

# STATE OF NEW YORK

5404

2019-2020 Regular Sessions

## IN SENATE

April 30, 2019

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

AN ACT to amend the vehicle and traffic law, the administrative code of the city of New York and the state finance law, in relation to transportation accommodation for passengers with disabilities

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

1 Section 1. Paragraph (d) of subdivision 3 of section 1696 of the vehicle and traffic law, as added by section 2 of part AAA of chapter 59 of the laws of 2017, is amended to read as follows:

2 (d) A TNC shall implement and maintain a policy and an oversight process of providing accessibility to passengers or potential passengers with a disability, including any accommodations required by the Americans with Disabilities Act of 1990, as amended and accommodation of service animals as such term is defined in section one hundred twenty-three-b of the agriculture and markets law and shall to the extent practicable adopt findings established by the New York state TNC accessibility task force adopted pursuant to section twenty-one of ~~[the]~~ part AAA of chapter fifty-nine of the laws of two thousand seventeen ~~[that added this section]~~. A TNC shall implement and maintain a documented policy and oversight process for providing such accessibility. A TNC shall not impose additional charges for providing services to persons with physical disabilities because of those disabilities, nor shall it impose additional charge for providing services to persons using service animals, and it shall make available on the mobile applications of such TNC, or in any other method provided by the TNC for requesting service, the ability to indicate accommodations as required by the Americans with Disabilities Act of 1990 including accommodation of service animals.

22 § 2. The administrative code of the city of New York is amended by adding a new section 19-503.2 to read as follows:

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

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1     § 19-503.2 Passengers with disabilities. a. The commission shall  
2 promulgate rules and regulations which ensure for-hire vehicle services  
3 provide any accommodations required by the Americans with Disabilities  
4 Act of 1990, as amended.

5     b. The commission shall promulgate rules and regulations which ensure  
6 every for-hire vehicle service shall make available on the mobile appli-  
7 cation of such service or in any other method provided by the for-hire  
8 vehicle service for requesting service, the ability to indicate accommo-  
9 dations as required by the Americans with Disabilities Act of 1990  
10 including accommodation of service animals.

11     § 3. Section 1693 of the vehicle and traffic law is amended by adding  
12 a new subdivision 14 to read as follows:

13     14. A TNC shall collect twenty cents per trip provided by such TNC and  
14 deposit the same in the on-demand vehicle accessibility fund established  
15 pursuant to section ninety-b of the state finance law.

16     § 4. The state finance law is amended by adding a new section 90-b to  
17 read as follows:

18     § 90-b. On-demand vehicle accessibility fund. 1. There is hereby  
19 established in the joint custody of the state comptroller and the  
20 department of transportation an account of the miscellaneous special  
21 fund to be known as the on-demand vehicle accessibility fund.

22     2. The comptroller is authorized and directed to receive for deposit  
23 to the credit of the on-demand vehicle accessibility fund designated for  
24 such deposit by law including those derived from the surcharge author-  
25 ized by subdivision fourteen of section sixteen hundred ninety-three of  
26 the vehicle and traffic law.

27     3. Moneys of this account, following appropriation by the legislature,  
28 shall be available to support the state department of transportation for  
29 expenses of providing incentives and investments to ensure accessible  
30 on-demand vehicle service for those with disabilities, including those  
31 with service animals.

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