

STATE OF NEW YORK

6190--A

Cal. No. 1088

2019-2020 Regular Sessions

IN SENATE

May 21, 2019

Introduced by Sens. MARTINEZ, GAUGHRAN, KENNEDY -- 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

AN ACT to amend the vehicle and traffic law and the administrative code of the city of New York, in relation to requiring background checks for for-hire vehicle driver or owner licenses

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

1 Section 1. The vehicle and traffic law is amended by adding a new
2 article 17-D to read as follows:

ARTICLE 17-D

BACKGROUND CHECK FOR FOR-HIRE VEHICLE DRIVER OR OWNER LICENSES

3
4 Section 499-m. Background check for for-hire vehicle driver or owner
5 licenses.

6
7 § 499-m. Background check for for-hire vehicle driver or owner
8 licenses. Prior to the issuance of a taxicab, limousine, commuter van,
9 paratransit or for-hire vehicle driver or owner license, the applicant
10 for such license shall be fingerprinted by the licensing authority
11 authorized to issue such license for the purpose of securing criminal
12 history records from both the state division of criminal justice
13 services and the federal bureau of investigation. The applicant shall
14 pay any processing fee required by the state division of criminal
15 justice services and the federal bureau of investigation. Fingerprints
16 shall be taken of the individual owner if the applicant is a sole
17 proprietorship; the general partners if the applicant is a partnership;
18 the officers, principals, and stockholders owning more than ten percent
19 of the outstanding stock of the corporation if the applicant is a corpo-
20 ration. An applicant or applicants shall be disqualified from obtaining
21

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

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1 a license if the criminal history records indicate convictions which
2 would disqualify an applicant from driving a motor vehicle pursuant to
3 section five hundred nine-c or any other provision of article nineteen-A
4 of this chapter.

5 § 2. Subdivision l of section 19-504 of the administrative code of the
6 city of New York, as added by local law number 115 of the city of New
7 York for the year 1993, is amended and a new subdivision s is added to
8 read as follows:

9 l. Prior to the issuance of a commuter van license, the applicant
10 shall be fingerprinted for the purpose of securing criminal history
11 records from both the state division of criminal justice services and
12 the federal bureau of investigation. The applicant shall pay any proc-
13 essing fee required by the state division of criminal justice services
14 and the federal bureau of investigation. Fingerprints shall be taken of
15 the individual owner if the applicant is a sole proprietorship; the
16 general partners if the applicant is a partnership; the officers, prin-
17 cipals, and stockholders owning more than ten percent of the outstanding
18 stock of the corporation if the applicant is a corporation.

19 s. Prior to the issuance of a taxicab, limousine, commuter van, para-
20 transit or for-hire vehicle driver or owner license, the applicant shall
21 be fingerprinted for the purpose of securing criminal history records
22 from both the state division of criminal justice services and the feder-
23 al bureau of investigation. The applicant shall pay any processing fee
24 required by the state division of criminal justice services and the
25 federal bureau of investigation. Fingerprints shall be taken of the
26 individual owner if the applicant is a sole proprietorship; the general
27 partners if the applicant is a partnership; the officers, principals,
28 and stockholders owning more than ten percent of the outstanding stock
29 of the corporation if the applicant is a corporation. An applicant or
30 applicants shall be disqualified from obtaining a license if the crimi-
31 nal history records indicate convictions which would disqualify an
32 applicant from driving a motor vehicle pursuant to section five hundred
33 nine-c or any other provision of article nineteen-A of the vehicle and
34 traffic law.

35 § 3. This act shall take effect on the sixtieth day after it shall
36 have become a law.