

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.

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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.