

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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The mental hygiene law is amended by adding a new section
2 16.25 to read as follows:
3 S 16.25 VEHICLE SURVEILLANCE CAMERAS.
4 THE COMMISSIONER SHALL ADOPT REGULATIONS REQUIRING THE USE OF ONE OR
5 MORE VIDEO SURVEILLANCE CAMERAS WITH SOUND CAPABILITIES IN ALL VEHICLES
6 USED FOR THE PRIMARY PURPOSE OF TRANSPORTING SERVICE RECIPIENTS TO
7 PROGRAMMING, ACTIVITIES OR SERVICES BY FACILITIES, PROVIDERS AND
8 PROGRAMS OPERATED, LICENSED, CERTIFIED, AUTHORIZED OR FUNDED BY THE
9 OFFICE. FACILITIES, PROVIDERS OR PROGRAMS MAY ONLY TRANSPORT A SERVICE
10 RECIPIENT IN A VEHICLE WITHOUT SURVEILLANCE CAMERAS IN EMERGENCY CIRCUM-
11 STANCES WHEN SUCH A VEHICLE WITH SURVEILLANCE CAMERAS IS UNAVAILABLE AND
12 LACK OF TRANSPORTATION MAY AFFECT THE HEALTH OR SAFETY OF A SERVICE
13 RECIPIENT. REGULATIONS SHALL SPECIFY THE PERIOD OF TIME FOR WHICH SUCH
14 RECORDINGS SHALL BE MAINTAINED AND STORED, WHICH SHALL BE NO LESS THAN
15 FIVE YEARS FROM THE DATE OF CREATION, AND SHALL OUTLINE THE MANNER IN
16 WHICH RECORDINGS SHALL BE MAINTAINED AND STORED. REGULATIONS SHALL ALSO
17 REQUIRE THAT THE FIELD OF OBSERVATION OF SUCH SURVEILLANCE CAMERA OR
18 CAMERAS COVER THE ENTIRETY OF THE INTERIOR OF THE TRANSPORTATION VEHI-
19 CLE.
20 S 2. This act shall take effect on the one hundred eightieth day after
21 it shall have become a law.

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

LBD02386-01-5