

STATE OF NEW YORK

6189--C

2019-2020 Regular Sessions

IN SENATE

May 21, 2019

Introduced by Sens. KAPLAN, BRESLIN, CARLUCCI, KENNEDY, LIU, PARKER, SEWARD, TEDISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report -- 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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to establish the stretch limousine passenger safety task force; and providing for the repeal of such provisions upon expiration thereof

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

- 1 Section 1. Stretch limousine passenger safety task force. 1. There is
2 hereby created the "stretch limousine passenger safety task force",
3 hereinafter referred to as the "task force", to conduct a comprehensive
4 review of matters influencing the safety, adequacy, efficiency, and
5 reliability of stretch limousine transportation of passengers for
6 compensation.
7 2. Such task force shall consist of eleven members which shall include
8 the commissioner of motor vehicles or his or her designee, the commis-
9 sioner of transportation or his or her designee, the superintendent of
10 the New York state police or his or her designee, and eight other
11 members to be appointed by the governor as follows: two upon the recom-
12 mendation of the temporary president of the senate, two upon the recom-
13 mendation of the speaker of the assembly, one upon the recommendation of
14 the minority leader of the senate, one upon the recommendation of the
15 minority leader of the assembly and two without recommendation from any
16 other person.

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

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1 3. Members of the task force shall serve without compensation. Any
2 vacancies on the task force shall be filled in the manner provided for
3 in the initial appointment.

4 4. The commissioner of transportation and the commissioner of motor
5 vehicles shall serve as joint chairs of the task force.

6 5. The task force shall be authorized to hold public hearings and
7 meetings, and to consult with any organization, educational institution,
8 or other government entity or person, to enable it to accomplish its
9 duties. The task force shall hold at least one public hearing in the
10 state for the purpose of soliciting public comment on stretch limousine
11 safety.

12 6. To effectuate the purposes of this act, the task force may request
13 and shall receive from any department, division, board, bureau, commis-
14 sion or other agency of the state or any state public authority such
15 assistance, information and data as will enable the task force to prop-
16 erly carry out its powers and duties hereunder.

17 7. The task force shall undertake a review of the actions and measures
18 that are needed to ensure safe, adequate, efficient and reliable for-
19 hire passenger transportation by stretch limousine and make recommenda-
20 tions regarding:

21 a. enhanced coordination between the department of motor vehicles and
22 the department of transportation regarding the regulation of stretch
23 limousines, including an examination into how the department of trans-
24 portation and department of motor vehicles can share necessary informa-
25 tion related to stretch limousines and their operators including, but
26 not limited to, inspection status, registration status, operating
27 certificate or permit status, and relevant traffic or criminal
28 convictions, in real time, and regarding the best uses for a smartphone
29 application, website, or hotline;

30 b. the establishment and adoption of a uniform safety training program
31 for drivers of stretch limousines, including a component to train such
32 drivers to conduct a safety demonstration with passengers instructing
33 them on the use of seatbelts and any other relevant safety measures that
34 may be deemed useful;

35 c. the appropriateness of extending vehicle and traffic law require-
36 ments and regulations that currently apply to bus drivers under article
37 19-A of such law to drivers of stretch limousines;

38 d. the appropriateness of establishing a limit on the maximum allow-
39 able time frame for stretch limousines to be permitted to operate on
40 roadways within the state, such as a possible limit of ten years or
41 350,000 miles;

42 e. a review of federal laws and rules as they relate to the regulation
43 of stretch limousines, including but not limited to, identification of
44 the subject areas specifically regulated by federal laws and rules,
45 whether and to what extent federal laws and rules preempt state action
46 with respect to the regulation of stretch limousines, and areas of
47 stretch limousine regulation which are subject to oversight by the
48 states; and

49 f. the need for additional safety measures for stretch limousines,
50 including, but not limited to, increasing the minimum age for drivers to
51 obtain a license to operate stretch limousines; the installation of
52 safety features in such vehicles such as multiple anti-intrusion bars in
53 side panels, roll-over protection devices such as cages or pillars, rear
54 emergency exits including push-out windows, rear view cameras, airbags,
55 carbon monoxide monitors, and speed restriction or governing devices to
56 limit top vehicle speeds; appropriate notice or signage for customers

1 and passengers; and the feasibility and necessity of having New York
2 state run crash testing for stretch limousines.

3 8. The task force shall, on or before November 1, 2021, issue a final
4 report and recommendations to the governor, the temporary president of
5 the senate, and the speaker of the assembly.

6 9. For the purposes of this act, the term "stretch limousine" shall
7 mean any motor vehicle with a chassis which was altered post-manufacture
8 and having a seating capacity of nine or more passengers, including the
9 driver, used in the business of transporting passengers for compen-
10 sation.

11 § 2. This act shall take effect on the thirtieth day after it shall
12 have become a law and shall expire and be deemed repealed May 31, 2022.