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

1590--A

2015-2016 Regular Sessions

I N A S S E M B L Y

January 12, 2015

Introduced by M. of A. PRETLOW, SOLAGES, WEPRIN, SIMANOWITZ, MARKEY, RIVERA, MILLER -- Multi-Sponsored by -- M. of A. LUPINACCI, PERRY, SKARTADOS -- read once and referred to the Committee on Agriculture -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to horse-drawn cab operations

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

Section 1. The general business law is amended by adding a new article 39-H to read as follows:

ARTICLE 39-H

CONTINUATION OF HORSE-DRAWN CAB OPERATIONS

SECTION 899-AAAA. LEGISLATIVE FINDINGS.
899-BBBB. HORSE-DRAWN CAB OPERATIONS.
899-CCCC. PREEMPTION.

S 899-AAAA. LEGISLATIVE FINDINGS. THE LEGISLATURE HEREBY FINDS AND DECLARES THAT THE HORSE-DRAWN CAB INDUSTRY PROVIDES HUMANE TREATMENT TO THE HORSES UNDER ITS CARE AND PROVIDES A VITAL OUTLET FOR HORSE POPULATIONS. THE HORSE-DRAWN CAB INDUSTRY REMAINS A CRUCIAL SOURCE FOR THE LIVELIHOOD OF MANY CITIZENS OF NEW YORK STATE.

S 899-BBBB. HORSE-DRAWN CAB OPERATIONS. NOTWITHSTANDING ANY LOCAL LAW OR ORDINANCE TO THE CONTRARY, ANY MUNICIPALITY THAT CURRENTLY PERMITS OR REGULATES THE OPERATION OF THE HORSE-DRAWN CAB INDUSTRY WITHIN ITS TERRITORY SHALL CONTINUE SUCH PERMISSION INTO PERPETUITY. NO MUNICIPALITY THAT ISSUES HORSE-DRAWN CAB LICENSES MAY REVOKE ANY SUCH LICENSES EXCEPT ON THE TERMS AND CONDITIONS ALREADY ESTABLISHED BEFORE THE EFFECTIVE DATE OF THIS SECTION, AND SUCH MUNICIPALITIES SHALL CONTINUE TO ISSUE SUCH LICENSES INTO PERPETUITY, IN AN AMOUNT GREATER OR EQUAL TO THE NUMBER OF LICENSES ISSUED OR THE NUMBER OF LICENSES PERMITTED TO BE ISSUED THE YEAR PREVIOUS TO THE EFFECTIVE DATE OF THIS SECTION.

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

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FOR THE PURPOSES OF THIS ARTICLE, "HORSE-DRAWN CAB INDUSTRY" SHALL MEAN THE AGGREGATE OF ANY ESTABLISHMENTS OR INDIVIDUALS OFFERING TRANSPORT FOR HIRE TO THE PUBLIC ON A HORSE-DRAWN VEHICLE. FOR THE PURPOSES OF THIS ARTICLE, "HORSE-DRAWN CAB LICENSES" SHALL MEAN THE LICENSES ISSUED BY THE DULY AUTHORIZED OFFICER OF THE MUNICIPALITY IN WHICH SUCH LICENSES ARE ISSUED.

S 899-CCCC. PREEMPTION. THIS ARTICLE SHALL SUPERSEDE AND PREEMPT ALL RULES, REGULATIONS, CODES, STATUTES OR ORDINANCES OF ALL CITIES, COUNTIES, MUNICIPALITIES, AND LOCAL AGENCIES REGARDING HORSE-DRAWN CAB OPERATIONS.

S 2. This act shall take effect immediately.