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

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 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 TRANSPORTATION TERMINALS INCLUDING BUT NOT LIMITED TO AIRPORTS, BUS STATIONS, REST AREAS, AND RAILROAD STATIONS LOCATED WITHIN THE STATE SHALL BE EQUIPPED AND MAINTAINED WITH AN ASSISTIVE LISTENING SYSTEM FOR USE BY PEOPLE WHO ARE HARD OF HEARING 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 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 AND USING SPECIFIC SYMBOLS INDICATING THE TYPE OF ASSISTIVE LISTENING SYSTEMS AVAILABLE; AND

(C) MICROPHONE SYSTEMS SUFFICIENT TO SUPPORT A HEARING-AID COMPATIBLE ASSISTIVE LISTENING SYSTEM. DISPLAY THE UNIVERSAL SYMBOL FOR ASSISTIVE LISTENING AT TICKETING AND INFORMATION BOOTHS AND THE AREAS WHERE IT IS AVAILABLE.

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.

LBD04180-01-5

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 THIRTY-SIX MONTHS AFTER THIS SECTION SHALL HAVE BECOME A LAW.

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, FREQUENCY MODULATION, INDUCTION LOOP, INFRARED SYSTEM (IR), OR HARD WIRED INDUCTION LOOP SYSTEM;

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

D. "PUBLIC-USE" REFERS TO AN AIRPORT TERMINAL, BUS STATION, REST AREA, RAILROAD STATION OR OTHER PUBLIC TRANSPORTATION TERMINAL 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 TRANSPORTATION TERMINALS INCLUDING BUT NOT LIMITED TO AIRPORTS, BUS STATIONS, REST AREAS, AND RAILROAD STATIONS SHALL BE EQUIPPED WITH VISUAL ALARM ELEMENTS SUFFICIENT TO COMMUNICATE EFFECTIVELY FOR EMERGENCY EVACUATION MEASURES FOR USE BY PEOPLE WHO ARE DEAF OR HARD OF HEARING NO LATER THAN THIRTY-SIX MONTHS AFTER THIS SECTION SHALL HAVE BECOME A LAW.

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 NOT UTILIZE BLINKING LIGHTS AND 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 one hundred eightieth day after it shall have become a law. 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 to be made on or before such effective date.