STATE OF NEW YORK

2653--B

2023-2024 Regular Sessions

IN ASSEMBLY

January 26, 2023

Introduced by M. of A. ANDERSON, HYNDMAN, WEPRIN, FORREST, CUNNINGHAM, COOK, GIBBS, SOLAGES, DAVILA, WALKER, REYES, BICHOTTE HERMELYN, JACKSON, SEPTIMO, KIM, CHANDLER-WATERMAN, DARLING, DICKENS, MEEKS, ALVAREZ, TAPIA, ARDILA, TAYLOR, EPSTEIN, BURGOS, CRUZ, BEEPHAN, DE LOS SANTOS, ZINERMAN, CARROLL, COLTON, SEAWRIGHT, MAHER, OTIS, FITZPATRICK, HEVESI, DAIS, BURDICK -- Multi-Sponsored by -- M. of A. BROOK-KRASNY, J. A. GIGLIO -- read once and referred to the Committee on Cities -- recommitted to the Committee on Cities in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

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 providing for the repeal of such provisions upon expiration thereof

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 **except as authorized pursuant to subdivision c of this section**. 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 prohibi-

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

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tions 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.

§ 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 where authorized pursuant to subdivision c of section 19-502 of this chapter** 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 of section 19-516 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:

Acceptance of passengers by for-hire vehicles [~~and commuter vans~~].

§ 4. Subdivision b of section 19-516 of the administrative code of the city of New York, as amended by local law number 6 of the city of New York for the year 2017, is amended and a new subdivision c is added to read as follows:

b. [~~No~~] **Except as provided in subdivision c of this section, no** commuter van service and no person who owns, operates or drives a commuter van, shall provide, permit or authorize the provision of transportation service to a passenger unless such service to a passenger is on the basis of a telephone contract or other prearrangement. Where a violation of this subdivision has been committed by a driver of a commuter van, the commuter van service and the owner of such vehicle shall also be liable for a violation of this subdivision.

c. The commission shall establish a pilot program to evaluate the impact of commuter vans accepting street hails. Until June thirtieth, two thousand twenty-seven commuter vans duly licensed by the commission to carry passengers for hire are authorized to accept hails from prospective passengers in the streets of the city of New York within Queens community district twelve, Brooklyn community district five, Brooklyn community district nine, Brooklyn community district sixteen, and Brooklyn community district seventeen, provided that such authorization shall prohibit the pick up of passengers by street hail at airports or in such other area as the commission shall by rule prohibit. No later than February first, two thousand twenty-six and annually ther-

eafter until the completion of the pilot program established pursuant to this subdivision, the commission shall submit a report to the mayor, speaker of the council, governor, the temporary president of the senate, and the speaker of the assembly, evaluating the pilot program with an analysis of the impact of commuter vans accepting hails from prospective passengers in the streets and any recommendations of the commission regarding the authorization of commuter vans to accept hails from prospective passengers in the streets of the city of New York.

§ 5. This act shall take effect on the ninetieth day after it shall have become a law and shall expire and be deemed repealed June 30, 2027.