

STATE OF NEW YORK

5774

2019-2020 Regular Sessions

IN ASSEMBLY

February 19, 2019

Introduced by M. of A. SANTABARBARA -- read once and referred to the Committee on Transportation

AN ACT to amend the transportation law, in relation to requiring a safety review of carriers of passengers operating stretch limousines and to establishing a stretch limousine searchable database

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

1 Section 1. Section 2 of the transportation law is amended by adding a
2 new subdivision 30-a to read as follows:

3 30-a. "Stretch limousine" means any for hire vehicle with a chassis
4 which was manufactured and then altered for the purpose of transporting
5 ten or more occupants, including the driver.

6 § 2. The transportation law is amended by adding a new section 160 to
7 read as follows:

8 § 160. Safety review of stretch limousines. 1. Notwithstanding any
9 other provision of law to the contrary, no later than ninety days after
10 the effective date of this section, the department, in consultation with
11 the department of motor vehicles, shall conduct a comprehensive safety
12 review of all carriers of passengers which operate stretch limousines.
13 Such review shall include:

14 a. verification that all drivers employed by such carriers hold the
15 proper license;

16 b. a review of the driving records of all drivers employed by such
17 carriers; and

18 c. inspections of all stretch limousines operated by such carriers.

19 2. A driver employed by a carrier of passengers which operates a
20 stretch limousine found not to be properly licensed shall not transport
21 passengers in a stretch limousine until such driver obtains the proper
22 license and provides proof of such license to the department.

23 3. a. No carrier of passengers which operates a stretch limousine
24 shall transport passengers in a stretch limousine which has failed an

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

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1 inspection conducted pursuant to this section or any other provision of
2 law.

3 b. A carrier of passengers which operates a stretch limousine that has
4 failed an inspection pursuant to this section or any other provision of
5 law, shall within ten days take corrective measures and have the vehicle
6 reinspected by the department. If such carrier of passengers fails to
7 reinspect the vehicle within ten days, the commissioner may impound the
8 vehicle. The commissioner shall promulgate rules and regulations for the
9 return of any such impounded vehicle to the carrier of passengers.

10 4. a. Any carrier of passengers which operates a stretch limousine
11 shall affix in the passenger cabin of such limousine a certificate
12 evidencing a successful safety inspection pursuant to this section or
13 any other provision of law, the date of such inspection and the proper
14 licensure of the driver. Such certificate shall be designed by the
15 commissioner.

16 b. Any carrier of passengers which operates a stretch limousine which
17 has failed a safety inspection conducted pursuant to this section or any
18 other provision of law, shall affix in the passenger cabin of such
19 limousine a notice that such limousine is not fit to transport passen-
20 gers. Such notice shall be designed by the commissioner.

21 5. No later than one hundred eighty days after the effective date of
22 this section, the department shall create or modify an existing searcha-
23 ble database for the consolidation of information related to the results
24 of the comprehensive safety review conducted pursuant to this section.
25 The department shall make the searchable database available to the
26 public on its website and shall update information related to the review
27 conducted pursuant to this section and to any other inspections of
28 stretch limousines conducted pursuant to any other provision of law. The
29 department shall make accessible on the searchable database the follow-
30 ing information from all carriers of passengers which operate stretch
31 limousines:

32 a. the name, address and phone number of each carrier of passengers
33 which operates a stretch limousine;

34 b. the date and result of each safety inspection conducted pursuant to
35 this section or any other provision of law;

36 c. the date of any failed inspection and the reasons for such failure;

37 d. when any failed inspection has been remedied; and

38 e. the names, license information and driving records of drivers
39 employed by each carrier of passengers which operates a stretch limou-
40 sine.

41 § 3. This act shall take effect immediately.