

2156

2015-2016 Regular Sessions

I N   A S S E M B L Y

January 15, 2015

---

Introduced by M. of A. ROSENTHAL -- 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 public  
transportation terminals

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

1     Section 1. The transportation law is amended by adding a new section  
2     15-d to read as follows:  
3     S 15-D. ACCESSIBLE TRANSPORTATION SYSTEM; ASSISTIVE LISTENING SYSTEMS.  
4     1. ALL PUBLIC TRANSPORTATION TERMINALS INCLUDING BUT NOT LIMITED TO  
5     AIRPORTS, BUS STATIONS, REST AREAS, AND RAILROAD STATIONS LOCATED WITHIN  
6     THE STATE SHALL BE EQUIPPED AND MAINTAINED WITH AN ASSISTIVE LISTENING  
7     SYSTEM FOR USE BY PEOPLE WHO ARE HARD OF HEARING WHO REQUIRE THE USE OF  
8     SUCH A SYSTEM TO IMPROVE THEIR RECEPTION OF SOUND. STANDARDS FOR SUCH  
9     SYSTEMS SHALL BE DEVELOPED BY THE STATE FIRE PREVENTION AND BUILDING  
10    CODE COUNCIL UPON RECEIVING RECOMMENDATIONS FROM THE ADVISORY BOARD ON  
11    ASSISTIVE LISTENING SYSTEMS IN PLACES OF PUBLIC ASSEMBLY, AND SHALL  
12    PROVIDE FOR:  
13    (A) ANNOUNCEMENTS TO PASSENGERS, INCLUDING EMERGENCY INSTRUCTIONS, TO  
14    BE CAPTIONED IN REAL TIME ON SCREENS IN AIRPORTS AND RAIL STATIONS;  
15    (B) PROMINENTLY DISPLAY APPROPRIATE SIGNAGE AND USING SPECIFIC SYMBOLS  
16    INDICATING THE TYPE OF ASSISTIVE LISTENING SYSTEMS AVAILABLE; AND  
17    (C) MICROPHONE SYSTEMS SUFFICIENT TO SUPPORT A HEARING-AID COMPATIBLE  
18    ASSISTIVE LISTENING SYSTEM. DISPLAY THE UNIVERSAL SYMBOL FOR ASSISTIVE  
19    LISTENING AT TICKETING AND INFORMATION BOOTHS AND THE AREAS WHERE IT IS  
20    AVAILABLE.  
21    2. THE COMMISSIONER IS AUTHORIZED TO PROMULGATE SUCH RULES AND REGU-  
22    LATIONS AS HE OR SHE DEEMS NECESSARY TO CARRY OUT THE PROVISIONS OF THIS  
23    SUBDIVISION.

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

LBD04180-01-5

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

3 4. ALL FACILITIES SUBJECT TO THE PROVISIONS OF THIS SECTION SHALL HAVE  
4 A COMPLIANT ASSISTIVE LISTENING SYSTEM INSTALLED AND AVAILABLE FOR  
5 PUBLIC USE BY A DATE NO LATER THAN THIRTY-SIX MONTHS AFTER THIS SECTION  
6 SHALL HAVE BECOME A LAW.

7 5. FOR PURPOSES OF THIS SECTION:

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

10 B. "ASSISTIVE LISTENING SYSTEM" SHALL MEAN SITUATIONAL-PERSONAL ACOUS-  
11 TIC COMMUNICATION EQUIPMENT DESIGNED TO IMPROVE THE TRANSMISSION AND  
12 AUDITORY RECEPTION OF SOUND. SUCH SYSTEM SHALL INCLUDE BUT NOT BE LIMIT-  
13 ED TO THE USE OF STANDARD AMPLITUDE MODULATION, FREQUENCY MODULATION,  
14 INDUCTION LOOP, INFRARED SYSTEM (IR), OR HARD WIRED INDUCTION LOOP  
15 SYSTEM;

16 C. "PRIVATE-USE" REFERS TO AN AIRPORT TERMINAL, BUS STATION OR RAIL-  
17 ROAD STATION USED EXCLUSIVELY BY THE OWNER THEREOF AND PERSONS AUTHOR-  
18 IZED BY SUCH OWNER;

19 D. "PUBLIC-USE" REFERS TO AN AIRPORT TERMINAL, BUS STATION, REST AREA,  
20 RAILROAD STATION OR OTHER PUBLIC TRANSPORTATION TERMINAL AVAILABLE FOR  
21 USE BY THE GENERAL PUBLIC WITHOUT A REQUIREMENT FOR THE PRIOR APPROVAL  
22 OF THE OWNER OR OPERATOR THEREOF EXCEPT AS MAY BE REQUIRED BY FEDERAL  
23 LAW OR REGULATION; AND

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

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

28 S 15-E. VISUAL EMERGENCY ALARM. 1. ALL PUBLIC TRANSPORTATION TERMINALS  
29 INCLUDING BUT NOT LIMITED TO AIRPORTS, BUS STATIONS, REST AREAS, AND  
30 RAILROAD STATIONS SHALL BE EQUIPPED WITH VISUAL ALARM ELEMENTS SUFFI-  
31 CIENT TO COMMUNICATE EFFECTIVELY FOR EMERGENCY EVACUATION MEASURES FOR  
32 USE BY PEOPLE WHO ARE DEAF OR HARD OF HEARING NO LATER THAN THIRTY-SIX  
33 MONTHS AFTER THIS SECTION SHALL HAVE BECOME A LAW.

34 2. STANDARDS FOR SUCH ALARMS SHALL BE DEVELOPED BY THE STATE FIRE  
35 PREVENTION AND BUILDING CODE COUNCIL UPON RECEIVING RECOMMENDATIONS FROM  
36 THE ADVISORY BOARD ON ASSISTIVE LISTENING SYSTEMS IN PLACES OF PUBLIC  
37 ASSEMBLY; PROVIDED THAT SUCH VISUAL ELEMENT SHALL NOT UTILIZE BLINKING  
38 LIGHTS AND SHALL BE DESIGNED TO MINIMIZE THE POSSIBILITY OR RISK OF  
39 TRIGGERING SEIZURES IN PERSONS WHO HAVE EPILEPSY OR PHOTOSENSITIVITY.

40 S 3. This act shall take effect on the one hundred eightieth day after  
41 it shall have become a law. Effective immediately, the addition, amend-  
42 ment and/or repeal of any rule or regulation necessary for the implemen-  
43 tation of this act on its effective date are authorized to be made on or  
44 before such effective date.