STATE OF NEW YORK

3362

2023-2024 Regular Sessions

IN SENATE

January 31, 2023

Introduced by Sens. KENNEDY, CLEARE -- 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, the administrative code of the city of New York and the state finance law, in relation to transportation accommodation for passengers with disabilities

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

Section 1. Paragraph (d) of subdivision 3 of section 1696 of the vehicle and traffic law, as added by section 2 of part AAA of chapter 59 of the laws of 2017, is amended to read as follows:

(d) A TNC shall implement and maintain a policy and an oversight process of providing accessibility to passengers or potential passengers with a disability**, including any accommodations required by the Americans with Disabilities Act of 1990, as amended** and accommodation of service animals as such term is defined in section one hundred twenty-three-b of the agriculture and markets law and shall to the extent practicable adopt findings established by the New York state TNC accessibility task force adopted pursuant to section twenty-one of [~~the~~] **part AAA of** chapter **fifty-nine** of the laws of two thousand seventeen [~~that added this section~~]. **A TNC shall implement and maintain a documented policy and oversight process for providing such accessibility.** A TNC shall not impose additional charges for providing services to persons with physical disabilities because of those disabilities**, nor shall it impose additional charge for providing services to persons using service animals, and it shall make available on the mobile applications of such TNC, or in any other method provided by the TNC for requesting service, the ability to indicate accommodations as required by the Americans with Disabilities Act of 1990 including accommodation of service animals**.

§ 2. The administrative code of the city of New York is amended by adding a new section 19-503.2 to read as follows:

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

LBD07835-01-3

§ 19-503.2 Passengers with disabilities. a. The commission shall promulgate rules and regulations which ensure for-hire vehicle services provide any accommodations required by the Americans with Disabilities Act of 1990, as amended.

b. The commission shall promulgate rules and regulations which ensure every for-hire vehicle service shall make available on the mobile application of such service or in any other method provided by the for-hire vehicle service for requesting service, the ability to indicate accommodations as required by the Americans with Disabilities Act of 1990 including accommodation of service animals.

§ 3. Section 1693 of the vehicle and traffic law is amended by adding a new subdivision 14 to read as follows:

14. A TNC shall collect twenty cents per trip provided by such TNC and deposit the same in the on-demand vehicle accessibility fund established pursuant to section ninety-b of the state finance law.

§ 4. The state finance law is amended by adding a new section 90-b to read as follows:

§ 90-b. On-demand vehicle accessibility fund. 1. There is hereby established in the joint custody of the state comptroller and the department of transportation an account of the miscellaneous special fund to be known as the on-demand vehicle accessibility fund.

2. The comptroller is authorized and directed to receive for deposit to the credit of the on-demand vehicle accessibility fund designated for such deposit by law including those derived from the surcharge authorized by subdivision fourteen of section sixteen hundred ninety-three of the vehicle and traffic law.

3. Moneys of this account, following appropriation by the legislature, shall be available to support the state department of transportation for expenses of providing incentives and investments to ensure accessible on-demand vehicle service for those with disabilities, including those with service animals.

§ 5. This act shall take effect on the thirtieth day after it shall have become a law.