STATE OF NEW YORK

5320

2021-2022 Regular Sessions

IN SENATE

March 2, 2021

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Cities 1

AN ACT to amend the administrative code of the city of New York, in relation to allowing commuter vans to accept hails from prospective passengers in the street; and to repeal certain provisions of such law relating thereto

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

Section 1. Subdivision p of section 19-502 of the administrative code of the city of New York, as amended by local law number 37 of the city of New York for the year 2019, is amended to read as follows:

p. "Commuter van" means a commuter van service having a seating capacity of at least nine passengers but not more than twenty passengers or such greater capacity as the commission may establish by rule and carrying passengers for hire in the city duly licensed as a commuter van by the commission [~~and not permitted to accept hails from prospective passengers in the street~~]. For purposes of the provisions of this chapter relating to prohibitions against the operation of an unauthorized commuter van service or an unlicensed commuter van, the enforcement of such prohibitions and the imposition of penalties for violations of such prohibitions and to the seizure and forfeiture of commuter vans, the term shall also include any common carrier of passengers by motor vehicle not subject to licensure as a taxicab, for-hire vehicle, or wheelchair accessible van and not operating as a public or private bus transit service operated pursuant to a contract with the city, any county within the state of New York, the state of New York or any other state or local government that follows the applicable procurement rules and regulations of such jurisdiction regardless of the seating capacity of any such vehicle. The commission shall submit to the council the text of any proposed rule relating to the maximum capacity of commuter vans at the time such proposed rule is published in the City Record.

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

LBD05474-01-1

§ 2. Paragraph 1 of subdivision a of section 19-504 of the administrative code of the city of New York, as amended by local law number 115 of the city of New York for the year 1993, is amended to read as follows:

(1) A taxi-cab, coach, wheelchair accessible van, commuter van or for-hire vehicle shall operate within the city of New York only if the owner shall first have obtained from the commission a taxicab, coach, wheelchair accessible van, commuter van or for-hire vehicle license for such vehicle and only while such license is in full force and effect. Vehicle licenses shall be issued for a term of not less than one nor more than two years and shall expire on the date set forth on the license unless sooner suspended or revoked by the commission. No motor vehicle other than a duly licensed taxicab **or commuter van** shall be permitted to accept hails from passengers in the street. No commuter van shall be operated within the city of New York unless it is operated as part of a current, valid authorization to operate a commuter van service duly issued by the commission pursuant to section 19-504.2 of this chapter.

§ 3. The section heading and subdivision a of section 19-516 of the administrative code of the city of New York, the section heading as amended by local law number 115 of the city of New York for the year 1993 and subdivision a as amended by chapter 9 of the laws of 2012, are amended to read as follows:

Acceptance of passengers by for-hire vehicles [~~and commuter vans~~]. [~~a.~~] For-hire vehicles that do not possess a valid HAIL license may accept passengers only on the basis of telephone contract or prearrangement. The commission or successor agency may establish such disciplinary actions as it deems appropriate for failure to abide by the provisions of this chapter.

§ 4. Subdivision b of section 19-516 of the administrative code of the city of New York is REPEALED.

§ 5. This act shall take effect immediately.