

STATE OF NEW YORK

3362

2023-2024 Regular Sessions

IN SENATE

January 31, 2023

Introduced by Sens. KENNEDY, CLEARE -- read twice and ordered printed,
and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, the administrative code of
the city of New York and the state finance law, in relation to trans-
portation accommodation for passengers with disabilities

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

1 Section 1. Paragraph (d) of subdivision 3 of section 1696 of the vehi-
2 cle and traffic law, as added by section 2 of part AAA of chapter 59 of
3 the laws of 2017, is amended to read as follows:

4 (d) A TNC shall implement and maintain a policy and an oversight proc-
5 ess of providing accessibility to passengers or potential passengers
6 with a disability, including any accommodations required by the Ameri-
7 cans with Disabilities Act of 1990, as amended and accommodation of
8 service animals as such term is defined in section one hundred twenty-
9 three-b of the agriculture and markets law and shall to the extent prac-
10 ticable adopt findings established by the New York state TNC accessibil-
11 ity task force adopted pursuant to section twenty-one of [~~the~~] part AAA
12 of chapter fifty-nine of the laws of two thousand seventeen [~~that added~~
13 ~~this section~~]. A TNC shall implement and maintain a documented policy
14 and oversight process for providing such accessibility. A TNC shall not
15 impose additional charges for providing services to persons with phys-
16 ical disabilities because of those disabilities, nor shall it impose
17 additional charge for providing services to persons using service
18 animals, and it shall make available on the mobile applications of such
19 TNC, or in any other method provided by the TNC for requesting service,
20 the ability to indicate accommodations as required by the Americans with
21 Disabilities Act of 1990 including accommodation of service animals.

22 § 2. The administrative code of the city of New York is amended by
23 adding a new section 19-503.2 to read as follows:

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

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1 § 19-503.2 Passengers with disabilities. a. The commission shall
2 promulgate rules and regulations which ensure for-hire vehicle services
3 provide any accommodations required by the Americans with Disabilities
4 Act of 1990, as amended.

5 b. The commission shall promulgate rules and regulations which ensure
6 every for-hire vehicle service shall make available on the mobile appli-
7 cation of such service or in any other method provided by the for-hire
8 vehicle service for requesting service, the ability to indicate accommo-
9 dations as required by the Americans with Disabilities Act of 1990
10 including accommodation of service animals.

11 § 3. Section 1693 of the vehicle and traffic law is amended by adding
12 a new subdivision 14 to read as follows:

13 14. A TNC shall collect twenty cents per trip provided by such TNC and
14 deposit the same in the on-demand vehicle accessibility fund established
15 pursuant to section ninety-b of the state finance law.

16 § 4. The state finance law is amended by adding a new section 90-b to
17 read as follows:

18 § 90-b. On-demand vehicle accessibility fund. 1. There is hereby
19 established in the joint custody of the state comptroller and the
20 department of transportation an account of the miscellaneous special
21 fund to be known as the on-demand vehicle accessibility fund.

22 2. The comptroller is authorized and directed to receive for deposit
23 to the credit of the on-demand vehicle accessibility fund designated for
24 such deposit by law including those derived from the surcharge author-
25 ized by subdivision fourteen of section sixteen hundred ninety-three of
26 the vehicle and traffic law.

27 3. Moneys of this account, following appropriation by the legislature,
28 shall be available to support the state department of transportation for
29 expenses of providing incentives and investments to ensure accessible
30 on-demand vehicle service for those with disabilities, including those
31 with service animals.

32 § 5. This act shall take effect on the thirtieth day after it shall
33 have become a law.