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

7928

2015-2016 Regular Sessions

I N A S S E M B L Y

June 1, 2015

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to the licensing of horse drawn carriages

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

Section 1. The agriculture and markets law is amended by adding a new section 364-a to read as follows:

S 364-A. HORSE DRAWN CARRIAGES. 1. NO PERSON MAY OPERATE A HORSE DRAWN CARRIAGE UPON ANY HIGHWAY OR OTHER PUBLIC LANDS UNLESS SUCH PERSON SHALL HAVE FIRST OBTAINED A LICENSE FROM THE STATE.

2. A PERSON MAY APPLY TO THE DEPARTMENT FOR A LICENSE TO OPERATE A HORSE DRAWN CARRIAGE. SUCH PERSON MUST FILL OUT AN APPLICATION SUPPLIED BY THE COMMISSIONER AND PAY A THREE HUNDRED DOLLAR LICENSE FEE. LICENSES ISSUED PURSUANT TO THIS SECTION MAY BE LIMITED WITHIN EACH MUNICIPALITY AS DETERMINED BY THE COMMISSIONER.

3. THE LICENSE SHALL BE GOOD FOR TWO YEARS AND MAY BE RENEWED EACH YEAR UPON THE PAYMENT OF A RENEWAL FEE OF THREE HUNDRED DOLLARS.

4. A LICENSE ISSUED PURSUANT TO THIS SECTION SHALL ENTITLE ITS HOLDER TO OPERATE A HORSE DRAWN CARRIAGE WITHIN THE MUNICIPALITY OR MUNICIPALITIES FOR WHICH THE LICENSE HAS BEEN ISSUED.

5. THE COMMISSIONER SHALL ESTABLISH AN APPLICATION PROCESS FOR PERSONS SEEKING TO OBTAIN A LICENSE PURSUANT TO THIS SECTION.

6. THE COMMISSIONER SHALL ESTABLISH RULES AND REGULATIONS PERTAINING TO THE LICENSING OF HORSE DRAWN CARRIAGES. SUCH RULES AND REGULATIONS SHALL INCLUDE:

A. THE TOTAL NUMBER OF LICENSES THAT MAY BE ISSUED AT ANY GIVEN TIME WITHIN EACH SPECIFIC MUNICIPALITY.

B. THE LENGTH OF TIME A HORSE MAY BE USED IN SERVICE ON A (I) DAILY BASIS, (II) WEEKLY BASIS, AND (III) YEARLY BASIS.

C. THE TOTAL WEIGHT LOAD THAT A HORSE MAY BE REQUIRED TO PULL.

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

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7. IN NO EVENT SHALL THE STATE LIMIT THE NUMBER OF LICENSES AVAILABLE STATEWIDE TO LESS THAN THREE HUNDRED.

8. THE PROVISIONS OF THIS SECTION SHALL ONLY APPLY TO OPERATORS OF HORSE DRAWN CARRIAGES WHO PROVIDE RIDES OR TRANSPORTATION IN SUCH CARRIAGES FOR A FEE.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law and shall supersede any local law in existence on such effective date to the extent that such local law conflicts with the provisions of this act.