

STATE OF NEW YORK

6189--B

2019-2020 Regular Sessions

IN SENATE

May 21, 2019

Introduced by Sens. KAPLAN, BRESLIN, CARLUCCI, KENNEDY, LIU, PARKER, 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 establish the stretch limousine passenger safety task force; and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. Stretch limousine passenger safety task force. 1. There is
2 hereby created the "stretch limousine passenger safety task force",
3 hereinafter referred to as the "task force", to conduct a comprehensive
4 review of matters influencing the safety, adequacy, efficiency, and
5 reliability of stretch limousine transportation of passengers for
6 compensation.
7 2. Such task force shall consist of twenty-one members which shall
8 include the commissioner of motor vehicles or his or her designee, the
9 commissioner of transportation or his or her designee, the superinten-
10 dent of the New York state police or his or her designee, and eighteen
11 other members to be appointed by the governor as follows: three upon the
12 recommendation of the temporary president of the senate, three upon the
13 recommendation of the speaker of the assembly, one upon the recommenda-
14 tion of the minority leader of the senate, one upon the recommendation
15 of the minority leader of the assembly, and ten without recommendation
16 from any other person. Of the appointed members, two shall have exper-
17 tise in fields or disciplines related to motor vehicle occupant

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

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1 protection, two shall have expertise in fields or disciplines related to
2 motor vehicle crash avoidance and crash-worthiness, two shall have
3 expertise in fields or disciplines related to motor vehicle alteration
4 and construction, two shall have expertise in fields or disciplines
5 related to commercial motor vehicle driver training, two shall be repre-
6 sentative of the traffic safety community, two shall be representative
7 of the consumer protection and public health and safety community, and
8 six shall be representative of owner or commercial operator of stretch
9 limousines from each of the six motor carrier safety assistance program
10 (MCSAP) regions as established by the commissioner of transportation.

11 3. Members of the task force shall serve without compensation. Any
12 vacancies on the task force shall be filled in the manner provided for
13 in the initial appointment.

14 4. The commissioner of transportation and the commissioner of motor
15 vehicles shall serve as joint chairs of the task force.

16 5. The task force shall be authorized to hold public hearings and
17 meetings, and to consult with any organization, educational institution,
18 or other government entity or person, to enable it to accomplish its
19 duties. The task force shall hold at least one public hearing in the
20 state for the purpose of soliciting public comment on stretch limousine
21 safety.

22 6. To effectuate the purposes of this act, the task force may request
23 and shall receive from any department, division, board, bureau, commis-
24 sion or other agency of the state or any state public authority such
25 assistance, information and data as will enable the task force to prop-
26 erly carry out its powers and duties hereunder.

27 7. The task force shall undertake a review of the actions and measures
28 that are needed to ensure safe, adequate, efficient and reliable for-
29 hire passenger transportation by stretch limousine and make recommenda-
30 tions regarding:

31 a. enhanced coordination between the department of motor vehicles and
32 the department of transportation regarding the regulation of stretch
33 limousines, including an examination into how the department of trans-
34 portation and department of motor vehicles can share necessary informa-
35 tion related to stretch limousines and their operators including, but
36 not limited to, inspection status, registration status, operating
37 certificate or permit status, and relevant traffic or criminal
38 convictions, in real time, and regarding the best uses for a smartphone
39 application, website, or hotline;

40 b. the establishment and adoption of a uniform safety training program
41 for drivers of stretch limousines, including a component to train such
42 drivers to conduct a safety demonstration with passengers instructing
43 them on the use of seatbelts and any other relevant safety measures that
44 may be deemed useful;

45 c. the appropriateness of extending vehicle and traffic law require-
46 ments and regulations that currently apply to bus drivers under article
47 19-A of such law to drivers of stretch limousines;

48 d. the appropriateness of establishing a limit on the maximum allow-
49 able time frame for stretch limousines to be permitted to operate on
50 roadways within the state, such as a possible limit of ten years or
51 350,000 miles;

52 e. a review of federal laws and rules as they relate to the regulation
53 of stretch limousines, including but not limited to, identification of
54 the subject areas specifically regulated by federal laws and rules,
55 whether and to what extent federal laws and rules preempt state action
56 with respect to the regulation of stretch limousines, and areas of

1 stretch limousine regulation which are subject to oversight by the
2 states; and

3 f. the need for additional safety measures for stretch limousines,
4 including, but not limited to, increasing the minimum age for drivers to
5 obtain a license to operate stretch limousines; the installation of
6 safety features in such vehicles such as multiple anti-intrusion bars in
7 side panels, roll-over protection devices such as cages or pillars, rear
8 emergency exits including push-out windows, rear view cameras, airbags,
9 carbon monoxide monitors, and speed restriction or governing devices to
10 limit top vehicle speeds; appropriate notice or signage for customers
11 and passengers; and the feasibility and necessity of having New York
12 state run crash testing for stretch limousines.

13 8. The task force shall, on or before May 1, 2021, issue a final
14 report and recommendations to the governor, the temporary president of
15 the senate, and the speaker of the assembly.

16 9. For the purposes of this act, the term "stretch limousine" shall
17 mean any motor vehicle with a chassis which was altered post-manufacture
18 and having a seating capacity of nine or more passengers, including the
19 driver, used in the business of transporting passengers for compen-
20 sation.

21 § 2. This act shall take effect on the thirtieth day after it shall
22 have become a law and shall expire and be deemed repealed December 31,
23 2021.