

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:

1 Section 1. Subdivision p of section 19-502 of the administrative code
2 of the city of New York, as amended by local law number 37 of the city
3 of New York for the year 2019, is amended to read as follows:
4 p. "Commuter van" means a commuter van service having a seating capac-
5 ity of at least nine passengers but not more than twenty passengers or
6 such greater capacity as the commission may establish by rule and carry-
7 ing passengers for hire in the city duly licensed as a commuter van by
8 the commission [~~and not permitted to accept hails from prospective~~
9 ~~passengers in the street~~]. For purposes of the provisions of this chap-
10 ter relating to prohibitions against the operation of an unauthorized
11 commuter van service or an unlicensed commuter van, the enforcement of
12 such prohibitions and the imposition of penalties for violations of such
13 prohibitions and to the seizure and forfeiture of commuter vans, the
14 term shall also include any common carrier of passengers by motor vehi-
15 cle not subject to licensure as a taxicab, for-hire vehicle, or wheel-
16 chair accessible van and not operating as a public or private bus trans-
17 it service operated pursuant to a contract with the city, any county
18 within the state of New York, the state of New York or any other state
19 or local government that follows the applicable procurement rules and
20 regulations of such jurisdiction regardless of the seating capacity of
21 any such vehicle. The commission shall submit to the council the text of
22 any proposed rule relating to the maximum capacity of commuter vans at
23 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.

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

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

18 § 3. The section heading and subdivision a of section 19-516 of the
19 administrative code of the city of New York, the section heading as
20 amended by local law number 115 of the city of New York for the year
21 1993 and subdivision a as amended by chapter 9 of the laws of 2012, are
22 amended to read as follows:

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

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

31 § 5. This act shall take effect immediately.