



Department of Motor Vehicles

6 EMPIRE STATE PLAZA • ALBANY, NY 12228

"P" 8 (2024)

"M" 8 (2024)

Albany, New York

August 23, 2024

TO: All Enforcement Agencies and Magistrates

SUBJECT: Number Plate Coverings - Subpart A of Part WW of Chapter 56 of the Laws of 2024

Effective September 1, 2024, the Vehicle and Traffic Law (VTL) is amended as follows:

- VTL section 402(1)(b) is amended by adding a new subparagraph (ii-a) prohibiting number plates from being covered by glass or any plastic material, or any material appearing to be a number plate for display as proof of a lawful registration, but which has not been lawfully issued by New York State or any other jurisdiction.
- VTL section 402(7) is amended to add a new paragraph (b) to make it unlawful to sell, offer for sale or distribute any plate cover, material, or device that is intended to be installed on, around, or near a number plate that will result in obstructing or obscuring all or part of the plate number or other identification marks of the number plate. VTL section 402(7) is also amended to add a new paragraph (c) to make it unlawful to sell, offer for sale, or distribute a material that appears to be a number plate for display as proof of a lawful registration, but which has not been lawfully issued by New York State or any other jurisdiction.
- VTL section 402(8) is amended as follows:
 - Section 402(8)(a) amends the fines for violations of VTL sections 402(1)(b)(ii), (ii-a), or (iii) to not less than \$100 nor more than \$500.
 - Section 402(8)(b) requires a person convicted of a violation of 402(1)(b)(ii-a) to surrender the glass or plastic covering or material appearing to be a number plate to the court or administrative tribunal for delivery to the Department of Motor Vehicles (DMV). The court or administrative tribunal should retain such covering or material appearing to be a number plate pending the results of any appeal, after which they may be disposed.
 - Section 402(8)(c) allows, upon the conviction of a violation of section 402(1)(b)(ii), the court or administrative tribunal to also order the removal of any material or

substance that conceals or obscures the number plates or order the replacement of the number plates.

- A new VTL section 402-b is added which provides that if a violation of VTL section 402(1)(b)(ii), (ii-a), or (iii) is committed in the presence of a police officer, the police officer is authorized to issue a summons, provided however, a summons shall not be issued if, in the discretion and at the request of the police officer, the defect is corrected in the presence of the police officer. Paragraph (3) of new section 402-b provides that any complaint issued for any violation of section 402(1)(b)(ii), (ii-a), or (iii) may be dismissed by the court if the violation is corrected no later than one-half hour after sunset on the first full business day after the summons is issued and proof of the correction is submitted to the court or administrative tribunal.
- VTL section 510 is amended by adding a new subdivision 4-h which provides the following:
 - Section 510(4-h)(a) provides that upon receipt of notification from a court or administrative tribunal that an owner of a motor vehicle has been convicted three or more times within a period of five years of a violation of section 402(1)(b)(ii), (ii-a) or (iii), and such convictions do not arise out of the same incident, the DMV may suspend the registration of the motor vehicle involved in such violation for a period of 90 days.
 - Section 510(4-h)(b) provides that upon receipt of notification from a court or administrative tribunal that an owner has failed to comply with VTL section 402(8)(b) or (c), the DMV may suspend the registration of the motor vehicle involved in such violation and such suspension shall remain in effect until the DMV is notified by the court or administrative tribunal that the owner has complied with VTL section 402(8)(b) or (c). To notify DMV of failure to comply with VTL section 402(8)(b) or (c), see forms attached.

These provisions apply to violations committed on and after September 1, 2024. It is important that police officers accurately capture the license plate number on the vehicle at the time of violation. Please ensure the license plate number is correctly denoted on the citation.

A copy of Subpart A of Part WW of Chapter 56 of the Laws of 2024 is attached for reference.

Please share this information with appropriate staff. Thank you.

Mark J.F. Schroeder
Commissioner

Attachments



Request to Suspend Registration

To: Commissioner of Motor Vehicles

Attn: Registration Suspension Unit (dmv.sm.RegSuspensionRequests@dmv.ny.gov)

REQUESTING COURT

DATE OF REQUEST

PUBLIC CONTACT INFORMATION FOR COURT MAILING ADDRESS:

PHONE:

FAX:

EMAIL:

Pursuant to Section 510 4-h(b) of the Vehicle and Traffic Law the REGISTRATION of the below-named person is requested to be suspended immediately. The suspension shall remain in effect until notification from the requesting court is received of satisfactory compliance and/or request for clearance. Request is due to failure to remove obstruction or covering of license plate.

DATE OF CONVICTION

TICKET NUMBER

REGISTRANT NAME

DATE OF BIRTH (if individual)

REGISTRANT ADDRESS

VEHICLE IDENTIFICATION NUMBER

NY PLATE NO.

YEAR

MAKE

Signature of Court Representative



Request to Clear Suspension

To: Commissioner of Motor Vehicles

Attn: Registration Suspension Unit (dmv.sm.RegSuspensionRequests@dmv.ny.gov)

REQUESTING COURT

DATE OF REQUEST

**PUBLIC CONTACT INFORMATION FOR
COURT MAILING ADDRESS:**

PHONE:

FAX:

EMAIL:

Pursuant to Section 510 4-h(b) of the Vehicle and Traffic Law the previously issued suspension for the date of conviction below is requested to be closed for the REGISTRATION of the below-named person.

DATE OF CONVICTION

TICKET NUMBER

REGISTRANT NAME

DATE OF BIRTH (if individual)

REGISTRANT ADDRESS

VEHICLE IDENTIFICATION NUMBER

NY PLATE NO.

YEAR

MAKE

Signature of Court Representative

LAWS OF NEW YORK, 2024
CHAP. 56
PART WW

Section 1. This Part enacts into law components of legislation relating to toll enforcement. Each component is wholly contained within a Subpart identified as Subparts A through B. The effective date for each particular provision contained within such Subpart is set forth in the last section of such Subpart. Any provision in any section contained within a Subpart, including the effective date of the Subpart, which makes reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Subpart in which it is found. Section three of this Part sets forth the general effective date of this Part.

SUBPART A

Section 1. Subparagraphs (i) and (ii) of paragraph (b) of subdivision 1 of section 402 of the vehicle and traffic law, as amended by chapter 451 of the laws of 2021, are amended and a new subparagraph (ii-a) is added to read as follows:

(i) Number plates shall be kept clean and in a condition so as to be easily readable [~~and shall not be covered by glass or any plastic material~~].

(ii) Number plates shall not be knowingly covered or coated with any [~~artificial or synthetic~~] material or substance that conceals or obscures such number plates or that distorts a recorded or photographic image of such number plates.

(ii-a) Number plates shall not be covered by glass or any plastic material, nor shall they be covered with a material appearing to be a number plate for display as proof of lawful registration but which has not been lawfully issued by the commissioner, the commissioner's agent, or the equivalent official or agents from another state, territory, district, province, nation or other jurisdiction.

§ 2. Subdivision 7 of section 402 of the vehicle and traffic law, as added by chapter 648 of the laws of 2006, is amended to read as follows:

7. It shall be unlawful for any person, firm, partnership, association, limited liability company or corporation to sell, offer for sale or distribute any:

(a) artificial or synthetic material or substance for the purpose of application to a number plate that will, upon application to a number plate, distort a recorded or photographic image of such number plate; or

(b) plate cover, material or device for the purpose of installation on, near or around a number plate that will, upon installation on, near or around a number plate, obstruct or obscure all or any part of the distinguishing number or other identification marks of such number plate; or

(c) a material appearing to be a number plate for display as proof of lawful registration but which has not been lawfully issued by the commissioner, the commissioner's agent, or the equivalent official or agents from another state, territory, district, province, nation or other jurisdiction.

§ 3. Subdivision 8 of section 402 of the vehicle and traffic law, as amended by chapter 451 of the laws of 2021, is amended to read as follows:

8. A violation of this section shall be punishable by a fine of not less than twenty-five nor more than two hundred dollars, except that [a]

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(a) A violation of subparagraph (ii), subparagraph (ii-a) or subparagraph (iii) of paragraph (b) of subdivision one of this section shall be

punishable by a fine of not less than [~~fifty~~] one hundred nor more than [~~three~~] five hundred dollars.

(b) A person convicted of a violation of subparagraph (ii-a) of paragraph (b) of subdivision one of this section shall surrender the glass or plastic covering or material appearing to be a number plate, as applicable, to the court or administrative tribunal for delivery to the commissioner.

(c) Upon conviction of a violation of subparagraph (ii) of paragraph (b) of subdivision one of this section, the court or administrative tribunal having jurisdiction may, in addition to any penalty that may be imposed for such violation, order the removal of any material or substance that conceals or obscures such number plates or the replacement of such number plates.

§ 4. The vehicle and traffic law is amended by adding a new section 402-b to read as follows:

§ 402-b. Obscured and obstructed license plates. 1. If any vehicle is driven or operated on a public highway in violation of subparagraph (ii), (ii-a), or (iii) of paragraph (b) of subdivision one of section four hundred two of this article and is committed in their presence, a police officer, as defined in section one hundred thirty-two of this chapter, shall be authorized to take such actions as may be required or permitted by the provisions of this section.

2. If the vehicle is being driven or operated in violation of subparagraph (ii), (ii-a) or (iii) of paragraph (b) of subdivision one of section four hundred two of this article, such officer shall issue a summons, provided, however, that a summons shall not be issued if, in the discretion and at the request of such officer, the defect is corrected in the presence of such officer. The refusal of a police officer to permit the repair of any defect in their presence shall not be reviewable, and shall not be a defense to any violation charged in a summons issued pursuant to the provisions of this section.

3. Any complaint issued for any violation of subparagraph (ii), (ii-a) or (iii) of paragraph (b) of subdivision one of section four hundred two of this article may be dismissed by the court before which the summons is returnable if the violation as set forth in the summons is corrected not later than one-half hour after sunset on the first full business day after the issuance of the summons and proof of such correction is submitted to the court or administrative tribunal. For the purposes of this subdivision, "business day" shall mean any calendar day except Saturday and Sunday, or the following business holidays: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, and Christmas Day.

§ 5. Section 510 of the vehicle and traffic law is amended by adding a new subdivision 4-h to read as follows:

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

vehicle and may deny a registration or renewal application for any other motor vehicle registered in the name of the applicant where the commissioner has determined that such registrant's intent has been to evade the purposes of this paragraph and where the commissioner has reasonable grounds to believe that such registration or renewal will have the effect of defeating the purposes of this paragraph. Such denial shall remain in effect only as long as the suspension entered pursuant to this paragraph remains in effect.

(b) Upon receipt of notification from a court or an administrative tribunal that an owner of a motor vehicle has failed to comply with paragraph (b) or (c) of subdivision eight of section four hundred two of this chapter, the commissioner or the commissioner's agent may suspend the registration of the motor vehicle involved in such violation and such suspension shall remain in effect until such time as the commissioner is advised that such owner has complied with such paragraphs, as applicable. The commissioner may, in the commissioner's discretion, deny a registration or renewal application to any other person for the same vehicle and may deny a registration or renewal application for any other motor vehicle registered in the name of the applicant where the commissioner has determined that such registrant's intent has been to evade the purposes of this paragraph and where the commissioner has reasonable grounds to believe that such registration or renewal will have the effect of defeating the purposes of this paragraph. Such denial shall remain in effect only as long as the suspension entered pursuant to this paragraph remains in effect.

§ 6. Subdivision 8 of section 2985 of the public authorities law, as added by chapter 379 of the laws of 1992, is amended to read as follows:

8. (a) Adjudication of the liability imposed upon owners by this section shall be by the entity having jurisdiction over violations of the rules and regulations of the public authority serving the notice of liability or where authorized by an administrative tribunal and all violations shall be heard and determined in the county in which the violation is alleged to have occurred, or in New York city and upon the consent of both parties, in any county within New York city in which the public authority operates or maintains a facility, and in the same manner as charges of other regulatory violations of such public authority or pursuant to the rules and regulations of such administrative tribunal as the case may be.

(b) Upon exhaustion of remedies pursuant to this section or section twenty-nine hundred eighty-five-a of this title, as applicable, the New York state bridge authority, thruway authority, triborough bridge and tunnel authority, metropolitan transportation authority, and port authority of New York and New Jersey, a bi-state agency created by compact set forth in chapter one hundred fifty-four of the laws of nineteen hundred twenty-one, shall have the power to enter judgments for unpaid liabilities, provided that such unpaid liabilities include the failure to pay tolls, fees, or other charges or the failure to have such tolls, fees or other charges dismissed or transferred in response to three or more notices of violation issued within a five year period charging the registrant of a motor vehicle with a violation of toll collection regulations, and to enforce such judgments, without court proceedings, in the same manner as the enforcement of money judgments in civil actions in any court of competent jurisdiction or any other place provided for the entry of civil judgment within the state of New York, after a period of notice pursuant to paragraph (c) of this subdivision. The applicable tolling authority shall not enforce such judgments until

thirty days have elapsed from issuing a notice pursuant to paragraph (c) of this subdivision.

(c) Prior to entering judgments for unpaid liabilities pursuant to paragraph (b) of this subdivision, the applicable tolling authority shall notify the person subject to such judgment, by first class mail, that such person is at risk of entry of a judgment against them if they fail to pay such unpaid liabilities. The form and content of such notice shall be prescribed by the applicable tolling authority, and shall contain a warning to advise the person that failure to pay the applicable unpaid liabilities within a period of not less than thirty days of such notice will result in the enforcement of a judgment against them, and shall further contain information about the process to dispute such liabilities, consistent with this section or section twenty-nine hundred eighty-five-a of this title, as applicable.

§ 7. This act shall take effect September 1, 2024; provided, however, that the provisions of sections one, two, three, four and five of this act shall apply to violations committed on and after such date. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made on or before such date.