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

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2013-2014 Regular Sessions

I N A S S E M B L Y

March 27, 2013

Introduced by M. of A. STEVENSON -- Multi-Sponsored by -- M. of A. HENNESSEY -- read once and referred to the Committee on Cities

AN ACT to amend the administrative code of the city of New York, in relation to New York city transit omnibus safety requirements

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

Section 1. Legislative findings. The occupation of driving an omnibus available to the general public has become increasingly dangerous to bus drivers employed by the New York City Transit Authority and its subsidiaries. There has been an increase in the number of bus drivers who have become victims of assaults, verbal attacks, spitting, menacing and threats at the hands of bus riders. Unlike the work environment of transit employees deployed on the subway trains, there is no discernible police presence on these buses, and the driver is relatively defenseless while operating a bus on a congested urban street, against an aggressive bus passenger seeking to harm him or her.

The legislature finds that a safety partition between the bus drivers and the passengers on the vehicle can be an effective deterrent to any harm being inflicted on the transit worker. Such partitions have been highly effective in protecting taxi cab and livery car drivers from aggressive acts by passengers inside their vehicles. A similar requirement protecting bus operators should be equally effective and would promote public safety for the riding public on mass transit surface vehicles.

The legislature also finds that current emergency communication protocols of the New York City Transit Authority and its subsidiaries are not operating at an optimum efficiency level. Nearly all buses are currently equipped with a silent alarm mechanism which alerts the transit authority's command center that an emergency exists and also with a GPS device which can apprise the command center of the location of the bus. More meaningful information and more importantly, a more timely intervention

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

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by first responders and transit supervisors, could be conveyed if the two existing devices worked in tandem with one another. That the emergency alarm be synchronized with the GPS device so that when it is activated it can simultaneously convey the location of the bus sounding the alarm. The legislature finds these two common sense initiatives can significantly improve the safety on mass transit buses operating within New York city at a very modest cost.

S 2. The administrative code of the city of New York is amended by adding a new section 10-171 to read as follows:

S 10-171 NEW YORK CITY TRANSIT OMNIBUS SAFETY REQUIREMENTS. A. DEFINITIONS. 1. THE TERM "OMNIBUS" OR "BUS" SHALL MEAN A MECHANIZED VEHICLE PROVIDING MASS TRANSIT SURFACE SERVICE TO THE PUBLIC OWNED, OPERATED OR LEASED BY THE NEW YORK CITY TRANSIT AUTHORITY OR ONE OF ITS SUBSIDIARIES.

2. THE TERM "PARTITION" SHALL MEAN AN "L" SHAPED ENCLOSURE AROUND A BUS OPERATOR, CONSISTING IN WHOLE OR IN PART OF PLEXIGLASS AT LEAST ONE INCH IN THICKNESS OR SOME OTHER RIGID TRANSPARENT SUBSTANCE OF EQUAL OR GREATER STRENGTH, THAT WILL HAVE A HINGED DOOR OPENING TO THE RIGHT OF A SEATED BUS OPERATOR TO ALLOW FOR EASY INGRESS AND EGRESS.

3. THE TERM "SILENT EMERGENCY ALARM" SHALL MEAN A DEVICE CURRENTLY IN USE ON OMNIBUSES DEPLOYED BY THE NEW YORK CITY TRANSIT AUTHORITY AND ITS SUBSIDIARIES THAT WILL ALLOW A BUS OPERATOR TO SURREPTITIOUSLY ALERT THE COMMAND CENTER OF SUCH TRANSIT AUTHORITY OF A CIRCUMSTANCE OR CONDITION CONSTITUTING AN EMERGENCY IN THE JUDGMENT OF THE OPERATOR.

4. THE TERM "BUS GPS DEVICE" SHALL MEAN A DEVICE CURRENTLY IN USE ON OMNIBUSES DEPLOYED BY THE NEW YORK CITY TRANSIT AUTHORITY AND ITS SUBSIDIARIES, THAT WHEN ACTIVATED, CAN IMPART THE EXACT LOCATION OF THE OMNIBUS TO THE COMMAND CENTER OF SUCH TRANSIT AUTHORITY.

5. THE TERM "TRANSIT AUTHORITY" SHALL MEAN THE NEW YORK CITY TRANSIT AUTHORITY AND ANY OF ITS SUBSIDIARIES OPERATING SURFACE MASS TRANSIT VEHICLES WITHIN NEW YORK CITY.

B. THE TRANSIT AUTHORITY SHALL NOT ACQUIRE OR PUT INTO SERVICE ANY OMNIBUS AFTER THE EFFECTIVE DATE OF THIS SECTION, WHICH IS NOT EQUIPPED WITH A PARTITION DESIGNED AND SUFFICIENT TO PROTECT THE OPERATOR OF SUCH OMNIBUS FROM ATTACKS ON HIS OR HER PERSON AND IS ALSO EQUIPPED WITH AN EASY TO ACCESS SILENT EMERGENCY ALARM TO THE COMMAND CENTER OF SUCH TRANSIT AUTHORITY WHICH WHEN ACTIVATED, WILL SIMULTANEOUSLY CAUSE THE BUS GPS DEVICE TO SIGNAL THE PRECISE LOCATION OF THE OMNIBUS EMITTING THE SILENT EMERGENCY ALARM.

C. WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS SECTION, THE TRANSIT AUTHORITY SHALL RETROFIT ONE-FIFTH OF THE TOTAL OMNIBUSES IT DEPLOYS FOR MASS TRANSIT SERVICE WITHIN NEW YORK CITY WITH A PARTITION, AND FOR EACH CONSECUTIVE YEAR THEREAFTER A LIKE PERCENTAGE OF ITS BUS FLEET SHALL BE RETROFITTED WITH A PARTITION, SO THAT UPON COMPLETION OF THE FIFTH YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION THE ENTIRE FLEET OF OMNIBUSES OPERATED BY THE TRANSIT AUTHORITY SHALL HAVE A PROTECTIVE PARTITION INSTALLED TO PROTECT THE BUS OPERATOR. DURING ANY YEAR WHEN ONLY A PARTIAL NUMBER OF BUSES ARE EQUIPPED WITH A PARTITION, DECISIONS TO DEPLOY BUSES EQUIPPED WITH SUCH BARRIERS ON ANY ROUTE OF THE TRANSIT AUTHORITY WILL BE MADE BY THE BUS OPERATION ACTION COMMITTEE IN ORDER TO PRIORITIZE DEPLOYMENT ON THE ROUTES THAT HAVE HISTORICALLY BEEN THE MOST DANGEROUS TO BUS OPERATORS.

D. WITHIN ONE YEAR OF THE EFFECTIVE DATE OF THIS SECTION, THE TRANSIT AUTHORITY SHALL RETROFIT ONE-HALF OF THE TOTAL OMNIBUSES IT DEPLOYS FOR MASS TRANSIT SERVICE WITHIN NEW YORK CITY WITH A SILENT EMERGENCY ALARM THAT IS SYNCHRONIZED WITH ITS EXISTING BUS GPS DEVICE SO THAT THE

LOCATION OF A BUS EMITTING THE ALARM IS IMMEDIATELY KNOWN BY THE COMMAND CENTER OF THE TRANSIT AUTHORITY, AND IN THE NEXT CONSECUTIVE YEAR THE REMAINDER OF THE FLEET OF OMNIBUSES OF THE TRANSIT AUTHORITY SHALL BE SO EQUIPPED.

S 3. This act shall take effect immediately.