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

5591--A

2015-2016 Regular Sessions

I N S E N A T E

May 15, 2015

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to requiring safe passenger access to all for-hire vehicles

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

Section 1. Section 375 of the vehicle and traffic law is amended by adding a new subdivision 52 to read as follows:

52. ACCESSIBLE SIDE ENTRY FOR TAXICAB AND LIVERY VEHICLES. (A) EVERY TAXICAB AND LIVERY REGISTERED IN THIS STATE THAT IS REQUIRED BY LOCAL, STATE, OR FEDERAL LAW OR REGULATION TO BE HANDICAP ACCESSIBLE, OR IN ANY WAY ADVERTISES ITS SERVICES AS ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES AND INDIVIDUALS WHO USE WHEELCHAIRS, MUST BE: (I) BUILT AS WHEELCHAIR ACCESSIBLE BY THE VEHICLE'S ORIGINAL EQUIPMENT MANUFACTURER (OEM), EXCEPT AS PROVIDED IN PARAGRAPH (B) OF THIS SUBDIVISION AND (II) EQUIPPED TO ALLOW ALL PASSENGERS TO ENTER THE VEHICLE THROUGH A PASSENGER COMPARTMENT SIDE DOOR.

(B) A TAXICAB OR LIVERY VEHICLE NOT BUILT AS WHEELCHAIR ACCESSIBLE BY THE OEM, AND SUBSEQUENTLY CONVERTED, MODIFIED OR ALTERED TO BE WHEELCHAIR ACCESSIBLE, MAY ONLY BE USED AS A TAXICAB OR LIVERY VEHICLE WITH THE APPROVAL OF THE DEPARTMENT OF TRANSPORTATION. THE DEPARTMENT OF TRANSPORTATION SHALL REQUIRE SUBMISSION OF CRASH TEST AND SAFETY DATA FOR THE MODEL OF CONVERTED, ALTERED, OR MODIFIED VEHICLE AND CONSIDER THIS DATA IN MAKING A DETERMINATION TO CERTIFY THE VEHICLE FOR USE AS A TAXICAB OR LIVERY VEHICLE, EXCEPT THAT, NO CONVERTED, ALTERED OR MODIFIED VEHICLE MAY BE CERTIFIED THAT HAS NOT BEEN CRASH-TESTED AND THE RESULTS SUBMITTED TO THE DEPARTMENT OF TRANSPORTATION. THE DEPARTMENT OF TRANSPORTATION SHALL ISSUE RULES TO GOVERN THE APPROVAL PROCESS SET OUT IN THIS PARAGRAPH AND NO CONVERTED, MODIFIED OR ALTERED VEHICLE MAY BE

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

LBD11203-02-5

APPROVED FOR USE AS A TRANSPORTATION TAXICAB OR LIVERY VEHICLE UNTIL SUCH RULES HAVE BEEN ISSUED.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law, provided that this act shall apply to taxicab and livery vehicles registered with a state or local authority on and after such effective date.