STATE OF NEW YORK

6189

2019-2020 Regular Sessions

IN SENATE

May 21, 2019

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

AN ACT to establish the passenger safety task force on safety for passengers transported by stretch limousines

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

Section 1. Passenger safety task force. 1. The passenger safety task force is hereby established, and shall consist of twenty members including two co-chairs who will share joint responsibility for carrying out its charge. The chairs shall be the commissioner of the New York department of motor vehicles, or his or her designee, and the commissioner of the New York department of transportation, or his or her designee. The additional eighteen members shall include:

a. eleven representatives, each of whom shall be an owner or commercial operator of stretch limousines from each of the eleven New York department of transportation regions;

b. the superintendent of the New York state police, or his or her designee;

c. two members who shall be appointed by the governor, one of whom is a community safety advocate;

d. two members who shall be appointed by the temporary president of the senate, one of whom is a community safety advocate; and

e. two members who shall by appointed by the speaker of the assembly, one of whom is a community safety advocate.

2. Members of the task force shall serve without compensation.

3. The task force shall undertake a review of the actions and measures that are needed to ensure safe, adequate, efficient and reliable passenger transportation by stretch limousine and shall issue a final report and make recommendations regarding:

a. the promotion of enhanced coordination and uniformity between the New York department of motor vehicles and the New York department of

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

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transportation regarding the regulation of stretch limousines, including an examination into how the department of transportation and department of motor vehicles can share necessary information, including but not limited to inspection status and relevant traffic or criminal convictions, in real time;

b. the establishment and adoption of a uniform safety training program for drivers. Such program should include a component which shall train drivers to conduct a safety demonstration with passengers instructing them on the use of seatbelts and any other relevant safety measures that may be deemed useful;

c. the appropriateness of extending federal regulations that currently apply to bus drivers to stretch limousines, including, but not limited to extending the requirement for alcohol and drug testing to drivers of vehicles with ten occupants or more;

d. establishing a limit on the maximum allowable time frame for stretch limousines to be permitted to operate on state roadways, including a possible limit of ten years or 350,000 miles;

e. the need for additional safety measures, including traffic safety measures such as prohibiting drivers from making U-turns or the use of hands-free devices while operating a stretch limousine except in cases of emergency or for purposes of dispatch, and requiring that certain safety features be installed in these vehicles, including but not limited to requiring multiple anti-intrusion bars in side panels, carbon monoxide monitors, and rear view cameras, airbags, speed restriction or governing devices to limit top vehicle speeds, New York state owned and operated inspection stations solely for stretch limousines, random on-site stretch limousine inspections, appropriate notice or signage for customers, and the feasibility and necessity of having New York state run crash testing for stretch limousines; and

f. increasing the minimum age for drivers to obtain a license to operate stretch limousines.

4. The task force shall convene at least one public forum in the state for purposes of soliciting public commentary on stretch limousine safety. The task force shall, within six months of convening, issue a final report and recommendations to the governor, the temporary president of the senate, and the speaker of the assembly.

5. For the purposes of this act, "stretch limousine" shall mean any for hire vehicle with a chassis which was manufactured and then altered for the purpose of transporting nine or more occupants, including the driver.

6. To effectuate the purposes of this act, the task force may request and shall receive from any department, division, board, bureau, commission or other agency of the state or any state public authority such assistance, information and data as will enable the board properly to carry out its powers and duties hereunder. Provided, however, that nothing set forth in this section shall be construed to impede, infringe or diminish the rights and benefits that accrue to employees and employers through collective bargaining agreements, or impact or change an employee's membership in a bargaining unit.

§ 2. This act shall take effect on the thirtieth day after it shall have become a law.