

3559--A

Cal. No. 753

2009-2010 Regular Sessions

I N A S S E M B L Y

January 27, 2009

Introduced by M. of A. PERRY, D. WEPRIN -- Multi-Sponsored by -- M. of A. ABBATE, COLTON, COOK, HOOPER, MENG, PHEFFER, TOWNS -- read once and referred to the Committee on Corporations, Authorities and Commissions -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the public authorities law, in relation to requiring the New York city transit authority to have at least one conductor on board

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

1 Section 1. The legislature finds and declares that, the New York city
2 transit authority, through its operation of the New York city subway
3 system, the largest public transit system in the world, provides the
4 primary means of commuting for many millions of New York residents and
5 visitors every day of the week. With an estimated average of over 10,000
6 passengers loaded onto each train during rush hours, the presence of
7 trained New York city transit authority personnel, other than the engi-
8 neer, on each train is necessary and should always be required to ensure
9 improved safety for passengers during emergencies, which may occur while
10 in subway tunnels or traveling over bridges.

11 The legislature further finds and declares that the tragic events of
12 September 11, 2001, which launched the war of terror against America,
13 has tremendously heightened the need to significantly increase security
14 and safety for commuters on New York city subway trains. Also, the
15 recent conviction of Zarein Ahmedzay, who was caught buying explosives
16 and admitted to having planned an attack on the New York city subway
17 system makes it imperative that we recognize the role of conductors and
18 other authority personnel assigned on passenger trains as first respon-
19 ders, and the front line defense to potentially save lives and limit
20 casualties in the event of a terrorist attack.

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

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1 S 2. The public authorities law is amended by adding a new section
2 1205-b to read as follows:
3 S 1205-B. CONDUCTOR REQUIRED. ANY SUBWAY OR TRAIN OPERATED BY THE
4 AUTHORITY FOR THE PURPOSE OF TRANSPORTING PASSENGERS SHALL HAVE AT LEAST
5 ONE CONDUCTOR ON BOARD. FOR THE PURPOSES OF THIS SECTION, THE TERM
6 "CONDUCTOR" SHALL MEAN THE PERSON OTHER THAN THE DRIVER, ENGINEER OR
7 MOTORMAN PRIMARILY CHARGED WITH ALL ASPECTS OF THE OPERATION OF THE
8 RAILROAD LOCOMOTIVE, SUBWAY OR TRAIN, WHO SHALL ASSIST IN THE OPERATION
9 OF THE TRAIN AND BE PRIMARILY RESPONSIBLE FOR THE OPENING AND CLOSING OF
10 THE DOORS AND OTHER SAFETY ASPECTS OF THE TRAIN. A CONDUCTOR SHALL BE
11 REQUIRED ON ANY SUBWAY OR TRAIN OPERATED BY THE AUTHORITY WHENEVER THE
12 SUBWAY OR TRAIN HAS MORE THAN TWO CARS ATTACHED TO THE ENGINE THEREOF.
13 S 3. This act shall take effect immediately.