

1231--A

2011-2012 Regular Sessions

I N   S E N A T E

January 6, 2011

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Introduced by Sen. DUANE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- recommitted to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general municipal law, in relation to providing for improved access to taxicabs for persons with disabilities

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

1     Section 1. Section 181 of the general municipal law, as amended by  
2 chapter 579 of the laws of 1993, subdivision 1 as amended by chapter 430  
3 of the laws of 2003, is amended to read as follows:  
4     S 181. Ordinances to regulate taxicabs and limousines. 1. The municipal officers and boards in the several cities, towns and villages of  
5 this state now having the authority to enact ordinances, may adopt ordinances regulating:  
6  
7     [1.] (A) The registration and licensing of taxicabs and may limit the  
8 number of taxicabs to be licensed and the county of Westchester may  
9 adopt ordinances regulating the registration and licensing of taxicabs  
10 and limousines and may limit the number to be licensed; and the county  
11 of Nassau may adopt ordinances regulating the registration of taxicabs  
12 and limousines.  
13  
14     [2.] (B) Parking and passenger pick-up and discharge by taxicabs,  
15 limousines and livery vehicles. Establishment of such ordinances and  
16 regulations regulating parking and passenger pick-up and discharges may  
17 be based upon recommendations from municipal planning officials or other  
18 public entities and may address and take into consideration such  
19 factors, including, but not limited to, geographic areas, vehicle type,  
20 limiting the number of parked vehicles and activities undertaken while  
21 parked, and periods of idling.

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

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1       2. THE MUNICIPAL OFFICERS AND BOARDS IN ANY CITY HAVING A POPULATION  
2 OF MORE THAN ONE MILLION SHALL NO LATER THAN DECEMBER THIRTY-FIRST, TWO  
3 THOUSAND FIFTEEN ADOPT ORDINANCES PROVIDING:

4       (A) THAT "ACCESSIBLE TAXICAB" SHALL MEAN ANY VEHICLE THAT

5       (1) IS EQUIPPED WITH A LIFT, RAMP, OR ANY OTHER DEVICE, ARRANGEMENT OR  
6 ALTERATION, SO IT IS CAPABLE OF TRANSPORTING PERSONS WITH PHYSICAL DISA-  
7 BILITIES, INCLUDING THOSE WHO USE WHEELCHAIRS, SCOOTERS AND SIMILAR  
8 DEVICES WHILE THEY REMAIN SEATED IN THEIR WHEELCHAIRS, SCOOTERS OR SIMI-  
9 LAR DEVICES;

10       (2) COMPLIES WITH THE SPECIFICATIONS SET FORTH IN REGULATIONS PROMUL-  
11 GATED UNDER THE AMERICANS WITH DISABILITIES ACT AND CODIFIED AT 49  
12 C.F.R. SECTIONS 38.23, 38.25 AND 38.31, AS AMENDED, WHETHER OR NOT THOSE  
13 REGULATIONS WOULD APPLY UNDER FEDERAL LAW;

14       (3) IS EQUIPPED WITH AN ASSISTIVE LISTENING SYSTEM FOR PERSONS WITH  
15 HEARING IMPAIRMENT THAT IS CONNECTED WITH ANY INTERCOM, VIDEO OR AUDIO  
16 SYSTEM, WHEN SUCH A SYSTEM IS INSTALLED;

17       (4) ASSURES THAT THE TECHNOLOGY UTILIZED BY TAXICABS IS COMPLIANT WITH  
18 THE STANDARDS PROMULGATED BY THE COMMISSIONER OF TRANSPORTATION;  
19 PROVIDED THAT A LOCAL AUTHORITY WITH OVERSIGHT OVER TAXICABS, LIMOUSINES  
20 AND LIVERY VEHICLES MAY CONDUCT PILOT PROGRAMS TESTING NEW SYSTEMS;

21       (5) IS EQUIPPED WITH STANDARDIZED SIGNS PRINTED IN: (A) BRAILLE; AND  
22 (B) LARGE-PRINT TEXT SO THAT SUCH SIGNS ARE VISIBLE TO PERSONS WITH LOW  
23 VISION;

24       (6) PROVIDES SUFFICIENT FLOOR SPACE TO ACCOMMODATE A SERVICE ANIMAL;  
25 AND

26       (7) IF POWERED BY A HYBRID-ELECTRIC POWER PLANT, IS EQUIPPED WITH AN  
27 APPROPRIATE DEVICE TO ENABLE PERSONS WHO ARE BLIND TO HEAR THE APPROACH  
28 OF THE VEHICLE AS READILY AS THEY CAN HEAR A CONVENTIONAL GASOLINE-POW-  
29 ERED TAXICAB.

30       (B) THAT NO OWNER OF A TAXICAB SHALL PLACE ANY TAXICAB INTO SERVICE  
31 SUBSEQUENT TO JUNE THIRTIETH, TWO THOUSAND SIXTEEN WHICH TAXICAB IS NOT  
32 AN ACCESSIBLE TAXICAB.

33       3. FOR PURPOSES OF THIS SECTION, THE TERM "ASSISTIVE LISTENING SYSTEM"  
34 SHALL MEAN SITUATIONAL-PERSONAL ACOUSTIC COMMUNICATION EQUIPMENT  
35 DESIGNED TO IMPROVE THE TRANSMISSION AND AUDITORY RECEPTION OF SOUND.  
36 SUCH SYSTEM SHALL INCLUDE BUT NOT BE LIMITED TO THE USE OF STANDARD  
37 AMPLITUDE MODULATION (AM), FREQUENCY MODULATION (FM), AUDIO INDUCTION  
38 LOOP, INFRARED LIGHT SOUND, OR HARD WIRE SYSTEMS.

39       S 2. The commissioner of transportation shall promulgate any rules,  
40 regulations and standards necessary to give effect of the provisions of  
41 this act, including, but not limited to rules, regulations and standards  
42 concerning the standardization of assistive listening technology avail-  
43 able in taxicabs and the content of signs available in taxicabs to visu-  
44 ally impaired persons.

45       S 3. This act shall take effect immediately.