

STATE OF NEW YORK

9057

IN ASSEMBLY

January 10, 2020

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

AN ACT to amend the vehicle and traffic law, in relation to the installation of safety belts in stretch limousines, and the posting of notice therein

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

1 Section 1. Paragraph (c) of subdivision 1 of section 383 of the vehicle and traffic law, as added by chapter 86 of the laws of 1968, is amended and a new paragraph (d) is added to read as follows:

2 (c) A motor vehicle manufactured or assembled on or after January 3 first, nineteen hundred sixty-eight, at least one safety belt for each 4 passenger seat position[-];

5 (d) An altered motor vehicle commonly referred to as a "stretch limousine" which was altered on or after January first, two thousand twenty-one, at least two safety belts for the front seat, and at least one 6 safety belt for the rear seat for each passenger for which the rear seat 7 of such vehicle was designed, and at least one safety belt for each 8 passenger seat position.

9 § 2. Section 383 of the vehicle and traffic law is amended by adding a 10 new subdivision 1-a to read as follows:

11 1-a. No altered motor vehicle commonly referred to as a "stretch 12 limousine" which was altered prior to January first, two thousand twenty-one shall be sold or registered in this state and no such altered 13 motor vehicle altered prior to January first, two thousand twenty-one 14 registered in this state shall be operated in this state unless such 15 vehicle is retrofitted and equipped with safety belts approved by and 16 conforming to standards established by the commissioner as follows: at 17 least two safety belts for the front seat, and at least one safety belt 18 for the rear seat for each passenger for which the rear seat of such 19 vehicle was designed, and at least one safety belt for each passenger 20 seat position.

21 § 3. Subdivision 4-b of section 383 of the vehicle and traffic law, as 22 added by chapter 495 of the laws of 2003, is amended to read as follows:

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

LBD14787-02-0

1 4-b. Taxicabs ~~[and]~~, liveries, and stretch limousines. All seat safe-
2 ty belts installed in a taxicab or livery vehicle or in an altered motor
3 vehicle commonly referred to as a "stretch limousine" pursuant to this
4 section shall be clearly visible, accessible and maintained in good
5 working order, and no seat safety belt installed in such taxicab or
6 livery vehicle or altered motor vehicle shall be removed therefrom.

7 § 4. Subdivision 51 of section 375 of the vehicle and traffic law, as
8 added by chapter 495 of the laws of 2003, is amended to read as follows:

9 51. Taxicab ~~[and]~~, livery and stretch limousine notices. (a) Every
10 taxicab ~~[and]~~, livery, and altered motor vehicle commonly referred to as
11 a "stretch limousine" which was altered on or after January first, two
12 thousand twenty-one or retrofitted pursuant to subdivision one-a of
13 section three hundred eighty-three of this article registered in this
14 state shall have posted therein the following notice: "Seatbelts must be
15 available for your use. Please buckle up."

16 (b) The notices required to be posted pursuant to paragraph (a) of
17 this subdivision shall be posted in a manner legible and conspicuous to
18 passengers in all seating positions of such vehicles.

19 § 5. Severability. If any clause, sentence, subdivision, paragraph,
20 section or part of this act be adjudged by any court of competent juris-
21 diction to be invalid, or if any federal agency determines in writing
22 that this act would render New York state ineligible for the receipt of
23 federal funds, such judgment or written determination shall not affect,
24 impair or invalidate the remainder thereof, but shall be confined in its
25 operation to the clause, sentence, subdivision, paragraph, section or
26 part thereof directly involved in the controversy in which such judgment
27 or written determination shall have been rendered.

28 § 6. This act shall take effect January 1, 2021; provided, however,
29 that section two of this act shall take effect two years after this act
30 shall have become a law; provided, further, this act shall be deemed
31 repealed if any federal agency determines in writing that this act would
32 render New York state ineligible for the receipt of federal funds or any
33 court of competent jurisdiction finally determines that this act would
34 render New York state out of compliance with federal law or regulation.
35 The commissioner of motor vehicles or the commissioner of transportation
36 shall notify the legislative bill drafting commission upon the occur-
37 rence of any federal agency determining in writing that this act would
38 render New York state ineligible for the receipt of federal funds or any
39 court of competent jurisdiction finally determines that this act would
40 render New York state out of compliance with federal law or regulation
41 in order that the commission may maintain an accurate and timely effec-
42 tive data base of the official text of the laws of the state of New York
43 in furtherance of effectuating the provisions of section 44 of the
44 legislative law and section 70-b of the public officers law. Effective
45 immediately, the addition, amendment and/or repeal of any rule or regu-
46 lation necessary for the implementation of this act on its effective
47 date are authorized to be made and completed on or before such effective
48 date.