§ 511-a. Facilitating aggravated unlicensed operation of a motor vehicle. 1. A person is guilty of the offense of facilitating aggravated unlicensed operation of a motor vehicle in the third degree when such person consents to the operation upon a public highway of a motor vehicle registered in such person's name knowing or having reason to know that the operator of such vehicle is a person whose license or privilege of operating such motor vehicle in this state or privilege of obtaining a license issued to operate such motor vehicle by the commissioner is suspended, revoked or otherwise withdrawn by the commissioner and the vehicle is operated upon a public highway by such person.

2. Facilitating aggravated unlicensed operation of a motor vehicle in the third degree is a traffic infraction. When a person is convicted thereof the sentence of the court must be: (i) a fine of not less than two hundred dollars nor more than five hundred dollars or (ii) a term of imprisonment of not more than fifteen days, or (iii) both.

3. A person is guilty of facilitating aggravated unlicensed operation of a motor vehicle in the second degree when such person:

(a) commits the offense of facilitating aggravated unlicensed operation of a motor vehicle in the third degree as defined in subdivision one of this section after having been convicted of such offense within the preceding eighteen months; or

(b) consents to the operation upon a public highway of a motor vehicle registered in such person's name knowing or having reason to know that the operator of such vehicle is a person who has in effect three or more suspensions, imposed on at least three separate dates, for failure to answer, appear or pay a fine, pursuant to subdivision three of section two hundred twenty-six or subdivision four-a of section five hundred ten of this chapter; or

(c) commits the crime of facilitating aggravated unlicensed operation of a motor vehicle in the third degree after having been convicted of such an offense two or more times within the preceding five years.

For purposes of this subdivision, "motor vehicle" shall mean any vehicle for hire, including a taxicab, livery, as defined in section one

hundred twenty-one-e of this chapter, coach, limousine, van or wheelchair accessible van, tow truck, bus or commercial motor vehicle as defined section five hundred nine-a of this chapter.

Facilitating aggravated unlicensed operation of a motor vehicle in the second degree is a misdemeanor. When a person is convicted of this crime pursuant to paragraphs (a) or (b) of this subdivision, the sentence of the court must be: (i) a fine of not less than five hundred dollars, nor more than seven hundred fifty dollars; or (ii) a term of imprisonment not to exceed sixty days; or (iii) both a fine and imprisonment; or (iv) where appropriate, a sentence of probation; or (v) a term of imprisonment as a condition of a sentence of probation as provided in the penal law. When a person is convicted of this crime pursuant to paragraph (c) of this subdivision, the sentence of the court must be: (i) a fine of not less than five hundred, nor more than one thousand dollars; or (ii) a term of imprisonment not to exceed one hundred eighty days; or (iii) both a fine and imprisonment; or (iv) where appropriate, a sentence of probation; or (v) a term of imprisonment as a condition of probation as provided in the penal law.

4. A person is guilty of facilitating aggravated unlicensed operation of a motor vehicle in the first degree when such person consents to the operation upon a public highway of a motor vehicle registered in such person's name knowing or having reason to know that the operator of such vehicle is a person who has in effect ten or more suspensions, imposed on at least ten separate dates, for failure to answer, appear or pay a fine, pursuant to subdivision three of section two hundred twenty-six or subdivision four-a of section five hundred ten of this chapter.

For purposes of this subdivision, "motor vehicle" shall mean any vehicle for hire, including a taxicab, livery, as defined in section one hundred twenty-one-e of this chapter, coach, limousine, van or wheelchair accessible van, tow truck, bus or commercial motor vehicle as defined in section five hundred nine-a of this chapter.

Facilitating aggravated unlicensed operation of a motor vehicle in the first degree is a class E felony. When a person is convicted of this

crime, the sentence of the court must be: (i) a fine in an amount not less than one thousand dollars nor more than five thousand dollars; and (ii) a term of imprisonment as provided in the penal law; or (iii) where appropriate, a sentence of probation; or (iv) a term of imprisonment as a condition of a sentence of probation as provided in the penal law.

5. Upon a conviction of a violation of subdivision three or four of this section the commissioner shall revoke the registration of the motor vehicle for which the defendant's consent is given and shall only be restored pursuant to the provisions of subdivision five of section five hundred ten of this article. If such defendant is a corporation, partnership, association or other group, none of its officers, principals, directors or stockholders owning more than ten percent of the outstanding stock of the corporation shall be eligible to register the motor vehicle.