

# STATE OF NEW YORK

6192--A

2019-2020 Regular Sessions

## IN SENATE

May 21, 2019

Introduced by Sens. KENNEDY, BRESLIN, CARLUCCI, GAUGHRAN, KAPLAN, LIU, PARKER, TEDISCO -- 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

AN ACT to amend the transportation law and the vehicle and traffic law, in relation to stretch limousine safety requirements and changing the class of license required to operate stretch limousines

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

1 Section 1. Subdivisions 11 and 12 of section 151 of the transportation  
2 law, subdivision 11 as amended and subdivision 12 as added by chapter  
3 330 of the laws of 2005, are amended to read as follows:  
4 11. As a taxi or livery service, except for transportation services  
5 that are designed for the transportation of transportation-disabled  
6 persons, conducted in vehicles having a seating capacity of less than  
7 fifteen passengers pursuant to the jurisdiction or regulatory control of  
8 a municipality, other than a city with a population over one million,  
9 authorized to adopt an ordinance relating to both registration and  
10 licensing pursuant to subdivision one of section one hundred eighty-one  
11 of the general municipal law, when service is conducted wholly within  
12 such municipality and when such service is available to the general  
13 public on a prearranged or demand-response basis over a non-specified or  
14 irregular route with the point or points of pick-up and discharge deter-  
15 mined by the passenger, but such taxi or livery service shall not  
16 include van service. For the purpose of this subdivision, the term  
17 "livery service" shall include the term "limousines" as used in subdivi-  
18 sion one of section one hundred eighty-one of the general municipal law.  
19 Provided, however, that altered motor vehicles commonly referred to as  
20 "stretch limousines" having a seating capacity of nine or more passen-

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

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1 gers including the driver shall be subject to the provisions of section  
2 one hundred forty of this chapter.

3 12. As a taxi or livery service conducted in vehicles having a seating  
4 capacity of twenty passengers or less pursuant to the jurisdiction or  
5 regulatory control of a city with a population over one million, when  
6 such service is conducted wholly within such a city; provided, however,  
7 that vehicles having a seating capacity of fifteen or more passengers  
8 and altered motor vehicles commonly referred to as "stretch limousines"  
9 having a seating capacity of nine or more passengers including the driv-  
10 er shall be subject to the provisions of section one hundred forty of  
11 this chapter.

12 § 2. Subdivision 1 of section 501-a of the vehicle and traffic law, as  
13 added by chapter 173 of the laws of 1990, is amended to read as follows:

14 1. Commercial driver's license or CDL. A class A or B driver's license  
15 or a class C driver's license which bears an H, P or X endorsement,  
16 which licenses contain the legend commercial driving license or CDL  
17 thereon and which is issued in accordance with the commercial motor  
18 vehicle safety act of 1986, public law 99-570, title XII, and this arti-  
19 cle which authorizes a person to operate a commercial motor vehicle and  
20 an altered motor vehicle commonly referred to as a "stretch limousine"  
21 having a seating capacity of nine or more passengers including the driv-  
22 er.

23 § 3. Subparagraphs (ii) and (v) of paragraph (a) of subdivision 2 of  
24 section 501 of the vehicle and traffic law, subparagraph (ii) as amended  
25 by chapter 696 of the laws of 1990, and subparagraph (v) as added by  
26 chapter 173 of the laws of 1990, are amended to read as follows:

27 (ii) Class B. Such license shall be valid to operate any vehicle or  
28 combination of vehicles which may be operated with a class E license and  
29 shall be valid to operate any motor vehicle or any such vehicle, other  
30 than a tractor, towing a vehicle having a GVWR of not more than ten  
31 thousand pounds and shall be valid to operate any altered motor vehicle  
32 commonly referred to as a "stretch limousine" having a seating capacity  
33 of nine or more passengers including the driver except it shall not be  
34 valid to operate a motorcycle other than a class B or C limited use  
35 motorcycle.

36 (v) Class E. Such license shall be valid to operate only vehicles  
37 which may be operated with a class D license, except that in addition it  
38 shall be valid to operate any such motor vehicle, other than a vehicle  
39 defined as a bus in subdivision one of section five hundred nine-a of  
40 this chapter, used to transport up to fourteen passengers for hire and  
41 other than an altered motor vehicle commonly referred to as a "stretch  
42 limousine" having a seating capacity of nine or more passengers includ-  
43 ing the driver.

44 § 4. Subparagraph (iv) of paragraph (b) of subdivision 2 of section  
45 501 of the vehicle and traffic law, as amended by section 4 of part E of  
46 chapter 58 of the laws of 2016, is amended to read as follows:

47 (iv) P endorsement. Shall be required to operate a bus as defined in  
48 sections one hundred four and five hundred nine-a of this chapter, any  
49 altered motor vehicle commonly referred to as a "stretch limousine"  
50 having a seating capacity of nine or more passengers including the driv-  
51 er or any motor vehicle with a gross vehicle weight or gross vehicle  
52 weight rating of more than twenty-six thousand pounds which is designed  
53 to transport passengers in commerce. For the purposes of this subpara-  
54 graph the gross vehicle weight of a vehicle shall mean the actual weight  
55 of the vehicle and the load.

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