

# STATE OF NEW YORK

236

2021-2022 Regular Sessions

## IN SENATE

(Prefiled)

January 6, 2021

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:

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

4 1. A TNC shall conduct, or have a third party conduct, a criminal  
5 history background check using a lawful method approved by the depart-  
6 ment pursuant to paragraph (a) of subdivision two of this section for  
7 persons applying to drive for such company, provided that such criminal  
8 history background check shall include without limitation, fingerprint-  
9 ing for the purpose of securing criminal history records from both the  
10 state division of criminal justice services and the federal bureau of  
11 investigation.

12 (a) The method used to conduct a criminal history background check  
13 pursuant to subdivision one of this section shall be established in  
14 regulations adopted by the department within thirty days of the [~~effec-~~  
15 ~~tive date of this subdivision~~] chapter of the laws of two thousand twen-  
16 ty-one that amended this paragraph takes effect. To ensure safety of the  
17 passengers and the public such regulations shall establish the method  
18 used to conduct such background checks and any processes and operations  
19 necessary to complete such checks, including without limitation, crimi-  
20 nal history background checks that consist of fingerprinting as  
21 described in subdivision one of this section. The review of criminal  
22 history information and determinations about whether or not an applicant

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

LBD02667-01-1

1 is issued a TNC driver permit shall be controlled by paragraphs (b), (c)  
2 and (d) of this subdivision.

3 § 2. This act shall take effect on the thirtieth of January next  
4 succeeding the date on which it shall have become a law. Effective imme-  
5 diately, the addition, amendment and/or repeal of any rule or regulation  
6 necessary for the implementation of this act on its effective date are  
7 authorized to be made and completed on or before such effective date.