STATE OF NEW YORK

1838--A

2023-2024 Regular Sessions

IN ASSEMBLY

January 23, 2023

Introduced by M. of A. KIM, EACHUS, SIMON, BENDETT, DeSTEFANO -- read once and referred to the Committee on Transportation -- 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 displaying of charter bus driver qualifications while they are on duty and the review of charter bus driver files

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

Section 1. The vehicle and traffic law is amended by adding a new section 509-dd to read as follows:

§ 509-dd. Passenger motor carrier information. (a) The commissioner of transportation, in consultation with the commissioner, shall establish requirements for motor carriers required to obtain approval to operate in this state as a contract carrier of passengers by motor vehicle from the commissioner of transportation for purposes of establishing conspicuous display of valid operating authority, inspection information, and driver qualifications at locations where such motor carriers perform contract carrier services with charter buses and within any charter bus used to provide such services.

(b) For the purposes of this section: (i) "charter bus" shall mean a bus transporting passengers for compensation in a chartered party; (ii) "chartered party" shall mean a group of persons who, pursuant to a common purpose and under a single contract and at a fixed charge, have acquired exclusive use of a bus to travel together as a group to a specific destination or for a particular itinerary either agreed upon in advance or modified after having left the place of origin by such group; and (iii) "contract carrier of passengers by motor vehicle" shall have the same meaning as such term is defined by subdivision nine of section two of the transportation law.

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

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§ 2. Subdivision 1 of section 509-m of the vehicle and traffic law, as amended by chapter 12 of the laws of 2020, is amended to read as follows:

1. At least once every three years, review the bus driver files of each motor carrier, provided, however, that the commissioner may review such bus driver files at [~~his~~] **the commissioner's** discretion at any other time during regular business hours. Provided, however, that the commissioner shall review at least annually the bus driver files of each driver employed by a motor carrier who operates an altered motor vehicle commonly referred to as a "stretch limousine" designed to carry nine or more passengers including the driver pursuant to operating authority issued by the commissioner of transportation **or employed by a motor carrier who operates a charter bus as defined by subdivision (b) of section five hundred nine-dd of this article pursuant to operating authority issued by the commissioner of transportation**, and annually verify whether each such driver holds a valid driver's license valid for the operation of such altered motor vehicle **or such charter bus, as applicable**.

§ 3. This act shall take effect on the first of April 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.