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

1061

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

Introduced by M. of A. KELLNER, MAISEL, FINCH, ROBERTS, HOOPER -- Multi-Sponsored by -- M. of A. MARKEY, PERRY, ROBINSON -- read once and referred to the Committee on Transportation

AN ACT to amend the transportation law, in relation to requiring the provision of assistive listening systems in New York state airport terminals and railway stations

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

Section 1. The transportation law is amended by adding a new section 15-d to read as follows:

S 15-D. ACCESSIBLE TRANSPORTATION SYSTEM; ASSISTIVE LISTENING SYSTEMS. 1. ALL PUBLIC-USE AIRPORT TERMINALS AND RAILROAD STATIONS LOCATED WITHIN THE STATE SHALL BE EQUIPPED WITH AN ASSISTIVE LISTENING SYSTEM FOR USE BY HEARING IMPAIRED PERSONS WHO REQUIRE THE USE OF SUCH A SYSTEM TO IMPROVE THEIR RECEPTION OF SOUND. STANDARDS FOR SUCH SYSTEMS SHALL BE DEVELOPED BY THE STATE FIRE PREVENTION AND BUILDING CODE COUNCIL UPON RECEIVING RECOMMENDATIONS FROM THE ADVISORY BOARD ON ASSISTIVE LISTENING SYSTEMS IN PLACES OF PUBLIC ASSEMBLY, AND SHALL PROVIDE THE CAPABILITY FOR:

(A) ANNOUNCEMENTS TO PASSENGERS, INCLUDING EMERGENCY INSTRUCTIONS, TO BE CAPTIONED IN REAL TIME ON SCREENS IN AIRPORTS AND RAIL STATIONS;

(B) PROMINENTLY DISPLAY APPROPRIATE SIGNAGE, EMPLOYING THE UNIVERSAL SYMBOLS, INDICATING THAT AN ASSISTIVE LISTENING SYSTEM IS AVAILABLE AND EXPLAINING HOW THE SYSTEM WORKS AND HOW TO ACCESS IT; AND

(C) EXISTING MICROPHONE SYSTEMS TO EMPLOY A HEARING-AID COMPATIBLE ASSISTIVE LISTENING SYSTEM AND DISPLAY THE UNIVERSAL SYMBOL FOR ASSISTIVE LISTENING AT TICKETING AND INFORMATION BOOTHS.

2. THE COMMISSIONER IS AUTHORIZED TO PROMULGATE SUCH RULES AND REGULATIONS AS HE OR SHE DEEMS NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SUBDIVISION.

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

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3. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO PRIVATE-USE AIRPORTS OR RAILROAD TERMINALS.

4. ALL FACILITIES SUBJECT TO THE PROVISIONS OF THIS SECTION SHALL HAVE A COMPLIANT ASSISTIVE LISTENING SYSTEM INSTALLED AND AVAILABLE FOR PUBLIC USE BY A DATE NO LATER THAN JULY TWENTY-SIXTH, TWO THOUSAND SEVENTEEN.

5. FOR PURPOSES OF THIS SECTION:

A. "AIRPORT" HAS THE SAME MEANING AS SUCH TERM IS DEFINED IN SUBDIVISION FIVE OF SECTION TWO HUNDRED FORTY OF THE GENERAL BUSINESS LAW;

B. "ASSISTIVE LISTENING SYSTEM" SHALL MEAN SITUATIONAL-PERSONAL ACOUSTIC COMMUNICATION EQUIPMENT DESIGNED TO IMPROVE THE TRANSMISSION AND AUDITORY RECEPTION OF SOUND. SUCH SYSTEM SHALL INCLUDE BUT NOT BE LIMITED TO THE USE OF STANDARD AMPLITUDE MODULATION (AM), FREQUENCY MODULATION (FM), AUDIO INDUCTION LOOP, INFRARED LIGHT SOUND, OR HARD WIRE SYSTEMS;

C. "PRIVATE-USE" REFERS TO AN AIRPORT TERMINAL OR RAILROAD STATION USED EXCLUSIVELY BY THE OWNER THEREOF AND PERSONS AUTHORIZED BY SUCH OWNER;

D. "PUBLIC-USE" REFERS TO AN AIRPORT TERMINAL OR RAILROAD STATION AVAILABLE FOR USE BY THE GENERAL PUBLIC WITHOUT A REQUIREMENT FOR THE PRIOR APPROVAL OF THE OWNER OR OPERATOR THEREOF EXCEPT AS MAY BE REQUIRED BY FEDERAL LAW OR REGULATION; AND

E. "RAILROAD" HAS THE SAME MEANING AS SUCH TERM IS DEFINED IN SECTION TWO OF THIS CHAPTER.

S 2. The transportation law is amended by adding a new section 15-e to read as follows:

S 15-E. VISUAL EMERGENCY ALARM. 1. ALL PUBLIC USE AIRPORT TERMINALS AND RAILROAD STATIONS SHALL BE EQUIPPED WITH A VISUAL ALARM ELEMENT FOR EMERGENCY EVACUATION MEASURES FOR USE BY HEARING IMPAIRED PERSONS NO LATER THAN JANUARY FIRST, TWO THOUSAND SEVENTEEN.

2. STANDARDS FOR SUCH ALARMS SHALL BE DEVELOPED BY THE STATE FIRE PREVENTION AND BUILDING CODE COUNCIL UPON RECEIVING RECOMMENDATIONS FROM THE ADVISORY BOARD ON ASSISTIVE LISTENING SYSTEMS IN PLACES OF PUBLIC ASSEMBLY; PROVIDED THAT SUCH VISUAL ELEMENT SHALL BE DESIGNED TO MINIMIZE THE POSSIBILITY OR RISK OF TRIGGERING SEIZURES IN PERSONS WHO HAVE EPILEPSY OR PHOTOSENSITIVITY.

S 3. This act shall take effect on the first of January next succeeding the date on which it shall have become a law; provided that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.