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:

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

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

(iii) commuter bus service.

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

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

§ 3. Subdivision 4 of section 1642-a of the vehicle and traffic law as added by chapter 410 of the laws of 2012, paragraph d as added and paragraphs e and f as relettered by chapter 402 of the laws of 2012, is 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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4. The city agency designated pursuant to subdivision three of this section to promulgate rules shall:

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

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

c. Consult with the metropolitan transportation authority when a proposed location or relocation for the loading and unloading of passengers by an intercity bus **or commuter bus** would overlap with an existing metropolitan transportation authority bus stop;

d. Consult with the port authority of New York and New Jersey when a proposed location or relocation for the loading and unloading of passengers by an intercity bus **or commuter bus service** would overlap with an existing port authority of New York and New Jersey bus facility[~~.~~]**;**

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

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

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

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

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