

STATE OF NEW YORK

6187--C

2019-2020 Regular Sessions

IN SENATE

May 21, 2019

Introduced by Sens. GAUGHRAN, BRESLIN, CARLUCCI, KENNEDY, LIU, SEWARD, TEDISCO -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report -- 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 vehicle and traffic law, in relation to requiring stretch limousines to use commercial global positioning system technology

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

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

3 54. Stretch limousine commercial GPS. (a) Every stretch limousine
4 registered in this state shall be equipped with commercial global posi-
5 tioning system (GPS) technology within no later than one year of the
6 date upon which the national highway traffic safety administration
7 promulgates final regulations establishing standards for commercial GPS.

8 (b) It shall be unlawful to operate or cause to be operated a stretch
9 limousine registered in this state on any public highway or private road
10 open to public motor vehicle traffic unless such stretch limousine is
11 equipped with commercial global positioning system (GPS) technology as
12 required by this subdivision and such commercial global positioning
13 system (GPS) technology is used. The presence in such stretch limousine
14 of commercial global positioning system (GPS) technology connected to a
15 power source and in an operable condition is presumptive evidence of its
16 use by any person operating such stretch limousine. Such presumption may

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

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1 be rebutted by any credible and reliable evidence which tends to show
2 that such commercial global positioning system (GPS) technology was not
3 in use.

4 (c) For the purposes of this subdivision:

5 (i) "Stretch limousine" shall mean an altered motor vehicle having a
6 seating capacity of nine or more passengers, including the driver,
7 commonly referred to as a "stretch limousine" and which is used in the
8 business of transporting passengers for compensation; and

9 (ii) "Commercial global positioning system (GPS) technology" shall
10 mean global positioning system (GPS) technology which has been specif-
11 ically designed to assist in the navigation of commercial motor vehi-
12 cles.

13 § 2. Severability. If any clause, sentence, subdivision, paragraph,
14 section or part of this act be adjudged by any court of competent juris-
15 diction to be invalid, or if any federal agency determines in writing
16 that this act would render New York state ineligible for the receipt of
17 federal funds, such judgment or written determination shall not affect,
18 impair or invalidate the remainder thereof, but shall be confined in its
19 operation to the clause, sentence, subdivision, paragraph, section or
20 part thereof directly involved in the controversy in which such judgment
21 or written determination shall have been rendered.

22 § 3. This act shall take effect thirty days after it shall have become
23 a law; provided, further, that this act shall be deemed repealed if any
24 federal agency determines in writing that this act would render New York
25 state ineligible for the receipt of federal funds or any court of compe-
26 tent jurisdiction finally determines that this act would render New York
27 state out of compliance with federal law or regulation; and provided
28 that the commissioner of transportation shall notify the legislative
29 bill drafting commission upon the occurrence of the provisions of this
30 act in order that the commission may maintain an accurate and timely
31 effective data base of the official text of the laws of the state of New
32 York in furtherance of effectuating the provisions of section 44 of the
33 legislative law and section 70-b of the public officers law. Effective
34 immediately, the addition, amendment and/or repeal of any rule or regu-
35 lation necessary for the implementation of this act on its effective
36 date are authorized to be made and completed on or before such effective
37 date.