S T A T E O F N E W Y O R K

1329

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. SCHIMEL, HOOPER, WEISENBERG, WALKER, ALFANO, McKEVITT, McDONOUGH -- Multi-Sponsored by -- M. of A. RAIA -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to inter-jurisdictional transportation of passengers for hire

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraph b of subdivision 1 of section 498 of the vehicle and traffic law, as added by chapter 549 of the laws of 2006, is amended to read as follows:

b. "Licensing jurisdiction" shall mean a city with a population of one million or more, or a county within New York state contiguous to such city, that requires the issuance of a license, permit, registration, certification or other approval for a vehicle to perform the pre-arranged pick up or drop off of one or more passengers in such jurisdiction for compensation OR A VILLAGE, CITY OR TOWN WITHIN SUCH A CONTIGUOUS COUNTY, WHERE SUCH COUNTY IS COMPRISED OF THREE TOWNS AND TWO CITIES, AND, WHERE SUCH VILLAGES, CITIES AND TOWNS WERE REGULATING THE OPERATION OF PRE-ARRANGED FOR-HIRE VEHICLES PRIOR TO JUNE FIRST, TWO THOUSAND SIX.

S 2. Paragraph a of subdivision 2 of section 498 of the vehicle and traffic law, as added by chapter 549 of the laws of 2006, is amended to read as follows:

a. A pre-arranged for-hire vehicle that is licensed to provide pre-arranged transportation for compensation by a licensing jurisdiction meeting the standards and requirements set forth in subdivisions three, four and six of this section shall be authorized to pick up passengers in such jurisdiction for drop off within the same jurisdiction, to pick up passengers in another licensing jurisdiction for drop off within the licensing jurisdiction licensing such pre-arranged for-hire vehicle, to

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

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drop off passengers in another licensing jurisdiction who were picked up within the licensing jurisdiction licensing such pre-arranged for-hire vehicle, and to transit other licensing jurisdictions. No other licensing jurisdiction may require a pre-arranged for-hire vehicle providing pre-arranged transportation for compensation, which is licensed by a licensing jurisdiction meeting the standards and requirements set forth in subdivisions three, four and six of this section, to also be licensed by such other licensing jurisdiction or to pay any pre-arranged for-hire vehicle license fee in order to be allowed to pick up or drop off passengers within or to transit such jurisdiction. A licensing jurisdiction meeting the standards and requirements set forth in subdivisions three, four and six of this section shall provide written confirmation thereof to other licensing jurisdictions, containing information sufficient to establish that such licensing jurisdiction meets all such standards and requirements, and which shall be verifiable by such other licensing jurisdictions. Such written confirmation shall be resubmitted to such other licensing jurisdictions every three years. FOR PURPOSES OF THIS SUBDIVISION, SUCH CITIES, VILLAGES, AND TOWNS ACTING AS A LICENSING JURISDICTION WITHIN A CERTAIN COUNTY AS DESCRIBED IN THIS PARAGRAPH SHALL NOT ISSUE THE WRITTEN CONFIRMATION REQUIRED BY THIS PARAGRAPH, BUT SUCH WRITTEN CONFIRMATION SHALL BE ISSUED BY SUCH COUNTY PURSUANT TO THE PROCEDURE CONTAINED IN THIS PARAGRAPH. PROVIDED, HOWEVER, THAT WITHIN A COUNTY ADJACENT TO THE CITY OF NEW YORK WHERE SUCH COUNTY IS COMPRISED OF THREE TOWNS AND TWO CITIES, AND WITHIN SUCH COUNTY THE TOWNS AND CITIES AND SEVERAL OF THE INCORPORATED VILLAGES LICENSED AND REGULATED PRE-ARRANGED FOR-HIRE VEHICLE OPERATIONS PRIOR TO JUNE FIRST, TWO THOUSAND SIX, SUCH TOWNS, CITIES AND VILLAGES ARE AUTHORIZED TO CONTINUE TO LICENSE AND REGULATE THE OPERATION OF SUCH VEHICLES PURSUANT TO THIS SECTION PROVIDED SUCH TOWN, CITY OR VILLAGE MEETS THE STANDARDS AND REQUIREMENTS SET FORTH IN SUBDIVISIONS THREE, FOUR AND SIX OF THIS SECTION. WHEN A PRE-ARRANGED FOR-HIRE VEHICLE HAS BEEN LICENSED BY SUCH TOWN, CITY OR VILLAGE IN ACCORDANCE WITH THE STANDARDS AND REQUIREMENTS OF SUBDIVISIONS THREE, FOUR AND SIX OF THIS SECTION, THE LICENSING OFFICER OF SUCH TOWN, CITY OR VILLAGE SHALL CERTIFY TO THE LICENSING OFFICER OF SUCH COUNTY THAT THE REQUIREMENTS OF SUBDIVISIONS THREE, FOUR AND SIX OF THIS SECTION HAVE BEEN MET AND SUCH COUNTY SHALL NOTIFY PURSUANT TO THIS SUBDIVISION THE OTHER LICENSING JURISDICTIONS. NOTHING IN THIS PARAGRAPH SHALL BE CONSTRUED AS REQUIRING A TOWN, CITY OR VILLAGE TO CONTINUE THE REGULATION AND LICENSING OF PRE-ARRANGED FOR-HIRE VEHICLES, AND SUCH TOWN, CITY OR VILLAGE MAY ELECT TO CEDE SUCH REGULATORY RESPONSIBILITIES TO SUCH COUNTY, OR IN THE CASE OF A VILLAGE, TO THE TOWN IN WHICH IT IS LOCATED. SUCH COUNTY SHALL ENTER INTO THE APPLICABLE RECIPROCITY AGREEMENTS ON BEHALF OF SUCH CITY, TOWN OR VILLAGE AND UPON THE CERTIFICATION OF THE LICENSING OFFICER OF SUCH TOWN, CITY OR VILLAGE THAT A VEHICLE IS DULY LICENSED, ISSUE A LICENSE AS PROVIDED FOR IN PARAGRAPH B OF SUBDIVISION THREE OF THIS SECTION. SUCH COUNTY, TOWNS, CITIES AND VILLAGES ARE AUTHORIZED TO ENTER INTO SUCH INTER-MUNICIPAL AGREEMENTS AS MAY BE REQUIRED TO ENSURE THE ADMINISTRATION OF THIS SECTION, INCLUDING INTRA-COUNTY RECIPROCAL AGREEMENTS. IF SUCH VILLAGE, CITY OR TOWN ELECTS NOT TO REGULATE PRE-ARRANGED FOR-HIRE VEHICLES PURSUANT TO THE PROVISIONS OF THIS SECTION, NOTHING IN THIS SECTION SHALL BE CONSTRUED AS LIMITING OR NEGATING THE CONTINUED AUTHORITY OF SUCH VILLAGES, CITIES AND TOWNS TO REGULATE CERTAIN FOR-HIRE VEHICLES, TAXICABS, AND LIMOUSINES PURSUANT TO THE PROVISIONS OF SECTION ONE HUNDRED EIGHTY-ONE OF THE GENERAL MUNICIPAL LAW.

S 3. This act shall take effect immediately.