STATE OF NEW YORK

6191--C

2019-2020 Regular Sessions

IN SENATE

May 21, 2019

Introduced by Sens. KENNEDY, BRESLIN, CARLUCCI, GAUGHRAN, KAPLAN, LIU, PARKER, SEWARD, 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 -- 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 the installation of safety belts in stretch limousines, and the posting of notice therein

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

Section 1. Paragraph (c) of subdivision 1 of section 383 of the vehicle and traffic law, as added by chapter 86 of the laws of 1968, is amended and a new paragraph (d) is added to read as follows:

(c) A motor vehicle manufactured or assembled on or after January first, nineteen hundred sixty-eight, at least one safety belt for each passenger seat position[~~.~~]**;**

(d) An altered motor vehicle commonly referred to as a "stretch limousine" which was altered on or after January first, two thousand twenty-one, at least two safety belts for the front seat, and at least one safety belt for the rear seat for each passenger for which the rear seat of such vehicle was designed, and at least one safety belt for each passenger seat position.

§ 2. Section 383 of the vehicle and traffic law is amended by adding a new subdivision 1-a to read as follows:

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

LBD11415-06-0

1-a. No altered motor vehicle commonly referred to as a "stretch limousine" which was altered prior to January first, two thousand twenty-one shall be sold or registered in this state and no such altered motor vehicle altered prior to January first, two thousand twenty-one registered in this state shall be operated in this state unless such vehicle is retrofitted and equipped with safety belts approved by and conforming to standards established by the commissioner as follows: at least two safety belts for the front seat, and at least one safety belt for the rear seat for each passenger for which the rear seat of such vehicle was designed, and at least one safety belt for each passenger seat position.

§ 3. Subdivision 4-b of section 383 of the vehicle and traffic law, as added by chapter 495 of the laws of 2003, is amended to read as follows:

4-b. Taxicabs [~~and~~], liveries, and stretch limousines. All seat safety belts installed in a taxicab or livery vehicle or in an altered motor vehicle commonly referred to as a "stretch limousine" pursuant to this section shall be clearly visible, accessible and maintained in good working order, and no seat safety belt installed in such taxicab or livery vehicle or altered motor vehicle shall be removed therefrom.

§ 4. Subdivision 51 of section 375 of the vehicle and traffic law, as added by chapter 495 of the laws of 2003, is amended to read as follows:

51. Taxicab [~~and~~], livery and stretch limousine notices. (a) Every taxicab [~~and~~], livery, and altered motor vehicle commonly referred to as a "stretch limousine" which was altered on or after January first, two thousand twenty-one or retrofitted pursuant to subdivision one-a of section three hundred eighty-three of this article registered in this state shall have posted therein the following notice: "Seatbelts must be available for your use. Please buckle up."

(b) The notices required to be posted pursuant to paragraph (a) of this subdivision shall be posted in a manner legible and conspicuous to passengers in all seating positions of such vehicles.

§ 5. Severability. If any clause, sentence, subdivision, paragraph, section or part of this act be adjudged by any court of competent jurisdiction to be invalid, or if any federal agency determines in writing that this act would render New York state ineligible for the receipt of federal funds, such judgment or written determination shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, subdivision, paragraph, section or part thereof directly involved in the controversy in which such judgment or written determination shall have been rendered.

§ 6. This act shall take effect January 1, 2021; provided, however, that section two of this act shall take effect two years after this act shall have become a law; provided, further, this act shall be deemed repealed if any federal agency determines in writing that this act would render New York state ineligible for the receipt of federal funds or any court of competent jurisdiction finally determines that this act would render New York state out of compliance with federal law or regulation. The commissioner of motor vehicles or the commissioner of transportation shall notify the legislative bill drafting commission upon the occurrence of any federal agency determining in writing that this act would render New York state ineligible for the receipt of federal funds or any court of competent jurisdiction finally determines that this act would render New York state out of compliance with federal law or regulation in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the

legislative law and section 70-b of the public officers law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.