

"P" 4 (2017)

"M" 4 (2017)

Albany, New York

April 25, 2017

TO: All Enforcement Agencies and Magistrates

SUBJECT: Chapter 58 of the Laws of 2017 – Dimensions and Weights of Certain Vehicles

Effective April 20, 2017, Chapter 58 of the Laws of 2017 amends Section 385 of the Vehicle and Traffic Law so dimension and weight requirements for certain vehicles comply with federal standards. The amendments are as follows:

- Section 385(4)(c) is amended to allow a stinger-steered automobile transporter to have a front overhang that does not exceed 4 feet and a rear overhang that does not exceed 6 feet, and to allow a boat transporter or stinger-steered boat transporter to have a front overhang that does not exceed 3 feet and a rear overhang that does not exceed 4 feet.
- Section 385(6) is amended to require that stinger-steered boat transporters must not exceed 75 feet, exclusive of a front overhang that is a maximum of 3 feet and a rear overhang that is a maximum of 4 feet. The amendment also adds that stinger-steered automobile transporters must not exceed 80 feet, exclusive of a front overhang that is a maximum of 4 feet and a rear overhang that is a maximum of 6 feet.
- A new section 385(7) is added to require that a combination of vehicles, which consist of a power unit and two trailers or semi-trailers, operating on any qualifying access highway must not weigh more than 26,000 pounds when the total length is greater than 65 feet. However, when these trailers or semi-trailers carry no property and constitute inventory property of a manufacturer, distributor, or dealer of such trailers or semi-trailers, the overall length of the combination of vehicles must not exceed 82 feet.

- Section 385(10) is amended to allow a single vehicle or a combination of vehicles having at least three axles, pneumatic tires, and an engine fueled primarily by natural gas to have a maximum gross weight of up to 82,000 pounds.
- A new Section 385(24) is added to require that subdivisions six through twelve do not apply to any tow truck that is transporting a disabled vehicle from the place where it became disabled to the nearest appropriate repair facility when the tow truck has a gross vehicle weight that is equal to or more than that of the disabled vehicle.

A copy of Chapter 58 is attached for reference. Please share this information with appropriate staff. Thank you.

Theresa L. Egan
Executive Deputy Commissioner

Attachment

Chap. 58 L. of 2017
App. 04/20/2017
Sections B, D and E **Eff. 04/20/2017**
Sections H and I **Eff. 08/18/2017**

STATE OF NEW YORK

S. 2008--C

A. 3008--C

SENATE - ASSEMBLY

January 23, 2017

IN SENATE -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- A BUDGET BILL, submitted by the Governor pursuant to article seven of the Constitution -- read once and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend chapter 62 of the laws of 2003 amending the vehicle and traffic law and other laws relating to increasing certain motor vehicle transaction fees, in relation to the disposition of revenues (Part A); to amend the vehicle and traffic law, in relation to divisible load permits (Part B); intentionally omitted (Part C); to amend the vehicle and traffic law, in relation to compliance with new federal regulations (Part D); to amend the vehicle and traffic law, in relation to reciprocal agreements concerning suspension or revocation of registration of a motor vehicle for violations of toll collection regulations (Part E); intentionally omitted (Part F); intentionally omitted (Part G); to amend the vehicle and traffic law, in relation to the waiver of non-driver identification card fees for crime victims (Part H); to amend the vehicle and traffic law, in relation to the reinstatement fee for non-residents (Part I); intentionally omitted (Part J); intentionally omitted (Part K); intentionally omitted (Part L); to amend the New York state urban development corporation act, in relation to extending certain provisions relating to the empire state economic development fund (Part M); to amend chapter 393 of the laws of 1994, amending the New York state urban development corporation act, relating to the powers of the New York state urban development

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

corporation to make loans, in relation to the effectiveness thereof (Part N); intentionally omitted (Part O); intentionally omitted (Part P); to amend chapter 21 of the laws of 2003, amending the executive law relating to permitting the secretary of state to provide special handling for all documents filed or issued by the division of corporations and to permit additional levels of such expedited service, in relation to extending the expiration date thereof (Part Q); intentionally omitted (Part R); to amend the real property law, in relation to streamlining the licensing process for real estate professionals (Part S); to amend the environmental conservation law and the executive law, in relation to local waterfront revitalization (Part T); intentionally omitted (Part U); authorizing utility and cable television assessments to provide funds to the department of health from cable television assessment revenues and to the departments of agriculture and markets, environmental conservation, office of parks, recreation and historic preservation, and state from utility assessment revenues; and providing for the repeal of such provisions upon expiration thereof (Part V); to amend chapter 58 of the laws of 2012 amending the public authorities law relating to authorizing the dormitory authority to enter into certain design and construction management agreements, in relation to extending the effectiveness of such authorization (Part W); intentionally omitted (Part X); intentionally omitted (Part Y); intentionally omitted (Part Z); intentionally omitted (Part AA); intentionally omitted (Part BB); intentionally omitted (Part CC); intentionally omitted (Part DD); intentionally omitted (Part EE); to amend the real property actions and proceedings law and the civil practice law and rules, in relation to reverse mortgages (Part FF); intentionally omitted (Part GG); to amend the navigation law, in relation to establishing the New York environmental protection and spill remediation account (Part HH); intentionally omitted (Part II); to amend the state finance law and the environmental conservation law, in relation to environmental protection fund deposits and transfers; and to amend part F of chapter 58 of the laws of 2013 amending the environmental conservation law and the state finance law relating to the "Cleaner, Greener NY Act of 2013", in relation to extending the effectiveness thereof (Part JJ); intentionally omitted (Part KK); to amend the public authorities law and the public officers law, in relation to the sharing of employees, services and resources by the power authority of the state of New York, canal corporation and department of transportation (Part LL); to authorize the energy research and development authority to finance a portion of its research, development and demonstration, policy and planning, and Fuel NY programs, as well as the department of environmental conservation's climate change program and the department of agriculture and markets' Fuel NY program, from an assessment on gas and electric corporations (Part MM); to amend chapter 495 of the laws of 2004 amending the insurance law and the public health law relating to the New York state health insurance continuation assistance demonstration project, in relation to the effectiveness thereof (Part NN); to amend the agriculture and markets law, in relation to increasing the number of sites authorized for the growing or cultivating of industrial hemp as part of agricultural pilot programs (Part OO); to amend the public authorities law, in relation to the definition of transportation purpose (Part PP); to amend subpart H of part C of chapter 20 of the laws of 2015, appropriating money for certain municipal corporations and school districts, in relation to funding to local government entities

from the urban development corporation (Part QQ); establishing the Indian Point closure task force and providing for the repeal of such

provisions upon expiration thereof (Part RR); to amend the environmental conservation law, in relation to pesticide registration time frames and fees; and to amend chapter 67 of the laws of 1992, amending the environmental conservation law relating to pesticide product registration timetables and fees, in relation to the effectiveness thereof (Part SS); to amend the New York state urban development corporation act, in relation to the life sciences initiatives program (Part TT); and to amend the environmental conservation law, in relation to retrofit technology for diesel-fueled vehicles (Part UU)

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

1 Section 1. This act enacts into law major components of legislation
2 which are necessary to implement the state fiscal plan for the 2017-2018
3 state fiscal year. Each component is wholly contained within a Part
4 identified as Parts A through UU. The effective date for each particular
5 provision contained within such Part is set forth in the last section of
6 such Part. Any provision in any section contained within a Part, includ-
7 ing the effective date of the Part, which makes a reference to a section
8 "of this act", when used in connection with that particular component,
9 shall be deemed to mean and refer to the corresponding section of the
10 Part in which it is found. Section three of this act sets forth the
11 general effective date of this act.

PART B

30 Section 1. The sixth undesignated paragraph of paragraph (f) of subdi-
31 vision 15 of section 385 of the vehicle and traffic law, as amended by
32 section 4 of part C of chapter 59 of the laws of 2004, is amended to
33 read as follows:

34 Until June thirtieth, nineteen hundred ninety-four, no more than
35 sixteen thousand power units shall be issued annual permits by the
36 department for any twelve-month period in accordance with this para-
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1 graph. After June thirtieth, nineteen hundred ninety-four, no more than
2 sixteen thousand five hundred power units shall be issued annual permits
3 by the department for any twelve-month period. After December thirty-
4 first, nineteen hundred ninety-five, no more than seventeen thousand
5 power units shall be issued annual permits by the department for any
6 twelve-month period. After December thirty-first, two thousand three, no
7 more than twenty-one thousand power units shall be issued annual permits
8 by the department for any twelve-month period. After December thirty-
9 first, two thousand five, no more than twenty-two thousand power units
10 shall be issued annual permits by the department for any twelve-month
11 period. After December thirty-first, two thousand six, no more than
12 twenty-three thousand power units shall be issued annual permits by the
13 department for any twelve-month period. After December thirty-first, two
14 thousand seven, no more than twenty-four thousand power units shall be
15 issued annual permits by the department for any twelve-month period.
16 After December thirty-first, two thousand eight, no more than twenty-
17 five thousand power units shall be issued annual permits by the depart-
18 ment for any twelve-month period. **After December thirty-first, two thou-**
19 **sand sixteen, no more than twenty-seven thousand power units shall be**
20 **issued annual permits by the department for any twelve-month period.**

21 § 2. This act shall take effect immediately.

PART D

25 Section 1. Intentionally omitted.

26 § 2. Subparagraphs 5 and 6 of paragraph (b) of subdivision 4 of
27 section 385 of the vehicle and traffic law, subparagraph 5 as amended by
28 chapter 669 of the laws of 2005, and subparagraph 6 as amended by chap-
29 ter 26 of the laws of 2002, are amended and a new subparagraph 7 is
30 added to read as follows:

31 5. A vehicle or combination of vehicles which is disabled and unable
32 to proceed under its own power and is being towed for a distance not in
33 excess of ten miles for the purpose of repairs or removal from the high-
34 way, except that the distance to the nearest exit of a controlled-access
35 highway shall not be considered in determining such ten mile distance;
36 ~~[and]~~

37 6. Stinger-steered automobile transporters or stinger-steered boat
38 transporters, while operating on qualifying and access highways. [~~Such~~
39 ~~vehicles~~] Stinger-steered boat transporters shall not, however, exceed
40 seventy-five feet exclusive of an overhang of not more than three feet
41 on the front and four feet on the rear of the vehicle~~[-]~~ and stinger-
42 steered automobile transporters shall not exceed eighty feet exclusive
43 of an overhang of not more than four feet on the front and six feet on
44 the rear of the vehicle; and

45 7. A combination of vehicles operating on any qualifying or access
46 highways consisting of a power unit and two trailers or semitrailers
47 with a total weight that shall not exceed twenty-six thousand pounds
48 when the overall length is greater than sixty-five feet but shall not
49 exceed eighty-two feet in which the trailers or semitrailers carry no
50 property and constitute inventory property of a manufacturer, distribu-
51 tor, or dealer of such trailers or semitrailers.

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1 § 3. Paragraph (c) of subdivision 4 of section 385 of the vehicle and
2 traffic law, as amended by chapter 26 of the laws of 2002, is amended to
3 read as follows:

4 (c) Notwithstanding the provisions of paragraph (a) of this subdivi-
5 sion, an overhang of not more than three feet on the front and four feet
6 on the rear of an automobile transporter or an overhang of not more than
7 four feet on the front and six feet on the rear of a stinger-steered
8 automobile transporter or an overhang of not more than three feet on the
9 front and four feet on the rear of a boat transporter or stinger-steered
10 boat transporter shall be permitted.

11 § 4. Subdivision 10 of section 385 of the vehicle and traffic law, as
12 amended by chapter 1008 of the laws of 1983, is amended to read as
13 follows:

14 10. A single vehicle or a combination of vehicles having three axles
15 or more and equipped with pneumatic tires, when loaded, may have a total
16 weight on all axles not to exceed thirty-four thousand pounds, plus one
17 thousand pounds for each foot and major fraction of a foot of the
18 distance from the center of the foremost axle to the center of the rear-
19 most axle. Axles to be counted as provided in subdivision five of this
20 section. In no case, however, shall the total weight exceed eighty thou-
21 sand pounds except for a vehicle if operated by an engine fueled prima-
22 rially by natural gas which may have a maximum gross weight of up to
23 eighty-two thousand pounds. For any vehicle or combination of vehicles
24 having a total gross weight less than seventy-one thousand pounds, the
25 higher of the following shall apply:

26 (a) the total weight on all axles shall not exceed thirty-four thou-
27 sand pounds plus one thousand pounds for each foot and major fraction of
28 a foot of the distance from the center of the foremost axle to the
29 center of the rearmost axle, or

30 (b) the overall gross weight on a group of two or more consecutive
31 axles shall not exceed the weight produced by application of the follow-
32 ing formula:

33

$$W = 500 ((L \times N) / (N - 1) + (12 \times N) + 36)$$

where W equals overall gross weight on any group of two or more consecutive axles to the nearest five hundred pounds, L equals distance in feet from the center of the foremost axle to the center of the rearmost axle of any group of two or more consecutive axles, and N equals number of axles in group under consideration, except that two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each providing the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six feet or more.

For any vehicle or combination of vehicles having a total gross weight of seventy-one thousand pounds or greater, paragraph (b) shall apply to determine maximum gross weight which is permitted hereunder.

§ 5. Section 385 of the vehicle and traffic law is amended by adding a new subdivision 24 to read as follows:

24. The provisions of subdivisions six, seven, eight, nine, ten, eleven and twelve of this section shall not apply to any tow truck that is transporting a disabled vehicle from the place where such vehicle became disabled to the nearest appropriate repair facility and has a gross vehicle weight that is equal to or exceeds the gross vehicle weight of the disabled vehicle being transported.

§ 6. Intentionally omitted.

§ 7. This act shall take effect immediately.

PART E

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Section 1. The vehicle and traffic law is amended by adding a new section 518 to read as follows:

§ 518. Reciprocal agreements concerning suspension or revocation of registration of a motor vehicle for violations of toll collection regulations. a. The commissioner may execute a reciprocal compact or agreement regarding toll collection violations with the motor vehicle administrator or other authorized official of another state not inconsistent with the provisions of this chapter. Such compact or agreement shall provide that if a registration of a motor vehicle would be suspended or revoked pursuant to paragraph d of subdivision three of section five hundred ten of this chapter, or pursuant to a comparable law or regulation of another state, because a registrant of such motor vehicle failed to pay tolls and related fees, or have such tolls or fees dismissed or transferred, then the state issuing the registration shall likewise suspend or revoke the registration or bar renewal of such registration, until such registrant has paid such tolls and fees or complied with the rules and regulations of the tolling authority that imposed such tolls and fees. Such compact or agreement shall also provide that no such action by a state against a motor vehicle registration shall be taken pursuant to such compact or agreement unless the tolling authority in the other state provides notice, due process, an opportunity to be heard and appeal protections for registrants of motor vehicles, and allows motor vehicle registrants in this state to present evidence by mail, telephone, electronic means or other means to invoke rights of due process without having to appear personally in the jurisdiction where the violations occurred.

b. Such compact or agreement shall also provide such terms and procedures as are necessary and proper to facilitate its administration. Any such compact or agreement shall specify the violations subject to the compact or agreement, and shall include a determination of comparable violations in each state if any such violations are of a substantially similar nature but are not denominated or described in precisely the same words in each party state.

c. The word "state" when used in this section shall mean any state, territory, a possession of the United States, the District of Columbia or any province of Canada.

§ 2. (a) The commissioner of motor vehicles shall, in consultation with the thruway authority, the triborough bridge and tunnel authority,

the port authority of New York and New Jersey, and every other public authority which operates a toll highway, bridge and/or tunnel facility in the state of New York, submit a report to the governor, the temporary president of the senate, the speaker of the assembly, the chairs of the senate and assembly transportation committees, and the chairs of the senate and assembly corporations, authorities and commissions committee on reciprocal compacts and agreements entered into pursuant to section 518 of the vehicle and traffic law. Such report shall identify each state with which the commissioner has entered such a reciprocal compact or agreement. Such report shall also include, but not be limited to, the following information:

I. The total number of registration suspensions requested, on a quarterly basis, by other states for registrants of the state of New York, and the total number of registration suspensions requested and imposed, on a quarterly basis, by the state of New York for non-New York registrants;

II. The number of releases of New York state registrants for toll violations in other states;

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III. The total number of active registration suspensions, on a quarterly basis, on registrants of the state of New York by other states, and the total number of registration suspensions, on a quarterly basis, on non-residents by the state of New York;

IV. The number of suspensions requested due to tolls and related fees imposed by each tolling authority;

V. The total number of hearings requested, the total number of hearings sustained and the total number not sustained; and,

VI. For each tolling authority within the state of New York, the total amount of tolls, and the total amount of related fees, both imposed upon and collected from non-residents.

(b) For purposes of this section, the term "state" shall have the same meaning as such term is defined in subdivision c of section 518 of the vehicle and traffic law.

§ 3. This act shall take effect immediately.

PART H

Section 1. Section 491 of the vehicle and traffic law is amended by adding a new subdivision 3 to read as follows:

3. Waiver of fee. The commissioner may waive the payment of fees required by subdivision two of this section if the applicant is a victim of a crime and the identification card applied for is a replacement for one that was lost or destroyed as a result of the crime.

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law.

PART I

Section 1. Paragraph (i) of subdivision 2 of section 503 of the vehicle and traffic law, as amended by chapter 55 of the laws of 1992, is amended to read as follows:

(i) A non-resident whose driving privileges have been revoked pursuant to sections five hundred ten, eleven hundred ninety-three and eleven hundred ninety-four of this chapter shall, upon application for reinstatement of such driving privileges, pay to the commissioner of motor vehicles a fee of ~~[twenty-five]~~ **one hundred** dollars. **When the basis for the revocation is a finding of driving after having consumed alcohol pursuant to the provisions of section eleven hundred ninety-two-a of this chapter, the fee to be paid to the commissioner shall be one hundred dollars.** Such fee is not refundable and shall not be returned to the applicant regardless of the action the commissioner may take on such

43 person's application for reinstatement of such driving privileges.
44 § 2. This act shall take effect on the one hundred twentieth day after
45 it shall have become a law.