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

4065

2011-2012 Regular Sessions

I N A S S E M B L Y

February 1, 2011

Introduced by M. of A. PERRY, WEPRIN -- Multi-Sponsored by -- M. of A. ABBATE, COLTON, COOK, HOOPER, MENG, PHEFFER, TOWNS -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to requiring the New York city transit authority to have at least one conductor on board

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

Section 1. The legislature finds and declares that, the New York city transit authority, through its operation of the New York city subway system, the largest public transit system in the world, provides the primary means of commuting for many millions of New York residents and visitors every day of the week. With an estimated average of over 10,000 passengers loaded onto each train during rush hours, the presence of trained New York city transit authority personnel, other than the engineer, on each train is necessary and should always be required to ensure improved safety for passengers during emergencies, which may occur while in subway tunnels or traveling over bridges.

The legislature further finds and declares that the tragic events of September 11, 2001, which launched the war of terror against America, has tremendously heightened the need to significantly increase security and safety for commuters on New York city subway trains. Also, the recent conviction of Zarein Ahmedzay, who was caught buying explosives and admitted to having planned an attack on the New York city subway system makes it imperative that we recognize the role of conductors and other authority personnel assigned on passenger trains as first responders, and the front line defense to potentially save lives and limit casualties in the event of a terrorist attack.

S 2. The public authorities law is amended by adding a new section 1205-b to read as follows:

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

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S 1205-B. CONDUCTOR REQUIRED. ANY SUBWAY OR TRAIN OPERATED BY THE AUTHORITY FOR THE PURPOSE OF TRANSPORTING PASSENGERS SHALL HAVE AT LEAST ONE CONDUCTOR ON BOARD. FOR THE PURPOSES OF THIS SECTION, THE TERM "CONDUCTOR" SHALL MEAN THE PERSON OTHER THAN THE DRIVER, ENGINEER OR MOTORMAN PRIMARILY CHARGED WITH ALL ASPECTS OF THE OPERATION OF THE RAILROAD LOCOMOTIVE, SUBWAY OR TRAIN, WHO SHALL ASSIST IN THE OPERATION OF THE TRAIN AND BE PRIMARILY RESPONSIBLE FOR THE OPENING AND CLOSING OF THE DOORS AND OTHER SAFETY ASPECTS OF THE TRAIN. A CONDUCTOR SHALL BE REQUIRED ON ANY SUBWAY OR TRAIN OPERATED BY THE AUTHORITY WHENEVER THE SUBWAY OR TRAIN HAS MORE THAN TWO CARS ATTACHED TO THE ENGINE THEREOF.

S 3. This act shall take effect immediately.