§ 510. Suspension, revocation and reissuance of licenses and registrations. 1. Who may suspend or revoke. Any magistrate, justice or judge, in a city, in a town, or in a village, any supreme court justice, any county judge, any judge of a district court, the superintendent of state police and the commissioner of motor vehicles or any person deputized by him, shall have power to revoke or suspend the license to drive a motor vehicle or motorcycle of any person, or in the case of an owner, the registration, as provided herein.

A learner's permit, or a license which has expired but is renewable, shall be deemed a license within the meaning of this section.

2. Mandatory revocations and suspensions. a. Mandatory revocations. Such licenses shall be revoked and such registrations may also be revoked where the holder is convicted:

(i) of homicide or assault arising out of the operation of a motor vehicle or motorcycle or criminal negligence in the operation of a motor vehicle or motorcycle resulting in death, whether the conviction was had in this state or elsewhere;

(ii) pursuant to section twenty-three hundred eighty-five of title eighteen of the United States code, of the crime of advocating the overthrow of government, whether the conviction was had in this state or elsewhere;

(iii) of any violation of subdivision two of section six hundred or section three hundred ninety-two or of a local law or ordinance making it unlawful to leave the scene of an accident without reporting;

(iv) of a third or subsequent violation, committed within a period of eighteen months, of any provision of section eleven hundred eighty of this chapter, any ordinance or regulation limiting the speed of motor vehicles and motorcycles or any provision constituted a misdemeanor by this chapter, not included in subparagraphs (i) or (iii) of this paragraph, except violations of subdivision one of section three hundred seventy-five of this chapter or of subdivision one of section four hundred one of this chapter and similar violations under any local law, ordinance or regulation committed by an employed driver if the offense occurred while operating, in the course of his employment, a vehicle not owned by said driver, whether such three or more violations were

repetitions of the same offense or were different offenses;

(v) of a violation for the conviction of which any such license is subject to revocation under subdivision two of section five hundred ten-b;

(vi) of a violation of any provision of section eleven hundred eighty-two of this chapter;

(vii) of a second violation of any provision of section eleven hundred eighty-two committed within a period of three years of a previous violation of the aforesaid section shall result in a license revocation of one year;

(viii) of a third violation, committed within a period of three years, of any provision of subdivision a of section eleven hundred seventy-four of this chapter;

(ix) of a violation of section twelve hundred twenty-four of this chapter, other than a violation adjudicated by the environmental control board of a city having a population of one million or more pursuant to subdivision seven of such section, and fails to pay the fine imposed thereon pursuant to subdivision seven of such section;

(x) of a traffic infraction for a subsequent violation of article twenty-six of this chapter and the commission of such violation caused serious physical injury to another person and such subsequent violation occurred within eighteen months of a prior violation of any provision of article twenty-six of this chapter where the commission of such prior violation caused the serious physical injury or death of another person;

(xi) of a traffic infraction for a subsequent violation of article twenty-six of this chapter and the commission of such violation caused the death of another person and such subsequent violation occurred within eighteen months of a prior violation of any provision of article twenty-six of this chapter where the commission of such prior violation caused the serious physical injury or death of another person;

(xii) of a second or subsequent conviction of a violation of section twelve hundred twenty-five-c or section twelve hundred twenty-five-d of this chapter committed where such person is the holder of a probationary license, as defined in subdivision four of section five hundred one of this title, at the time of the commission of such violation and such second or subsequent violation was committed within six months following the restoration or issuance of such probationary license; or

(xiii) of a second or subsequent conviction of a violation of section twelve hundred twenty-five-c or section twelve hundred twenty-five-d of this chapter committed where such person is the holder of a class DJ or MJ learner's permit or a class DJ or MJ license at the time of the commission of such violation and such second or subsequent violation was committed within six months following the restoration of such permit or license.

b. Mandatory suspensions. Such licenses shall be suspended, and such registrations may also be suspended:

(i) for a period of sixty days where the holder is convicted of a violation for the conviction of which such license is subject to suspension pursuant to subdivision one of section five hundred ten-b;

(ii) when the holder forfeits bail given upon being charged with any of the offenses mentioned in this subdivision, until the holder submits to the jurisdiction of the court in which he forfeited bail; and

(iii) such registrations shall be suspended when necessary to comply with subdivision nine of section one hundred forty or subdivision four of section one hundred forty-five of the transportation law or with an out of service order issued by the United States department of transportation. The commissioner shall have the authority to 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 it has been 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. Any suspension issued pursuant to this subdivision by reason of an out of service order issued by the United States department of transportation shall remain in effect until such time as the commissioner is notified by the United States department of transportation or the commissioner of transportation that the order resulting in the suspension is no longer in effect.

(iv) For a period of not less than thirty nor greater than one hundred eighty days where the holder is convicted of the crime of assault in the first, second or third degree as defined in article one hundred twenty of the penal law, where such offense was committed against a traffic

enforcement agent employed by the city of New York or the city of Buffalo while such agent was enforcing or attempting to enforce the traffic regulations of such city.

(vi) for a period of sixty days where the holder is convicted of a violation of subdivision one of section twelve hundred twenty-b of this chapter within a period of eighteen months of a previous violation of such subdivision.

(vii) for a period of ninety days where the holder is convicted of a violation of subdivision one of section twelve hundred twenty-b of this chapter within a period of eighteen months of two or more previous violations of such subdivision.

(ix) For a period of three months where the holder is sentenced to a license suspension pursuant to paragraph (a) of subdivision five of section sixty-five-b of the alcoholic beverage control law, provided however, that, in accordance with such subdivision five, such suspension shall be only a license suspension.

(x) For a period of six months where the holder is sentenced to a license suspension pursuant to paragraph (b) of subdivision five of section sixty-five-b of the alcoholic beverage control law, provided however, that, in accordance with such subdivision five, such suspension shall be only a license suspension.

(xi) For a period of one year or until the holder reaches the age of twenty-one, whichever is the greater period of time, where the holder is sentenced to a license suspension pursuant to paragraph (c) of subdivision five of section sixty-five-b of the alcoholic beverage control law, provided however, that, in accordance with such subdivision five, such suspension shall be only a license suspension.

(xii) for a period of one year where the holder is convicted of, or receives a youthful offender or juvenile delinquency adjudication in connection with a violation of section 240.62 or subdivision five of section 240.60 of the penal law.

(xiii) for a period of sixty days where the holder is convicted of two or more violations of paragraph two of subdivision (d) or subdivision (f) of section eleven hundred eighty of this chapter.

(xiv) for a period of forty-five days where the holder is convicted of a traffic infraction for a first violation of article twenty-six of this chapter and the commission of such violation caused serious physical

injury to another person, except: (A) where the holder is convicted of a traffic infraction for a first violation of section eleven hundred forty-six of this chapter and the commission of such violation caused serious physical injury to another person, the suspension shall be for a period of six months; and (B) where the holder is convicted of a traffic infraction for a second violation of section eleven hundred forty-six of this chapter and the commission of such violation caused serious physical injury to another person, and such person has previously been convicted of a traffic infraction for a violation of section eleven hundred forty-six of this chapter and the commission of such violation caused serious physical injury to another person within five years, the suspension shall be for a period of one year.

(xv) for a period of seventy-five days where the holder is convicted of a traffic infraction for a first violation of article twenty-six of this chapter and the commission of such violation caused the death of another person.

(xvi) for a period of one hundred twenty days where the holder is convicted of a violation of section twelve hundred twenty-five-c or section twelve hundred twenty-five-d of this chapter when such violation was committed while such holder had a probationary license, as defined in subdivision four of section five hundred one of this title.

(xvii) for a period of one hundred twenty days where the holder is convicted of a violation of section twelve hundred twenty-five-c or section twelve hundred twenty-five-d of this chapter when such violation was committed while such holder had a class DJ or MJ learner's permit or a class DJ or MJ license.

c. Application of mandatory revocations and suspensions to non-residents and to unlicensed persons. Whenever a non-resident or a person who is unlicensed is convicted of any violation or receives a youthful offender or juvenile delinquency adjudication in conjunction with a violation of section 240.62 or subdivision five of section 240.60 of the penal law, which would require the revocation or suspension of a license, pursuant to the provisions of this chapter, if the person so convicted or adjudicated was the holder of a license issued by the commissioner, such non-resident's privilege of operating a motor vehicle in this state or such unlicensed person's privilege of obtaining a

license issued by the commissioner shall be revoked or suspended, and such non-resident's privilege of operation within this state of any motor vehicle owned by such person or such unlicensed person's privilege of obtaining a registration issued by the commissioner may be suspended as if such non-resident or unlicensed person was the holder of a license issued by the commissioner. The provisions of subdivisions six and seven of this section shall be applicable to any such suspension or revocation.

d. Mandatory suspensions; vehicles over eighteen thousand pounds. A license or privilege shall be suspended by the commissioner for a period of sixty days, where the holder is convicted of a violation of subdivision (g) of section eleven hundred eighty of this chapter, and (i) the recorded or entered speed upon which the conviction was based exceeded the applicable speed limit by more than twenty miles per hour or (ii) the recorded or entered speed upon which the conviction was based exceeded the applicable speed limit by more than ten miles per hour and the vehicle was either (A) in violation of any rules or regulations involving an out-of-service defect relating to brake systems, steering components and/or coupling devices, or (B) transporting flammable gas, radioactive materials or explosives. Whenever a license is suspended pursuant to this paragraph, the commissioner shall immediately issue a restricted license provided the holder of such license is otherwise eligible to receive such restricted license, except that no such restricted license shall be valid for the operation of a vehicle with a GVWR of more than eighteen thousand pounds and further provided that issuing a license to such person does not create a substantial traffic safety hazard.

2-a. Mandatory suspension and revocation of a license and registration in certain cases. (a) Within seven days after conviction for a violation of any local law which prohibits the knowing operation or offering to operate or permitting the operation for hire of any vehicle as a taxicab, livery, as defined in section one hundred twenty-one-e of this chapter, coach, limousine, van or wheelchair accessible van or tow truck within the state without first having obtained an appropriate license therefor from the appropriate licensing authority and appropriate

for-hire insurance from the appropriate insurance agency, the taxi and limousine commission or other local body having jurisdiction over such offenses with respect to such vehicles shall provide notice of such conviction to the commissioner in a manner agreed upon between any such local body and the commissioner. Upon receipt of such notice, the commissioner shall suspend the license of such operator and the registration of such vehicle for a period of sixty days.

(b) Within seven days after conviction for a violation of any local law which prohibits the knowing operation or offering to operate or permitting the operation for hire of any vehicle as a taxicab, livery, as defined in section one hundred twenty-one-e of this chapter, coach, limousine, van or wheelchair accessible van or tow truck within the state without first having obtained an appropriate license therefor from the appropriate licensing authority and appropriate for-hire insurance from the appropriate insurance agency where the operator has, within the previous five years, been convicted of any such violation, the taxi and limousine commission or other local body having jurisdiction over such offenses with respect to such vehicles shall provide notice to the commissioner in a manner agreed upon between any such local body and the commissioner. Upon receipt of such notice, the commissioner shall revoke the license of such operator.

(c) Within seven days after conviction for a violation of any local law which prohibits the knowing operation or offering to operate or permitting the operation for hire of any vehicle as a taxicab, livery, as defined in section one hundred twenty-one-e of this chapter, coach, limousine, van or wheelchair accessible van or tow truck within the state without first having obtained an appropriate license therefor from the appropriate licensing authority and appropriate for-hire insurance from the appropriate insurance agency where the registrant has, within the previous five years, been convicted of any such violation, the taxi and limousine commission or other local body having jurisdiction over such offenses with respect to such vehicles shall provide notice to the commissioner in a manner agreed upon between any such local body and the commissioner. Upon receipt of such notice, the commissioner shall revoke the registration of such vehicle, and no new registration shall be issued for at least six months, nor thereafter, except in the discretion of the commissioner.

(d) The provisions of this subdivision shall not apply to any taxicab or livery as defined in section one hundred twenty-one-e of this chapter, coach, limousine, van or wheelchair accessible van or tow truck licensed or permitted for such operation by the appropriate local body of any other municipality, the department of transportation, the metropolitan transportation authority or the interstate commerce commission.

3. Permissive suspensions and revocations. Such licenses and registrations and the privilege of a non-resident of operating a motor vehicle in this state and of operation within this state of any motor vehicle owned by him and the privilege of an unlicensed person of obtaining a license issued by the commissioner and of obtaining a registration issued by the commissioner may be suspended or revoked:

a. for any violation of the provisions of this chapter, except section eleven hundred ninety-two, or for any violation of a local ordinance or regulation prohibiting dangerous driving as shall, in the discretion of the officer acting hereunder, justify such revocation or suspension;

b. because of some physical or mental disability of the holder, the court commitment of the holder to an institution under the jurisdiction of the department of mental hygiene or the disability of the holder by reason of intoxication or the use of drugs;

c. because of the conviction of the holder at any time of a felony;

d. for habitual or persistent violation of any of the provisions of this chapter, or of any lawful ordinance, rule or regulation made by local authorities in relation to traffic;

e. for gross negligence in the operation of a motor vehicle or motorcycle or operating a motor vehicle or motorcycle in a manner showing a reckless disregard for life or property of others;

f. for knowingly permitting or suffering any motor vehicle or motorcycle under the direction or control of the holder to be used in

aid or furtherance of the commission of any crime;

g. for preventing lawful identification of any motor vehicle or motorcycle under the holder's direction or control, or evading lawful arrest or prosecution while operating such motor vehicle or motorcycle;

h. for wilfully evading lawful prosecution in this state or in another state or jurisdiction for an offense committed therein against the motor vehicle or traffic laws thereof;

i. for habitual or persistent violation of any provisions of this chapter, and/or any lawful ordinance, rule or regulation made by local authorities in relation to traffic, and/or violations committed in a commercial motor vehicle of any law, statute, ordinance, rule or regulation in relation to traffic made by any other state, District of Columbia, Canadian province or local authority of such state, district or province;

j. except as provided in subdivision one herein or section eleven hundred ninety-three of this chapter upon the conviction of a person under eighteen years of age of any crime or in the case of an adjudication of youthful offender under nineteen years of age, such license or registration may be suspended or revoked for a maximum period of one year by the judge or justice sentencing him;

k. for a period of up to ninety days because of the conviction of the holder of the offenses of menacing as defined in section 120.15 of the penal law, where such offense was committed against a traffic enforcement agent employed by the city of New York or the city of Buffalo while such agent was enforcing or attempting to enforce the traffic regulations of such city.

3-a. Opportunity to be heard and temporary suspensions. Where revocation or suspension is permissive, the holder, unless he shall waive such right, shall have an opportunity to be heard except where such revocation or suspension is based solely on a court conviction or convictions or on a court commitment to an institution under the

jurisdiction of the department of mental hygiene. A license or registration, or the privilege of a non-resident of operating a motor vehicle in this state or of the operation within this state of any motor vehicle owned by him, may, however, be temporarily suspended without notice, pending any prosecution, investigation or hearing.

4. Administrative action pursuant to interstate compact. a. Such licenses may be suspended where pursuant to any compact or agreement authorized by section five hundred seventeen of this chapter the holder thereof is issued a summons for a moving traffic violation, is not detained or required to furnish bail or collateral and fails to appear in response to such summons. Such suspension shall remain in effect only until such holder submits to the jurisdiction of the court in which such summons is returnable.

b. If notification is received by the commissioner pursuant to any compact or agreement authorized by section five hundred sixteen-b of this article that the holder of a New York license or an unlicensed New York resident has been convicted of an offense set forth in such compact or agreement, such conviction, for the purpose of administrative action which must or may be taken by the commissioner pursuant to the provisions of this section, shall be deemed to be a conviction of an offense committed within this state in accordance with the provisions of such compact or agreement.

4-a. Suspension for failure to answer an appearance ticket. (a) Upon receipt of a court notification of the failure of a person to appear within sixty days of the return date or new subsequent adjourned date, pursuant to an appearance ticket charging said person with a violation of any of the provisions of this chapter (except one for parking, stopping, or standing), of any violation of the tax law or of the transportation law regulating traffic or of any lawful ordinance or regulation made by a local or public authority, relating to traffic (except one for parking, stopping, or standing) the commissioner or his or her agent may suspend the driver's license or privileges of such person pending receipt of notice from the court that such person has appeared in response to such appearance ticket or has paid or has

entered into an installment payment plan to pay the fine associated with a conviction entered as a result of the failure to appear in response to such appearance ticket, or the defendant has been acquitted of the charge that led to the suspension or such charge was otherwise dismissed. Such suspension shall take effect no less than thirty days from the day upon which an initial notice thereof is sent by the commissioner to the person whose driver's license or privileges are to be suspended, provided that the commissioner shall send such person at least two notices thereof, including such initial notice, at least fifteen days apart during such period. Any suspension issued pursuant to this paragraph shall be subject to the provisions of paragraph (j-l) of subdivision two of section five hundred three of this chapter.

(b) The provisions of paragraph (a) of this subdivision shall not apply to a registrant who was not operating a vehicle, but who was issued a summons or an appearance ticket for a violation of section three hundred eighty-five, section four hundred one or section five hundred eleven-a of this chapter. Upon the receipt of a court notification of the failure of such person to appear within sixty days of the return date or a new subsequent adjourned date, pursuant to an appearance ticket charging said person with such violation, or the failure of such person to pay a fine imposed by a court, the commissioner or his or her agent may suspend the registration of the vehicle or vehicles involved in such violation or privilege of operation of any motor vehicle owned by the registrant pending receipt of notice from the court that such person has appeared in response to such appearance ticket or has paid such fine. Such suspension shall take effect no less than thirty days from the day upon which notice thereof is sent by the commissioner to the person whose registration or privilege is to be suspended. Any suspension issued pursuant to this paragraph shall be subject to the provisions of paragraph (j-1) of subdivision two of section five hundred three of this chapter.

(c) Upon receipt of notification from a traffic and parking violations agency or a traffic violations agency of the failure of a person to appear within sixty days of the return date or new subsequent adjourned date, pursuant to an appearance ticket charging said person with a violation of:

(i) any of the provisions of this chapter except one for parking,

stopping or standing and except those violations described in paragraphs (a), (b), (d), (e) and (f) of subdivision two and in paragraphs (a), (b), (d), (e), (f) and (g) of subdivision two-a and in paragraphs (a), (b), (d), (e), (f) and (g) of subdivision two-b of section three hundred seventy-one of the general municipal law;

(ii) section five hundred two or subdivision (a) of section eighteen hundred fifteen of the tax law;

(iii) section fourteen-f (except paragraph (b) of subdivision four of section fourteen-f), two hundred eleven or two hundred twelve of the transportation law; or

(iv) any lawful ordinance or regulation made by a local or public authority relating to traffic (except one for parking, stopping or standing), the commissioner or his or her agent may suspend the driver's license or privileges of such person pending receipt of notice from the agency that such person has appeared in response to such appearance ticket or has paid or has entered into an installment payment plan to pay the fine associated with a conviction entered as a result of the failure to appear in response to such appearance ticket, or the defendant has been acquitted of the charge that led to the suspension or such charge was otherwise dismissed. Such suspension shall take effect no less than thirty days from the day upon which an initial notice thereof is sent by the commissioner to the person whose driver's license or privileges are to be suspended, provided that the commissioner shall send such person at least two notices thereof, including such initial notice, at least fifteen days apart during such period. Any suspension issued pursuant to this paragraph shall be subject to the provisions of paragraph (j-1) of subdivision two of section five hundred three of this chapter.

4-b. Suspension of registration for failure to answer or to pay fines with respect to certain violations. Upon receipt of certification from a court or administrative tribunal of appropriate jurisdiction that the owner of a motor vehicle or his representative failed to appear on the return date or dates or any subsequent adjourned date or dates or failed to comply with the rules and regulations of an administrative tribunal following entry of a final decision or decisions in response to twenty-five or more summonses or other process, issued within an

eighteen month period charging that such motor vehicle is parked, stopped or standing in violation of any of the provisions of this chapter or of any law, ordinance, rule or regulation made by a local authority, the commissioner shall suspend the registration of such motor vehicle. Such suspension shall take effect no less than thirty days from the date on which notice thereof is sent by the commissioner to the person whose registration is to be suspended and shall remain in effect as long as the summmons or summonses remain unanswered, or in the case of an administrative tribunal, the registrant fails to comply with the rules and regulations following the entry of a final decision or decisions.

* 4-c. Suspension of registration for failure to answer or to pay fines with respect to parking, stopping and standing violations. Upon receipt of certification from a court or administrative tribunal of appropriate jurisdiction in a city with a population in excess of one hundred thousand persons according to the nineteen hundred eighty United States census that the owner of a motor vehicle or his representative following compliance by such city with the notice provisions of subdivision two of section two hundred thirty-five of this chapter, failed to appear on the return date or dates or any subsequent adjourned date or dates or failed to comply with the rules and regulations of an administrative tribunal following entry of a final decision or decisions, in response to five or more summonses or other process, issued within a twelve month period charging that such motor vehicle is parked, stopped or standing in violation of any of the provisions of this chapter or of any law, ordinance, rule or regulation made by a local authority, the commissioner shall suspend the registration of such motor vehicle. Such suspension shall take effect no less than thirty days from the date on which notice thereof is sent by the commissioner to the person whose registration is to be suspended and shall remain in effect as long as the summons or summonses remain unanswered, or in the case of an administrative tribunal, the registrant fails to comply with the rules and regulations following the entry of a final decision or decisions.

* NB Repealed September 1, 2027

4-d. Suspension of registration for failure to answer or pay penalties

with respect to certain violations. Upon the receipt of a notification from a court or an administrative tribunal that an owner of a motor vehicle failed to appear on the return date or dates or a new subsequent adjourned date or dates or failed to pay any penalty imposed by a court or failed to comply with the rules and regulations of an administrative tribunal following entry of a final decision or decisions, in response to five or more notices of liability or other process, issued within an eighteen month period charging such owner with a violation of toll collection regulations in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, the commissioner or his agent shall suspend the registration of the vehicle or vehicles involved in the violation or the privilege of operation of any motor vehicle owned by the registrant. Such suspension shall take effect no less than thirty days from the date on which notice thereof is sent by the commissioner to the person whose registration or privilege is suspended and shall remain in effect until such registrant has appeared in response to such notices of liability or has paid such penalty or in the case of an administrative tribunal, the registrant has complied with the rules and regulations following the entry of a final decision or decisions.

* 4-e. Suspension and disqualification for failure to make child support payments or failure to comply with a summons, subpoena or warrant relating to a paternity or child support proceeding. (1) The commissioner, on behalf of the department, shall enter into a written agreement with the commissioner of the office of temporary and disability assistance, on behalf of the office of temporary and disability assistance, which shall set forth the procedures for suspending the driving privileges of individuals who have failed to make payments of child support or combined child and spousal support.

(2) Such agreement shall include:

(i) the procedure under which the office of temporary and disability assistance shall notify the department of an individual's liability for support arrears;

(ii) the procedure under which the department shall be notified by the office of temporary and disability assistance that an individual has

satisfied or commenced payment of his or her support arrears; or has made satisfactory payment arrangements thereon and shall have the suspension of his or her driving privileges terminated;

(iii) the procedure for reimbursement of the department and its agents by the office of temporary and disability assistance for the full additional costs of carrying out the procedures authorized by this section, and may include, subject to the approval of the director of the budget, a procedure for reimbursement of necessary additional costs of collecting social security numbers pursuant to section five hundred two of this title;

(iv) provision for the publicizing of sanctions for nonpayment of child support including the potential for the suspension of delinquent support obligors' driving privileges if they fail to pay child support or combined child and spousal support; and

(v) such other matters as the parties to such agreement shall deem necessary to carry out provisions of this section.

(3) Upon receipt of notification from the office of temporary and disability assistance of a person's failure to satisfy support arrears or to make satisfactory payment arrangements thereon pursuant to paragraph (e) of subdivision twelve of section one hundred eleven-b of the social services law or notification from a court issuing an order pursuant to section four hundred fifty-eight-a of the family court act or section two hundred forty-four-b of the domestic relations law, the commissioner or his or her agent shall suspend the license of such person to operate a motor vehicle. In the event such person is unlicensed, such person's privilege of obtaining a license shall be suspended. Such suspension shall take effect no later than fifteen days from the date of the notice thereof to the person whose license or privilege of obtaining a license is to be suspended, and shall remain in effect until such time as the commissioner is advised that the person has satisfied the support arrears or has made satisfactory payment arrangements thereon pursuant to paragraph (e) of subdivision twelve of section one hundred eleven-b of the social services law or until such time as the court issues an order to terminate such suspension;

(4) From the time the commissioner is notified by the office of temporary and disability assistance of a person's liability for support arrears under this section, the commissioner shall be relieved from all

liability to such person which may otherwise arise under this section, and such person shall have no right to commence a court action or proceeding or to any other legal recourse against the commissioner to recover such driving privileges as authorized by this section. In addition, notwithstanding any other provision of law, such person shall have no right to a hearing or appeal pursuant to this chapter with respect to a suspension of driving privileges as authorized by this section. However, nothing herein shall be construed to prohibit such person from proceeding against the support collection unit pursuant to article seventy-eight of the civil practice law and rules.

(5) Any person whose license has been suspended pursuant to subdivision three of this section may apply for the issuance of a restricted use license as provided in section five hundred thirty of this title.

* NB Repealed August 31, 2027

4-f. Suspension for failure to pay past-due tax liabilities. (1) The commissioner shall enter into a written agreement with the commissioner of taxation and finance, as provided in section one hundred seventy-one-v of the tax law, which shall set forth the procedures for suspending the drivers' licenses of individuals who have failed to satisfy past-due tax liabilities as such terms are defined in such section.

(2) Upon receipt of notification from the department of taxation and finance that an individual has failed to satisfy past-due tax liabilities, or to otherwise make payment arrangements satisfactory to the commissioner of taxation and finance, or has failed to comply with the terms of such payment arrangements more than once within a twelve month period, the commissioner or his or her agent shall suspend the license of such person to operate a motor vehicle. In the event such person is unlicensed, such person's privilege of obtaining a license shall be suspended. Such suspension shall take effect no later than fifteen days from the date of the notice thereof provided to the person whose license or privilege of obtaining a license is to be suspended, and shall remain in effect until such time as the commissioner is advised that the person has satisfied his or her past-due tax liabilities, or has otherwise made payment arrangements satisfactory to

the commissioner of taxation and finance.

(3) From the time the commissioner is notified by the department of taxation and finance under this section, the commissioner shall be relieved from all liability to such person which may otherwise arise under this section, and such person shall have no right to commence a court action or proceeding or to any other legal recourse against the commissioner to recover such driving privileges as authorized by this section. In addition, notwithstanding any other provision of law, such person shall have no right to a hearing or appeal pursuant to this chapter with respect to a suspension of driving privileges as authorized by this section.

(4) Notwithstanding any provision of law to the contrary, the department shall furnish the department of taxation and finance with the information necessary for the proper identification of an individual referred to the department for the purpose of driver's license suspension pursuant to this section and section one hundred seventy-one-v of the tax law. This shall include the individual's name, social security number and any other information the commissioner of motor vehicles deems necessary.

(5) Any person whose driver's license is suspended pursuant to paragraph two of this subdivision may apply for the issuance of a restricted use license as provided in section five hundred thirty of this title.

4-g. Suspension of registration for unlawful solicitation of ground transportation services at an airport. Upon the receipt of a notification from a court or an administrative tribunal that an owner of a motor vehicle was convicted of a second conviction of unlawful solicitation of ground transportation services at an airport in violation of subdivision one of section twelve hundred twenty-b of this chapter both of which were committed within a period of eighteen months, the commissioner or his agent shall suspend the registration of the vehicle involved in the violation for a period of ninety days; upon the receipt of such notification of a third or subsequent conviction for a violation of such subdivision all of which were committed within a period of eighteen months, the commissioner or his agent shall suspend such registration for a period of one hundred eighty days. Such

suspension shall take effect no less than thirty days from the date on which notice thereof is sent by the commissioner to the person whose registration or privilege is suspended. The commissioner shall have the authority to deny a registration or renewal application to any other person for the same vehicle, where it has been 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.

4-h. Suspension of registration for covering license plates with a license plate cover or material appearing to be a number plate or obscuring license plates with any material or substance. (a) Upon receipt of a notification from a court or an administrative tribunal that an owner of a motor vehicle has been convicted three or more times within a period of five years of a violation of subparagraph (ii), (ii-a) or (iii) of paragraph (b) of subdivision one of section four hundred two of this chapter not arising out of the same incident, the commissioner or the commissioner's agent may suspend the registration of the motor vehicle involved in such violation for a period of ninety days. The commissioner may, in the commissioner's 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 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 denial shall remain in effect only as long as the suspension entered pursuant to this paragraph remains in effect.

(b) Upon receipt of notification from a court or an administrative tribunal that an owner of a motor vehicle has failed to comply with paragraph (b) or (c) of subdivision eight of section four hundred two of this chapter, the commissioner or the commissioner's agent may suspend the registration of the motor vehicle involved in such violation and such suspension shall remain in effect until such time as the commissioner is advised that such owner has complied with such

paragraphs, as applicable. The commissioner may, in the commissioner's 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 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 denial shall remain in effect only as long as the suspension entered pursuant to this paragraph remains in effect.

* 4-i. Suspension of registration for circumventing or tampering with an intelligent speed assistance device or failing to install such device. (a) Upon receipt of notification from an administering agency in the city of New York that an owner of a motor vehicle has been convicted of a subsequent violation of paragraph a of subdivision nine of section sixteen hundred forty-two-b of this chapter, the commissioner or the commissioner's agent shall suspend the registration of the motor vehicle involved in such violation for a period of twelve months. Such suspension shall take effect no less than thirty days from the date on which notice thereof is sent by the commissioner to the person whose registration or privilege is suspended.

(b) Upon receipt of certification from an administering agency in the city of New York that an owner of a motor vehicle has failed to install and provide proof of installation of an intelligent speed assistance device within forty-five days of the date by which such installation and proof are required as provided in paragraph b of subdivision nine of section sixteen hundred forty-two-b of this chapter, the commissioner or the commissioner's agent shall suspend the registration of each motor vehicle involved in such violation. Such suspension shall take effect no less than thirty days from the date on which notice thereof is sent by the commissioner to the person whose registration or privilege is suspended and shall remain in effect for a particular motor vehicle until the commissioner is notified by the administering agency as required herein that the owner has installed an intelligent speed assistance device on such particular motor vehicle and provided proof of such installation to such administering agency. Upon the compliance of such owner with an order to install an intelligent speed assistance

device and to provide proof of compliance to the administering agency as required pursuant to paragraph (b) of subdivision nine of section sixteen hundred forty-two-b of this chapter, the administering agency shall forthwith certify that fact to the commissioner, in such manner and form as the commissioner may prescribe.

(c) For the purposes of this subdivision, the term "administering agency" shall have the same meaning as such term is defined in paragraph a of subdivision one of section sixteen hundred forty-two-b of this chapter.

* NB Effective May 26, 2027

* NB Repealed July 1, 2032

5. Restoration. A license or registration may be restored by direction of the commissioner but not otherwise. Reversal on appeal, of any conviction because of which any license or registration has been revoked or suspended, shall entitle the holder to restoration thereof forthwith. The privileges of a non-resident may be restored by direction of the commissioner in his discretion but not otherwise.

6. Restrictions. a. Where revocation is mandatory hereunder, no new license shall be issued for at least six months or, in certain cases a longer period as specified in this chapter, nor thereafter, except in the discretion of the commissioner of motor vehicles.

b. Except as otherwise provided in paragraph c of this subdivision, where revocation is mandatory pursuant to subparagraph (iii) of paragraph a of subdivision two of this section, no new commercial driver's license shall be issued for at least one year nor thereafter except in the discretion of the commissioner, except that if such person has previously been found to have refused a chemical test pursuant to section eleven hundred ninety-four of this chapter or has a prior conviction of any of the following offenses: any violation of section eleven hundred ninety-two of this chapter; any violation of subdivision one or two of section six hundred of this chapter; or has a prior conviction of any felony involving the use of a motor vehicle pursuant to paragraph (a) of subdivision one of section five hundred ten-a of this article, then such commercial driver's license revocation shall be

permanent.

c. Where revocation is mandatory pursuant to subdivision one of section five hundred ten-a of this chapter or subparagraph (iii) of paragraph a of subdivision two of this section and the violation of subdivision two of section six hundred of this chapter was committed while operating a commercial motor vehicle transporting hazardous materials, no new commercial driver's license shall be issued for at least three years nor thereafter except in the discretion of the commissioner, except that if such person has previously been found to have refused a chemical test pursuant to section eleven hundred ninety-four of this chapter or has a prior conviction of any of the following offenses: any violation of section eleven hundred ninety-two of this chapter; any violation of subdivision one or two of section six hundred of this chapter; or has a prior conviction of any felony involving the use of a motor vehicle pursuant to paragraph (a) of subdivision one of section five hundred ten-a of this article, then such commercial driver's license revocation shall be permanent.

d. The permanent commercial driver's license revocation required by paragraphs b and c of this subdivision may be waived by the commissioner after a period of ten years has expired from such sentence provided:

(i) that during such ten year period such person has not been found to have refused a chemical test pursuant to section eleven hundred ninety-four of this chapter and has not been convicted of any one of the following offenses: any violation of section eleven hundred ninety-two of this chapter; any violation of subdivision one or two of section six hundred of this chapter; or has a prior conviction of any felony involving the use of a motor vehicle pursuant to paragraph (a) of subdivision one of section five hundred ten-a of this article;

(ii) if any of the grounds upon which the permanent commercial driver's license revocation is based involved a finding of refusal to submit to a chemical test pursuant to section eleven hundred ninety-four of this chapter or a conviction of a violation of any subdivision of section eleven hundred ninety-two of this chapter, that such person provides acceptable documentation to the commissioner that such person has voluntarily enrolled in and successfully completed an appropriate

rehabilitation program; and

(iii) after such documentation, if required, is accepted, that such person is granted a certificate of relief from disabilities or a certificate of good conduct pursuant to article twenty-three of the correction law by the court in which such person was last penalized.

e. Upon a third finding of refusal and/or conviction of any of the offenses which require a permanent commercial driver's license revocation, such permanent revocation may not be waived by the commissioner under any circumstances.

f. Where revocation is mandatory hereunder, based upon a conviction had outside this state, no new license shall be issued until after sixty days from the date of such revocation, nor thereafter, except in the discretion of the commissioner.

g. Except as provided in paragraph k of this subdivision, where revocation is permissive, no new license or certificate shall be issued by such commissioner to any person until after thirty days from the date of such revocation, nor thereafter, except in the discretion of the commissioner after an investigation or upon a hearing, provided, however, that where the revocation is based upon a failure in a reexamination pursuant to section five hundred six of this chapter, a learner's permit may be issued immediately and provided further, that where revocation is based upon a conviction of a felony, other than a felony relating to the operation of a motor vehicle or motorcycle, a license shall be issued immediately, if the applicant is otherwise qualified and if the application for such license is accompanied by consent in writing issued by the parole or probation authority having jurisdiction over such applicant.

h. The provisions of this subdivision shall not apply to revocations issued pursuant to sections eleven hundred ninety-three and eleven hundred ninety-four of this chapter.

k. Where revocation is permissive hereunder, based upon a finding of a violation of section three hundred ninety-two or section three hundred

ninety-two-a of this chapter, no new license or certificate shall be issued until after one year from the date of such revocation, nor thereafter, except in the discretion of the commissioner.

l. Where revocation is mandatory pursuant to subparagraph (x) of paragraph a of subdivision two of this section, no new license shall be issued for at least seventy-five days, nor thereafter except in the discretion of the commissioner.

m. Where revocation is mandatory pursuant to subparagraph (xi) of paragraph a of subdivision two of this section, no new license shall be issued for at least one hundred twenty days, nor thereafter except in the discretion of the commissioner.

n. Notwithstanding the provisions of paragraph a of this subdivision, subdivision two of section five hundred ten-b of this article or paragraph (b) of subdivision one of section five hundred ten-c of this article, where revocation is mandatory pursuant to subparagraph (xii) or subparagraph (xiii) of paragraph a of subdivision two of this section, no new license shall be issued for at least one year, nor thereafter except in the discretion of the commissioner.

o. Notwithstanding the provisions of paragraph a of this subdivision, where revocation is mandatory pursuant to subparagraph (iii) of paragraph a of subdivision two of this section involving a violation of section three hundred ninety-two of this chapter in relation to an application for the commercial driver's license or the commercial learner's permit being revoked, no new commercial driver's license or commercial learner's permit shall be issued for at least one year, nor thereafter except in the discretion of the commissioner.

7. Miscellaneous provisions. Except as expressly provided, a court conviction shall not be necessary to sustain a revocation or suspension. Revocation or suspension hereunder shall be deemed an administrative act reviewable by the supreme court as such. Notice of revocation or suspension, as well as any required notice of hearing, where the holder is not present, may be given by mailing the same in writing to him or

her at the address contained in his or her license, certificate of registration or at the current address provided by the United States postal service, as the case may be. Proof of such mailing by certified mail to the holder shall be presumptive evidence of the holder's receipt and actual knowledge of such notice. Attendance of witnesses may be compelled by subpoena. Failure of the holder or any other person possessing the license card or number plates, to deliver the same to the suspending or revoking officer is a misdemeanor. Suspending or revoking officers shall place such license cards and number plates in the custody of the commissioner except where the commissioner shall otherwise direct. If any person shall fail to deliver a license card or number plates as provided herein, any police officer, bridge and tunnel officer of the Triborough bridge and tunnel authority, or agent of the commissioner having knowledge of such facts shall have the power to secure possession thereof and return the same to the commissioner, and the commissioner may forthwith direct any police officer, bridge and tunnel officer of the Triborough bridge and tunnel authority, acting pursuant to his or her special duties, or agent of the commissioner to secure possession thereof and to return the same to the commissioner. Failure of the holder or of any person possessing the license card or number plates to deliver to any police officer, bridge and tunnel officer of the Triborough bridge and tunnel authority, or agent of the commissioner who requests the same pursuant to this subdivision shall be a misdemeanor. Notice of revocation or suspension of any license or registration shall be transmitted forthwith by the commissioner to the chief of police of the city or prosecuting officer of the locality in which the person whose license or registration so revoked or suspended resides. In case any license or registration shall expire before the end of any period for which it has been revoked or suspended, and before it shall have been restored as provided in this chapter, then and in that event any renewal thereof may be withheld until the end of such period of suspension or until restoration, as the case may be.

The revocation of a learner's permit shall automatically cancel the application for a license of the holder of such permit.

No suspension or revocation of a license or registration shall be made

because of a judgment of conviction if the suspending or revoking officer is satisfied that the magistrate who pronounced the judgment failed to comply with subdivision one of section eighteen hundred seven of this chapter. In case a suspension or revocation has been made and the commissioner is satisfied that there was such failure, the commissioner shall restore the license or registration or both as the case may be.

The commissioner shall provide written notice, in a conspicuous, bold type, to all persons having four license suspensions or revocations, where a fifth license suspension or revocation could result in a charge of aggravated unlicensed operation in the first degree pursuant to subparagraph (v) of paragraph (a) of subdivision three of section five hundred eleven of this article, that a fifth such suspension or revocation would subject any person charged under such subparagraph (v) to a class E felony with a definite sentence which may not exceed two years.

8. Cancellation. Upon receipt of a license which has been surrendered to the licensing authority of any other jurisdiction as a prerequisite to the issuance of a license by such other jurisdiction in accordance with the provisions of the Driver License Compact or any other laws of such jurisdiction, the commissioner shall cancel such license. Provided, however, that such license shall not be cancelled if the licensee is a resident of this state.

9. Railroad vehicle violations. Upon certification by the commissioner of transportation that there has been a violation of section seventy-six-b of the railroad law, the commissioner of motor vehicles may rescind, cancel or suspend the registration of any motor vehicle described in subdivision one of section seventy-six-b of the railroad law and may rescind, cancel, suspend or take possession of the current registration certificate and number plates of any such motor vehicle.

10. Where a youth is determined to be a youthful offender, following a conviction of a violation for which a license suspension or revocation is mandatory or where a youth receives a juvenile delinquency

adjudication in conjunction with a violation of section 240.62 or subdivision five of section 240.60 of the penal law, the court shall impose such suspension or revocation as is otherwise required upon conviction and, further, shall notify the commissioner of said suspension or revocation and its finding that said violator is granted youthful offender status as is required pursuant to section five hundred thirteen of this chapter or received a juvenile delinquency adjudication.

11. Notwithstanding any contrary provision of law, the division of criminal justice services is authorized to share with the commissioner such criminal history information in its possession as may be necessary to effect the provisions of this chapter.