STATE OF NEW YORK

8474--A

2019-2020 Regular Sessions

IN ASSEMBLY

July 8, 2019

Introduced by M. of A. SANTABARBARA, TAGUE -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the transportation law and the vehicle and traffic law, in relation to stretch limousine safety requirements and changing the class of license required to operate stretch limousines

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

Section 1. Subdivisions 11 and 12 of section 151 of the transportation law, subdivision 11 as amended and subdivision 12 as added by chapter 330 of the laws of 2005, are amended to read as follows:

11. As a taxi or livery service, except for transportation services that are designed for the transportation of transportation-disabled persons, conducted in vehicles having a seating capacity of less than fifteen passengers pursuant to the jurisdiction or regulatory control of a municipality, other than a city with a population over one million, authorized to adopt an ordinance relating to both registration and licensing pursuant to subdivision one of section one hundred eighty-one of the general municipal law, when service is conducted wholly within such municipality and when such service is available to the general public on a prearranged or demand-response basis over a non-specified or irregular route with the point or points of pick-up and discharge determined by the passenger, but such taxi or livery service shall not include van service. For the purpose of this subdivision, the term "livery service" shall include the term "limousines" as used in subdivision one of section one hundred eighty-one of the general municipal law. **Provided, however, that altered motor vehicles commonly referred to as "stretch limousines" having a seating capacity of nine or more passen-**

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

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gers including the driver shall be subject to the provisions of section one hundred forty of this chapter.

12. As a taxi or livery service conducted in vehicles having a seating capacity of twenty passengers or less pursuant to the jurisdiction or regulatory control of a city with a population over one million, when such service is conducted wholly within such a city; provided, however, that vehicles having a seating capacity of fifteen or more passengers and altered motor vehicles commonly referred to as "stretch limousines" having a seating capacity of nine or more passengers including the driver shall be subject to the provisions of section one hundred forty of this chapter.

§ 2. Subdivision 1 of section 501-a of the vehicle and traffic law, as added by chapter 173 of the laws of 1990, is amended to read as follows:

1. Commercial driver's license or CDL. A class A or B driver's license or a class C driver's license which bears an H, P or X endorsement, which licenses contain the legend commercial driving license or CDL thereon and which is issued in accordance with the commercial motor vehicle safety act of 1986, public law 99-570, title XII, and this article which authorizes a person to operate a commercial motor vehicle and an altered motor vehicle commonly referred to as a "stretch limousine" having a seating capacity of nine or more passengers including the driver.

§ 3. Subparagraphs (ii) and (v) of paragraph (a) of subdivision 2 of section 501 of the vehicle and traffic law, subparagraph (ii) as amended by chapter 696 of the laws of 1990, and subparagraph (v) as added by chapter 173 of the laws of 1990, are amended to read as follows:

(ii) Class B. Such license shall be valid to operate any vehicle or combination of vehicles which may be operated with a class E license and shall be valid to operate any motor vehicle or any such vehicle, other than a tractor, towing a vehicle having a GVWR of not more than ten thousand pounds and shall be valid to operate any altered motor vehicle commonly referred to as a "stretch limousine" having a seating capacity of nine or more passengers including the driver except it shall not be valid to operate a motorcycle other than a class B or C limited use motorcycle.

(v) Class E. Such license shall be valid to operate only vehicles which may be operated with a class D license, except that in addition it shall be valid to operate any such motor vehicle, other than a vehicle defined as a bus in subdivision one of section five hundred nine-a of this chapter, used to transport up to fourteen passengers for hire and other than an altered motor vehicle commonly referred to as a "stretch limousine" having a seating capacity of nine or more passengers including the driver.

§ 4. Subparagraph (iv) of paragraph (b) of subdivision 2 of section 501 of the vehicle and traffic law, as amended by section 4 of part E of chapter 58 of the laws of 2016, is amended to read as follows:

(iv) P endorsement. Shall be required to operate a bus as defined in sections one hundred four and five hundred nine-a of this chapter, any altered motor vehicle commonly referred to as a "stretch limousine" having a seating capacity of nine or more passengers including the driver or any motor vehicle with a gross vehicle weight or gross vehicle weight rating of more than twenty-six thousand pounds which is designed to transport passengers in commerce. For the purposes of this subparagraph the gross vehicle weight of a vehicle shall mean the actual weight of the vehicle and the load.

§ 5. This act shall take effect one year after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.