

STATE OF NEW YORK

6781--B

2023-2024 Regular Sessions

IN SENATE

May 9, 2023

Introduced by Sens. PARKER, BAILEY, CLEARE, COMRIE, FERNANDEZ, JACKSON, LANZA, MYRIE, PALUMBO, PERSAUD, RAMOS, RHOADS, SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Cities 1 -- recommitted to the Committee on Cities 1 in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, 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:

1 Section 1. Subdivision p of section 19-502 of the administrative code
2 of the city of New York, as amended by local law number 37 of the city
3 of New York for the year 2019, is amended to read as follows:
4 p. "Commuter van" means a commuter van service having a seating capac-
5 ity of at least nine passengers but not more than twenty passengers or
6 such greater capacity as the commission may establish by rule and carry-
7 ing passengers for hire in the city duly licensed as a commuter van by
8 the commission and not permitted to accept hails from prospective
9 passengers in the street except as authorized pursuant to subdivision c
10 of this section. For purposes of the provisions of this chapter relating
11 to prohibitions against the operation of an unauthorized commuter van
12 service or an unlicensed commuter van, the enforcement of such prohibi-
13 tions and the imposition of penalties for violations of such prohibi-
14 tions and to the seizure and forfeiture of commuter vans, the term shall
15 also include any common carrier of passengers by motor vehicle not
16 subject to licensure as a taxicab, for-hire vehicle, or wheelchair
17 accessible van and not operating as a public or private bus transit

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

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1 service operated pursuant to a contract with the city, any county within
2 the state of New York, the state of New York or any other state or local
3 government that follows the applicable procurement rules and regulations
4 of such jurisdiction regardless of the seating capacity of any such
5 vehicle. The commission shall submit to the council the text of any
6 proposed rule relating to the maximum capacity of commuter vans at the
7 time such proposed rule is published in the City Record.

8 § 2. Paragraph 1 of subdivision a of section 19-504 of the administra-
9 tive code of the city of New York, as amended by local law number 115 of
10 the city of New York for the year 1993, is amended to read as follows:

11 (1) A taxi-cab, coach, wheelchair accessible van, commuter van or
12 for-hire vehicle shall operate within the city of New York only if the
13 owner shall first have obtained from the commission a taxicab, coach,
14 wheelchair accessible van, commuter van or for-hire vehicle license for
15 such vehicle and only while such license is in full force and effect.
16 Vehicle licenses shall be issued for a term of not less than one nor
17 more than two years and shall expire on the date set forth on the
18 license unless sooner suspended or revoked by the commission. No motor
19 vehicle other than a duly licensed taxicab or commuter van where author-
20 ized pursuant to subdivision c of section 19-502 of this chapter shall
21 be permitted to accept hails from passengers in the street. No commuter
22 van shall be operated within the city of New York unless it is operated
23 as part of a current, valid authorization to operate a commuter van
24 service duly issued by the commission pursuant to section 19-504.2 of
25 this chapter.

26 § 3. The section heading of section 19-516 of the administrative code
27 of the city of New York, as amended by local law number 115 of the city
28 of New York for the year 1993, is amended to read as follows:

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

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

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

42 c. The commission shall establish a pilot program to evaluate the
43 impact of commuter vans accepting street hails. Until June thirtieth,
44 two thousand twenty-seven commuter vans duly licensed by the commission
45 to carry passengers for hire are authorized to accept hails from
46 prospective passengers in the streets of the city of New York within
47 Queens community district twelve, Brooklyn community district five,
48 Brooklyn community district nine, Brooklyn community district sixteen,
49 and Brooklyn community district seventeen, provided that such authori-
50 zation shall prohibit the pick up of passengers by street hail at
51 airports or in such other area as the commission shall by rule prohibit.
52 No later than February first, two thousand twenty-six and annually ther-
53 eafter until the completion of the pilot program established pursuant to
54 this subdivision, the commission shall submit a report to the mayor,
55 speaker of the council, governor, the temporary president of the senate,
56 and the speaker of the assembly, evaluating the pilot program with an

1 analysis of the impact of commuter vans accepting hails from prospective
2 passengers in the streets and any recommendations of the commission
3 regarding the authorization of commuter vans to accept hails from
4 prospective passengers in the streets of the city of New York.

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