STATE OF NEW YORK

6185--B

2019-2020 Regular Sessions

IN SENATE

May 21, 2019

Introduced by Sens. MAY, BRESLIN, CARLUCCI, KAPLAN, KENNEDY, LIU, PARKER, SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the transportation law, in relation to requiring the commissioner of transportation to establish methods of reporting safety issues with stretch limousines

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

Section 1. Section 138 of the transportation law is amended by adding a new subdivision 10 to read as follows:

10. (a) In consultation and cooperation with the commissioner of motor vehicles, to establish, maintain, monitor, and publicize a toll-free hotline operated and maintained by the department of motor vehicles through which any person may report safety issues with altered motor vehicles commonly referred to as "stretch limousines" having a seating capacity of nine or more passengers, including the driver, used in the business of transporting passengers for compensation. Upon the establishment of such toll-free hotline, the commissioner and the commissioner of motor vehicles shall require every such altered motor vehicle registered in this state to have posted therein a notice providing the department of transportation's safe limo New York website address and toll-free hotline number, in a form and manner approved by the commissioner of motor vehicles. Such notice shall be posted in a manner legible and conspicuous to passengers in all seating positions of such altered motor vehicles. For the purposes of this subdivision, the term "safety issues" shall include, but not be limited to, the operational

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

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condition and functioning of such altered motor vehicle, motor vehicle safety equipment availability and condition, altered motor vehicle inspection and registration, issues related to certificates or permits issued to such altered motor vehicles for the transportation of passengers by the United States department of transportation or the commissioner, and alleged violations of article nineteen, article nineteen-A, or title VII of the vehicle and traffic law by a person during his or her operation of such an altered motor vehicle.

(b) (i) The commissioner may investigate reports received through such website, and toll-free hotline related to the provisions of this article or article seven of this chapter and, where the commissioner has verified such information, may consider such verified information in the enforcement of such articles, and in setting priorities for enforcement activities.

(ii) The commissioner of motor vehicles may investigate reports received by such website, and toll-free hotline related to the provisions of article five, section three hundred eighty-three, article fourteen, article nineteen, article nineteen-A, and title VII of the vehicle and traffic law and, where substantiated by such commissioner, may consider such substantiated information in the enforcement of articles five, fourteen, and nineteen-A and section three hundred eighty-three of such law, and in setting priorities for enforcement activities.

(iii) In consultation and cooperation with the commissioner of motor vehicles, the commissioner shall report on safety issues reported to such website, and toll-free hotline and related investigations summarizing (A) the total number of safety issue reports received and the type of safety issues reported; (B) the total number of safety issue reports received and the type of safety issues reported where the commissioner or the commissioner of motor vehicles, as applicable, verified the information provided; (C) enforcement actions and other responses taken by the commissioner or the commissioner of motor vehicles, as applicable, to safety issue reports received where the commissioner or the commissioner of motor vehicles, as applicable, has verified such information; and (D) the length of time between the receipt of safety issue reports from such website, or hotline and enforcement action or other response by the commissioner or the commissioner of motor vehicles, as applicable. Such report shall be made publicly available on the department's website in a searchable format, and shall be published no less than once annually. Such report may also be included within the department's annual report submitted pursuant to subdivision thirteen of section fourteen of this chapter.

§ 2. 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.