

STATE OF NEW YORK

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Introduced by M. of A. CUNNINGHAM, BICHOTTE HERMELYN, LEE, DAVILA, TAPIA, GONZALEZ-ROJAS, HYNDMAN, TAYLOR, BORES -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to owner liability for failure of an operator to comply with street cleaning parking rules; to amend the public officers law, in relation to access to records prepared pursuant to street cleaning parking rules; and providing for the repeal of certain provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The vehicle and traffic law is amended by adding a new section 1111-i to read as follows:

§ 1111-i. Owner liability for failure of an operator to comply with street cleaning parking rules. (a) 1. Notwithstanding any other provision of law, the city of New York is hereby authorized to establish a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with posted street cleaning parking rules in such city in accordance with the provisions of this section. Such demonstration program shall empower the New York city department of sanitation to install street cleaning vehicle photo devices on street cleaning vehicles along street cleaning routes at locations determined by such department in such city and to administer such program in consultation with the New York city department of transportation.

2. Any photographs, microphotographs, videotape or other recorded images captured by street cleaning vehicle photo devices shall be inadmissible in any disciplinary proceeding convened by the department and any proceeding initiated by the department involving licensure privileges of street cleaning vehicle operators. Any street cleaning vehicle photo device mounted on a street cleaning vehicle shall be directed outwardly from such vehicle to capture images of vehicles operated in

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 violation of street cleaning parking rules, and images produced by such
2 device shall not be used for any other purpose in the absence of a court
3 order requiring such images to be produced.

4 3. No street cleaning vehicle photo device shall be used unless on the
5 day it is to be used it has successfully passed a self-test of its func-
6 tions.

7 4. (i) Such demonstration program shall utilize necessary technologies
8 to ensure, to the extent practicable, that photographs, microphoto-
9 graphs, videotape or other recorded images produced by such street
10 cleaning vehicle photo device shall not include images that identify the
11 driver, the passengers, or the contents of the vehicle. Provided,
12 however, that no notice of liability issued pursuant to this section
13 shall be dismissed solely because such a photograph, microphotograph,
14 videotape or other recorded image allows for the identification of the
15 driver, the passengers, or the contents of vehicles where the city shows
16 that it made reasonable efforts to comply with the provisions of this
17 paragraph in such case.

18 (ii) Photographs, microphotographs, videotape or any other recorded
19 image from a street cleaning vehicle photo device shall be for the
20 exclusive use of the city for the purpose of the adjudication of liabil-
21 ity imposed pursuant to this section and of the owner receiving a notice
22 of liability pursuant to this section, and shall be destroyed by the
23 city upon the final resolution of the notice of liability to which such
24 photographs, microphotographs, videotape or other recorded images
25 relate, or one year following the date of issuance of such notice of
26 liability, whichever is later. Notwithstanding the provisions of any
27 other law, rule or regulation to the contrary, photographs, microphoto-
28 graphs, videotape or any other recorded image from a street
29 cleaning vehicle photo device shall not be open to the public, nor
30 subject to civil or criminal process or discovery, nor used by any
31 court or administrative or adjudicatory body in any action or proceed-
32 ing therein except that which is necessary for the adjudication of a
33 notice of liability issued pursuant to this section, and no
34 public entity or employee, officer or agent thereof shall disclose
35 such information, except that such photographs, microphotographs,
36 videotape or any other recorded images from such devices:

37 (A) shall be available for inspection and copying and use by the motor
38 vehicle owner and operator for so long as such photographs, microphoto-
39 graphs, videotape or other recorded images are required to be maintained
40 or are maintained by such public entity, employee, officer or agent; and

41 (B) (1) shall be furnished when described in a search warrant issued
42 by a court authorized to issue such a search warrant pursuant to article
43 six hundred ninety of the criminal procedure law or a federal court
44 authorized to issue such a search warrant under federal law, where such
45 search warrant states that there is reasonable cause to believe such
46 information constitutes evidence of, or tends to demonstrate that, a
47 misdemeanor or felony offense was committed in this state or another
48 state, or that a particular person participated in the commission of a
49 misdemeanor or felony offense in this state or another state, provided,
50 however, that if such offense was against the laws of another state, the
51 court shall only issue a warrant if the conduct comprising such offense
52 would, if occurring in this state, constitute a misdemeanor or felony
53 against the laws of this state; and

54 (2) shall be furnished in response to a subpoena duces tecum signed by
55 a judge of competent jurisdiction and issued pursuant to article six
56 hundred ten of the criminal procedure law or a judge or magistrate of a

1 federal court authorized to issue such a subpoena duces tecum under
2 federal law, where the judge finds and the subpoena states that there is
3 reasonable cause to believe such information is relevant and material to
4 the prosecution, or the defense, or the investigation by an authorized
5 law enforcement official, of the alleged commission of a misdemeanor or
6 felony in this state or another state, provided, however, that if such
7 offense was against the laws of another state, such judge or magistrate
8 shall only issue such subpoena if the conduct comprising such offense
9 would, if occurring in this state, constitute a misdemeanor or felony in
10 this state; and

11 (3) may, if lawfully obtained pursuant to this clause and clause (A)
12 of this subparagraph and otherwise admissible, be used in such criminal
13 action or proceeding.

14 5. Every street cleaning vehicle upon which a street cleaning vehicle
15 photo device is installed and operated pursuant to a demonstration
16 program authorized pursuant to this section shall be equipped with
17 signs, placards or other displays giving notice to approaching motor
18 vehicle operators that street cleaning vehicle photo devices are used to
19 enforce street cleaning parking rules.

20 6. Warning notices of violation shall be issued during the first sixty
21 days that street cleaning vehicle photo devices pursuant to a demon-
22 stration program authorized by this section are active and in operation.

23 7. The city of New York shall adopt and enforce measures:

24 (i) to upgrade signage at regular intervals within street cleaning
25 routes stating that street cleaning vehicle photo devices are used to
26 enforce street cleaning parking rules along such routes; and

27 (ii) to prohibit the use or dissemination of vehicles' license plate
28 information and other information and images captured by street cleaning
29 vehicle photo devices except: (A) as required to establish liability
30 under this section or collect payment of penalties; (B) as required by
31 court order; or (C) as otherwise required by law.

32 (b) If the city of New York has established a program pursuant to
33 subdivision (a) of this section, the owner of a vehicle shall be liable
34 for a penalty imposed pursuant to this section if such vehicle was
35 parked in violation of any street cleaning parking rule of such city and
36 such violation is evidenced by information obtained from a street clean-
37 ing vehicle photo device.

38 (c) For purposes of this section, the following terms shall have the
39 following meanings:

40 1. "Manual on uniform traffic control devices" or "MUTCD" shall mean
41 the manual and specifications for a uniform system of traffic control
42 devices maintained by the commissioner of transportation pursuant to
43 section sixteen hundred eighty of this chapter.

44 2. "Owner" shall have the meaning provided in article two-B of this
45 chapter.

46 3. "Street cleaning routes" shall mean street cleaning routes desig-
47 nated by the New York city department of sanitation that include
48 upgraded signage stating that street cleaning vehicle photo devices are
49 used to enforce street cleaning parking rules.

50 4. "Street cleaning parking rules" shall mean the prohibited parking
51 of any vehicle on one side of the street to allow for cleaning by the
52 New York city department of sanitation during designated time periods as
53 posted by sign pursuant to the rules of the New York city department of
54 transportation.

1 5. "Street cleaning vehicle" shall mean any vehicle operated by the
2 New York city department of sanitation that is designed to wash dirt and
3 grime, and remove litter and debris, from the street surface.

4 6. "Street cleaning vehicle photo device" shall mean a device that is
5 mounted on a street cleaning vehicle, is capable of operating independ-
6 ently of an enforcement officer and produces one or more images of each
7 vehicle at the time it is in violation of street cleaning parking rules.

8 (d) A certificate, sworn to or affirmed by a technician employed by
9 the city of New York in which the charged violation occurred, or a
10 facsimile thereof, based upon inspection of photographs, microphoto-
11 graphs, videotape or other recorded images produced by a street cleaning
12 vehicle photo device, shall be prima facie evidence of the facts
13 contained therein. Any photographs, microphotographs, videotape or other
14 recorded images evidencing such a violation shall be available for
15 inspection in any proceeding to adjudicate the liability for such
16 violation pursuant to this section.

17 (e) An owner liable for a violation of a street cleaning parking rule
18 imposed on any route shall be liable for monetary penalties in accord-
19 ance with a schedule of fines and penalties promulgated by the parking
20 violations bureau of the city of New York; provided, however, that the
21 monetary penalty for violating a street cleaning parking rule shall not
22 exceed fifty dollars for each violation; provided, further, that an
23 owner shall be liable for an additional penalty not to exceed twenty-
24 five dollars for each violation for the failure to respond to a notice
25 of liability within the prescribed time period.

26 (f) An imposition of liability under the demonstration program estab-
27 lished pursuant to this section shall not be deemed a conviction as an
28 operator and shall not be made part of the operating record of the
29 person upon whom such liability is imposed nor shall it be used for
30 insurance purposes in the provision of motor vehicle insurance coverage.

31 (g) 1. A notice of liability shall be sent by first class mail to each
32 person alleged to be liable as an owner for a violation of a street
33 cleaning parking rule. Personal delivery on the owner shall not be
34 required. A manual or automatic record of mailing prepared in the ordi-
35 nary course of business shall be prima facie evidence of the facts
36 contained therein.

37 2. A notice of liability shall contain the name and address of the
38 person alleged to be liable as an owner for violation of a street clean-
39 ing parking rule, the registration number of the vehicle involved in
40 such violation, the location where such violation took place including
41 the street or cross streets, one or more images identifying the
42 violation, the date and time of such violation and the identification
43 number of the street cleaning vehicle photo device that recorded the
44 violation or other document locator number.

45 3. The notice of liability shall contain information advising the
46 person charged of the manner and the time in which such person may
47 contest the liability alleged in the notice. Such notice of liability
48 shall also contain a warning to advise the person charged that failure
49 to contest in the manner and time provided shall be deemed an admission
50 of liability and that a default judgment may be entered thereon.

51 4. The notice of liability shall be prepared and mailed by the agency
52 or agencies designated by the city of New York, or any other entity
53 authorized by such city to prepare and mail such notification of
54 violation.

55 5. Adjudication of the liability imposed upon owners by this section
56 shall be by the New York city parking violations bureau.

1 (h) If an owner of a vehicle receives a notice of liability pursuant
2 to this section for any time period during which the vehicle was
3 reported to the police department as having been stolen, it shall be a
4 valid defense to an allegation of liability for violation of a street
5 cleaning parking rule of such city, that the vehicle had been reported
6 to the police as stolen prior to the time the violation occurred and had
7 not been recovered by such time. For purposes of asserting the defense
8 provided by this subdivision it shall be sufficient that a certified
9 copy of the police report on the stolen vehicle be sent by first class
10 mail to the parking violations bureau.

11 (i) 1. An owner who is a lessor of a vehicle to which a notice of
12 liability was issued pursuant to subdivision (g) of this section shall
13 not be liable for the violation of the street cleaning parking rule,
14 provided that:

15 (i) prior to the violation, the lessor has filed with such parking
16 violations bureau in accordance with the provisions of section two
17 hundred thirty-nine of this chapter; and

18 (ii) within thirty-seven days after receiving notice from such bureau
19 of the date and time of such liability, together with the other informa-
20 tion contained in the original notice of liability, the lessor submits
21 to such bureau the correct name and address of the lessee of the vehicle
22 identified in the notice of liability at the time of such violation,
23 together with such other additional information contained in the rental,
24 lease or other contract document, as may be reasonably required by such
25 bureau pursuant to regulations that may be promulgated for such purpose.

26 2. Failure to comply with subparagraph (ii) of paragraph one of this
27 subdivision shall render the lessor liable for the penalty prescribed in
28 this section.

29 3. Where the lessor complies with the provisions of paragraph one of
30 this subdivision, the lessee of such vehicle on the date of such
31 violation shall be deemed to be the owner of such vehicle for purposes
32 of this section, shall be subject to liability for such violation pursu-
33 ant to this section, and shall be sent a notice of liability pursuant to
34 subdivision (g) of this section.

35 (j) 1. If the owner liable for a violation of a street cleaning park-
36 ing rule pursuant to this section was not the operator of the vehicle
37 at the time of such violation, the owner may maintain an action for
38 indemnification against the operator.

39 2. Notwithstanding any other provision of this section, no owner of a
40 vehicle shall be subject to a monetary fine imposed pursuant to this
41 section if the operator of such vehicle was operating such vehicle with-
42 out the consent of the owner at the time such operator failed to obey a
43 street cleaning parking rule. For purposes of this subdivision there
44 shall be a presumption that the operator of such vehicle was operating
45 such vehicle with the consent of the owner at the time such operator
46 failed to obey a street cleaning parking rule.

47 (k) Nothing in this section shall be construed to limit the liability
48 of an operator of a vehicle for any violation of a street cleaning park-
49 ing rule.

50 (l) If the city of New York adopts a demonstration program pursuant to
51 subdivision (a) of this section, such city's department of sanitation
52 shall submit a report on the results of the use of street cleaning park-
53 ing rule-related photo devices to the governor, the temporary president
54 of the senate, and the speaker of the assembly by April first, two thou-
55 sand twenty-seven and every two years thereafter. The department of
56 sanitation of the city of New York shall also make such reports avail-

1 able on their public-facing websites, provided that they may provide
2 aggregate data from paragraph one of this subdivision if the city finds
3 that publishing specific location data would jeopardize public safety.
4 Such report shall include, but not be limited to:

5 1. a description of the locations and/or vehicles where street clean-
6 ing vehicle photo devices were used;

7 2. the total number of violations recorded on a monthly and annual
8 basis;

9 3. the total number of notices of liability issued;

10 4. the number of fines and total amount of fines paid after the first
11 notice of liability;

12 5. the number of violations adjudicated and results of such adjudi-
13 cations including breakdowns of dispositions made;

14 6. the total amount of revenue realized by such city and department
15 and an itemized list of expenditures made by the city and department
16 with these revenues;

17 7. the quality of the adjudication process and its results;

18 8. the total number of cameras by type of camera used;

19 9. the total cost to such city; and

20 10. a report on the number of miles of street cleaning routes cleaned
21 before and after implementation of the demonstration program.

22 (m) It shall be a defense to any prosecution for a violation of a
23 street cleaning parking rule pursuant to a demonstration program adopted
24 pursuant to this section that such street cleaning vehicle photo devices
25 were malfunctioning at the time of the alleged violation.

26 § 2. Subdivision 1 of section 235 of the vehicle and traffic law, as
27 amended by section 2 of part MM of chapter 56 of the laws of 2023, is
28 amended to read as follows:

29 1. Notwithstanding any inconsistent provision of any general, special
30 or local law or administrative code to the contrary, in any city which
31 heretofore or hereafter is authorized to establish an administrative
32 tribunal: (a) to hear and determine complaints of traffic infractions
33 constituting parking, standing or stopping violations, or (b) to adjudi-
34 cate the liability of owners for violations of subdivision (d) of
35 section eleven hundred eleven of this chapter imposed pursuant to a
36 local law or ordinance imposing monetary liability on the owner of a
37 vehicle for failure of an operator thereof to comply with traffic-con-
38 trol indications through the installation and operation of traffic-con-
39 trol signal photo violation-monitoring systems, in accordance with arti-
40 cle twenty-four of this chapter, or (c) to adjudicate the liability of
41 owners for violations of subdivision (b), (c), (d), (f) or (g) of
42 section eleven hundred eighty of this chapter imposed pursuant to a
43 demonstration program imposing monetary liability on the owner of a
44 vehicle for failure of an operator thereof to comply with such posted
45 maximum speed limits through the installation and operation of photo
46 speed violation monitoring systems, in accordance with article thirty of
47 this chapter, or (d) to adjudicate the liability of owners for
48 violations of bus lane restrictions as defined by article twenty-four of
49 this chapter imposed pursuant to a bus rapid transit program imposing
50 monetary liability on the owner of a vehicle for failure of an operator
51 thereof to comply with such bus lane restrictions through the installa-
52 tion and operation of bus lane photo devices, in accordance with article
53 twenty-four of this chapter, or (e) to adjudicate the liability of
54 owners for violations of toll collection regulations imposed by certain
55 public authorities pursuant to the law authorizing such public authori-
56 ties to impose monetary liability on the owner of a vehicle for failure

1 of an operator thereof to comply with toll collection regulations of
2 such public authorities through the installation and operation of
3 photo-monitoring systems, in accordance with the provisions of section
4 two thousand nine hundred eighty-five of the public authorities law and
5 sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred
6 seventy-four of the laws of nineteen hundred fifty, or (f) to adjudicate
7 the liability of owners for violations of section eleven hundred seven-
8 ty-four of this chapter when meeting a school bus marked and equipped as
9 provided in subdivisions twenty and twenty-one-c of section three
10 hundred seventy-five of this chapter imposed pursuant to a local law or
11 ordinance imposing monetary liability on the owner of a vehicle for
12 failure of an operator thereof to comply with school bus red visual
13 signals through the installation and operation of school bus photo
14 violation monitoring systems, in accordance with article twenty-nine of
15 this chapter, or (g) to adjudicate the liability of owners for
16 violations of section three hundred eighty-five of this chapter and the
17 rules of the department of transportation of the city of New York in
18 relation to gross vehicle weight and/or axle weight violations imposed
19 pursuant to a weigh in motion demonstration program imposing monetary
20 liability on the owner of a vehicle for failure of an operator thereof
21 to comply with such gross vehicle weight and/or axle weight restrictions
22 through the installation and operation of weigh in motion violation
23 monitoring systems, in accordance with article ten of this chapter, or
24 (h) to adjudicate the liability of owners for violations of subdivision
25 (b), (d), (f) or (g) of section eleven hundred eighty of this chapter
26 imposed pursuant to a demonstration program imposing monetary liability
27 on the owner of a vehicle for failure of an operator thereof to comply
28 with such posted maximum speed limits within a highway construction or
29 maintenance work area through the installation and operation of photo
30 speed violation monitoring systems, in accordance with article thirty of
31 this chapter, or (i) to adjudicate the liability of owners for
32 violations of bus operation-related traffic regulations as defined by
33 article twenty-four of this chapter imposed pursuant to a demonstration
34 program imposing monetary liability on the owner of a vehicle for fail-
35 ure of an operator thereof to comply with such bus operation-related
36 traffic regulations through the installation and operation of bus opera-
37 tion-related photo devices, in accordance with article twenty-four of
38 this chapter, or (j) to adjudicate the liability of owners for
39 violations of street cleaning parking rules as defined by article twen-
40 ty-four of this chapter imposed pursuant to a program imposing monetary
41 liability on the owner of a vehicle for failure of an operator thereof
42 to comply with such street cleaning parking rules through the installa-
43 tion and operation of street cleaning vehicle photo devices, in accord-
44 ance with article twenty-four of this chapter, such tribunal and the
45 rules and regulations pertaining thereto shall be constituted in
46 substantial conformance with the following sections.

47 § 3. Subdivision 1 of section 236 of the vehicle and traffic law, as
48 amended by section 3 of part MM of chapter 56 of the laws of 2023, is
49 amended to read as follows:

50 1. Creation. In any city as hereinbefore or hereafter authorized such
51 tribunal when created shall be known as the parking violations bureau
52 and shall have jurisdiction of traffic infractions which constitute a
53 parking violation and, where authorized: (a) to adjudicate the liability
54 of owners for violations of subdivision (d) of section eleven hundred
55 eleven of this chapter imposed pursuant to a local law or ordinance
56 imposing monetary liability on the owner of a vehicle for failure of an

1 operator thereof to comply with traffic-control indications through the
2 installation and operation of traffic-control signal photo violation-
3 monitoring systems, in accordance with article twenty-four of this chap-
4 ter, or (b) to adjudicate the liability of owners for violations of
5 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
6 of this chapter imposed pursuant to a demonstration program imposing
7 monetary liability on the owner of a vehicle for failure of an operator
8 thereof to comply with such posted maximum speed limits through the
9 installation and operation of photo speed violation monitoring systems,
10 in accordance with article thirty of this chapter, or (c) to adjudicate
11 the liability of owners for violations of bus lane restrictions as
12 defined by article twenty-four of this chapter imposed pursuant to a bus
13 rapid transit program imposing monetary liability on the owner of a
14 vehicle for failure of an operator thereof to comply with such bus lane
15 restrictions through the installation and operation of bus lane photo
16 devices, in accordance with article twenty-four of this chapter, or (d)
17 to adjudicate the liability of owners for violations of toll collection
18 regulations imposed by certain public authorities pursuant to the law
19 authorizing such public authorities to impose monetary liability on the
20 owner of a vehicle for failure of an operator thereof to comply with
21 toll collection regulations of such public authorities through the
22 installation and operation of photo-monitoring systems, in accordance
23 with the provisions of section two thousand nine hundred eighty-five of
24 the public authorities law and sections sixteen-a, sixteen-b and
25 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
26 hundred fifty, or (e) to adjudicate the liability of owners for
27 violations of section eleven hundred seventy-four of this chapter when
28 meeting a school bus marked and equipped as provided in subdivisions
29 twenty and twenty-one-c of section three hundred seventy-five of this
30 chapter imposed pursuant to a local law or ordinance imposing monetary
31 liability on the owner of a vehicle for failure of an operator thereof
32 to comply with school bus red visual signals through the installation
33 and operation of school bus photo violation monitoring systems, in
34 accordance with article twenty-nine of this chapter, or (f) to adjudi-
35 cate the liability of owners for violations of section three hundred
36 eighty-five of this chapter and the rules of the department of transpor-
37 tation of the city of New York in relation to gross vehicle weight
38 and/or axle weight violations imposed pursuant to a weigh in motion
39 demonstration program imposing monetary liability on the owner of a
40 vehicle for failure of an operator thereof to comply with such gross
41 vehicle weight and/or axle weight restrictions through the installation
42 and operation of weigh in motion violation monitoring systems, in
43 accordance with article ten of this chapter, or (g) to adjudicate the
44 liability of owners for violations of subdivision (b), (d), (f) or (g)
45 of section eleven hundred eighty of this chapter imposed pursuant to a
46 demonstration program imposing monetary liability on the owner of a
47 vehicle for failure of an operator thereof to comply with such posted
48 maximum speed limits within a highway construction or maintenance work
49 area through the installation and operation of photo speed violation
50 monitoring systems, in accordance with article thirty of this chapter,
51 or (h) to adjudicate the liability of owners for violations of bus oper-
52 ation-related traffic regulations as defined by article twenty-four of
53 this chapter imposed pursuant to a demonstration program imposing mone-
54 tary liability on the owner of a vehicle for failure of an operator
55 thereof to comply with such bus operation-related traffic regulations
56 through the installation and operation of bus operation-related photo

1 devices, in accordance with article twenty-four of this chapter, or (i)
2 to adjudicate the liability of owners for violations of street cleaning
3 parking rules as defined by article twenty-four of this chapter
4 imposed pursuant to a program imposing monetary liability on the owner
5 of a vehicle for failure of an operator thereof to comply with
6 such street cleaning parking rules through the installation and opera-
7 tion of street cleaning vehicle photo devices, in accordance with arti-
8 cle twenty-four of this chapter. Such tribunal, except in a city with a

9 population of one million or more, shall also have jurisdiction of aban-
10 doned vehicle violations. For the purposes of this article, a parking
11 violation is the violation of any law, rule or regulation providing for
12 or regulating the parking, stopping or standing of a vehicle. In addi-
13 tion for purposes of this article, "commissioner" shall mean and include
14 the commissioner of traffic of the city or an official possessing
15 authority as such a commissioner.

16 § 4. Paragraph f of subdivision 1 of section 239 of the vehicle and
17 traffic law, as amended by section 4 of part MM of chapter 56 of the
18 laws of 2023, is amended to read as follows:

19 f. "Notice of violation" means a notice of violation as defined in
20 subdivision nine of section two hundred thirty-seven of this article,
21 but shall not be deemed to include a notice of liability issued pursuant
22 to authorization set forth in articles ten, twenty-four, twenty-nine and
23 thirty of this chapter, section two thousand nine hundred eighty-five of
24 the public authorities law and sections sixteen-a, sixteen-b and
25 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
26 hundred fifty to impose monetary liability on the owner of a vehicle for
27 failure of an operator thereof: to comply with traffic-control indi-
28 cations in violation of subdivision (d) of section eleven hundred eleven
29 of this chapter through the installation and operation of traffic-con-
30 trol signal photo violation-monitoring systems, in accordance with arti-
31 cle twenty-four of this chapter; or to comply with certain posted maxi-
32 mum speed limits in violation of subdivision (b), (c), (d), (f) or (g)
33 of section eleven hundred eighty of this chapter through the installa-
34 tion and operation of photo speed violation monitoring systems, in
35 accordance with article thirty of this chapter; or to comply with bus
36 lane restrictions as defined by article twenty-four of this chapter
37 through the installation and operation of bus lane photo devices, in
38 accordance with article twenty-four of this chapter; or to comply with
39 toll collection regulations of certain public authorities through the
40 installation and operation of photo-monitoring systems, in accordance
41 with the provisions of section two thousand nine hundred eighty-five of
42 the public authorities law and sections sixteen-a, sixteen-b and
43 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
44 hundred fifty; or to stop for a school bus displaying a red visual
45 signal in violation of section eleven hundred seventy-four of this chap-
46 ter through the installation and operation of school bus photo violation
47 monitoring systems, in accordance with article twenty-nine of this chap-
48 ter; or to comply with certain posted maximum speed limits in violation
49 of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of
50 this chapter within a highway construction or maintenance work area
51 through the installation and operation of photo speed violation monitor-
52 ing systems, in accordance with article thirty of this chapter; or to
53 comply with gross vehicle weight and/or axle weight restrictions in
54 violation of section three hundred eighty-five of this chapter and the
55 rules of the department of transportation of the city of New York
56 through the installation and operation of weigh in motion violation

1 monitoring systems, in accordance with article ten of this chapter; or
2 to comply with bus operation-related traffic regulations as defined by
3 article twenty-four of this chapter in violation of the rules of the
4 department of transportation of the city of New York through the instal-
5 lation and operation of bus operation-related photo devices, in accord-
6 ance with article twenty-four of this chapter; or to comply with street
7 cleaning parking rules as defined by article twenty-four of this chapter
8 through the installation and operation of street cleaning vehicle photo
9 devices, in accordance with article twenty-four of this chapter.

10 § 5. Subdivisions 1, 1-a and the opening paragraph of paragraph (a) of
11 subdivision 1-b of section 240 of the vehicle and traffic law, as
12 amended by section 5 of part MM of chapter 56 of the laws of 2023, are
13 amended to read as follows:

14 1. Notice of hearing. Whenever a person charged with a parking
15 violation enters a plea of not guilty; or a person alleged to be liable
16 in accordance with any provisions of law specifically authorizing the
17 imposition of monetary liability on the owner of a vehicle for failure
18 of an operator thereof: to comply with traffic-control indications in
19 violation of subdivision (d) of section eleven hundred eleven of this
20 chapter through the installation and operation of traffic-control signal
21 photo violation-monitoring systems, in accordance with article twenty-
22 four of this chapter; or to comply with certain posted maximum speed
23 limits in violation of subdivision (b), (c), (d), (f) or (g) of section
24 eleven hundred eighty of this chapter through the installation and oper-
25 ation of photo speed violation monitoring systems, in accordance with
26 article thirty of this chapter; or to comply with bus lane restrictions
27 as defined by article twenty-four of this chapter through the installa-
28 tion and operation of bus lane photo devices, in accordance with article
29 twenty-four of this chapter; or to comply with toll collection regu-
30 lations of certain public authorities through the installation and oper-
31 ation of photo-monitoring systems, in accordance with the provisions of
32 section two thousand nine hundred eighty-five of the public authorities
33 law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven
34 hundred seventy-four of the laws of nineteen hundred fifty; or to stop
35 for a school bus displaying a red visual signal in violation of section
36 eleven hundred seventy-four of this chapter through the installation and
37 operation of school bus photo violation monitoring systems, in accord-
38 ance with article twenty-nine of this chapter; or to comply with certain
39 posted maximum speed limits in violation of subdivision (b), (d), (f) or
40 (g) of section eleven hundred eighty of this chapter within a highway
41 construction or maintenance work area through the installation and oper-
42 ation of photo speed violation monitoring systems, in accordance with
43 article thirty of this chapter; or to comply with gross vehicle weight
44 and/or axle weight restrictions in violation of section three hundred
45 eighty-five of this chapter and the rules of the department of transpor-
46 tation of the city of New York through the installation and operation of
47 weigh in motion violation monitoring systems, in accordance with article
48 ten of this chapter; or to comply with bus operation-related traffic
49 regulations as defined by article twenty-four of this chapter in
50 violation of the rules of the department of transportation of the city
51 of New York through the installation and operation of bus operation-re-
52 lated photo devices, in accordance with article twenty-four of this
53 chapter; or to comply with street cleaning parking rules as defined by
54 article twenty-four of this chapter through the installation and opera-
55 tion of street cleaning vehicle photo devices, in accordance with arti-
56 cle twenty-four of this chapter, contests such allegation, the bureau

1 shall advise such person personally by such form of first class mail as
2 the director may direct of the date on which [~~he or she~~] such person
3 must appear to answer the charge at a hearing. The form and content of
4 such notice of hearing shall be prescribed by the director, and shall
5 contain a warning to advise the person so pleading or contesting that
6 failure to appear on the date designated, or on any subsequent adjourned
7 date, shall be deemed an admission of liability, and that a default
8 judgment may be entered thereon.

9 1-a. Fines and penalties. Whenever a plea of not guilty has been
10 entered, or the bureau has been notified that an allegation of liability
11 in accordance with provisions of law specifically authorizing the im-
12 position of monetary liability on the owner of a vehicle for failure of an
13 operator thereof: to comply with traffic-control indications in
14 violation of subdivision (d) of section eleven hundred eleven of this
15 chapter through the installation and operation of traffic-control signal
16 photo violation-monitoring systems, in accordance with article twenty-
17 four of this chapter; or to comply with certain posted maximum speed
18 limits in violation of subdivision (b), (c), (d), (f) or (g) of section
19 eleven hundred eighty of this chapter through the installation and oper-
20 ation of photo speed violation monitoring systems, in accordance with
21 article thirty of this chapter; or to comply with bus lane restrictions
22 as defined by article twenty-four of this chapter through the installa-
23 tion and operation of bus lane photo devices, in accordance with article
24 twenty-four of this chapter; or to comply with toll collection regu-
25 lations of certain public authorities through the installation and oper-
26 ation of photo-monitoring systems, in accordance with the provisions of
27 section two thousand nine hundred eighty-five of the public authorities
28 law and sections sixteen-a, sixteen-b and sixteen-c of chapter seven
29 hundred seventy-four of the laws of nineteen hundred fifty; or to stop
30 for a school bus displaying a red visual signal in violation of section
31 eleven hundred seventy-four of this chapter through the installation and
32 operation of school bus photo violation monitoring systems, in accord-
33 ance with article twenty-nine of this chapter; or to comply with certain
34 posted maximum speed limits in violation of subdivision (b), (d), (f) or
35 (g) of section eleven hundred eighty of this chapter within a highway
36 construction or maintenance work area through the installation and oper-
37 ation of photo speed violation monitoring systems, in accordance with
38 article thirty of this chapter; or to comply with gross vehicle weight
39 and/or axle weight restrictions in violation of section three hundred
40 eighty-five of this chapter and the rules of the department of transpor-
41 tation of the city of New York through the installation and operation of
42 weigh in motion violation monitoring systems, in accordance with article
43 ten of this chapter; or to comply with bus operation-related traffic
44 regulations as defined by article twenty-four of this chapter in
45 violation of the rules of the department of transportation of the city
46 of New York through the installation and operation of bus operation-re-
47 lated photo devices, in accordance with article twenty-four of this
48 chapter; or to comply with street cleaning parking rules as defined by
49 article twenty-four of this chapter through the installation and opera-
50 tion of street cleaning vehicle photo devices, in accordance with arti-
51 cle twenty-four of this chapter, is being contested, by a person in a
52 timely fashion and a hearing upon the merits has been demanded, but has
53 not yet been held, the bureau shall not issue any notice of fine or
54 penalty to that person prior to the date of the hearing.

55 In a city having a population of one million or more, at every hearing
56 for the adjudication of a notice of liability, as provided by this arti-

cle, there shall be a rebuttable presumption that the owner of a first-response emergency vehicle alleged to be liable in accordance with any provisions of law specifically authorizing the imposition of monetary liability on the owner of a vehicle for failure of an operator thereof: to comply with traffic-control indications in violation of subdivision (d) of section eleven hundred eleven of this chapter through the installation and operation of traffic-control signal photo violation-monitoring systems, in accordance with article twenty-four of this chapter; or to comply with certain posted maximum speed limits in violation of subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty of this chapter through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter; or to comply with bus lane restrictions as defined by article twenty-four of this chapter through the installation and operation of bus lane photo devices, in accordance with article twenty-four of this chapter; or to comply with bus operation-related traffic regulations as defined by article twenty-four of this chapter in violation of the rules of the department of transportation of the city of New York through the installation and operation of bus operation-related photo devices, in accordance with article twenty-four of this chapter; or to comply with street cleaning parking rules as defined by article twenty-four of this chapter through the installation and operation of street cleaning vehicle photo devices, in accordance with article twenty-four of this chapter is not liable for such alleged violation if such owner of the first-response emergency vehicle provides the hearing officer with:

§ 6. Paragraphs a and g of subdivision 2 of section 240 of the vehicle and traffic law, as amended by section 6 of part MM of chapter 56 of the laws of 2023, are amended to read as follows:

a. Every hearing for the adjudication of a charge of parking violation or an allegation of liability of an owner 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 an allegation of liability of an owner 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 certain posted maximum speed limits through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter, or an allegation of liability of an owner 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 an allegation of liability of an owner for a violation of toll collection regulations imposed by certain public authorities pursuant to the law authorizing such public authorities to impose monetary liability on the owner of a vehicle for failure of an operator thereof to comply with toll collection regulations of such public authorities through the installation and operation of photo-monitoring systems, in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law and sections

1 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four
2 of the laws of nineteen hundred fifty, or an allegation of liability of
3 an owner for a violation of section eleven hundred seventy-four of this
4 chapter when meeting a school bus marked and equipped as provided in
5 subdivisions twenty and twenty-one-c of section three hundred seventy-
6 five of this chapter imposed pursuant to a local law or ordinance impos-
7 ing monetary liability on the owner of a vehicle for failure of an oper-
8 ator thereof to comply with school bus red visual signals through the
9 installation and operation of school bus photo violation monitoring
10 systems, in accordance with article twenty-nine of this chapter, or an
11 allegation of liability of an owner for a violation of subdivision (b),
12 (d), (f) or (g) of section eleven hundred eighty of this chapter imposed
13 pursuant to a demonstration program imposing monetary liability on the
14 owner of a vehicle for failure of an operator thereof to comply with
15 certain posted maximum speed limits within a highway construction or
16 maintenance work area through the installation and operation of photo
17 speed violation monitoring systems, in accordance with article thirty of
18 this chapter, or an allegation of liability of an owner for a violation
19 of section three hundred eighty-five of this chapter and the rules of
20 the department of transportation of the city of New York in relation to
21 gross vehicle weight and/or axle weight violations imposed pursuant to a
22 weigh in motion demonstration program imposing monetary liability on the
23 owner of a vehicle for failure of an operator thereof to comply with
24 such gross vehicle weight and/or axle weight restrictions through the
25 installation and operation of weigh in motion violation monitoring
26 systems, in accordance with article ten of this chapter, or an allega-
27 tion of liability of an owner for a violation of bus operation-related
28 traffic regulations as defined by article twenty-four of this chapter
29 imposed pursuant to a demonstration program imposing monetary liability
30 on the owner of a vehicle for failure of an operator thereof to comply
31 with such bus operation-related traffic regulations through the instal-
32 lation and operation of bus operation-related photo devices, in accord-
33 ance with article twenty-four of this chapter, or an allegation of
34 liability of an owner for a violation of street cleaning parking rules
35 as defined by article twenty-four of this chapter imposed pursuant to a
36 program imposing monetary liability on the owner of a vehicle for fail-
37 ure of an operator thereof to comply with such street cleaning parking
38 rules through the installation and operation of street cleaning vehicle
39 photo devices, in accordance with article twenty-four of this chapter,
40 shall be held before a hearing examiner in accordance with rules and
41 regulations promulgated by the bureau.

42 g. A record shall be made of a hearing on a plea of not guilty or of a
43 hearing at which liability in accordance with any provisions of law
44 specifically authorizing the imposition of monetary liability on the
45 owner of a vehicle for failure of an operator thereof: to comply with
46 traffic-control indications in violation of subdivision (d) of section
47 eleven hundred eleven of this chapter through the installation and oper-
48 ation of traffic-control signal photo violation-monitoring systems, in
49 accordance with article twenty-four of this chapter; to comply with
50 certain posted maximum speed limits in violation of subdivision (b),
51 (c), (d), (f) or (g) of section eleven hundred eighty of this chapter
52 through the installation and operation of photo speed violation monitor-
53 ing systems, in accordance with article thirty of this chapter; to
54 comply with bus lane restrictions as defined by article twenty-four of
55 this chapter through the installation and operation of bus lane photo
56 devices, in accordance with article twenty-four of this chapter; to

1 comply with toll collection regulations of certain public authorities
2 through the installation and operation of photo-monitoring systems, in
3 accordance with the provisions of section two thousand nine hundred
4 eighty-five of the public authorities law and sections sixteen-a,
5 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the
6 laws of nineteen hundred fifty; to stop for a school bus displaying a
7 red visual signal in violation of section eleven hundred seventy-four of
8 this chapter through the installation and operation of school bus photo
9 violation monitoring systems, in accordance with article twenty-nine of
10 this chapter; to comply with certain posted maximum speed limits in
11 violation of subdivision (b), (d), (f) or (g) of section eleven hundred
12 eighty of this chapter within a highway construction or maintenance work
13 area through the installation and operation of photo speed violation
14 monitoring systems, in accordance with article thirty of this chapter;
15 to comply with gross vehicle weight and/or axle weight restrictions in
16 violation of section three hundred eighty-five of this chapter and the
17 rules of the department of transportation of the city of New York
18 through the installation and operation of weigh in motion violation
19 monitoring systems, in accordance with article ten of this chapter; or
20 to comply with bus operation-related traffic regulations as defined by
21 article twenty-four of this chapter in violation of the rules of the
22 department of transportation of the city of New York through the instal-
23 lation and operation of bus operation-related photo devices, in accord-
24 ance with article twenty-four of this chapter; or to comply with street
25 cleaning parking rules as defined by article twenty-four of this chapter
26 through the installation and operation of street cleaning vehicle photo
27 devices, in accordance with article twenty-four of this chapter, is
28 contested. Recording devices may be used for the making of the record.

29 § 7. Subdivisions 1 and 2 of section 241 of the vehicle and traffic
30 law, as amended by section 7 of part MM of chapter 56 of the laws of
31 2023, are amended to read as follows:

32 1. The hearing examiner shall make a determination on the charges,
33 either sustaining or dismissing them. Where the hearing examiner deter-
34 mines that the charges have been sustained [~~he or she~~] such examiner may
35 examine either the prior parking violations record or the record of
36 liabilities incurred in accordance with any provisions of law specif-
37 ically authorizing the imposition of monetary liability on the owner of
38 a vehicle for failure of an operator thereof: to comply with traffic-
39 control indications in violation of subdivision (d) of section eleven
40 hundred eleven of this chapter through the installation and operation of
41 traffic-control signal photo violation-monitoring systems, in accordance
42 with article twenty-four of this chapter; to comply with certain posted
43 maximum speed limits in violation of subdivision (b), (c), (d), (f) or
44 (g) of section eleven hundred eighty of this chapter through the instal-
45 lation and operation of photo speed violation monitoring systems, in
46 accordance with article thirty of this chapter; to comply with bus lane
47 restrictions as defined by article twenty-four of this chapter through
48 the installation and operation of bus lane photo devices, in accordance
49 with article twenty-four of this chapter; to comply with toll collection
50 regulations of certain public authorities through the installation and
51 operation of photo-monitoring systems, in accordance with the provisions
52 of section two thousand nine hundred eighty-five of the public authori-
53 ties law and sections sixteen-a, sixteen-b and sixteen-c of chapter
54 seven hundred seventy-four of the laws of nineteen hundred fifty; to
55 stop for a school bus displaying a red visual signal in violation of
56 section eleven hundred seventy-four of this chapter through the instal-

1 lation and operation of school bus photo violation monitoring systems,
2 in accordance with article twenty-nine of this chapter; to comply with
3 certain posted maximum speed limits in violation of subdivision (b),
4 (d), (f) or (g) of section eleven hundred eighty of this chapter within
5 a highway construction or maintenance work area through the installation
6 and operation of photo speed violation monitoring systems, in accordance
7 with article thirty of this chapter; to comply with gross vehicle weight
8 and/or axle weight restrictions in violation of section three hundred
9 eighty-five of this chapter and the rules of the department of transpor-
10 tation of the city of New York through the installation and operation of
11 weigh in motion violation monitoring systems, in accordance with article
12 ten of this chapter; ~~[or]~~ to comply with bus operation-related traffic
13 regulations as defined by article twenty-four of this chapter in
14 violation of the rules of the department of transportation of the city
15 of New York through the installation and operation of bus operation-re-
16 lated photo devices, in accordance with article twenty-four of this
17 chapter; or to comply with street cleaning parking rules as defined by
18 article twenty-four of this chapter through the installation and opera-
19 tion of street cleaning vehicle photo devices, in accordance with arti-
20 cle twenty-four of this chapter, of the person charged, as applicable
21 prior to rendering a final determination. Final determinations sustain-
22 ing or dismissing charges shall be entered on a final determination roll
23 maintained by the bureau together with records showing payment and
24 nonpayment of penalties.

25 2. Where an operator or owner fails to enter a plea to a charge of a
26 parking violation or contest an allegation of liability in accordance
27 with any provisions of law specifically authorizing the imposition of
28 monetary liability on the owner of a vehicle for failure of an operator
29 thereof: to comply with traffic-control indications in violation of
30 subdivision (d) of section eleven hundred eleven of this chapter through
31 the installation and operation of traffic-control signal photo viola-
32 tion-monitoring systems, in accordance with article twenty-four of this
33 chapter; to comply with certain posted maximum speed limits in violation
34 of subdivision (b), (c), (d), (f) or (g) of section eleven hundred
35 eighty of this chapter through the installation and operation of photo
36 speed violation monitoring systems, in accordance with article thirty of
37 this chapter; to comply with bus lane restrictions as defined by article
38 twenty-four of this chapter through the installation and operation of
39 bus lane photo devices, in accordance with article twenty-four of this
40 chapter; to comply with toll collection regulations of certain public
41 authorities through the installation and operation of photo-monitoring
42 systems, in accordance with the provisions of section two thousand nine
43 hundred eighty-five of the public authorities law and sections
44 sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four
45 of the laws of nineteen hundred fifty; to stop for a school bus display-
46 ing a red visual signal in violation of section eleven hundred seventy-
47 four of this chapter through the installation and operation of school
48 bus photo violation monitoring systems, in accordance with article twen-
49 ty-nine of this chapter; to comply with certain posted maximum speed
50 limits in violation of subdivision (b), (d), (f) or (g) of section elev-
51 en hundred eighty of this chapter within a highway construction or main-
52 tenance work area through the installation and operation of photo speed
53 violation monitoring systems, in accordance with article thirty of this
54 chapter; to comply with gross vehicle weight and/or axle weight
55 restrictions in violation of section three hundred eighty-five of this
56 chapter and the rules of the department of transportation of the city of

1 New York through the installation and operation of weigh in motion
2 violation monitoring systems, in accordance with article ten of this
3 chapter; ~~[or]~~ to comply with bus operation-related traffic regulations
4 as defined by article twenty-four of this chapter in violation of the
5 rules of the department of transportation of the city of New York
6 through the installation and operation of bus operation-related photo
7 devices, in accordance with article twenty-four of this chapter; or to
8 comply with street cleaning parking rules as defined by article twenty-
9 four of this chapter through the installation and operation of street
10 cleaning vehicle photo devices, in accordance with article twenty-four
11 of this chapter, or fails to appear on a designated hearing date or
12 subsequent adjourned date or fails after a hearing to comply with the
13 determination of a hearing examiner, as prescribed by this article or by
14 rule or regulation of the bureau, such failure to plead or contest,
15 appear or comply shall be deemed, for all purposes, an admission of
16 liability and shall be grounds for rendering and entering a default
17 judgment in an amount provided by the rules and regulations of the
18 bureau. However, after the expiration of the original date prescribed
19 for entering a plea and before a default judgment may be rendered, in
20 such case the bureau shall pursuant to the applicable provisions of law
21 notify such operator or owner, by such form of first class mail as the
22 commission may direct; (1) of the violation charged, or liability
23 alleged in accordance with any provisions of law specifically authoriz-
24 ing the imposition of monetary liability on the owner of a vehicle for
25 failure of an operator thereof: to comply with traffic-control indi-
26 cations in violation of subdivision (d) of section eleven hundred eleven
27 of this chapter through the installation and operation of traffic-con-
28 trol signal photo violation-monitoring systems, in accordance with arti-
29 cle twenty-four of this chapter; to comply with certain posted maximum
30 speed limits in violation of subdivision (b), (c), (d), (f) or (g) of
31 section eleven hundred eighty of this chapter through the installation
32 and operation of photo speed violation monitoring systems, in accordance
33 with article thirty of this chapter; to comply with bus lane
34 restrictions as defined by article twenty-four of this chapter through
35 the installation and operation of bus lane photo devices, in accordance
36 with article twenty-four of this chapter; to comply with toll collection
37 regulations of certain public authorities through the installation and
38 operation of photo-monitoring systems, in accordance with the provisions
39 of section two thousand nine hundred eighty-five of the public authori-
40 ties law and sections sixteen-a, sixteen-b and sixteen-c of chapter
41 seven hundred seventy-four of the laws of nineteen hundred fifty; to
42 stop for a school bus displaying a red visual signal in violation of
43 section eleven hundred seventy-four of this chapter through the instal-
44 lation and operation of school bus photo violation monitoring systems,
45 in accordance with article twenty-nine of this chapter; to comply with
46 certain posted maximum speed limits in violation of subdivision (b),
47 (d), (f) or (g) of section eleven hundred eighty of this chapter within
48 a highway construction or maintenance work area through the installation
49 and operation of photo speed violation monitoring systems, in accordance
50 with article thirty of this chapter; to comply with gross vehicle weight
51 and/or axle weight restrictions in violation of section three hundred
52 eighty-five of this chapter and the rules of the department of transpor-
53 tation of the city of New York through the installation and operation of
54 weigh in motion violation monitoring systems, in accordance with article
55 ten of this chapter; ~~[or]~~ to comply with bus operation-related traffic
56 regulations as defined by article twenty-four of this chapter in

1 violation of the rules of the department of transportation of the city
2 of New York through the installation and operation of bus operation-re-
3 lated photo devices, in accordance with article twenty-four of this
4 chapter; or to comply with street cleaning parking rules as defined by
5 article twenty-four of this chapter through the installation and opera-
6 tion of street cleaning vehicle photo devices, in accordance with arti-
7 cle twenty-four of this chapter, (2) of the impending default judgment,
8 (3) that such judgment will be entered in the Civil Court of the city in
9 which the bureau has been established, or other court of civil jurisdic-
10 tion or any other place provided for the entry of civil judgments within
11 the state of New York, and (4) that a default may be avoided by entering
12 a plea or contesting an allegation of liability in accordance with any
13 provisions of law specifically authorizing the imposition of monetary
14 liability on the owner of a vehicle for failure of an operator thereof:
15 to comply with traffic-control indications in violation of subdivision
16 (d) of section eleven hundred eleven of this chapter through the instal-
17 lation and operation of traffic-control signal photo violation-monitor-
18 ing systems, in accordance with article twenty-four of this chapter; to
19 comply with certain posted maximum speed limits in violation of subdivi-
20 sion (b), (c), (d), (f) or (g) of section eleven hundred eighty of this
21 chapter through the installation and operation of photo speed violation
22 monitoring systems, in accordance with article thirty of this chapter;
23 to comply with bus lane restrictions as defined by article twenty-four
24 of this chapter through the installation and operation of bus lane photo
25 devices, in accordance with article twenty-four of this chapter; to
26 comply with toll collection regulations of certain public authorities
27 through the installation and operation of photo-monitoring systems, in
28 accordance with the provisions of section two thousand nine hundred
29 eighty-five of the public authorities law and sections sixteen-a,
30 sixteen-b and sixteen-c of chapter seven hundred seventy-four of the
31 laws of nineteen hundred fifty; to stop for a school bus displaying a
32 red visual signal in violation of section eleven hundred seventy-four of
33 this chapter through the installation and operation of school bus photo
34 violation monitoring systems, in accordance with article twenty-nine of
35 this chapter; to comply with certain posted maximum speed limits in
36 violation of subdivision (b), (d), (f) or (g) of section eleven hundred
37 eighty of this chapter within a highway construction or maintenance work
38 area through the installation and operation of photo speed violation
39 monitoring systems, in accordance with article thirty of this chapter;
40 to comply with gross vehicle weight and/or axle weight restrictions in
41 violation of section three hundred eighty-five of this chapter and the
42 rules of the department of transportation of the city of New York
43 through the installation and operation of weigh in motion violation
44 monitoring systems, in accordance with article ten of this chapter; ~~or~~
45 to comply with bus operation-related traffic regulations as defined by
46 article twenty-four of this chapter in violation of the rules of the
47 department of transportation of the city of New York through the instal-
48 lation and operation of bus operation-related photo devices, in accord-
49 ance with article twenty-four of this chapter; or to comply with street
50 cleaning parking rules as defined by article twenty-four of this chapter
51 through the installation and operation of street cleaning vehicle photo
52 devices, in accordance with article twenty-four of this chapter; or
53 making an appearance within thirty days of the sending of such notice.
54 Pleas entered and allegations contested within that period shall be in
55 the manner prescribed in the notice and not subject to additional penal-
56 ty or fee. Such notice of impending default judgment shall not be

1 required prior to the rendering and entry thereof in the case of opera-
2 tors or owners who are non-residents of the state of New York. In no
3 case shall a default judgment be rendered or, where required, a notice
4 of impending default judgment be sent, more than two years after the
5 expiration of the time prescribed for entering a plea or contesting an
6 allegation. When a person has demanded a hearing, no fine or penalty
7 shall be imposed for any reason, prior to the holding of the hearing. If
8 the hearing examiner shall make a determination on the charges, sustain-
9 ing them, [~~he or she~~] such examiner shall impose no greater penalty or
10 fine than those upon which the person was originally charged.

11 § 8. Subparagraph (i) of paragraph a of subdivision 5-a of section 401
12 of the vehicle and traffic law, as amended by section 8 of part MM of
13 chapter 56 of the laws of 2023, is amended to read as follows:

14 (i) If at the time of application for a registration or renewal there-
15 of there is a certification from a court, parking violations bureau,
16 traffic and parking violations agency or administrative tribunal of
17 appropriate jurisdiction that the registrant or [~~his or her~~] their
18 representative failed to appear on the return date or any subsequent
19 adjourned date or failed to comply with the rules and regulations of an
20 administrative tribunal following entry of a final decision in response
21 to a total of three or more summonses or other process in the aggregate,
22 issued within an eighteen month period, charging either that: (i) such
23 motor vehicle was parked, stopped or standing, or that such motor vehi-
24 cle was operated for hire by the registrant or [~~his or her~~] their agent
25 without being licensed as a motor vehicle for hire by the appropriate
26 local authority, in violation of any of the provisions of this chapter
27 or of any law, ordinance, rule or regulation made by a local authority;
28 or (ii) the registrant was liable for a violation of subdivision (d) of
29 section eleven hundred eleven of this chapter imposed pursuant to a
30 local law or ordinance imposing monetary liability on the owner of a
31 vehicle for failure of an operator thereof to comply with traffic-con-
32 trol indications through the installation and operation of traffic-con-
33 trol signal photo violation-monitoring systems, in accordance with arti-
34 cle twenty-four of this chapter; or (iii) the registrant was liable for
35 a violation of subdivision (b), (c), (d), (f) or (g) of section eleven
36 hundred eighty of this chapter imposed pursuant to a demonstration
37 program imposing monetary liability on the owner of a vehicle for fail-
38 ure of an operator thereof to comply with such posted maximum speed
39 limits through the installation and operation of photo speed violation
40 monitoring systems, in accordance with article thirty of this chapter;
41 or (iv) the registrant was liable for a violation of bus lane
42 restrictions as defined by article twenty-four of this chapter imposed
43 pursuant to a bus rapid transit program imposing monetary liability on
44 the owner of a vehicle for failure of an operator thereof to comply with
45 such bus lane restrictions through the installation and operation of bus
46 lane photo devices, in accordance with article twenty-four of this chap-
47 ter; or (v) the registrant was liable for a violation of section eleven
48 hundred seventy-four of this chapter when meeting a school bus marked
49 and equipped as provided in subdivisions twenty and twenty-one-c of
50 section three hundred seventy-five of this chapter imposed pursuant to a
51 local law or ordinance imposing monetary liability on the owner of a
52 vehicle for failure of an operator thereof to comply with school bus red
53 visual signals through the installation and operation of school bus
54 photo violation monitoring systems, in accordance with article twenty-
55 nine of this chapter; or (vi) the registrant was liable for a violation
56 of section three hundred eighty-five of this chapter and the rules of

1 the department of transportation of the city of New York in relation to
2 gross vehicle weight and/or axle weight violations imposed pursuant to a
3 weigh in motion demonstration program imposing monetary liability on the
4 owner of a vehicle for failure of an operator thereof to comply with
5 such gross vehicle weight and/or axle weight restrictions through the
6 installation and operation of weigh in motion violation monitoring
7 systems, in accordance with article ten of this chapter; or (vii) the
8 registrant was liable for a violation of subdivision (b), (d), (f) or
9 (g) of section eleven hundred eighty of this chapter imposed pursuant to
10 a demonstration program imposing monetary liability on the owner of a
11 vehicle for failure of an operator thereof to comply with such posted
12 maximum speed limits within a highway construction or maintenance work
13 area through the installation and operation of photo speed violation
14 monitoring systems, in accordance with article thirty of this
15 chapter[~~7~~]; or (viii) the registrant was liable for a violation of bus
16 operation-related traffic regulations as defined by article twenty-four
17 of this chapter imposed pursuant to a demonstration program imposing
18 monetary liability on the owner of a vehicle for failure of an operator
19 thereof to comply with such bus operation-related traffic regulations
20 through the installation and operation of bus operation-related photo
21 devices, in accordance with article twenty-four of this chapter[~~7~~]; or
22 (ix) the registrant was liable for a violation of street cleaning park-
23 ing rules as defined by article twenty-four of this chapter imposed
24 pursuant to a program imposing monetary liability on the owner of a
25 vehicle for failure of an operator thereof to comply with such street
26 cleaning parking rules through the installation and operation of street
27 cleaning vehicle photo devices, in accordance with article twenty-four
28 of this chapter, the commissioner or [~~his or her~~] their agent shall deny
29 the registration or renewal application until the applicant provides
30 proof from the court, traffic and parking violations agency or adminis-
31 trative tribunal wherein the charges are pending that an appearance or
32 answer has been made or in the case of an administrative tribunal that
33 [~~he or she~~] such applicant has complied with the rules and regulations
34 of said tribunal following entry of a final decision. Where an applica-
35 tion is denied pursuant to this section, the commissioner may, in [~~his~~
36 ~~or her~~] their discretion, deny a registration or renewal application to
37 any other person for the same vehicle and may deny a registration or
38 renewal application for any other motor vehicle registered in the name
39 of the applicant where the commissioner has determined that such regis-
40 trant's intent has been to evade the purposes of this subdivision and
41 where the commissioner has reasonable grounds to believe that such
42 registration or renewal will have the effect of defeating the purposes
43 of this subdivision. Such denial shall only remain in effect as long as
44 the summonses remain unanswered, or in the case of an administrative
45 tribunal, the registrant fails to comply with the rules and regulations
46 following entry of a final decision.

47 § 9. Subdivision 1-a of section 1809 of the vehicle and traffic law,
48 as amended by section 9 of part MM of chapter 56 of the laws of 2023, is
49 amended to read as follows:

50 1-a. Notwithstanding the provisions of subdivision one of this
51 section, the provisions of subdivision one of this section shall not
52 apply to an adjudication of liability of owners: (a) for violations of
53 subdivision (d) of section eleven hundred eleven of this chapter imposed
54 pursuant to a local law or ordinance imposing monetary liability on the
55 owner of a vehicle for failure of an operator thereof to comply with
56 traffic-control indications through the installation and operation of

1 traffic-control signal photo violation-monitoring systems, in accordance
2 with article twenty-four of this chapter; or (b) for violations of
3 subdivision (b), (c), (d), (f) or (g) of section eleven hundred eighty
4 of this chapter imposed pursuant to a demonstration program imposing
5 monetary liability on the owner of a vehicle for failure of an operator
6 thereof to comply with such posted maximum speed limits through the
7 installation and operation of photo speed violation monitoring systems,
8 in accordance with article thirty of this chapter; or (c) for violations
9 of bus lane restrictions as defined by article twenty-four of this chap-
10 ter imposed pursuant to a bus rapid transit program imposing monetary
11 liability on the owner of a vehicle for failure of an operator thereof
12 to comply with such bus lane restrictions through the installation and
13 operation of bus lane photo devices, in accordance with article twenty-
14 four of this chapter; or (d) for violations of toll collection regu-
15 lations imposed by certain public authorities pursuant to the law
16 authorizing such public authorities to impose monetary liability on the
17 owner of a vehicle for failure of an operator thereof to comply with
18 toll collection regulations of such public authorities through the
19 installation and operation of photo-monitoring systems, in accordance
20 with the provisions of section two thousand nine hundred eighty-five of
21 the public authorities law and sections sixteen-a, sixteen-b and
22 sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
23 hundred fifty; or (e) for violations of section eleven hundred seventy-
24 four of this chapter when meeting a school bus marked and equipped as
25 provided in subdivisions twenty and twenty-one-c of section three
26 hundred seventy-five of this chapter imposed pursuant to a local law or
27 ordinance imposing monetary liability on the owner of a vehicle for
28 failure of an operator thereof to comply with school bus red visual
29 signals through the installation and operation of school bus photo
30 violation monitoring systems, in accordance with article twenty-nine of
31 this chapter; or (f) for violations of section three hundred eighty-five
32 of this chapter and the rules of the department of transportation of the
33 city of New York in relation to gross vehicle weight and/or axle weight
34 violations imposed pursuant to a weigh in motion demonstration program
35 imposing monetary liability on the owner of a vehicle for failure of an
36 operator thereof to comply with such gross vehicle weight and/or axle
37 weight restrictions through the installation and operation of weigh in
38 motion violation monitoring systems, in accordance with article ten of
39 this chapter; or (g) for violations of subdivision (b), (d), (f) or (g)
40 of section eleven hundred eighty of this chapter imposed pursuant to a
41 demonstration program imposing monetary liability on the owner of a
42 vehicle for failure of an operator thereof to comply with such posted
43 maximum speed limits within a highway construction or maintenance work
44 area through the installation and operation of photo speed violation
45 monitoring systems, in accordance with article thirty of this chapter;
46 or (h) for violations of bus operation-related traffic regulations as
47 defined by article twenty-four of this chapter imposed pursuant to a
48 demonstration program imposing monetary liability on the owner of a
49 vehicle for failure of an operator thereof to comply with such bus oper-
50 ation-related traffic regulations through the installation and operation
51 of bus operation-related photo devices, in accordance with article twen-
52 ty-four of this chapter; or (i) for violations of street cleaning park-
53 ing rules as defined by article twenty-four of this chapter imposed
54 pursuant to a program imposing monetary liability on the owner of a
55 vehicle for failure of an operator thereof to comply with such street
56 cleaning parking rules through the installation and operation of street

cleaning vehicle photo devices, in accordance with article twenty-four of this chapter.

§ 10. Subdivision 1 of section 1809-a of the vehicle and traffic law, as amended by section 10 of part MM of chapter 56 of the laws of 2023, is amended to read as follows:

1. The provisions of any other general or special law notwithstanding, whenever, in a city having a population of one hundred thousand or more according to the nineteen hundred eighty United States census, proceedings in an administrative tribunal or a court result in a finding of liability, or conviction for the violation of any statute, local law, ordinance or rule involving the parking, stopping or standing of a motor vehicle, except (a) an adjudication of liability of an owner 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, or (b) an adjudication of liability of an owner for a violation of street cleaning parking rules as defined by article twenty-four of this chapter imposed pursuant to a program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such street cleaning parking rules through the installation and operation of street cleaning vehicle photo devices, in accordance with article twenty-four of this chapter, there shall be levied a mandatory surcharge in addition to any other sentence, fine or penalty otherwise permitted or required, in the amount of fifteen dollars. Such surcharge shall not be deemed a monetary penalty for the purposes of section two hundred thirty-seven of this chapter or section 19-203 of the administrative code of the city of New York.

§ 11. Subdivision 1 of section 1809-aa of the vehicle and traffic law, as amended by section 11 of part MM of chapter 56 of the laws of 2023, is amended to read as follows:

1. Notwithstanding any other provision of law, whenever proceedings in an administrative tribunal or court result in a conviction for a violation of section twelve hundred, twelve hundred one or twelve hundred two of this chapter, except (a) an adjudication of liability of an owner 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, or (b) an adjudication of liability of an owner for a violation of street cleaning parking rules as defined by article twenty-four of this chapter imposed pursuant to a program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such street cleaning parking rules through the installation and operation of street cleaning vehicle photo devices, in accordance with article twenty-four of this chapter, there shall be levied a mandatory surcharge in addition to any other sentence, fine or penalty otherwise permitted or required, in the amount of twenty-five dollars.

§ 12. Paragraph a of subdivision 1 of section 1809-e of the vehicle and traffic law, as amended by section 12 of part MM of chapter 56 of the laws of 2023, is amended to read as follows:

1 a. Notwithstanding any other provision of law, whenever proceedings in
2 a court or an administrative tribunal of this state result in a
3 conviction for an offense under this chapter, except a conviction pursu-
4 ant to section eleven hundred ninety-two of this chapter, or for a traf-
5 fic infraction under this chapter, or a local law, ordinance, rule or
6 regulation adopted pursuant to this chapter, except: (i) a traffic
7 infraction involving standing, stopping, or parking or violations by
8 pedestrians or bicyclists; and (ii) an adjudication of liability of an
9 owner for a violation of subdivision (d) of section eleven hundred elev-
10 en of this chapter imposed pursuant to a local law or ordinance imposing
11 monetary liability on the owner of a vehicle for failure of an operator
12 thereof to comply with traffic-control indications through the installa-
13 tion and operation of traffic-control signal photo violation-monitoring
14 systems, in accordance with article twenty-four of this chapter; and
15 (iii) an adjudication of liability of an owner for a violation of subdivi-
16 sion (b), (c), (d), (f) or (g) of section eleven hundred eighty of
17 this chapter imposed pursuant to a demonstration program imposing mone-
18 tary liability on the owner of a vehicle for failure of an operator
19 thereof to comply with such posted maximum speed limits through the
20 installation and operation of photo speed violation monitoring systems,
21 in accordance with article thirty of this chapter; and (iv) an adjudi-
22 cation of liability of an owner for a violation of bus lane restrictions
23 as defined by article twenty-four of this chapter imposed pursuant to a
24 bus rapid transit program imposing monetary liability on the owner of a
25 vehicle for failure of an operator thereof to comply with such bus lane
26 restrictions through the installation and operation of bus lane photo
27 devices, in accordance with article twenty-four of this chapter; and (v)
28 an adjudication of liability of an owner for a violation of toll
29 collection regulations imposed by certain public authorities pursuant to
30 the law authorizing such public authorities to impose monetary liability
31 on the owner of a vehicle for failure of an operator thereof to comply
32 with toll collection regulations of such public authorities through the
33 installation and operation of photo-monitoring systems, in accordance
34 with section two thousand nine hundred eighty-five of the public author-
35 ities law or sections sixteen-a, sixteen-b and sixteen-c of chapter
36 seven hundred seventy-four of the laws of nineteen hundred fifty; and
37 (vi) an adjudication of liability of an owner for a violation of section
38 eleven hundred seventy-four of this chapter when meeting a school bus
39 marked and equipped as provided in subdivisions twenty and twenty-one-c
40 of section three hundred seventy-five of this chapter imposed pursuant
41 to a local law or ordinance imposing monetary liability on the owner of
42 a vehicle for failure of an operator thereof to comply with school bus
43 red visual signals through the installation and operation of school bus
44 photo violation monitoring systems, in accordance with article twenty-
45 nine of this chapter; and (vii) an adjudication of liability of an owner
46 for a violation of section three hundred eighty-five of this chapter and
47 the rules of the department of transportation of the city of New York in
48 relation to gross vehicle weight and/or axle weight violations imposed
49 pursuant to a weigh in motion demonstration program imposing monetary
50 liability on the owner of a vehicle for failure of an operator thereof
51 to comply with such gross vehicle weight and/or axle weight restrictions
52 through the installation and operation of weigh in motion violation
53 monitoring systems, in accordance with article ten of this chapter; and
54 (viii) an adjudication of liability of an owner for a violation of
55 subdivision (b), (d), (f) or (g) of section eleven hundred eighty of
56 this chapter imposed pursuant to a demonstration program imposing mone-

1 tary liability on the owner of a vehicle for failure of an operator
2 thereof to comply with such posted maximum speed limits within a highway
3 construction or maintenance work area through the installation and oper-
4 ation of photo speed violation monitoring systems, in accordance with
5 article thirty of this chapter; and (ix) an adjudication of liability of
6 an owner for a violation of bus operation-related traffic regulations as
7 defined by article twenty-four of this chapter imposed pursuant to a
8 demonstration program imposing monetary liability on the owner of a
9 vehicle for failure of an operator thereof to comply with such bus oper-
10 ation-related traffic regulations through the installation and operation
11 of bus operation-related photo devices, in accordance with article twen-
12 ty-four of this chapter; and (x) an adjudication of liability of an
13 owner for a violation of street cleaning parking rules as defined by
14 article twenty-four of this chapter imposed pursuant to a program impos-
15 ing monetary liability on the owner of a vehicle for failure of an
16 operator thereof to comply with such street cleaning parking rules
17 through the installation and operation of street cleaning vehicle photo
18 devices, in accordance with article twenty-four of this chapter, there
19 shall be levied in addition to any sentence, penalty or other surcharge
20 required or permitted by law, an additional surcharge of twenty-eight
21 dollars.

22 § 13. Subdivision 2 of section 87 of the public officers law is
23 amended by adding a new paragraph (v) to read as follows:

24 (v) are photographs, microphotographs, videotape or other recorded
25 images prepared under authority of section eleven hundred eleven-i of
26 the vehicle and traffic law.

27 § 14. The purchase or lease of equipment for a demonstration program
28 established pursuant to section 1111-i of the vehicle and traffic law,
29 as added by section one of this act, shall be subject to the provisions
30 of section 103 of the general municipal law.

31 § 15. This act shall take effect one year after it shall have become a
32 law; provided, however, that sections one, thirteen and fourteen of this
33 act shall expire July 1, 2030, when upon such date the provisions of
34 such sections shall be deemed repealed; provided further, however, that:

35 (a) the amendments to subdivision 1 of section 1809-a of the vehicle
36 and traffic law made by section ten of this act shall not affect the
37 repeal of such section and shall be deemed repealed therewith; and

38 (b) effective immediately, the addition, amendment and/or repeal of
39 any rule or regulation necessary for the implementation of section one
40 of this act on its effective date are authorized to be made and
41 completed on or before such effective date.