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

1155

2011-2012 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 5, 2011

Introduced by M. of A. PHEFFER, DINOWITZ, GUNTHER -- Multi-Sponsored by -- M. of A. ENGLEBRIGHT, PERRY, P. RIVERA, TOWNS, WEINSTEIN -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to prohibiting standing on school, camp, and charter omnibuses

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

Section 1. Section 1229-b of the vehicle and traffic law, as amended by chapter 19 of the laws of 2000, is amended to read as follows:

S 1229-b. Operation of school, camp and charter omnibuses with passengers standing prohibited. 1. When the number of passengers is greater than the number of seats available, it shall be unlawful to operate a camp or charter omnibus upon the public highways [for a distance of ten miles or more] with any passenger standing.

2. It shall be unlawful to operate upon the public highways a school bus owned by or contracted to a school district with any passenger standing whenever it is employed exclusively for the transportation of students under the age of twenty-one and teachers or other persons acting in a supervisory capacity to or from school or school activities[, except as provided in paragraph (a) or (b) of this subdivision:

(a) Standing passengers may be permitted on such a school bus, provided that the number of standing passengers on a school bus shall not exceed the limit established in the following schedule for the applicable time period:

Period:	Not more than:
Through June 30, 2001	20% of approved seating capacity
Between July 1, 2001 and June 30, 2002	15% of approved seating capacity
Between July 1, 2002 and	10% of approved seating capacity

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

LBD00733-01-1

June 30, 2003	
Between July 1, 2003 and June 30, 2004	5% of approved seating capacity

(b) Notwithstanding any other provision of this section to the contrary, standing passengers may be permitted without limitation as to number during the first ten days of session in each school year, and in circumstances where a breakdown, accident, or other unforeseen occurrence necessitates the transportation of standing passengers.

(c) Nothing contained in this section shall be construed to restrict the power of a city with a population of one million or more to adopt and enforce local laws that comply with at least the minimum applicable standards set forth in this section].

S 2. This act shall take effect on the first of September next succeeding the date on which it shall have become a law.