

NEW STATE LAWS – 2009

MOTOR VEHICLE RELATED LAWS

Operation of Fire Trucks without a CDL

Chapter 36 clarifies that operators of police, fire and emergency vehicles are exempt from CDL requirements when operating such vehicles as a part of their official duties (training, parades, etc.) not just to respond to emergencies. Effective May 21, 2009.

Increased Surcharge on Auto Insurance

Chapter 56 increases the Motor Vehicle Law Enforcement Fee on auto insurance policies from \$5 to \$10. Effective June 1, 2009.

Increased Car Rental and Livery Taxes

Chapter 57, an omnibus budget act, sets for the following:

- Increases the auto rental tax from five percent to six percent on charges for the rental or use in the State of a passenger car with a gross vehicle weight of 9,000lbs. or less. Effective June 1, 2009.
- Imposes a sales tax on transportation-related consumer spending, including limousines and black cars. Effective June 1, 2009.

Increased Motor Vehicle Related Fees

Chapter 59, an omnibus budget act, sets forth the following:

- Increases registration fees for most vehicles and fees for distinctive plates by 25 percent. Effective September 1, 2009.
- Increases original and renewal driver's license fees by approximately 25 percent. Effective September 1, 2009.
- Increases the license plate reissuance fee from \$15 to \$25. Effective April 1, 2010.
- Creates a new \$50 fee for a book of MV-278 pre-licensing classroom certificates. Effective July 6, 2009.
- Increases the cap on surcharges for violators with two or more convictions arising out of the same traffic incident from \$100 to \$180.
- Increases the civil penalty for repair shops, inspection stations, and dealers who falsify safety and emission inspections or falsify vehicle repairs, from a maximum of \$350 for each violation to \$750 maximum for first violation and \$1,000 maximum for additional violations within a thirty month period. A minimum of a \$350 fine for each fraud violation and an increased civil penalty for dealers from a maximum penalty of \$1,000 for each violation to a maximum of \$1,000 for the first violation and a maximum of \$1,500 for additional violations within a thirty month period. Effective July 6, 2009.
- Increases fees for license suspension from \$25 to \$50 for non-alcohol related suspensions. This proposal also increases the scofflaw termination fee from \$35 to \$70, and increases the license reinstatement fee from \$50 to \$100. Effective July 6, 2009.

SAFETY RELATED LAWS

Reflectors on Bicycles

Chapter 16 permits all bicycles being used from one-half hour after sunset to one-half hour before sunrise to be equipped with an amber light on its rear fender. Effective November 1, 2009.

Red Light Camera Program in Syracuse

Chapter 383 authorizes the City of Syracuse to implement a "Red Light Camera" program at up to 50 intersections. Effective September 25, 2009.

Graduated Driver Licensing Improvements and Texting While Driving Ban

Chapter 403 makes the following amendments to the current teen driver licensing laws and bans the use of portable electronic devices to send text messages and e-mails while driving.

- Elimination of the “Limited Class” DJ and MJ license. Effective February 22, 2010.
- Reduces from two to one the number of non-family passengers under the age of twenty-one who may be a passenger in a motor vehicle operated by the holder of a DJ (junior driver) when not accompanied by a licensed parent, or guardian. Effective February 22, 2010.
- Prohibits the use of portable electronic devices to send text messages, e-mail or view video images while operating a motor vehicle. The new violation applies to the use of “portable electronic devices” by drivers of all ages and is classified as a “secondary” violation. Effective November 1, 2009.
- Increases the number of supervised driving hours that learner’s permit holders’ parent or guardian must certify prior to a road test from 20 hours of practice to 50 hours, including 15 hours at night. Effective February 22, 2010.
- Directs the Commissioner of Motor Vehicles to study the effects of the use of portable electronic devices, and other forms of driver distraction, on traffic safety. Effective August 26, 2009.

Booster Seat Requirement

Chapter 405 increased to age 7, the maximum age at which children are required to be restrained in booster seats. Effective November 24, 2009.