

1147

2011-2012 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 5, 2011

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Introduced by M. of A. ORTIZ, CLARK -- Multi-Sponsored by -- M. of A. 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:

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

3                                   ARTICLE 17-D

4                 BACKGROUND CHECK FOR FOR-HIRE VEHICLE LICENSES

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

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

19     S 2. Subdivision 1 of section 19-504 of the administrative code of the  
20 city of New York, as added by local law number 115 of the city of New  
21 York for the year 1993, is amended and a new subdivision r is added to  
22 read as follows:

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

LBD03677-01-1

1 1. Prior to the issuance of a commuter van license, the applicant  
2 shall be fingerprinted for the purpose of securing criminal history  
3 records from BOTH the state division of criminal justice services AND  
4 THE FEDERAL BUREAU OF INVESTIGATION. The applicant shall pay any proc-  
5 essing fee required by the state division of criminal justice services  
6 AND THE FEDERAL BUREAU OF INVESTIGATION. Fingerprints shall be taken of  
7 the individual owner if the applicant is a sole proprietorship; the  
8 general partners if the applicant is a partnership; the officers, prin-  
9 cipals, and stockholders owning more than ten percent of the outstanding  
10 stock of the corporation if the applicant is a corporation.

11 R. PRIOR TO THE ISSUANCE OF A TAXICAB, LIMOUSINE, PARATRANSIT OR FOR-  
12 HIRE VEHICLE LICENSE, THE APPLICANT SHALL BE FINGERPRINTED FOR THE  
13 PURPOSE OF SECURING CRIMINAL HISTORY RECORDS FROM BOTH THE STATE DIVI-  
14 SION OF CRIMINAL JUSTICE SERVICES AND THE FEDERAL BUREAU OF INVESTI-  
15 GATION. THE APPLICANT SHALL PAY ANY PROCESSING FEE REQUIRED BY THE STATE  
16 DIVISION OF CRIMINAL JUSTICE SERVICES AND THE FEDERAL BUREAU OF INVESTI-  
17 GATION. FINGERPRINTS SHALL BE TAKEN OF THE INDIVIDUAL OWNER IF THE  
18 APPLICANT IS A SOLE PROPRIETORSHIP; THE GENERAL PARTNERS IF THE APPLI-  
19 CANT IS A PARTNERSHIP; THE OFFICERS, PRINCIPALS, AND STOCKHOLDERS OWNING  
20 MORE THAN TEN PERCENT OF THE OUTSTANDING STOCK OF THE CORPORATION IF THE  
21 APPLICANT IS A CORPORATION.

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