

STATE OF NEW YORK

6187--B

2019-2020 Regular Sessions

IN SENATE

May 21, 2019

Introduced by Sens. GAUGHRAN, CARLUCCI, KENNEDY, LIU, 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

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.

6 (b) It shall be unlawful to operate or cause to be operated a stretch
7 limousine registered in this state on any public highway or private road
8 open to public motor vehicle traffic unless such stretch limousine is
9 equipped with commercial global positioning system (GPS) technology as
10 required by this subdivision and such commercial global positioning
11 system (GPS) technology is used. The presence in such stretch limousine
12 of commercial global positioning system (GPS) technology connected to a
13 power source and in an operable condition is presumptive evidence of its
14 use by any person operating such stretch limousine. Such presumption may
15 be rebutted by any credible and reliable evidence which tends to show
16 that such commercial global positioning system (GPS) technology was not
17 in use.

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

LBD11954-12-9

1 (c) For the purposes of this subdivision:

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

6 (ii) "Commercial global positioning system (GPS) technology" shall
7 mean global positioning system (GPS) technology which has been specif-
8 ically designed to assist in the navigation of commercial motor vehicles
9 which includes, but is not limited to, selection of routes which take
10 into account the minimum clearance, weight restriction, or turning radi-
11 us of such commercial motor vehicle.

12 § 2. This act shall be deemed repealed if any federal agency finally
13 determines that this act would render New York state ineligible for the
14 receipt of federal funds or any court of competent jurisdiction finally
15 determines that this act would render New York state out of compliance
16 with federal law or regulation.

17 § 3. Severability. If any clause, sentence, subdivision, paragraph,
18 section or part of this act be adjudged by any court of competent juris-
19 diction to be invalid, such judgment shall not affect, impair or invali-
20 date the remainder thereof, but shall be confined in its operation to
21 the clause, sentence, subdivision, paragraph, section or part thereof
22 directly involved in the controversy in which such judgment shall have
23 been rendered.

24 § 4. This act shall take effect one year after it shall have become a
25 law; provided that the commissioner of transportation shall notify the
26 legislative bill drafting commission upon the occurrence of the
27 provisions of section two of this act in order that the commission may
28 maintain an accurate and timely effective data base of the official text
29 of the laws of the state of New York in furtherance of effectuating the
30 provisions of section 44 of the legislative law and section 70-b of the
31 public officers law. Effective immediately, the addition, amendment
32 and/or repeal of any rule or regulation necessary for the implementation
33 of this act on its effective date are authorized to be made and
34 completed on or before such effective date.