STATE OF NEW YORK

2978--A

Cal. No. 151

2019-2020 Regular Sessions

IN SENATE

January 31, 2019

Introduced by Sens. GAUGHRAN, KAMINSKY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

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:

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

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

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

(c) For the purposes of this subdivision:

(i) "Charter bus" shall mean a bus transporting passengers for compensation in chartered party.

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

(iii) "Commercial global positioning system (GPS) technology" shall mean global positioning system (GPS) technology which has been specif-

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

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ically designed to assist in the navigation of commercial motor vehicles which includes, but is not limited to, selection of routes which take into account the minimum clearance, weight restriction or turning radius of such commercial motor vehicle.

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 This act shall be deemed repealed if any federal agency or any court of competent jurisdiction finally determines that this act would render New York state out of compliance with federal law or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

§ 3. Severability. If any clause, sentence, subdivision, paragraph, section or part of this act be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, subdivision, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 4. This act shall take effect one year after it shall have become a law; provided that the commissioner of transportation shall notify the legislative bill drafting commission upon the occurrence of the provisions of section two of this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers 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.