

STATE OF NEW YORK

5774--B

Cal. No. 219

2019-2020 Regular Sessions

IN ASSEMBLY

February 19, 2019

Introduced by M. of A. SANTABARBARA, LUPARDO, SEAWRIGHT, ROMEO, BRONSON, CRESPO, TAYLOR, JOYNER, DE LA ROSA, DAVILA, ARROYO, DICKENS, GALEF, O'DONNELL, GUNTHER, WRIGHT, WALKER, GRIFFIN, STECK, FAHY, CRUZ, ASHBY, TAGUE -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- ordered to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the vehicle and traffic law and the transportation law, in relation to motor carriers of stretch limousines

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

Section 1. Section 509-d of the vehicle and traffic law is amended by adding a new subdivision 5-a to read as follows:

(5-a) Every motor carrier shall furnish the department, beginning no later than July first, two thousand twenty-one and annually thereafter, a list of each altered motor vehicle commonly referred to as a "stretch limousine", if any, designed to carry ten or more passengers in addition to the driver that such motor carrier operates pursuant to operating authority issued by the commissioner of transportation, including the vehicle identification number and registration number of each such altered motor vehicle, and a list of all drivers such motor carrier employs who drive such altered motor vehicles and whether such driver is qualified or has been disqualified to operate such altered motor vehicle pursuant to this article.

§ 2. Subdivision 1 of section 509-m of the vehicle and traffic law, as added by chapter 675 of the laws of 1985, is amended to read as follows:

1. At least once every three years, review the bus driver files of each motor carrier, provided, however, that the commissioner may review such bus driver files at his discretion at any other time during regular business hours. Provided, however, that the commissioner shall review

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

LBD05406-04-9

1 at least annually the bus driver files of each driver employed by a
2 motor carrier who operates an altered motor vehicle commonly referred to
3 as a "stretch limousine" designed to carry ten or more passengers in
4 addition to the driver pursuant to operating authority issued by the
5 commissioner of transportation, and annually verify whether each such
6 driver holds a valid driver's license valid for the operation of such
7 altered motor vehicle.

8 § 3. Section 509-m of the vehicle and traffic law is amended by adding
9 a new subdivision 8 to read as follows:

10 8. Maintain and annually update its website to provide information
11 with regard to each motor carrier that operates altered motor vehicles
12 commonly referred to as "stretch limousines" designed to carry ten or
13 more passengers in addition to the driver pursuant to operating authori-
14 ty issued by the commissioner of transportation that includes the motor
15 carrier's name, location and region of operation including place of
16 address, whether such motor carrier is in compliance with this article
17 as required by section five hundred nine-j of this article in relation
18 to the operation of such altered motor vehicles, the number and nature
19 of violations of this article resulting in convictions of such motor
20 carrier in relation to the operation of such altered motor vehicles, the
21 number of miles traveled by such altered motor vehicles operated by such
22 motor carrier in the preceding twelve months, and, with respect to driv-
23 ers employed by such motor carrier operating such altered motor vehi-
24 cles, the total number so employed, the number holding valid licenses
25 which are valid for the operation of such altered motor vehicles, the
26 number which lack licenses valid for such operation, the number disqual-
27 ified from operating such altered motor vehicles, the number of
28 convictions and accidents involving any such driver employed by such
29 motor carrier during the preceding twelve months, and the number of
30 convictions and accidents per ten thousand miles traveled. The commis-
31 sioner shall provide comparable data on such altered motor vehicles
32 designed to carry nine or more passengers including the driver to the
33 extent such information is maintained or made available to the depart-
34 ment.

35 § 4. Subdivision 9 of section 138 of the transportation law, as added
36 by section 16 of part III of chapter 59 of the laws of 2019, is amended
37 to read as follows:

38 9. To maintain and annually update its website to provide information
39 with regard to each bus operator or motor carrier under subparagraphs
40 (ii) and (vi) of paragraph a of subdivision two of section one hundred
41 forty of this ~~chapter~~ article requiring department operating authority
42 that includes the bus operator's or motor carrier's name, number of
43 inspections, number of out of service orders, operator identification
44 number, location and region of operation including place of address,
45 percentile to which ~~a~~ an operator or motor carrier falls with respect
46 to out of service defects, the number or percentage of out of service
47 defects where pursuant to the commissioner's regulations no inspection
48 certificate shall be issued until the defect is repaired and a re-in-
49 spection is conducted, and the number of serious physical injury or
50 fatal crashes involving a for-hire vehicle requiring operating authority
51 pursuant to this article.

52 § 5. This act shall take effect on the one hundred eightieth day after
53 it shall have become a law. Effective immediately, the addition, amend-
54 ment and/or repeal of any rule or regulation necessary for the implemen-
55 tation of this act on its effective date are authorized to be made and
56 completed on or before such effective date.