

STATE OF NEW YORK

4417--A

2019-2020 Regular Sessions

IN ASSEMBLY

February 4, 2019

Introduced by M. of A. DenDEKKER, COLTON, M. G. MILLER, DICKENS, COOK, D'URSO, TAYLOR, NIOU, MOSLEY, SOLAGES, McDONOUGH, MONTESANO, RA, LAWRENCE, GOTTFRIED -- Multi-Sponsored by -- M. of A. ENGLEBRIGHT, GALEF, MORINELLO, NOLAN, SIMON, THIELE -- read once and referred 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 charter buses to use commercial global positioning system technology

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

1 Section 1. Section 375 of the vehicle and traffic law is amended by
2 adding a new subdivision 54 to read as follows:

3 54. Charter bus commercial GPS. (a) Every charter bus registered in
4 this state shall be equipped with commercial global positioning (GPS)
5 technology.

6 (b) It shall be unlawful to operate or cause to be operated a charter
7 bus registered in this state on any public highway or private road open
8 to public motor vehicle traffic unless such charter bus is equipped with
9 commercial global positioning system (GPS) technology as required by
10 this subdivision.

11 (c) For the purposes of this subdivision:

12 (i) "Charter bus" shall mean a bus transporting passengers for compen-
13 sation in chartered party.

14 (ii) "Chartered party" shall mean a group of persons who, pursuant to
15 a common purpose and under a single contract and at a fixed charge, have
16 acquired exclusive use of a bus to travel together as a group to a
17 specific destination or for a particular itinerary either agreed upon in
18 advance or modified after having left the place of origin by such group.

19 (iii) "Commercial global positioning system (GPS) technology" shall
20 mean global positioning system (GPS) technology which has been specif-
21 ically designed to assist in the navigation of commercial motor vehicles

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

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1 which includes, but is not limited to, selection of routes which take
2 into account the minimum clearance, weight restriction or turning radius
3 of such commercial motor vehicle.

4 § 2. This act shall be deemed repealed if any federal agency or any
5 court of competent jurisdiction finally determines that this act would
6 render New York state out of compliance with federal law or regulation.

7 § 3. Severability. If any clause, sentence, subdivision, paragraph,
8 section or part of this act be adjudged by any court of competent juris-
9 diction to be invalid, such judgment shall not affect, impair or invali-
10 date the remainder thereof, but shall be confined in its operation to
11 the clause, sentence, subdivision, paragraph, section or part thereof
12 directly involved in the controversy in which such judgment shall have
13 been rendered.

14 § 4. This act shall take effect one year after it shall have become a
15 law; provided that the commissioner of transportation shall notify the
16 legislative bill drafting commission upon the occurrence of the
17 provisions of section two of this act in order that the commission may
18 maintain an accurate and timely effective data base of the official text
19 of the laws of the state of New York in furtherance of effectuating the
20 provisions of section 44 of the legislative law and section 70-b of the
21 public officers law. Effective immediately, the addition, amendment
22 and/or repeal of any rule or regulation necessary for the implementation
23 of this act on its effective date are authorized to be made and
24 completed on or before such effective date.