

STATE OF NEW YORK

4039

2023-2024 Regular Sessions

IN SENATE

February 2, 2023

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~~] the chapter of the laws of two thousand
16 twenty-three that amended this paragraph takes effect. To ensure safety
17 of the passengers and the public such regulations shall establish the
18 method used to conduct such background checks and any processes and
19 operations necessary to complete such checks, including without limita-
20 tion, criminal history background checks that consist of fingerprinting
21 as described in subdivision one of this section. The review of criminal
22 history information and determinations about whether or not an applicant
23 is issued a TNC driver permit shall be controlled by paragraphs (b), (c)
24 and (d) of this subdivision.

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

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