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

419

2015-2016 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2015

Introduced by Sen. MARCELLINO -- read twice and ordered printed, and when printed to be committed to the Committee on Mental Health and Developmental Disabilities

AN ACT to amend the mental hygiene law, in relation to requiring surveillance cameras in transport vehicles for people receiving services from the office for people with developmental disabilities

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

Section 1. The mental hygiene law is amended by adding a new section 16.25 to read as follows:

S 16.25 VEHICLE SURVEILLANCE CAMERAS.

THE COMMISSIONER SHALL ADOPT REGULATIONS REQUIRING THE USE OF ONE OR MORE VIDEO SURVEILLANCE CAMERAS WITH SOUND CAPABILITIES IN ALL VEHICLES USED FOR THE PRIMARY PURPOSE OF TRANSPORTING SERVICE RECIPIENTS TO PROGRAMMING, ACTIVITIES OR SERVICES BY FACILITIES, PROVIDERS AND PROGRAMS OPERATED, LICENSED, CERTIFIED, AUTHORIZED OR FUNDED BY THE OFFICE. FACILITIES, PROVIDERS OR PROGRAMS MAY ONLY TRANSPORT A SERVICE RECIPIENT IN A VEHICLE WITHOUT SURVEILLANCE CAMERAS IN EMERGENCY CIRCUMSTANCES WHEN SUCH A VEHICLE WITH SURVEILLANCE CAMERAS IS UNAVAILABLE AND LACK OF TRANSPORTATION MAY AFFECT THE HEALTH OR SAFETY OF A SERVICE RECIPIENT. REGULATIONS SHALL SPECIFY THE PERIOD OF TIME FOR WHICH SUCH RECORDINGS SHALL BE MAINTAINED AND STORED, WHICH SHALL BE NO LESS THAN FIVE YEARS FROM THE DATE OF CREATION, AND SHALL OUTLINE THE MANNER IN WHICH RECORDINGS SHALL BE MAINTAINED AND STORED. REGULATIONS SHALL ALSO REQUIRE THAT THE FIELD OF OBSERVATION OF SUCH SURVEILLANCE CAMERA OR CAMERAS COVER THE ENTIRETY OF THE INTERIOR OF THE TRANSPORTATION VEHICLE.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.

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

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