STATE OF NEW YORK

7909

IN SENATE

March 2, 2020

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

AN ACT to amend the vehicle and traffic law, in relation to requiring fingerprinting as part of the criminal background check for a TNC driver

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

Section 1. Subdivision 1 and paragraph (a) of subdivision 2 of section 1699 of the vehicle and traffic law, as added by section 2 of part AAA of chapter 59 of the laws of 2017, are amended to read as follows:

1. A TNC shall conduct, or have a third party conduct, a criminal history background check using a lawful method approved by the department pursuant to paragraph (a) of subdivision two of this section for persons applying to drive for such company**, provided that such criminal history background check shall include without limitation, fingerprinting for the purpose of securing criminal history records from both the state division of criminal justice services and the federal bureau of investigation**.

(a) The method used to conduct a criminal history background check pursuant to subdivision one of this section shall be established in regulations adopted by the department within thirty days of the [~~effective date of this subdivision~~] **chapter of the laws of two thousand twenty that amended this paragraph takes effect**. To ensure safety of the passengers and the public such regulations shall establish the method used to conduct such background checks and any processes and operations necessary to complete such checks**, including without limitation, criminal history background checks that consist of fingerprinting as described in subdivision one of this section**. The review of criminal history information and determinations about whether or not an applicant is issued a TNC driver permit shall be controlled by paragraphs (b), (c) and (d) of this subdivision.

§ 2. This act shall take effect on the thirtieth of January next succeeding the date on which it shall have become a 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.

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

LBD14940-01-0