next day on which state offices shall be open for business. Provided, however, that renewal of a registration may be used preceding the expiration date of such registration including such expiration date. Provided, further, however, that where the required proof of registration consists of an expired registration for the same vehicle, issued to the same person applying for the registration or renewal, and the expired registration certificate and number plates and date tags issued for such registration had not been surrendered to the commissioner on or before the expiration date of such registration, the commissioner may in his discretion deem such application to be a renewal of the expired registration and require that the fee paid for such registration be computed as if the registration had been made prior to the date of expiration of the expired registration.

b. The fee for the renewal of a registration shall be the same as the annual registration fee, and, where a registration or renewal is for a period of more or less than one calendar year, the annual fees as provided in this section shall be increased or reduced proportionately on a daily computation basis, except that where the annual registration fee for such vehicle would amount to ten dollars or less, the fee shall not be so prorated.

c. Notwithstanding any other provision of this article, the

commissioner shall issue registrations and renewals of registrations for motor vehicles for which a registration fee established in paragraph a of subdivision six of this section is required to be paid and for motor vehicles having a maximum gross weight of not more than eighteen thousand pounds for which a registration fee established in paragraph one of schedule B of subdivision seven of this section is required to be paid for a period of not less than two years. In addition, the full amount of any other charges, taxes or fees which would be required to be paid to, or collected by, the commissioner during the entire registration period if registrations were issued for twelve month periods shall be paid to the commissioner at the time of such registration or renewal of registration. The commissioner shall promulgate rules and regulations for the issuance of registration renewals extended as required in this paragraph. However, such regulations may provide that the initial issuance of extended renewals be accomplished over a two year period. The commissioner may by regulation exempt from the provisions of this paragraph registrations for motor vehicles issued in conjunction with any long-term registration program or registration reciprocity or proration agreement which this state has established or to which this state is a party.

5-a. Denial of registration or renewal. a. (i) If at the time of application for a registration or renewal thereof there is a certification from a court, parking violations bureau, traffic and parking violations agency, traffic camera violations bureau or administrative tribunal of appropriate jurisdiction that the registrant or their representative failed to appear on the return date or any subsequent adjourned date or failed to comply with the rules and regulations of an administrative tribunal following entry of a final decision in response to a total of three or more summonses or other process in the aggregate, issued within an eighteen month period, charging either that: (i) such motor vehicle was parked, stopped or standing, or that such motor vehicle was operated for hire by the registrant or their agent without being licensed as a motor vehicle for hire by the appropriate local authority, in violation of any of the provisions of this chapter or of any law, ordinance, rule or regulation made by a local authority; or (ii) the registrant was liable for a

violation of subdivision (d) of section eleven hundred eleven of this chapter imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle 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; or (iii) the registrant was liable for a violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such posted maximum speed limits through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter; or (iv) the registrant was liable for a violation of bus lane restrictions as defined by article twenty-four of this chapter imposed pursuant to a bus rapid transit program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such bus lane restrictions through the installation and operation of bus lane photo devices, in accordance with article twenty-four of this chapter; or (v) the registrant was liable for a violation of section eleven hundred seventy-four of this chapter when meeting a school bus marked and equipped as provided in subdivisions twenty and twenty-one-c of section three hundred seventy-five of this chapter imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with school bus red visual signals through the installation and operation of school bus photo violation monitoring systems, in accordance with article twenty-nine of this chapter; or (vi) the registrant was liable for a violation of section three hundred eighty-five of this chapter and the rules of the applicable covered agency or covered authority as such terms are defined in article ten of this chapter in relation to gross vehicle weight and/or axle weight violations imposed pursuant to a weigh in motion demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such gross vehicle weight and/or axle weight restrictions through the installation and operation of weigh in motion violation monitoring systems, in accordance with article ten of this chapter; or (vii) the registrant was liable for a violation of

subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such posted maximum speed limits within a highway construction or maintenance work area through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter, or (viii) the registrant was liable for a violation of bus operation-related traffic regulations as defined by article twenty-four of this chapter imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such bus operation-related traffic regulations through the installation and operation of bus operation-related photo devices, in accordance with article twenty-four of this chapter, the commissioner or their agent shall deny the registration or renewal application until the applicant provides proof from the court, traffic and parking violations agency, traffic camera violations bureau or administrative tribunal wherein the charges are pending that an appearance or answer has been made or in the case of an administrative tribunal that such applicant has complied with the rules and regulations of said tribunal following entry of a final decision. Where an application is denied pursuant to this section, the commissioner may, in their discretion, deny a registration or renewal application to any other person for the same vehicle and may deny a registration or renewal application for any other motor vehicle registered in the name of the applicant where the commissioner has determined that such registrant's intent has been to evade the purposes of this subdivision and where the commissioner has reasonable grounds to believe that such registration or renewal will have the effect of defeating the purposes of this subdivision. Such denial shall only remain in effect as long as the summonses remain unanswered, or in the case of an administrative tribunal, the registrant fails to comply with the rules and regulations following entry of a final decision.

(ii) For purposes of this paragraph, the term "motor vehicle operated for hire" shall mean and include a taxicab, livery, coach, limousine or tow truck.

b. If at the time of application by any person for a registration or

renewal thereof there is a certification from a court or an agency or administrative tribunal with regulatory or adjudicatory authority over van services or other such common carriers of passengers in any city with a population of over one million pursuant to subdivision five of section eighty of the transportation law that there remains unpaid a penalty imposed by such agency or administrative tribunal or court following entry of a decision or order, including a decision or order in a proceeding in which there has been a failure to appear or pay, in response to a notice of violation, summons or other process issued charging that the vehicle was operated as a van service or other such common carrier of passengers without the operating authority required by such local law or ordinance, the commissioner or the commissioner's agent shall impose a vehicle identification number block and deny the registration or renewal application until the applicant provides proof from the court or agency or other administrative tribunal wherein the charges were adjudicated that such penalty has been paid in full or the violation has been corrected to its satisfaction. Where an application is denied pursuant to this paragraph, the commissioner may, in the commissioner's discretion, deny a registration or renewal application for any other motor vehicle registered in the name of the applicant where the commissioner has determined that such registrant's intent has been to evade the purposes of this paragraph and where the commissioner has reasonable grounds to believe that such registration or renewal will have the effect of defeating the purposes of this paragraph. Such vehicle identification number block and denial shall only remain in effect until the penalty has been paid in full or the violation has been corrected to the satisfaction of the court, city agency or administrative tribunal.

c. The commissioner may promulgate such regulations as are necessary to effectuate the provisions of this subdivision, including provisions for the recovery of the administrative costs of the program incurred for each municipality. The commissioner may, in his discretion, refuse to process a certification received from a court or administrative tribunal in any municipality which has failed to comply with the provisions of section five hundred fourteen of this chapter or which does not have an effective program for enforcing suspension and revocation orders issued

by the department.

6. Registration fees. a. The following fees shall be paid to the commissioner, or agent, upon the registration or reregistration of a motor vehicle, including a suburban, in accordance with the provisions of this article:

If such motor vehicle, fully equipped, weighs thirty-five hundred pounds or less, eighty-one cents for each one hundred pounds or major fraction thereof; if such motor vehicle, fully equipped, weighs more than thirty-five hundred pounds, eighty-one cents for each one hundred pounds up to thirty-five hundred pounds, and one dollar and twenty-one cents for each hundred pounds, or major fraction thereof, in excess of thirty-five hundred pounds; provided, however, that the total fees for the registration or reregistration of any passenger motor vehicle propelled by electricity shall be sixteen dollars and eighteen cents, of a six, eight, or twelve cylinder motor vehicle not less than sixteen dollars and eighteen cents, and of any other motor vehicle not less than twelve dollars and ninety-five cents; and provided further that for motor vehicles described in subdivision seven of this section, the fee for such registration shall be as therein prescribed. Provided further, however, that the maximum registration fee under this paragraph shall not exceed seventy dollars and eight cents per registration year. For the purposes of this section a "suburban" shall be a motor vehicle with a convertible or interchangeable body or with removable seats, usable for both passenger and delivery purposes, and including motor vehicles, commonly known as station or depot wagons. The manufacturer's weight of motor vehicle shall be accepted as the weight for the purpose of registration under this paragraph.

b. The provisions of this article with respect to the payment of registration fees shall not apply to ambulances used exclusively to carry sick or injured persons, other than those used in the business of carrying or transporting sick or injured persons for hire or profit, or to motor vehicles which are especially constructed and equipped to carry lost, strayed, sick, maimed or disabled animals, and owned and operated for that purpose by a duly incorporated society, incorporated for the

purpose of preventing cruelty to animals, or to motor vehicles owned or controlled by the state, a city, county, village, town, school district, or fire district or any of the departments thereof or county extension service association or public improvement district formed under and pursuant to provisions of the town law, or sanitary district formed pursuant to the provisions of chapter five hundred sixteen of the laws of nineteen hundred twenty-eight, as amended, or soil conservation districts formed pursuant to the provisions of the soil conservation districts law, or to motor vehicles owned by professional foreign consuls-general, consuls and vice consuls, who are nationals of the state appointing them and who are assigned to foreign consulates in the state of New York, provided that American professional consular officers of equal rank who are citizens of the United States and who exercise their official functions at American consulates in such foreign country, are granted reciprocal exemption, or to motor vehicles owned and operated by the American Red Cross, but in other respects shall be applicable.

b-1. The provisions of this article with respect to the payment of registration fees shall not apply to (i) fire vehicles, as defined in section one hundred fifteen-a of this chapter, owned or controlled by a fire company, as defined in section three of the volunteer firefighters' benefit law, or to (ii) emergency ambulance service vehicles, as defined in section one hundred fifteen-c of this chapter, owned or controlled by an ambulance company, as defined in section three of the volunteer ambulance workers' benefit law. Upon the filing of an application in such form and detail as the commissioner may prescribe, the commissioner shall issue plates for such vehicles in the same manner as plates issued to vehicles owned or controlled by fire districts pursuant to paragraph b of this subdivision.

c. The provisions of this subdivision with respect to the payment of registration fees shall not apply to a passenger or suburban type motor vehicle or the provisions of subdivision seven of this section with respect to the payment of registration fees shall additionally not apply to any auto truck or light delivery car having a maximum gross weight of less than sixty-five hundred pounds which is used exclusively for

passengers and owned by any disabled veteran of the armed forces of the United States who has obtained such motor vehicle under and pursuant to the provisions of public law number six hundred sixty-three, seventy-ninth congress, and public law number seven hundred ninety-eight, eighty-first congress and public law number one hundred eighty-seven, eighty-second congress or any comparable motor vehicle which is bought or acquired to replace such original motor vehicle owned by such disabled veteran.

d. (i) In addition to the other fees provided for in this section, the commissioner shall, upon the application for the registration of a motor vehicle or the renewal thereof, collect the tax authorized by subdivision (g) of section twelve hundred one of the tax law, if a city of one million or more, pursuant to subdivision (h) of section twelve hundred one of such law, enacts a local law providing for the collection of such tax by the commissioner and enters into the required agreement relating thereto.

(ii) In addition to the other fees provided for in this section, the commissioner shall, upon the application for the registration of a motor vehicle or the renewal thereof, collect the tax of the type authorized under subdivision (e) of section twelve hundred one of the tax law, if a county, pursuant to subdivision (c), (e), (f) or (g) of section twelve hundred two of such law, enacts a local law, ordinance or resolution providing for the collection of such tax by the commissioner and enters into the required agreement relating thereto.

e. A. In addition to any other fee for registration required to be paid pursuant to this article, the commissioner may require the payment of an annual service charge of six dollars and twenty-five cents upon the issuance of a radio operator number plate which he, in his discretion, is hereby authorized to do as provided by this paragraph. Notwithstanding any inconsistent provision of this section, the difference collected between the registration fees set forth in this paragraph in effect on and after September first, two thousand nine and the registration fees set forth in this paragraph in effect prior to such date shall be deposited to the credit of the dedicated highway and bridge trust fund.

B. A number plate issued pursuant to this paragraph shall be issued in the same manner as other number plates are issued pursuant to this article to persons making application therefor. Such plate shall contain not more than eight letters, numerals or any combination thereof which are the permanent radio call letters assigned to an amateur radio operator by the federal communications commission. The provisions of this paragraph shall not apply to any number plate reserved or issued pursuant to any other provision of this article.

g. In addition to the other fees provided for in this section, the commissioner shall, upon the application for the registration of a motor vehicle or the renewal thereof, collect any tax imposed pursuant to the authority of chapter one thousand thirty-two of the laws of nineteen hundred sixty, if the city imposing such tax enacts a local law providing for the collection of such tax by the commissioner and enters into the required agreement relating thereto.

7. Registration fees for auto trucks, tractors, buses, taxicabs, livery and certain other motor vehicles. The registration fees to be paid upon the registration or reregistration, in accordance with the provisions of this article, of buses, of motor vehicles constructed or specially equipped for the transportation of goods, wares and merchandise, commonly known as auto trucks or light delivery cars, of taxicabs, livery and of certain other motor vehicles specified herein are hereby established as follows:

A. Schedule for buses.

For each such vehicle having a seating capacity for passengers of five passengers or less, and meeting the requirements of subdivisions twenty and twenty-one, notwithstanding the capacity limitation of subdivision twenty-one, of section three hundred seventy-five of this chapter, the annual fee of twenty-one dollars and fifty-six cents.

For each such vehicle having a seating capacity for passengers of not less than six passengers, nor more than seven passengers, and meeting

the requirements of subdivisions twenty and twenty-one, notwithstanding the capacity limitation of subdivision twenty-one, of section three hundred seventy-five of this chapter, the annual fee of thirty-five dollars and twenty-three cents.

For each such vehicle having a seating capacity for passengers of not less than eight passengers, nor more than ten passengers, and meeting the requirements of subdivisions twenty and twenty-one, notwithstanding the capacity limitation of subdivision twenty-one, of section three hundred seventy-five of this chapter, the annual fee of forty-three dollars and eighty-five cents.

For each such vehicle having a seating capacity for passengers of not less than eleven passengers, nor more than fourteen passengers, and meeting the requirements of subdivisions twenty and twenty-one, notwithstanding the capacity limitation of subdivision twenty-one, of section three hundred seventy-five of this chapter, the annual fee of sixty-one dollars and eighty-one cents.

For each such vehicle having a seating capacity for passengers of not less than fifteen passengers, nor more than twenty passengers, the annual fee of seventy-four dollars and seventy-five cents.

For each such vehicle having a seating capacity for passengers of not less than twenty-one passengers, nor more than twenty-two passengers, the annual fee of seventy-nine dollars and six cents.

For each such vehicle having a seating capacity for passengers of not less than twenty-three passengers, nor more than twenty-six passengers, the annual fee of eighty-eight dollars and forty-one cents.

For each such vehicle having a seating capacity for passengers of not less than twenty-seven passengers, nor more than thirty passengers, the annual fee of ninety-seven dollars and four cents.

For each such vehicle having a seating capacity for passengers in excess of thirty passengers, the fee of ninety-seven dollars and four

cents, and the additional fee of two dollars and eighty-eight cents for each passenger (measured by seating capacity) in excess of thirty passengers.

For the purposes of this schedule, the term "seating capacity for passengers" shall exclude the driver.

The words "seating capacity for passengers", as used in this section, shall mean seating capacity for adults. The commissioner shall have authority to determine, for registration purposes, the manner of computing the seating capacity of any vehicle.

Provided, however, that in the case of a bus operated entirely by electricity not generated by an engine contained therein the fees to be paid upon registration or reregistration thereof shall be fifty per centum in excess of the foregoing rates.

The foregoing schedules shall not apply to omnibuses operated pursuant to a franchise or franchises over streets designated in said franchise or franchises wholly within a city or cities, provided the holder of the franchise or franchises pays for the same a percentage of its gross earnings or gross receipts and for any such omnibus, without regard to the seating capacity; nor shall the foregoing schedules apply to omnibuses operated pursuant to a certificate of public convenience and necessity granted under the transportation law and based upon the consent of the local authorities of any city, town or village, other than in the counties of Nassau, Suffolk and Westchester, as required by the transportation corporations law or, in the county of Nassau, based upon the consent of the board of supervisors of such county or of any city or village therein, or of both such county and any city or village therein or, in the counties of Suffolk and Westchester, based upon the consent of the county board of legislators of such counties, as required by chapter eight hundred seventy-nine of the laws of nineteen hundred thirty-six, provided the holder of such local consent pays for the same an annual fee to any such county, city, town or village, and for any such omnibus, without regard to the seating capacity, the annual fee shall be twelve dollars and fifty cents. The foregoing schedules shall

not apply to trackless trolleys, but if such omnibus shall not be operated in local transit service pursuant to a certificate of convenience and necessity issued by the commissioner of transportation the foregoing schedule of fees shall apply.

B. Schedule for tractors, auto trucks and light delivery cars.

1. For each auto truck or light delivery car, the annual fee of three dollars and sixty cents for each five hundred pounds maximum gross weight or fraction thereof, except that the annual fee for such motor vehicle operated entirely by electricity not generated by an engine contained therein shall be five dollars and thirty-nine cents for each five hundred pounds maximum gross weight or fraction thereof, but in computing the weight of such an electric vehicle the weight of electric batteries shall be excluded and except also that the annual fee for each auto truck having a maximum gross weight in excess of eighteen thousand pounds used exclusively in the transportation of household goods (as defined by the commissioner of transportation of this state or the interstate commerce commission) by a carrier under authority of the commissioner of transportation of this state or of the interstate commerce commission shall be nine dollars and seventy cents for each five hundred pounds maximum gross weight or fraction thereof. Provided however, that no motor vehicle registered pursuant to this paragraph may be charged a registration fee in excess of that charged for a motor vehicle registered with a maximum gross weight of eighty thousand pounds.

2. For each tractor of any weight the annual fee of one dollar and fifty-one cents for each one hundred pounds, or major fraction thereof, of maximum gross weight, except that the annual fee for each tractor of any weight used exclusively in the transportation of household goods (as defined by the commissioner of transportation of this state or the interstate commerce commission) by a carrier under authority of the commissioner of transportation of this state or of the interstate commerce commission shall be two dollars and sixteen cents for each one hundred pounds, or major fraction thereof, of maximum gross weight. Provided however, that no motor vehicle registered pursuant to this

paragraph may be charged a registration fee in excess of that charged for a motor vehicle registered with a maximum gross weight of eighty thousand pounds.

3. For the purpose of this schedule, maximum gross weight of an auto truck or light delivery car shall mean the weight of the motor vehicle plus the weight of the maximum load to be carried by such motor vehicle during the registration period. For the purposes of this schedule, maximum gross weight of a tractor shall be the weight of the tractor, plus the unladen weight of any semitrailer drawn thereby, plus the weight of the maximum load to be carried on the tractor and on any semitrailer drawn by such tractor during the registration period, but shall not include the weight or load of a semitrailer, used with a device for converting it to a trailer, when being drawn by a tractor semitrailer combination on the New York state thruway as part of a double tandem combination. The weight of the motor vehicle and such maximum load as stated on the application for registration shall be subject to audit and approval by the commissioner of motor vehicles.

C. Schedule for taxicabs and livery. 1. For each taxicab or livery having a seating capacity for passengers, excluding the driver, of five persons or less, the annual fee of thirty-one dollars and sixty-three cents. For each such vehicle having a seating capacity for passengers, excluding the driver, of not less than six persons, nor more than seven persons, the annual fee of fifty-one dollars and seventy-five cents. For each such vehicle having a seating capacity for passengers, excluding the driver, of at least eight persons, but not more than ten persons, the annual fee of sixty-four dollars and sixty-nine cents. For each such vehicle having a seating capacity for passengers, excluding the driver, of at least eleven persons, but not more than fourteen persons, the annual fee of ninety-two dollars. Any registration issued pursuant to this schedule shall be revoked upon receipt by the commissioner of a notice of revocation of any license or permit necessary for the issuance of such registration from the local authority which issued such license or permit, or upon receipt of evidence by the commissioner that the registrant has been convicted of a violation of any local law requiring the issuance of a license or permit in order to engage in for-hire

operation. Provided, however, that upon surrender to the commissioner of any such revoked registration and number plates and upon payment of the proper registration fee, a registration may be issued for the vehicle for which such registration has been revoked pursuant to the provisions of subdivision six of this section.

2. For purposes of this schedule, the term "livery" shall also include a motor vehicle with a driver having a seating capacity of at least nine but not more than fourteen passengers used to carry passengers for hire in a commuter van service under an authorization issued by a municipality.

D. Schedule for hearses, and certain ambulances. 1. For each hearse, the annual fee of one dollar and twenty-four cents for each one hundred pounds, or major fraction thereof, of unladen weight.

2. For each ambulance used in the business of carrying or transporting sick or injured persons for hire or profit, the annual fee of one dollar and twenty-four cents for each one hundred pounds or major fraction thereof, of unladen weight.

E. Schedule for agricultural trucks and agricultural trailers. 1. For each agricultural truck and agricultural trailer, the annual fee of two dollars and fifty-one cents for each five hundred pounds maximum gross weight, or fraction thereof.

2. For the purposes of this schedule an "agricultural truck" shall be a truck and an agricultural trailer shall be a trailer, other than a coach or house trailer or semitrailer, owned by a person engaged in production by means of (a) the planting, cultivation and harvesting of agricultural, vegetable and food products of the soil, including horticultural specialties such as nursery stock, ornamental shrubs, ornamental trees and flowers, (b) the raising, feeding and care of live stock, bees and poultry or (c) dairy farming. Such agricultural truck and agricultural trailer shall be used only for the transportation of his own agricultural or dairy commodities or supplies or for personal passenger use, or use in conjunction with lumbering operations connected

with but only incidental to the operation of a farm.

3. A motor vehicle registered as an "agricultural truck" under this schedule and a trailer registered as an "agricultural trailer" under this schedule shall be operated on the public highways only for the purposes set forth in paragraph two hereof.

4. An agricultural truck and an agricultural trailer may be registered or reregistered for periods of less than one calendar year upon application forms furnished by the commissioner for such purpose, and the annual fees as provided in this schedule shall be reduced proportionately on a monthly computation basis.

F. Schedule for certain motor vehicles. (a) For each road roller, tractor crane, truck crane, power shovel, road building machine, snow plow, road sweeper, sand spreader, well driller, well servicing rig, feed processing machine, mobile car crusher (whether self-propelled or a combination used exclusively as one unit), earth mover, which shall mean a motor-driven vehicle in excess of eight feet in width equipped with pneumatic tires designed and constructed for moving or transporting earth and rock in connection with excavation and grading work, and truck with small wheels used in a factory, warehouse or railroad station, for each spreader or sprayer (generally meaning an agricultural vehicle used to spread or spray agricultural chemicals, agricultural lime and/or agricultural fertilizers) and fire vehicles, an annual fee of fourteen dollars and thirty-eight cents; provided, however, that the provisions of paragraph b of subdivision six of this section relating to the exemption of certain motor vehicles from the payment of registration fees thereon shall apply to the motor vehicles specified in this schedule. A tractor-trailer combination designed and used as a unit exclusively for the same purpose as a vehicle specifically included in this schedule shall be considered as a single vehicle and registered as a motor vehicle under this schedule rather than as a tractor and trailer separately.

(b) As used in this schedule, the term "snow plow" shall not include farm type tractors used exclusively for agricultural purposes, or for snow plowing other than for hire, as defined in section one hundred

twenty-five of this chapter, when used for plowing or removing snow, provided such plowing or snow removal is not done for hire.

No person shall operate or move, or cause or knowingly permit to be operated or moved on any public highway in this state any auto truck, agricultural truck or light delivery car, registered in this state, having a combined weight of vehicle and load in excess of the maximum gross weight for such vehicle as stated on the application for registration. Such maximum gross weight cannot be more than the weight permitted under section three hundred eighty-five of this chapter or the weight permitted by the rules or regulations of the department of transportation of any city not wholly included within one county or under permits that may be issued pursuant to such section, rules or regulations whichever is the least restrictive.

G. Schedule for historical motor vehicles. For each motor vehicle which is owned and operated as an exhibition piece or collectors item, and is used for participation in club activities, exhibit, tours, parades, occasional transportation and similar uses, but not used for general daily transportation, an annual fee of twenty-eight dollars and seventy-five cents. For purposes of this paragraph, a historical motor vehicle shall mean any vehicle manufactured more than twenty-five years prior to the current calendar year, and any other model, year and type vehicle which has unique characteristics and which is determined by the commissioner to be of historical, classic or exhibition value. Registration plates for such vehicles shall be of a type and design approved by the commissioner, but shall be of a distinctive nature. Except that, with the approval of the commissioner, an owner of any such vehicle may utilize registration plates issued in the year corresponding to the model year date in which the vehicle was manufactured, if the registration plate is legible, durable, and serviceable, of this state, and accurate in color, as determined by the department. Nothing in this paragraph shall be construed to prohibit the use of previously issued registration plates that have been restored, without deviation from their original alphanumeric or pictorial content, to such condition as otherwise satisfies all applicable requirements. Such plates shall be used only for the operation of the motor vehicle listed on the

registration application and on other motor vehicles which would qualify for registration under this schedule owned by persons other than the registrant for the purpose of test driving by the registrant or his or her agent in anticipation of possible purchase. No such registration will be issued unless evidence of financial security, in a form prescribed by the commissioner, is submitted which provides coverage for the motor vehicle listed on the registration application and for non-owned motor vehicles being operated with such plates.

H. Schedule for tow trucks. For each tow truck registered pursuant to section four hundred one-b of this article, the annual fee of two dollars and eighty-eight cents for each five hundred pounds maximum gross weight or fraction thereof. For the purposes of this schedule, the maximum gross weight of a tow truck shall include the weight of any vehicle transported wholly upon the tow truck, but shall not include the weight of any vehicle transported partly upon the tow truck and partly on its own wheels or a dolly.

I. Schedule for leased and rental vehicles. 1. The annual fee for each leased vehicle and for each rental vehicle, other than a motorcycle or a rental vehicle of the passenger vehicle or suburban type, shall be the annual fee which would be required to be paid for such vehicle if it were not a leased or rental vehicle.

2. For each rental vehicle of the passenger or suburban type having a seating capacity for passengers, including the driver, of five persons or less, the annual fee of fifty-three dollars and nineteen cents. For each such vehicle having a seating capacity for passengers, including the driver, of not less than six persons, nor more than seven persons, the annual fee of seventy-four dollars and seventy-five cents. For each such vehicle having a seating capacity for passengers, including the driver, of at least eight persons, but not more than ten persons, the annual fee of eighty-six dollars and twenty-five cents. For each such vehicle having a seating capacity for passengers, including the driver, of at least eleven persons, but not more than fifteen persons, the annual fee of one hundred thirteen dollars and fifty-six cents.

J. Schedule for vanpool vehicles. The annual fee for each vanpool vehicle shall be the annual fee which would be required to be paid for such vehicle if it were not used for the purpose of vanpooling. Registration plates for such vehicles shall be of a type and design approved by the commissioner, and shall include the word VANPOOL on the face of the registration plate. Such plate shall be issued at the request of the registrant upon proof, satisfactory to the commissioner, that the vehicle is to be used for the purpose of vanpooling.

K. Schedule for heavy duty vehicles: Notwithstanding any inconsistent provision of this section, the registration fee for any vehicle described in this paragraph shall be increased by up to three and twenty-five one hundredths percent of such registration fee in effect on September first, two thousand nine, to fund the direct and indirect costs of the development and implementation of a heavy duty emissions inspection program pursuant to section 19-0320 of the environmental conservation law, including planning, development of regulations and guidance, state implementation plan development, personnel costs attributable to the program, and enforcement costs. Such fee is authorized to be collected, commencing June first, nineteen hundred ninety-nine, at the time of registration of any vehicle required to be registered in New York having a gross vehicle weight of greater than eight thousand five hundred pounds and powered by diesel fuels except for those vehicles defined in section one hundred one of this chapter, subparagraph two of paragraph E and subparagraph (a) of paragraph F of this subdivision, and vehicles specified in subdivision thirteen of this section, and farm type tractors and all terrain type vehicles used exclusively for agricultural or mowing purposes, or for snow plowing, other than for hire, farm equipment, including self-propelled machines used exclusively in growing, harvesting or handling farm produce, and self-propelled caterpillar or crawler-type equipment while being operated on the contract site, and timber harvesting equipment such as harvesters, wood chippers, forwarders, log skidders, and other processing equipment used exclusively off highway for timber harvesting and logging purposes. Notwithstanding any provision of law to the contrary, any fee amount collected pursuant to this paragraph shall be deposited in the clean air fund, to the credit of the mobile source

account, in accordance with the provisions of section ninety-seven-00 of the state finance law. Notwithstanding any inconsistent provision of this section, the difference collected between the increase of the percentage of the registration fees set forth in this schedule in effect on and after September first, two thousand nine and the percentage of the registration fees set forth in this schedule in effect prior to such date shall be deposited to the credit of the dedicated highway and bridge trust fund.

L. Notwithstanding the provisions of paragraph K of this subdivision, no fee shall be charged upon the registration of any vehicle exempt from the payment of registration fees under paragraph b of subdivision six of this section.

8. Registration fees for trailers. a. The provisions of this chapter in relation to registration books and registration, certificates of registration, number plates, duplicates of certificates and number plates, times of registration and reregistration and the duration thereof, for motor vehicles, shall apply also to trailers. The following fees shall be paid upon the registration or reregistration of a trailer, other than a coach or house trailer or a semitrailer, in accordance with the provisions of this article: The annual fee of five dollars and thirty-nine cents for each five hundred pounds or fraction thereof of maximum gross weight but in no case shall the annual fee be less than fourteen dollars and thirty-eight cents. The following fees shall be paid upon the registration or reregistration of a coach or house trailer in accordance with the provisions of this article: The annual fee of one dollar and seventy-three cents for each one hundred pounds or major fraction thereof of unladen weight but in no case shall the annual fee be less than twenty-one dollars and fifty-seven cents. The following fees shall be paid upon the registration or reregistration of a semitrailer in accordance with provisions of this article: The annual fee of twenty-eight dollars and seventy-five cents. However, upon the request of the applicant upon the registration or renewal of a registration of a nineteen hundred eighty-nine or later model year semitrailer, such semitrailer may be registered for a period of not less than five and one-half nor more than six and one-half years for a fee of

eighty-six dollars and twenty-five cents. A semitrailer, used with any device for converting it to a trailer, other than one being drawn by a tractor semitrailer combination as part of a double tandem combination, shall be registered as a trailer.

For the purposes of this paragraph, the unladen weight of a coach or house trailer shall include the weight of any equipment permanently attached to or installed in such trailer. Notwithstanding the foregoing provisions and pursuant to regulations and limitations to be established by the commissioner and upon payment of a fee of two dollars and thirty cents therefor a temporary permit to move a coach or house trailer on the public highways from one site to another shall be issued to the owner thereof upon application therefor. Such application shall be made in the manner prescribed by the commissioner.

b. For the purposes of this subdivision, as applied to a trailer other than a coach or house trailer or a semitrailer, maximum gross weight shall mean the weight of the trailer plus the weight of the maximum load to be carried by such trailer during the registration period. The weight of the trailer and such maximum load as stated on the application for registration shall be subject to audit and approval by the commissioner of motor vehicles.

c. No person shall operate or move, or cause or knowingly permit to be operated or moved on any public highway of this state any combination of a tractor registered in this state and a semitrailer having a combined weight of vehicles and load in excess of the maximum gross weight of the tractor as stated on the application for registration of such vehicle. Such maximum gross weight cannot be more than the weight permitted under section three hundred eighty-five of this chapter or the weight permitted by the rules or regulations of the department of transportation of any city not wholly included within one county or under permits that may be issued pursuant to such section, rules or regulations whichever is the least restrictive.

d. No person shall operate or move, or cause or knowingly permit to be operated or moved on any public highway of this state any trailer, other

than a coach or house trailer or a semitrailer, registered in this state, having a combined weight of vehicle and load in excess of the maximum gross weight of such trailer as stated on the application for registration of such vehicle.

9. Correction of registration. a. Where a motor vehicle registered under this article requires registration in another class because of a change in its form or use, an application for the correct registration may be granted upon the surrendering of the certificate of registration and number plates and the payment of a fee of one dollar, together with the excess, if any, of the fee for the correct registration over the fee for the registration in the class in which the vehicle is registered, both fees to be computed as of the date of granting the correct registration; provided, however, that if the vehicle has already been registered in more than one class during the year, the class requiring the highest fee shall be taken as the basis in determining the additional fee, if any, to be paid instead of the class in which the vehicle is registered at the time of the application.

b. Where a vehicle registered under the provisions of subdivisions seven or eight of this section on the basis of maximum gross weight requires a corrected registration because of a load in excess of the maximum load as certified in the application for registration, or the registrant desires to register the vehicle at a lower gross maximum weight, an application shall be made for correct registration. Upon the surrendering of the certificate of registration and the payment of a fee of two dollars together with the balance of the annual fee for the correct registration over the fee as previously registered, such corrected registration may be issued. No return of any part of the fee paid for the previous registration shall be made in case of a reduction of maximum gross weight certified in the application for a corrected registration.

9-a. Whenever a registration fee prescribed in subdivision six, seven or eight of this section shall amount to a fee other than a whole dollar amount, the fee required to be paid shall be rounded to the nearest twenty-five cents.

10. Fees in lieu of taxes. The registration fees imposed by this article upon motor vehicles, other than those of manufacturers and dealers, shall be in lieu of all taxes, general or local, to which motor vehicles may be subject.

11. A motor vehicle, which does not fall within the definition of the term bus, used to transport pupils, or pupils and teachers, to and from school and not otherwise used to transport passengers for hire shall not be registered as a taxicab or livery because of such use.

12. Registration fee for "forty and eight trains." Notwithstanding any of the provisions of this chapter, the annual registration fee for a motor vehicle, commonly described as a boxcar and/or locomotive, duck and tank and used only by La Societe des 40 Hommes et 8 Chevaux for civic demonstrations, convention purposes or social welfare work, shall be five dollars.

12-a. Permanent fleet registration. The commissioner may provide for a system of extended registration for vehicles a registrant wishes to register as a fleet. The fee required for the registration of each vehicle registered in such system shall be the same fee which would be required if the vehicle was otherwise registered under this section plus an additional two dollar administrative fee. The commissioner may establish the minimum number of vehicles required to be registered as a fleet, the types of vehicles which may be registered in a fleet, the term of validity of any such registration, qualifications for fleet registrants and, notwithstanding any other provisions of this article to the contrary, procedures for registration in a fleet, times and methods of payment of required fees and the display and/or surrender of number plates and tags or other evidence of fleet registration. The commissioner may prescribe rules and regulations to carry out the provisions of this subdivision.

13. Registration of motor vehicles, trailers and semitrailers operated upon public highways connecting portions of a farm or farms, municipal sanitary landfills, licensed motor vehicle repair shops and the point of

sale of the vehicle. Motor vehicles, other than motor vehicles manufactured and equipped primarily for the transportation of passengers, trailers and semitrailers, to be operated by any person, upon a public highway for the purpose of traveling by the most direct route, but in no event further than twenty-five miles one-way from a point on the farm as designated by the vehicle owner and which designated point is set forth in an attachment to the vehicle registration, (a) between fields, buildings, and facilities managed or operated as part of a single farm enterprise in connection with the production, harvesting, processing or marketing on that farm of crops, livestock, or livestock products produced on that farm; or (b) for the purpose of transporting materials from a farm to the nearest available municipal sanitary landfill; or (c) for the purpose of transporting the motor vehicle, trailer or semitrailer to a motor vehicle repair shop licensed pursuant to this chapter for the repair or adjustment of equipment provided that, in addition to the route restrictions set forth in this subdivision, no such transport shall be authorized (i) if such vehicle has an out-of-service defect relating to load securement, brake systems, steering components and/or coupling devices, or after it has been placed out-of-service; (ii) on any limited access highway; and (iii) during the period of one hour before sunset to one hour after sunrise; or (d) for the purpose of transporting the motor vehicle, trailer or semitrailer, at the time of first receipt, from its point of sale to a farm, may be registered as provided in this subdivision. Every owner of such vehicles may cause to be filed by mail or otherwise, with the commissioner or with any agent of the commissioner, an application for registration of such vehicle, addressed to the commissioner, and on a blank to be furnished by the commissioner for that purpose, containing the information required by subdivision one of this section and such other information as the commissioner shall require. The commissioner or agent shall make such investigation, as he or she shall determine necessary, and if satisfied that the vehicle is to be operated exclusively as provided in this subdivision shall, upon the payment of a fee of one dollar, assign to such vehicle a distinctive number and issue and deliver to the applicant a set of number plates and a certificate of registration in such form as the commissioner shall prescribe, indicating the extent to which the vehicle registered may be operated on

the public highways and such vehicle may be operated only as so indicated. For the purposes of this subdivision, the terms "farm" and "crops, livestock or livestock products," shall have the same meaning as "land used in agricultural production" and "crops, livestock and livestock products," respectively, as defined in section three hundred one of the agriculture and markets law, except that farmers with an average gross sales value of at least one thousand dollars per year of crops, livestock, and livestock products shall be eligible to register vehicles pursuant to this subdivision.

15. The commissioner is authorized to make necessary rules and regulations as may be appropriate for the proper enforcement of the provisions of this section with respect to the registration of auto trucks, agriculture trucks, light delivery cars, tractors and trailers.

16. a. Notwithstanding any other provision of this chapter or other law, or rule or regulation, a specialized vehicle shall be classified as a passenger vehicle and shall be registered accordingly. Such vehicle may use any highway which is restricted to passenger use only.

b. For the purpose of this subdivision, "a specialized vehicle" shall mean any vehicle having a gross weight not exceeding sixty-nine hundred ninety-nine pounds, regardless of seating or window arrangements, which is equipped or modified with a powered lift or ramp or containing any other physical device or alteration for the purpose of accommodating a wheelchair or permitting access of a wheelchair-bound person, and which is intended to be used for the transportation of a disabled person or persons confined to a wheelchair.

17. The provisions of this chapter with respect to the issuance and display of number plates shall not apply to trucks that are used on the highways only in crossing from one point in the owners property to another point in the property of such owner where the route traveled by such trucks does not adjoin the lands of another owner; provided, however, that such vehicles shall comply in all respects with the provisions of article six of this chapter.

17-a. The commissioner shall permit the use of distinctive license plates reserved for use by emergency medical technicians on a van or pickup truck owned and operated by such person where such vehicle is not used for commercial purposes.

18. A violation of subdivision one of this section shall be punishable by a fine of not less than seventy-five nor more than three hundred dollars, or by imprisonment for not more than fifteen days, or by both such fine and imprisonment except, if the violation consists of failure to renew a registration which was valid within sixty days, the fine shall be not less than forty dollars. A violation of subdivision seven or eight of this section shall be punishable by a fine of not less than one hundred fifty nor more than three hundred seventy-five dollars, or by imprisonment for not more than thirty days, or by both such fine and imprisonment, for the first offense, except where the violation was committed with a vehicle having a maximum gross weight of less than eighteen thousand pounds the violation should be punished by a fine of not less than forty nor more than three hundred seventy-five dollars; by a fine of not less than three hundred seventy-five dollars nor more than seven hundred fifty dollars, or by imprisonment for not more than sixty days, or by both such fine and imprisonment, for the second or subsequent offense; provided that a sentence or execution thereof for any violation under this subdivision may not be suspended. For any violation of said subdivision seven or eight of this section, the registration of the vehicle may be suspended for a period of not less than ten days nor more than six months whether at the time of the violation the vehicle was in charge of the owner or his agent. The provisions of section five hundred ten of this chapter shall apply to such suspension except as otherwise provided herein.

19. No owner of a motor vehicle shall cause to be presented, by mail or otherwise, to the office or a branch office of the commissioner, or to any agent of the commissioner, an application for registration of a vehicle which violates any weight limitations contained in the provisions of section three hundred eighty-five of this chapter or the weight permitted by the rules or regulations of any city not wholly included within one county or under permits that may be issued pursuant

to such section, rules or regulations whichever is the least restrictive.

19-a. If a vehicle or combination of vehicles is operated in violation of this section, an appearance ticket or summons may be issued to the registrant of the vehicle, or if a combination of vehicles, to the registrant of the hauling vehicle rather than the operator. In the event the vehicle is operated by a person other than the registrant, any appearance ticket or summons issued to the registrant shall be served upon the operator, who shall be deemed the agent of the registrant for the purpose of receiving such appearance ticket or summons. Such operator-agent shall transmit such ticket or summons to the registrant of the vehicle or the hauling vehicle. If the registrant does not appear on the return date, a notice establishing a new return date and either containing all pertinent information relating to the charge which is contained on the summons or appearance ticket or accompanied by a copy of the information or complaint shall also be mailed by certified or registered mail by or on behalf of the court or administrative tribunal before whom the appearance ticket or summons is returnable to the registrant at the address given on the registration certificate for the vehicle, or if no registration certificate is produced at the time the appearance ticket or summons is issued, to the address of the registrant on file with the department or given to the person issuing the appearance ticket or summons. Whenever proceedings in a court or administrative tribunal of this state result in a conviction for a violation of this section, and the court or administrative tribunal has made the mailing specified herein, the court or administrative tribunal shall levy a mandatory surcharge, in addition to any sentence or other surcharge required or permitted by law, in the amount of thirty dollars. This mandatory surcharge shall be paid to the clerk of the court or administrative tribunal that rendered the conviction. Within the first ten days of the month following collection of the mandatory surcharge by a town or village court, the court shall pay such money to the state comptroller who shall, pursuant to subdivision two of section ninety-nine-a of the state finance law, credit such money to the account of the town or village which sent the mandatory surcharge. If such collecting authority is any other court of the unified system or

administrative tribunal it shall, within such period, pay such money to the state comptroller who shall deposit such money into the state treasury. The provisions of this subdivision shall not apply to owner-operators of any motor vehicle or to any motor vehicle or trailer which is registered in the name of a person whose principal business is the lease or rental of motor vehicles or trailers unless the motor vehicle or trailer is being operated by an employee of the registrant or for a community of interest other than the lease or rental agreement between the parties to the lease or rental agreement.

21. The commissioner shall deposit daily the percentages listed below of all fees collected or received by the commissioner after March thirty-first, nineteen hundred ninety-three pursuant to certain registration fees imposed by (a) paragraph a of subdivision six, (b) all schedules of subdivision seven and (c) paragraph a of subdivision eight of this section in a responsible bank, banking house or trust company, which shall pay the highest rate of interest to the state for such deposit to the credit of the comptroller on account of the dedicated highway and bridge trust fund established pursuant to section eighty-nine-b of the state finance law. The commissioner shall so deposit thirteen percent of all such registration fees so collected or so received after March thirty-first, nineteen hundred ninety-three, seventeen percent of all such registration fees so collected or so received after December thirty-first, nineteen hundred ninety-four, twenty percent of all such registration fees so collected or so received after December thirty-first, nineteen hundred ninety-five, twenty-eight percent of all such registration fees so collected or so received after March thirty-first, nineteen hundred ninety-eight, thirty-four percent of all such registration fees so collected or so received after June thirtieth, nineteen hundred ninety-eight, and forty-five and five-tenths percent of all such registration fees so collected or so received after January thirty-first, nineteen hundred ninety-nine. Every bank, banking house or trust company that accepts such deposits shall execute and file in the office of the department of audit and control an undertaking to the state, in the sum, and with such sureties, as are required and approved by the comptroller for the safe keeping and prompt payment on legal demand therefor of all such moneys held by or on deposit in such

bank, banking house, or trust company, with interest thereon on daily balances at such rate as the comptroller may fix. Every such undertaking shall have endorsed thereon or annexed thereto the approval of the attorney general as to its form.

The commissioner shall deposit daily the percentages listed below of all fees collected or received by the commissioner after March thirty-first, two thousand one pursuant to certain registration fees imposed by (a) paragraph a of subdivision six, (b) all schedules of subdivision seven, and (c) paragraph a of subdivision eight of this section in a responsible bank, banking house or trust company, which shall pay the highest rate of interest to the state for such deposit to the credit of the comptroller on account of the dedicated highway and bridge trust fund established pursuant to section eighty-nine-b of the state finance law and the dedicated mass transportation trust fund established pursuant to section eighty-nine-c of the state finance law and to distribute such deposit pursuant to the provisions of subdivision (d) of section three hundred one-j of the tax law. In addition to the percentages specified in the opening paragraph of this section, the commissioner shall so deposit twenty-three and five-tenths percent of all such registration fees so collected or so received after March thirty-first, two thousand one and fifty-four and five-tenths percent of all such registration fees so collected or so received after March thirty-first, two thousand two. Every bank, banking house or trust company that accepts such deposits shall execute and file in the office of the department of audit and control an undertaking to the state, in the sum, and with such sureties, as are required and approved by the comptroller for the safe keeping and prompt payment on legal demand therefor of all such moneys held by or in deposit in such bank, banking house or trust company, with interest thereon on daily balances at such rate as the comptroller may fix. Every such undertaking shall have endorsed thereon or annexed thereto the approval of the attorney general as to its form.

Of the revenues so deposited, the comptroller shall retain in his hands such amount as the commissioner may determine to be necessary for refunds or reimbursements of the fees collected or received pursuant to

(a) paragraph a of subdivision six, (b) all schedules of subdivision seven and (c) paragraph a of subdivision eight of this section to which registrants shall be entitled under the provisions of this article, out of which amount the commissioner shall pay any refunds or reimbursements of the fees collected or received pursuant to (a) paragraph a of subdivision six, (b) all schedules of subdivision seven and (c) paragraph a of subdivision eight of this section to which registrants shall be entitled under such provisions. The comptroller, after reserving the amount to pay such refunds or reimbursements, shall, on or before the last day of each month, deposit the balance of the revenue so deposited during such month into the dedicated highway and bridge trust fund established pursuant to section eighty-nine-b of the state finance law and the dedicated mass transportation trust fund established pursuant to section eighty-nine-c of the state finance law.

Notwithstanding any inconsistent provision of this section, the difference collected between the registration fees set forth in paragraph a of subdivision six of this section in effect on and after September first, two thousand nine and the registration fees set forth in such paragraph in effect prior to such date shall be deposited to the credit of the dedicated highway and bridge trust fund.

Notwithstanding any inconsistent provision of this section, the difference collected between the registration fees set forth in schedule A of subdivision seven of this section in effect on and after September first, two thousand nine and the registration fees set forth in such schedule in effect prior to such date shall be deposited to the credit of the dedicated highway and bridge trust fund.

Notwithstanding any inconsistent provision of this section, the difference collected between the registration fees set forth in schedule B of subdivision seven of this section in effect on and after September first, two thousand nine and the registration fees set forth in such schedule in effect prior to such date shall be deposited to the credit of the dedicated highway and bridge trust fund.

Notwithstanding any inconsistent provision of this section, the

difference collected between the registration fees set forth in schedule C of subdivision seven of this section in effect on and after September first, two thousand nine and the registration fees set forth in such schedule in effect prior to such date shall be deposited to the credit of the dedicated highway and bridge trust fund.

Notwithstanding any inconsistent provision of this section, the difference collected between the registration fees set forth in schedule E of subdivision seven of this section in effect on and after September first, two thousand nine and the registration fees set forth in such schedule in effect prior to such date shall be deposited to the credit of the dedicated highway and bridge trust fund.

Notwithstanding any inconsistent provision of this section, the difference collected between the registration fees set forth in schedule F of subdivision seven of this section in effect on and after September first, two thousand nine and the registration fees set forth in such schedule in effect prior to such date shall be deposited to the credit of the dedicated highway and bridge trust fund.

Notwithstanding any inconsistent provision of this section, the difference collected between the registration fees set forth in schedule G of subdivision seven of this section in effect on and after September first, two thousand nine and the registration fees set forth in such schedule in effect prior to such date shall be deposited to the credit of the dedicated highway and bridge trust fund.

Notwithstanding any inconsistent provision of this section, the difference collected between the registration fees set forth in schedule I of subdivision seven of this section in effect on and after September first, two thousand nine and the registration fees set forth in such schedule in effect prior to such date shall be deposited to the credit of the dedicated highway and bridge trust fund.

Notwithstanding any inconsistent provision of this section, the difference collected between the registration fees set forth in subdivision eight of this section in effect on and after September

first, two thousand nine and the registration fees set forth in such subdivision in effect prior to such date shall be deposited to the credit of the dedicated highway and bridge trust fund.

Notwithstanding any inconsistent provision of this section, the registration fees collected pursuant to subdivisions two, six and eight of section four hundred twenty of this title shall be deposited pursuant to the provisions of this subdivision; provided, however, the difference collected between the registration fees set forth in such subdivisions two, six and eight in effect on and after September first, two thousand nine and the registration fees set forth in such subdivisions in effect prior to such date shall be deposited to the credit of the dedicated highway and bridge trust fund.

Notwithstanding any inconsistent provision of this section, the registration fees collected pursuant to paragraph (b) of subdivision three of section twenty-two hundred sixty-one of this chapter shall be deposited pursuant to the provisions of this subdivision; provided, however, the difference collected between the registration fees set forth in paragraph (b) of subdivision three of section twenty-two hundred sixty-one of this chapter in effect on and after September first, two thousand nine and the registration fees set forth in such paragraph in effect prior to such date shall be deposited to the credit of the dedicated highway and bridge trust fund.

Notwithstanding any inconsistent provision of this section, eleven dollars and fifty cents of the registration fees collected pursuant to paragraph (a) of subdivision five of section four hundred ten of this title shall be deposited pursuant to this subdivision. Three dollars and fifty cents of such fees collected in relation to applications for new registrations and renewals of existing registrations expiring on and after September first, two thousand nine shall be deposited to the credit of the dedicated highway and bridge trust fund. Two dollars and fifty cents of such registration fees shall be deposited into the motorcycle safety fund established pursuant to section ninety-two-g of the state finance law.

22. The commissioner shall not register any altered motor vehicle that fails to comply, as demonstrated to the satisfaction of the commissioner, with the certification requirements established by Part 567 of title 49 of the code of federal regulations for altered vehicles.

23. The commissioner shall revoke the registration of any altered motor vehicle which fails to comply with the certification requirements of Part 567 of title 49 of the code of federal regulations, as determined by the commissioner, and refund to or credit the account of any person who paid a registration fee for an altered motor vehicle, the pro rata unused portion of such registration fee.