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

6395

2009-2010 Regular Sessions

I N  A S S E M B L Y

March 3, 2009

Introduced by M. of A. ORTIZ, CLARK -- Multi-Sponsored by -- M. of A. GREENE, MAISEL, WEISENBERG -- read once and referred to the Committee on Transportation

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 licenses

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

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

ARTICLE 17-C

BACKGROUND CHECK FOR FOR-HIRE VEHICLE LICENSES

SECTION 499. BACKGROUND CHECK FOR FOR-HIRE VEHICLE LICENSES.

S 499. BACKGROUND CHECK FOR FOR-HIRE VEHICLE LICENSES. PRIOR TO THE ISSUANCE OF A TAXICAB, LIMOUSINE, COMMUTER VAN, PARATRANSIT OR FOR-HIRE VEHICLE LICENSE, THE APPLICANT FOR SUCH LICENSE SHALL BE FINGERPRINTED BY THE LICENSING AUTHORITY AUTHORIZED TO ISSUE SUCH LICENSE FOR THE PURPOSE OF SECURING CRIMINAL HISTORY RECORDS FROM BOTH THE STATE DIVISION OF CRIMINAL JUSTICE SERVICES AND THE FEDERAL BUREAU OF INVESTIGATION. THE APPLICANT SHALL PAY ANY PROCESSING FEE REQUIRED BY THE STATE DIVISION OF CRIMINAL JUSTICE SERVICES AND THE FEDERAL BUREAU OF INVESTIGATION. FINGERPRINTS SHALL BE TAKEN OF THE INDIVIDUAL OWNER IF THE APPLICANT IS A SOLE PROPRIETORSHIP; THE GENERAL PARTNERS IF THE APPLICANT IS A PARTNERSHIP; THE OFFICERS, PRINCIPALS, AND STOCKHOLDERS OWNING MORE THAN TEN PERCENT OF THE OUTSTANDING STOCK OF THE CORPORATION IF THE APPLICANT IS A CORPORATION.

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

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

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l. Prior to the issuance of a commuter van license, the applicant shall be fingerprinted for the purpose of securing criminal history records from BOTH the state division of criminal justice services AND THE FEDERAL BUREAU OF INVESTIGATION. The applicant shall pay any processing fee required by the state division of criminal justice services AND THE FEDERAL BUREAU OF INVESTIGATION. Fingerprints shall be taken of the individual owner if the applicant is a sole proprietorship; the general partners if the applicant is a partnership; the officers, principals, and stockholders owning more than ten percent of the outstanding stock of the corporation if the applicant is a corporation.

Q. PRIOR TO THE ISSUANCE OF A TAXICAB, LIMOUSINE, PARATRANSIT OR FOR-HIRE VEHICLE LICENSE, THE APPLICANT SHALL BE FINGERPRINTED FOR THE PURPOSE OF SECURING CRIMINAL HISTORY RECORDS FROM BOTH THE STATE DIVISION OF CRIMINAL JUSTICE SERVICES AND THE FEDERAL BUREAU OF INVESTIGATION. THE APPLICANT SHALL PAY ANY PROCESSING FEE REQUIRED BY THE STATE DIVISION OF CRIMINAL JUSTICE SERVICES AND THE FEDERAL BUREAU OF INVESTIGATION. FINGERPRINTS SHALL BE TAKEN OF THE INDIVIDUAL OWNER IF THE APPLICANT IS A SOLE PROPRIETORSHIP; THE GENERAL PARTNERS IF THE APPLICANT IS A PARTNERSHIP; THE OFFICERS, PRINCIPALS, AND STOCKHOLDERS OWNING MORE THAN TEN PERCENT OF THE OUTSTANDING STOCK OF THE CORPORATION IF THE APPLICANT IS A CORPORATION.

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