

STATE OF NEW YORK

5830

2019-2020 Regular Sessions

IN SENATE

May 15, 2019

Introduced by Sen. SERINO -- read twice and ordered printed, and when printed to be committed to the Committee on Aging

AN ACT to amend the elder law, in relation to an economically sustainable transportation demonstration program

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

1 Section 1. Subdivisions 2, 3, 4 and 6 of section 223 of the elder law,
2 as added by section 3 of part J of chapter 57 of the laws of 2006, are
3 amended to read as follows:

4 2. The director shall establish the economically sustainable transpor-
5 tation demonstration program for the purpose of enabling seniors to
6 remain independent and mobile in their community. The program would
7 provide an on demand transit service for seniors [~~that would use~~ estab-
8 lishing, at a minimum, operational hours during normal business hours
9 using automobiles driven by volunteer and paid drivers to transport
10 seniors to where they need and want to go. [~~After a period of five~~
11 ~~years, the program would no longer be eligible for state funding and~~
12 ~~would be completely self-sustaining, relying on consumer fares and~~
13 ~~voluntary community support to remain operational.~~]

14 3. Before carrying out the economically sustainable transportation
15 demonstration program, the director shall enter into a contract or a
16 cooperative agreement with an eligible entity to provide recommendations
17 and support to the director regarding the administration of such a
18 program. [~~(a)~~] The eligible entity that enters into a contract or agree-
19 ment under subdivision three of this section shall:

20 [~~(1)~~] (a) Provide initial and ongoing technical assistance and support
21 to the director for the administration of the sustainable transportation
22 demonstration program.

23 [~~(2)~~] (b) Provide initial and ongoing technical assistance to econom-
24 ically sustainable transportation providers.

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

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1 ~~[(3)]~~ (c) Provide recommendation to the director about the establish-
2 ment of, and requirements concerning locations where the economically
3 sustainable transportation services will be provided in the state.

4 ~~[(4)]~~ (d) Provide recommendations to the director for the creation and
5 use of qualified transportation accounts for the transportation
6 services, including the provisions that such an account:

7 ~~[(i)]~~ (1) may be funded with credits or funds equal to the value of a
8 vehicle traded to an economically sustainable transportation provider
9 by, or on behalf of, a qualified individual, or by other means;

10 ~~[(ii)]~~ (2) shall be used only to provide transportation services to
11 the qualified individual;

12 ~~[(iii)]~~ (3) shall have a designated beneficiary; and

13 ~~[(iv)]~~ (4) shall be transferable to an individual other than the qual-
14 ified individual.

15 ~~[(5)]~~ (e) Provide recommendations to the director regarding partic-
16 ipation in any federal grant program for an economically sustainable
17 transportation program.

18 (f) Provide recommendations to the director about the establishment of
19 rules and regulations considering requisite automobile and liability
20 insurance requirements as well as any other necessary rules and regu-
21 lations to facilitate the implementation of the program. Nothing in this
22 section shall preclude the director from consulting with the department
23 of motor vehicles, the department of financial services, or any other
24 state agencies who may provide support.

25 4. After receiving the recommendations and support described in subdivi-
26 sion three of this section, the director shall promulgate rules and
27 regulations for the implementation of the program and develop a request
28 for proposal to carry out the economically sustainable demonstration
29 program.

30 6. ~~[Within amounts appropriated, the]~~ The director shall establish a
31 pilot program within amounts appropriated therefor, in up to five coun-
32 ties, each with not more than seven hundred fifty thousand persons as of
33 the two thousand ten United States census, or a collaborative project of
34 two contiguous counties that each do not have more than four hundred
35 thousand persons as of the two thousand ten United States census. The
36 director shall make grants available to qualified economically sustaina-
37 ble transportation providers of no less than fifty-five thousand dollars
38 per grantee ~~[in the first year of the operation of the program]~~. Each
39 provider shall be required to submit a report to the director within one
40 year of the implementation of such pilot program which shall include,
41 but not be limited to, documentation of participation rates, any imped-
42 iments to implementation encountered, steps taken to ensure sustainabil-
43 ity of the program and proposals for expansion to other service areas.
44 Such providers shall be eligible to receive funding under this section
45 annually for up to five years. After such time, providers must be able
46 to provide economically sustainable transportation services without
47 receiving further public financial assistance for operating or capital
48 expenses.

49 § 2. This act shall take effect immediately.