

STATE OF NEW YORK

6189--A

Cal. No. 1087

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 -- 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

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:

- 1 Section 1. Passenger safety task force. 1. The passenger safety task
2 force is hereby established, and shall consist of twenty members includ-
3 ing two co-chairs who will share joint responsibility for carrying out
4 its charge. The chairs shall be the commissioner of the New York depart-
5 ment of motor vehicles, or his or her designee, and the commissioner of
6 the New York department of transportation, or his or her designee. The
7 additional eighteen members shall include:
- 8 a. eleven representatives, each of whom shall be an owner or commer-
9 cial operator of stretch limousines from each of the eleven New York
10 department of transportation regions;
 - 11 b. the superintendent of the New York state police, or his or her
12 designee;
 - 13 c. two members who shall be appointed by the governor, one of whom is
14 a community safety advocate;
 - 15 d. two members who shall be appointed by the temporary president of
16 the senate, one of whom is a community safety advocate; and
 - 17 e. two members who shall be appointed by the speaker of the assembly,
18 one of whom is a community safety advocate.
- 19 2. Members of the task force shall serve without compensation.
20 3. The task force shall undertake a review of the actions and measures
21 that are needed to ensure safe, adequate, efficient and reliable passen-

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

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1 ger transportation by stretch limousine and shall issue a final report
2 and make recommendations regarding:

3 a. the promotion of enhanced coordination and uniformity between the
4 New York department of motor vehicles and the New York department of
5 transportation regarding the regulation of stretch limousines, including
6 an examination into how the department of transportation and department
7 of motor vehicles can share necessary information, including but not
8 limited to inspection status and relevant traffic or criminal
9 convictions, in real time;

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

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

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

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

34 f. increasing the minimum age for drivers to obtain a license to oper-
35 ate stretch limousines.

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

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

45 6. To effectuate the purposes of this act, the task force may request
46 and shall receive from any department, division, board, bureau, commis-
47 sion or other agency of the state or any state public authority such
48 assistance, information and data as will enable the board properly to
49 carry out its powers and duties hereunder. Provided, however, that noth-
50 ing set forth in this section shall be construed to impede, infringe or
51 diminish the rights and benefits that accrue to employees and employers
52 through collective bargaining agreements, or impact or change an employ-
53 ee's membership in a bargaining unit.

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