

# STATE OF NEW YORK

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1838--A

2023-2024 Regular Sessions

## IN ASSEMBLY

January 23, 2023

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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:

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

3 § 509-dd. Passenger motor carrier information. (a) The commissioner of  
4 transportation, in consultation with the commissioner, shall establish  
5 requirements for motor carriers required to obtain approval to operate  
6 in this state as a contract carrier of passengers by motor vehicle from  
7 the commissioner of transportation for purposes of establishing conspic-  
8 uous display of valid operating authority, inspection information, and  
9 driver qualifications at locations where such motor carriers perform  
10 contract carrier services with charter buses and within any charter bus  
11 used to provide such services.

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

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

LBD05605-02-3

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

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

19     § 3. This act shall take effect on the first of April next succeeding  
20 the date on which it shall have become a law. Effective immediately, the  
21 addition, amendment and/or repeal of any rule or regulation necessary  
22 for the implementation of this act on its effective date are authorized  
23 to be made and completed on or before such effective date.