

STATE OF NEW YORK

6185--A

2019-2020 Regular Sessions

IN SENATE

May 21, 2019

Introduced by Sens. MAY, CARLUCCI, KAPLAN, KENNEDY, LIU, PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the transportation law, in relation to requiring the commissioner of transportation to establish methods of reporting safety issues with stretch limousines

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

Section 1. Section 138 of the transportation law is amended by adding a new subdivision 10 to read as follows:

10. (a) In consultation and cooperation with the commissioner of motor vehicles, to establish, maintain, monitor, and publicize a smartphone application, website and toll-free hotline through which any person may report safety issues with altered motor vehicles commonly referred to as "stretch limousines" having a seating capacity of nine or more passengers, including the driver, used in the business of transporting passengers for compensation. Upon the establishment of such smartphone application, website, and toll-free hotline, the commissioner and the commissioner of motor vehicles shall require every such altered motor vehicle registered in this state to have posted therein a notice providing the website address, toll-free hotline number, and information on how to download the smartphone application, in a form and manner approved by the commissioner of motor vehicles. Such notice shall be posted in a manner legible and conspicuous to passengers in all seating positions of such altered motor vehicles. For the purposes of this subdivision, the term "safety issues" shall include, but not be limited to, the operational condition and functioning of such altered motor vehicle, motor vehicle safety equipment availability and condition,

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

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1 altered motor vehicle inspection and registration, issues related to
2 certificates or permits issued to such altered motor vehicles for the
3 transportation of passengers by the United States department of trans-
4 portation or the commissioner, and alleged violations of article nine-
5 teen, article nineteen-A, or title VII of the vehicle and traffic law by
6 a person during his or her operation of such an altered motor vehicle.

7 (b) (i) The commissioner may investigate reports received by such
8 application, website, and toll-free hotline related to the provisions of
9 this article or article seven of this chapter and, where the commission-
10 er has verified such information, may consider such verified information
11 in the enforcement of such articles, and in setting priorities for
12 enforcement activities.

13 (ii) The commissioner of motor vehicles may investigate reports
14 received by such application, website, and toll-free hotline related to
15 the provisions of article five, section three hundred eighty-three,
16 article fourteen, article nineteen, article nineteen-A, and title VII of
17 the vehicle and traffic law and, where substantiated by such commission-
18 er, may consider such substantiated information in the enforcement of
19 articles five, fourteen, and nineteen-A and section three hundred eight-
20 y-three of such law, and in setting priorities for enforcement activ-
21 ities.

22 (iii) In consultation and cooperation with the commissioner of motor
23 vehicles, the commissioner shall report on safety issues reported to
24 such application, website, and toll-free hotline and related investi-
25 gations summarizing (A) the total number of safety issue reports
26 received and the type of safety issues reported; (B) the total number of
27 safety issue reports received and the type of safety issues reported
28 where the commissioner or the commissioner of motor vehicles, as appli-
29 cable, verified the information provided; (C) enforcement actions and
30 other responses taken by the commissioner or the commissioner of motor
31 vehicles, as applicable, to safety issue reports received where the
32 commissioner or the commissioner of motor vehicles, as applicable, has
33 verified such information; and (D) the length of time between the
34 receipt of safety issue reports from such application, website, or
35 hotline and enforcement action or other response by the commissioner or
36 the commissioner of motor vehicles, as applicable. Such report shall be
37 made publicly available on the department's website in a searchable
38 format, and shall be published no less than once annually. Such report
39 may also be included within the department's annual report submitted
40 pursuant to subdivision thirteen of section fourteen of this chapter.

41 (c) For the purposes of this subdivision, "smartphone application"
42 shall mean application software designed to be downloaded to, run on,
43 and accessed by, mobile devices including portable electronic devices
44 and mobile telephones with computing capability.

45 § 2. This act shall take effect one year after it shall have become a
46 law. Effective immediately, the addition, amendment and/or repeal of any
47 rule or regulation necessary for the implementation of this act on its
48 effective date are authorized to be made and completed on or before such
49 effective date.