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

9978

I N A S S E M B L Y

April 27, 2012

Introduced by M. of A. KELLNER -- read once and referred to the Committee on Ways and Means

AN ACT to amend the tax law and chapter 9 of the laws of 2012, amending the tax law and other laws relating to taxicabs and HAIL licenses in New York city, in relation to excluding vehicles designed for paratransit transportation from the definition of for-hire vehicle

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

Section 1. Subdivision (p) of section 1280 of the tax law, as added by chapter 9 of the laws of 2012, is amended to read as follows:

(p) "For-hire vehicle" means a motor vehicle carrying passengers for hire in the city, with a seating capacity of twenty passengers or less, not including the driver, other than a taxicab, coach, commuter van, VEHICLE DESIGNED FOR PARATRANSIT TRANSPORTATION AS DEFINED BY SECTION FIFTEEN-B OF THE TRANSPORTATION LAW or an authorized bus operating pursuant to applicable provisions of law. For the purpose of this subdivision, "seating capacity" shall include any plain view location which is capable of accommodating a normal adult, is part of an overall seat configuration and design, and is likely to be used as a seating position while the vehicle is in motion.

S 2. Subdivision (d) of section 4 of chapter 9 of the laws of 2012, amending the tax law and other laws relating to taxicabs and HAIL licenses in New York city, is amended to read as follows:

(d) "For-hire vehicle" means a motor vehicle carrying passengers for-hire in the city, with a seating capacity of twenty passengers or less, not including the driver, other than a taxicab, coach, commuter van, VEHICLE DESIGNED FOR PARATRANSIT TRANSPORTATION AS DEFINED BY SECTION FIFTEEN-B OF THE TRANSPORTATION LAW or an authorized bus operating pursuant to applicable provisions of law. For the purpose of this subdivision, "seating capacity" shall include any plain view location which is capable of accommodating a normal adult as part of an overall seat configuration and design and is likely to be used as a seating position while the vehicle is in motion.

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

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S 3. This act shall take effect immediately; provided, however that section one of this act shall take effect on the same date and in the same manner as section 12 of chapter 9 of the laws of 2012, takes effect.