

5825

2011-2012 Regular Sessions

I N   S E N A T E

June 18, 2011

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Introduced by Sen. GOLDEN -- read twice and ordered printed, and when  
printed to be committed to the Committee on Rules

AN ACT in relation to livery permits in the city of New York

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

1     Section 1. Legislative findings. The legislature finds and declares  
2     that the public health, safety and welfare of the residents of the state  
3     of New York traveling to, from and within the city of New York is a  
4     matter of substantial state concern, which includes access to safe and  
5     reliable mass transportation such as taxicabs. The majority of residents  
6     and nonresidents of the city of New York do not currently have access to  
7     the necessary amount of legal, licensed taxicabs available for street  
8     hails when traveling within the city. Improving access to such mass  
9     transportation, including taxicabs, furthers this matter of substantial  
10    state concern. Additionally, the legislature finds and declares that  
11    there should be a greater amount of taxicabs serving the city of New  
12    York that are designed to foster increased access, mobility and inde-  
13    pendence of persons with disabilities. The health, safety and welfare of  
14    these persons with disabilities is placed at risk without adequate and  
15    reliable transportation.  
16    S 2. The city of New York may, acting by the mayor alone, administra-  
17    tively authorize the New York city taxi and limousine commission or its  
18    successor agency to issue up to one thousand five hundred taxicab  
19    licenses in addition to those already issued, provided, however, that  
20    five hundred sixty-nine of such taxicab licenses shall be restricted to  
21    vehicles that are accessible to individuals with disabilities, provided  
22    further that such additional licenses shall be issued by public sale and  
23    shall be fully transferable. The commission or successor thereto shall  
24    prescribe by regulation the procedures for the issuance and public sale  
25    of such additional licenses, by public auction, sealed bids or other  
26    competitive process. Such additional licenses may be issued on or after

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

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1 July 1, 2012. The authorization provided in this section is conditioned  
2 upon the commission making available for issuance the permits authorized  
3 pursuant to sections three and four of this act and the establishment of  
4 the task force pursuant to section five of this act.

5 S 3. The New York city taxi and limousine commission or successor  
6 agency is hereby authorized to issue non-transferable permits to owners  
7 of for-hire vehicles, as defined in subdivision g of section 19-502 of  
8 the administrative code of the city of New York, allowing such vehicles  
9 to pick up passengers by street hail in parts of New York city outside  
10 Manhattan, excluding airports, and in Manhattan north of east ninety-  
11 sixth street and north of west one hundred tenth street ("hail privilege  
12 vehicle permits"), provided that no more than thirty thousand permits  
13 shall be held at one time. Such geographic limitations may be extended  
14 by such taxi and limousine commission or successor agency, acting pursu-  
15 ant to the recommendations of the task force established pursuant to  
16 section five of this act. Such hail privilege vehicle permits shall be  
17 issued beginning no later than the public sale of the additional taxicab  
18 medallions issued pursuant to section two of this act, for a fee in the  
19 amount of one thousand five hundred dollars, and shall be valid for  
20 three years prior to renewal. Such right to renewal shall be automatic,  
21 upon payment of a renewal fee, if the owner is in good standing. Such  
22 fee amount may be increased by such taxi and limousine commission or  
23 successor agency to account for changes in the United States consumer  
24 price index, adjusted for inflation. The initial sale of such hail priv-  
25 ilege vehicle permits shall be limited to current owners of for-hire  
26 vehicles, as defined by subdivision g of section 19-502 of the adminis-  
27 trative code of the city of New York, who have been licensed for at  
28 least three years and are in good standing with the New York city taxi  
29 and limousine commission. The city of New York, acting through such taxi  
30 and limousine commission, is hereby authorized and empowered to take  
31 such actions as are necessary and desirable to implement the provisions  
32 of this section, subject only to the procedures and limitations set  
33 forth in this section, and shall not be required to engage in any review  
34 provided for by any provision of law or make or obtain any determination  
35 not expressly required by this section. Nothing in this section shall  
36 prohibit an owner of a for-hire vehicle as defined by subdivision g of  
37 section 19-502 of the administrative code of the city of New York, who  
38 possesses a hail privilege vehicle permit pursuant to this section, from  
39 accepting prearranged calls from a for-hire vehicle base station estab-  
40 lished pursuant to section 19-511 of the administrative code of the city  
41 of New York, provided that such owner is separately licensed to do so.  
42 Nothing in this section shall prohibit such owner from allowing another  
43 driver who meets such taxi and limousine commission's or successor agen-  
44 cy's designated standards to use the vehicle and exercise the privileges  
45 of the hail privilege vehicle permit. Such taxi and limousine commission  
46 or successor agency may by rule govern the equipment of such vehicles  
47 with meters and the rates that may be charged for trips in such vehi-  
48 cles.

49 S 4. The New York city taxi and limousine commission is hereby author-  
50 ized to issue non-transferable permits to for-hire vehicle base stations  
51 established pursuant to section 19-511 of the administrative code of the  
52 city of New York, allowing such base stations to be affiliated with  
53 holders of permits issued pursuant to section three of this act ("hail  
54 privilege base permit"), provided that no more than four hundred fifty  
55 permits shall be held at one time. Every holder of a hail privilege  
56 vehicle permit issued pursuant to section three of this act shall be

1 affiliated with one such base station. Hail privilege base permits shall  
2 be issued to base stations pursuant to this section for a fee in the  
3 amount of three thousand dollars, and shall be valid for three years  
4 prior to renewal. Such right to renewal shall be automatic, upon payment  
5 of a renewal fee, if the base station is in good standing. Such fee  
6 amount may be increased by such taxi and limousine commission or succes-  
7 sor agency to account for changes in the United States consumer price  
8 index, adjusted for inflation. The initial sale of such hail privilege  
9 base permits will be limited to existing for-hire vehicle base stations  
10 established pursuant to section 19-511 of the administrative code of the  
11 city of New York, that have been in operation for at least three years.  
12 Such hail privilege base permits shall be issued beginning no later than  
13 the public sale of the additional taxicab medallions issued pursuant to  
14 section two of this act. The city of New York, acting through such taxi  
15 and limousine commission, is hereby authorized and empowered to take  
16 such actions as are necessary and desirable to implement the provisions  
17 of this section, subject only to the procedures and limitations set  
18 forth in this section, and shall not be required to engage in any review  
19 provided for by any provision of law or make or obtain any determination  
20 not expressly required by this section.

21 S 5. There is established a task force on areas of New York city  
22 underserved by medallion taxicabs, consisting of four members to be  
23 appointed as follows: one by the mayor of the city of New York, one by  
24 the temporary president of the senate, one by the speaker of the assem-  
25 bly and one by the speaker of the New York city council. Such task force  
26 shall hold public hearings in each of the five boroughs of the city of  
27 New York. The task force shall prepare and, no later than two months  
28 after the date this act shall take effect, submit to the appointing  
29 authorities of such task force a report and recommendations identifying  
30 areas of New York city that are underserved by medallion taxicabs, areas  
31 that are intensely served by medallion taxicabs and areas that are  
32 adequately served by medallion taxicabs. Such task force may also iden-  
33 tify up to five locations, including airports, in each of the five  
34 boroughs of the city of New York, where for-hire vehicles shall be  
35 prohibited from accepting street hail passengers. Such report and recom-  
36 mendations must be approved by all of the members of the task force and  
37 shall be implemented by rule of such commission, provided, however, that  
38 the failure by the task force to present such report and recommendations  
39 shall in no way prevent the implementation of any provision of this act.

40 S 6. This act shall take effect immediately.