

# STATE OF NEW YORK

10278

## IN ASSEMBLY

April 10, 2018

Introduced by M. of A. THIELE -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to commuter bus service in cities with a population of one million or more

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subparagraph (ii) of paragraph f of subdivision 1 of  
2 section 1642-a of the vehicle and traffic law, as added by chapter 410  
3 of the laws of 2012, is amended and a new subparagraph (iii) is added to  
4 read as follows:

5 (ii) mass transportation services provided to the general public by  
6 any county, city, town or village directly or through a contract with  
7 another entity pursuant to section one hundred nineteen-r of the general  
8 municipal law, or provided to the general public by another state or any  
9 county, city, town or village in a state other than New York directly or  
10 through a contract with another entity pursuant to a similar law of such  
11 other state[-]; or

12 (iii) commuter bus service.

13 § 2. Subdivision 1 of section 1642-a of the vehicle and traffic law is  
14 amended by adding a new paragraph g to read as follows:

15 g. "Commuter bus service" shall mean fixed route bus service predomi-  
16 nantly in one direction during peak periods with limited stops originat-  
17 ing outside a city with a population of one million or more with one or  
18 more stops within such city and originating within such city with stops  
19 outside such city, provided that a passenger cannot purchase a ticket  
20 for travel from one point in such city to another point within such  
21 city. Any bus service that reports to the federal transit administration  
22 national transit database for use in the urbanized grant formula, as  
23 codified in 49 United States code section 5307, shall be deemed to be  
24 commuter bus service.

25 § 3. Subdivision 4 of section 1642-a of the vehicle and traffic law as  
26 added by chapter 410 of the laws of 2012, paragraph d as added and para-  
27 graphs e and f as relettered by chapter 402 of the laws of 2012, is  
28 amended to read as follows:

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

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1 4. The city agency designated pursuant to subdivision three of this  
2 section to promulgate rules shall:

3 a. Have the authority to designate streets and locations where the  
4 loading or unloading of passengers by intercity buses or commuter bus  
5 service shall be permitted, provided that such city agency is not  
6 required to designate the same streets and locations for intercity buses  
7 and commuter bus service;

8 b. Consult with the local community board for the district encompass-  
9 ing the location to be designated in a permit, including but not limited  
10 to a notice and comment period of forty-five days, prior to the issuance  
11 or permanent amendment of such permit;

12 c. Consult with the metropolitan transportation authority when a  
13 proposed location or relocation for the loading and unloading of passen-  
14 gers by an intercity bus or commuter bus would overlap with an existing  
15 metropolitan transportation authority bus stop;

16 d. Consult with the port authority of New York and New Jersey when a  
17 proposed location or relocation for the loading and unloading of passen-  
18 gers by an intercity bus or commuter bus service would overlap with an  
19 existing port authority of New York and New Jersey bus facility[~~-~~];

20 e. Post all locations designated for the loading and unloading of  
21 passengers by intercity [~~bus~~] buses and commuter bus service on a  
22 website for public access within thirty days of approval; and

23 f. Have the authority to temporarily amend any approved location for a  
24 period of up to ninety days for reasons of public safety or other emer-  
25 gency or temporary need as determined by such city agency without prior  
26 consultation with the local community board; provided that such city  
27 agency informs the affected community board in writing no more than  
28 thirty days after any such temporary amendment.

29 § 4. Section 1642-a of the vehicle and traffic law is amended by  
30 adding a new subdivision 6 to read as follows:

31 6. The city agency designated to promulgate rules to implement this  
32 section may also implement rules establishing a system of permits for  
33 commuter bus service. Such rules shall comply with subdivision three of  
34 this section, provided that no fee shall be charged for a permit. Such  
35 city agency shall promulgate such rules that shall comply with chapter  
36 forty-five of the New York city charter including a public hearing.

37 § 5. This act shall take effect on the thirtieth day after it shall  
38 have become a law.