

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:

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

3 10. (a) In consultation and cooperation with the commissioner of motor
4 vehicles, to establish, maintain, monitor, and publicize a toll-free
5 hotline operated and maintained by the department of motor vehicles
6 through which any person may report safety issues with altered motor
7 vehicles commonly referred to as "stretch limousines" having a seating
8 capacity of nine or more passengers, including the driver, used in the
9 business of transporting passengers for compensation. Upon the estab-
10 lishment of such toll-free hotline, the commissioner and the commis-
11 ioner of motor vehicles shall require every such altered motor vehicle
12 registered in this state to have posted therein a notice providing the
13 department of transportation's safe limo New York website address and
14 toll-free hotline number, in a form and manner approved by the commis-
15 sioner of motor vehicles. Such notice shall be posted in a manner legi-
16 ble and conspicuous to passengers in all seating positions of such
17 altered motor vehicles. For the purposes of this subdivision, the term
18 "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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1 condition and functioning of such altered motor vehicle, motor vehicle
2 safety equipment availability and condition, altered motor vehicle
3 inspection and registration, issues related to certificates or permits
4 issued to such altered motor vehicles for the transportation of passen-
5 gers by the United States department of transportation or the commis-
6 sioner, and alleged violations of article nineteen, article nineteen-A,
7 or title VII of the vehicle and traffic law by a person during his or
8 her operation of such an altered motor vehicle.

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

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

23 (iii) In consultation and cooperation with the commissioner of motor
24 vehicles, the commissioner shall report on safety issues reported to
25 such website, and toll-free hotline and related investigations summariz-
26 ing (A) the total number of safety issue reports received and the type
27 of safety issues reported; (B) the total number of safety issue reports
28 received and the type of safety issues reported where the commissioner
29 or the commissioner of motor vehicles, as applicable, verified the
30 information provided; (C) enforcement actions and other responses taken
31 by the commissioner or the commissioner of motor vehicles, as applica-
32 ble, to safety issue reports received where the commissioner or the
33 commissioner of motor vehicles, as applicable, has verified such infor-
34 mation; and (D) the length of time between the receipt of safety issue
35 reports from such website, or hotline and enforcement action or other
36 response by the commissioner or the commissioner of motor vehicles, as
37 applicable. Such report shall be made publicly available on the depart-
38 ment's website in a searchable format, and shall be published no less
39 than once annually. Such report may also be included within the depart-
40 ment's annual report submitted pursuant to subdivision thirteen of
41 section fourteen of this chapter.

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