# 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:**

Section 1. Stretch limousine passenger safety task force. 1. There is hereby created the "stretch limousine passenger safety task force", hereinafter referred to as the "task force", to conduct a comprehensive review of matters influencing the safety, adequacy, efficiency, and reliability of stretch limousine transportation of passengers for compensation.

2. Such task force shall consist of twenty-one members which shall include the commissioner of motor vehicles or his or her designee, the commissioner of transportation or his or her designee, the superintendent of the New York state police or his or her designee, and eighteen other members to be appointed by the governor as follows: three upon the recommendation of the temporary president of the senate, three upon the recommendation of the speaker of the assembly, one upon the recommendation of the minority leader of the senate, one upon the recommendation of the minority leader of the assembly, and ten without recommendation from any other person. Of the appointed members, two shall have expertise 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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protection, two shall have expertise in fields or disciplines related to motor vehicle crash avoidance and crash-worthiness, two shall have expertise in fields or disciplines related to motor vehicle alteration and construction, two shall have expertise in fields or disciplines related to commercial motor vehicle driver training, two shall be representative of the traffic safety community, two shall be representative of the consumer protection and public health and safety community, and six shall be representative of owner or commercial operator of stretch limousines from each of the six motor carrier safety assistance program (MCSAP) regions as established by the commissioner of transportation.

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

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

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

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 task force to properly carry out its powers and duties hereunder.

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

a. enhanced coordination between the department of motor vehicles and the department of 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 related to stretch limousines and their operators including, but not limited to, inspection status, registration status, operating certificate or permit status, and relevant traffic or criminal convictions, in real time, and regarding the best uses for a smartphone application, website, or hotline;

b. the establishment and adoption of a uniform safety training program for drivers of stretch limousines, including a component to train such 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 vehicle and traffic law requirements and regulations that currently apply to bus drivers under article 19-A of such law to drivers of stretch limousines;

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

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

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

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

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

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

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