

STATE OF NEW YORK

309

2019-2020 Regular Sessions

IN SENATE

(Prefiled)

January 9, 2019

Introduced by Sen. FELDER -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the transportation law, in relation to enacting the stretch limousine safety act

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "stretch limousine safety act".

3 § 2. Section 2 of the transportation law is amended by adding a new
4 subdivision 30-a to read as follows:

5 30-a. "Stretch limousine" means a motor vehicle that has been modi-
6 fied, altered or stretched, with a lengthened automobile chassis and is
7 designed for carrying more than ten persons, including the driver.

8 § 3. The transportation law is amended by adding a new section 160 to
9 read as follows:

10 § 160. Provisions related to stretch limousines. 1. Any carrier of
11 passengers which operates a stretch limousine shall retire such stretch
12 limousine from transporting passengers ten years from the date such
13 stretch limousine was first registered in any state.

14 2. a. Any carrier of passengers which operates a stretch limousine
15 shall maintain insurance coverage in the amount of not less than two
16 million dollars per accident.

17 b. No person shall operate a stretch limousine for a carrier of
18 passengers without proof of the insurance coverage required by paragraph
19 a of this subdivision.

20 c. A violation of paragraph a or paragraph b of this subdivision shall
21 be a misdemeanor.

22 3. a. No carrier of passengers which operates a stretch limousine
23 shall transport passengers in a stretch limousine which has failed an

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

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1 inspection conducted pursuant to section one hundred forty of this chap-
2 ter. A violation of this subdivision shall be a class E felony.

3 b. A carrier of passengers which operates a stretch limousine that
4 has failed an inspection pursuant to section one hundred forty of this
5 chapter, shall within ten days take corrective measures and have the
6 vehicle reinspected by the department. If such carrier of passengers
7 fails to reinspect the vehicle within ten days the commissioner may
8 impound the vehicle. The commissioner shall promulgate rules and regu-
9 lations for the return of any such impounded vehicle to the carrier of
10 passengers.

11 4. a. Any carrier of passengers which operates a stretch limousine
12 shall affix on the passenger side front door a certificate evidencing a
13 successful safety inspection that displays the date on which such limou-
14 sine was last successfully inspected. Such certificate shall be equiv-
15 alent in size to a New York state license plate and shall be designed by
16 the commissioner.

17 b. Any carrier of passengers which operates a stretch limousine which
18 has failed a safety inspection shall affix to the passenger side door of
19 such limousine a notice that such limousine is not fit to transport
20 passengers. Such notice shall be equivalent in size to a New York state
21 license plate and shall be designed by the commissioner.

22 c. Failure to affix such certificate as required by paragraph a of
23 this subdivision or such notice as required by paragraph b of this
24 subdivision shall be a misdemeanor.

25 5. Every inspection of a stretch limousine conducted pursuant to
26 section one hundred forty of this chapter shall be made publicly avail-
27 able and posted to the department website.

28 6. Any operator of a stretch limousine shall be required to attend a
29 safety training course for the operation of a stretch limousine and must
30 demonstrate successful completion of said course to be eligible for
31 licensure under state law. The commissioner shall promulgate rules and
32 regulations for said safety training course for the operation of a
33 stretch limousine as defined by this section.

34 § 4. This act shall take effect on the ninetieth day after it shall
35 have become a law, provided, however, that effective immediately, the
36 addition, amendment and/or repeal of any rule or regulation necessary
37 for the implementation of this act on its effective date are authorized
38 to be made and completed on or before such date.