STATE OF NEW YORK

5774--B

Cal. No. 219

2019-2020 Regular Sessions

IN ASSEMBLY

February 19, 2019

Introduced by M. of A. SANTABARBARA, LUPARDO, SEAWRIGHT, ROMEO, BRONSON, CRESPO, TAYLOR, JOYNER, DE LA ROSA, DAVILA, ARROYO, DICKENS, GALEF, O'DONNELL, GUNTHER, WRIGHT, WALKER, GRIFFIN, STECK, FAHY, CRUZ, ASHBY, TAGUE -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- ordered to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the vehicle and traffic law and the transportation law, in relation to motor carriers of stretch limousines

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

Section 1. Section 509-d of the vehicle and traffic law is amended by adding a new subdivision 5-a to read as follows:

(5-a) Every motor carrier shall furnish the department, beginning no later than July first, two thousand twenty-one and annually thereafter, a list of each altered motor vehicle commonly referred to as a "stretch limousine", if any, designed to carry ten or more passengers in addition to the driver that such motor carrier operates pursuant to operating authority issued by the commissioner of transportation, including the vehicle identification number and registration number of each such altered motor vehicle, and a list of all drivers such motor carrier employs who drive such altered motor vehicles and whether such driver is qualified or has been disqualified to operate such altered motor vehicle pursuant to this article.

§ 2. Subdivision 1 of section 509-m of the vehicle and traffic law, as added by chapter 675 of the laws of 1985, is amended to read as follows:

1. At least once every three years, review the bus driver files of each motor carrier, provided, however, that the commissioner may review such bus driver files at his discretion at any other time during regular business hours. **Provided, however, that the commissioner shall review**

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

LBD05406-04-9

at least annually the bus driver files of each driver employed by a motor carrier who operates an altered motor vehicle commonly referred to as a "stretch limousine" designed to carry ten or more passengers in addition to the driver pursuant to operating authority issued by the commissioner of transportation, and annually verify whether each such driver holds a valid driver's license valid for the operation of such altered motor vehicle.

§ 3. Section 509-m of the vehicle and traffic law is amended by adding a new subdivision 8 to read as follows:

8. Maintain and annually update its website to provide information with regard to each motor carrier that operates altered motor vehicles commonly referred to as "stretch limousines" designed to carry ten or more passengers in addition to the driver pursuant to operating authority issued by the commissioner of transportation that includes the motor carrier's name, location and region of operation including place of address, whether such motor carrier is in compliance with this article as required by section five hundred nine-j of this article in relation to the operation of such altered motor vehicles, the number and nature of violations of this article resulting in convictions of such motor carrier in relation to the operation of such altered motor vehicles, the number of miles traveled by such altered motor vehicles operated by such motor carrier in the preceding twelve months, and, with respect to drivers employed by such motor carrier operating such altered motor vehicles, the total number so employed, the number holding valid licenses which are valid for the operation of such altered motor vehicles, the number which lack licenses valid for such operation, the number disqualified from operating such altered motor vehicles, the number of convictions and accidents involving any such driver employed by such motor carrier during the preceding twelve months, and the number of convictions and accidents per ten thousand miles traveled. The commissioner shall provide comparable data on such altered motor vehicles designed to carry nine or more passengers including the driver to the extent such information is maintained or made available to the department.

§ 4. Subdivision 9 of section 138 of the transportation law, as added by section 16 of part III of chapter 59 of the laws of 2019, is amended to read as follows:

9. To maintain and annually update its website to provide information with regard to each bus operator or motor carrier under subparagraphs (ii) and (vi) of paragraph a of subdivision two of section one hundred forty of this [~~chapter~~] article requiring department operating authority that includes the bus operator's or motor carrier's name, number of inspections, number of out of service orders, operator identification number, location and region of operation including place of address, percentile to which [~~a~~] an operator or motor carrier falls with respect to out of service defects, the number or percentage of out of service defects where pursuant to the commissioner's regulations no inspection certificate shall be issued until the defect is repaired and a re-inspection is conducted, and the number of serious physical injury or fatal crashes involving a for-hire vehicle requiring operating authority pursuant to this article.

§ 5. This act shall take effect on the one hundred eightieth day 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.