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

3859

2009-2010 Regular Sessions

I N A S S E M B L Y

January 28, 2009

Introduced by M. of A. ESPAILLAT, GREENE, PERALTA -- Multi-Sponsored by -- M. of A. ALFANO, DIAZ -- read once and referred to the Committee on Transportation

AN ACT to amend the administrative code of the city of New York and the vehicle and traffic law, in relation to requiring livery vehicles to be equipped with global positioning equipment

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

Section 1. The administrative code of the city of New York is amended by adding a new section 19-508.1 to read as follows:

S 19-508.1 GLOBAL POSITIONING EQUIPMENT IN LIVERY VEHICLES. A. EVERY LIVERY VEHICLE REGISTERED IN THIS STATE SHALL BE EQUIPPED WITH A GLOBAL POSITIONING SYSTEM (GPS) TECHNOLOGY. THE COMMISSION SHALL REQUIRE THE INSTALLATION OF SUCH SYSTEM.

B. ANY PERSON FOUND TO HAVE VIOLATED THE PROVISIONS OF SUBDIVISION A OF THIS SECTION SHALL BE LIABLE FOR A FINE OF ONE HUNDRED SEVENTY-FIVE DOLLARS FOR EACH SUCH VIOLATION.

C. AT EACH INSPECTION OF A LICENSED LIVERY VEHICLE, FAILURE TO COMPLY WITH SUBDIVISION A OF THIS SECTION SHALL BE EVIDENCE THAT SUCH VEHICLE FAILS TO MEET REASONABLE STANDARDS FOR SAFE OPERATION AND SHALL CONSTITUTE CAUSE FOR SUSPENSION OF SAID VEHICLE LICENSE BY THE COMMISSION UNTIL THE CONDITION IS CORRECTED.

S 2. Section 19-502 of the administrative code of the city of New York is amended by adding a new subdivision x to read as follows:

X. "LIVERY" SHALL MEAN EVERY MOTOR VEHICLE, OTHER THAN A TAXICAB OR A BUS, USED IN THE BUSINESS OF TRANSPORTING PASSENGERS FOR COMPENSATION. HOWEVER, IT SHALL NOT INCLUDE VEHICLES WHICH ARE RENTED OR LEASED WITHOUT A DRIVER.

S 3. Section 375 of the vehicle and traffic law is amended by adding a new subdivision 52 to read as follows:

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

LBD03504-01-9

52. GLOBAL POSITIONING EQUIPMENT IN LIVERY VEHICLES. EVERY LIVERY VEHICLE REGISTERED IN THIS STATE SHALL BE EQUIPPED WITH A GLOBAL POSITIONING SYSTEM (GPS) TECHNOLOGY AND SUCH SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH RULES AND REGULATIONS OF THE COMMISSIONER. ANY PERSON FOUND TO HAVE VIOLATED THE PROVISIONS OF THIS SUBDIVISION SHALL BE LIABLE FOR A FINE OF ONE HUNDRED SEVENTY-FIVE DOLLARS FOR EACH SUCH VIOLATION. AT EACH INSPECTION OF A LICENSED LIVERY VEHICLE, FAILURE TO COMPLY WITH THIS SUBDIVISION SHALL BE EVIDENCE THAT SUCH VEHICLE FAILS TO MEET REASONABLE STANDARDS FOR SAFE OPERATION AND SHALL CONSTITUTE CAUSE FOR SUSPENSION OF SAID VEHICLE LICENSE UNTIL THE CONDITION IS CORRECTED.

S 4. This act shall take effect on the first of January of the second year next succeeding the date on which it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.