

STATE OF NEW YORK

8042

2025-2026 Regular Sessions

IN ASSEMBLY

April 22, 2025

Introduced by M. of A. RAJKUMAR -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to creating the subway safety command and command force; and to amend the penal law, in relation to loitering in a subway station

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

1 Section 1. This act shall be known and may be cited as the "safe
2 subways act".

3 § 2. The public authorities law is amended by adding three new
4 sections 1266-n, 1266-o and 1266-p to read as follows:

5 § 1266-n. Subway safety command and command force. 1. The authority is
6 hereby authorized and empowered to provide and maintain a subway safety
7 command and a safety command force, in addition and complementary to the
8 authority's existing personnel and police force. The subway safety
9 command shall operate and administer a safety command force, as further
10 defined in subdivision two of this section. Such command force shall be
11 a subsidiary of and work in conjunction with the authority and the
12 authority police force. In consultation with the authority police force,
13 the New York city police department, the New York city department of
14 homeless services and the New York city department of health and mental
15 hygiene, the subway safety command and command force shall be responsi-
16 ble for:

17 (a) coordinating public safety;

18 (b) homelessness intervention services;

19 (c) the orderly flow of riders in and out of the subway system;

20 (d) compliance with fare collection; and

21 (e) the cosmetic appearance of subway trains and stations.

22 2. The subway safety command shall consist of civilian employees
23 including, but not limited to, social workers, office and administrative
24 staff, information technology staff, and healthcare providers such as

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

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nurses, nurse practitioners, and physicians. The number of such staff and any additional staff shall be determined by the authority, the command chief, or authorized representatives thereof. Any employee providing medical, legal, or other services requiring licensure shall be duly licensed to do so in this state. Any member of the command force shall have one or more of the following qualifications:

(i) a baccalaureate degree in social work or substantially related field and three years of experience in homelessness intervention services;

(ii) a master's degree or higher in social work or substantially related field and two years of experience in homelessness intervention services;

(iii) licensure as a clinical or master social worker and two years of experience in homelessness intervention services; or

(iv) a formerly unhoused person with at least five years of experience in homelessness intervention services.

3. (a) Members of the safety command force shall be known as "safety officers". Each member of such command force shall be a "police officer" for the purposes of the criminal procedure law, with all of the powers of such police officers thereunder and subject to the same jurisdictional provisions on the exercise of that power as set forth in such law; provided, however, that such officers shall not be authorized to carry firearms. The geographical area of employment of such police officers for the purposes of the criminal procedure law shall embrace the metropolitan commuter transportation district as defined in section twelve hundred sixty-two of this title. Such command force shall have the power, in and about any or all of the facilities owned, occupied and/or operated by the authority and its subsidiary corporations, the New York city transit authority and its subsidiaries, and the Triborough bridge and tunnel authority, as determined in the discretion of the authority, to enforce and prevent violation of all laws and ordinances. Nothing in this section shall confer upon the command force or upon their collective negotiations representatives exclusive jurisdiction or claim over the exercise of police power or security work on behalf of the authority and its subsidiary corporations, the New York city transit authority and its subsidiaries, and the Triborough bridge and tunnel authority. Nothing in this section shall limit the authority and its subsidiary corporations, the New York city transit authority and its subsidiaries, and the Triborough bridge and tunnel authority from continuing to rely on local police for police services.

(b) Selection of safety officer candidates shall be made pursuant to an examination process to be determined at the discretion of the authority, and candidates must receive a certificate attesting to satisfactory completion of an approved municipal police basic training program, as described in section two hundred nine-q of the general municipal law. Successful applicants shall have one or more of the following qualifications:

(i) a baccalaureate degree in social work or substantially related field and three years of experience in homelessness intervention services;

(ii) a master's degree or higher in social work or substantially related field and two years of experience in homelessness intervention services;

(iii) licensure as a clinical or master social worker and two years of experience in homelessness intervention services; or

1 (iv) a formerly unhoused person with at least five years of experience
2 in homelessness intervention services.

3 (c) The authority shall provide for a retirement plan consistent with
4 that of the authority police force, provided for in section twelve
5 hundred sixty-six-h of this title.

6 (d) Nothing in this section shall be deemed to diminish, suspend or
7 abolish an existing benefit inured to a police officer, transferred from
8 the authority police force and subject to the provisions of this section
9 in and to the rights, privileges or status previously earned within a
10 pension or retirement system of which they were a member immediately
11 prior to the enactment of this section; and any such existing right,
12 privilege or status shall survive the effect of any decisions or deter-
13 minations lawfully made in accordance with the provisions hereof so long
14 as such right, privilege or status is greater in benefit to that which
15 would be imposed or imputed to any subject officer as a result of
16 actions of the authority authorized in this section.

17 (e) A police officer may remove a person from any transportation
18 facility pursuant to subdivision three of section 240.35 of the penal
19 law; provided, however, that only a safety officer, or an employee or
20 other agent of the state or the city of New York with expertise in home-
21 lessness intervention services or behavioral health, may remove a person
22 who loiters or remains in any transportation facility for the purpose of
23 using such facility as a domicile, temporary residence, or overnight
24 shelter. At the time of removal, such person shall be provided transpor-
25 tation to a subway safety command center, where such person shall be
26 offered and receive access to a single room occupancy unit, as defined
27 by subdivision five of section forty-five of the social services law, or
28 unit for one family, as well as provision of services including but not
29 limited to healthcare, mental healthcare, addiction services, education,
30 and employment. For the purposes of such service provision, there shall
31 be a presumption of eligibility to the maximum extent possible and
32 confirmation of eligibility shall occur subsequent to program admission.

33 4. The authority shall appoint a chief who shall designate one or more
34 deputy chiefs of the safety command force, and assign powers and duties
35 to them and fix their compensation. The chief shall be the head of such
36 command force. One deputy chief designated by the chief shall possess
37 all the powers and perform all the duties of the chief during the
38 chief's absence or disability.

39 § 1266-o. Safety command centers. 1. (a) Each borough of New York city
40 in which the authority operates a subway system shall have one or more
41 safety command centers operating either in or adjacent to a subway
42 station, as space and other factors permit, operated and staffed by the
43 safety command, pursuant to section twelve hundred sixty-six-n of this
44 title. Safety command centers shall conduct intake of individuals for
45 homeless intervention services; collect and monitor data in real time
46 pursuant to the mission of the command; and dispatch police officers of
47 the command force and others to respond to incidents or areas with
48 increased need.

49 (b) Any individual in need may seek assistance from command centers.
50 Command centers shall provide assistance to any individual who is
51 brought to the command center pursuant to paragraph (e) of subdivision
52 four of section twelve hundred sixty-six-n of this title and subdivision
53 three of section 240.35 of the penal law. Homelessness intervention
54 services may be provided by the command center directly or in conjunc-
55 tion with the New York city department of homeless services or other
56 city or state entities. Individuals shall not be considered in the

1 custody of the state or city and shall be free to leave at any time;
2 however, staff may encourage individuals to receive medical, mental
3 health, housing, or other services. If an individual poses a threat to
4 themselves or others, such individual may be committed for psychiatric
5 evaluation or detained, as appropriate, pursuant to rules and protocols
6 to be promulgated by the command. Where possible, intervention services
7 shall be prioritized over detention or commitment.

8 (c) If an individual is moved to a different location, such individual
9 shall be escorted by at least one non-officer staff member and may also
10 be escorted by an officer, if necessary, and shall be provided free
11 transportation to such location. Individuals shall be allowed to keep
12 their belongings to the fullest extent practicable. Individuals who are
13 not under arrest shall be reminded that they are not under arrest or in
14 custody and of their right to refuse services. If an individual wishes
15 to refuse services, staff members may encourage such person to accept
16 services and inform such person of the risks of refusing services.

17 2. The subway safety command shall develop de-escalation training for
18 officers who patrol the transit system, including the safety command
19 force, authority police force, and New York police department officers
20 assigned to the subway system. Such training shall be designed to
21 address the unique characteristics and operations of such patrolling,
22 with a particular focus on violent situations in the context of the
23 subway system and situations that could escalate into violence, espe-
24 cially in the context of homelessness intervention. Such training shall
25 include, but need not be limited to, recognition and understanding of
26 mental illness and distress, effective communication skills, and
27 conflict de-escalation techniques. Such training shall also include
28 cultural competence in the context of homelessness. The department shall
29 provide such training to each officer no less frequently than once every
30 third calendar year, and such training shall be regularly updated to
31 include methods that have proven effective and eliminate methods that
32 have proven ineffective.

33 3. The subway safety command shall institute an electronic reporting
34 system for use by the general public. There shall be quick-response
35 codes posted prominently within every subway car and on every platform
36 which, once scanned, will link to such reporting system. Posted with
37 such quick-response codes shall be the platform or train and car number
38 or identifier clearly printed in a font and font size large enough to be
39 read by the average person at least fifty feet away. Such reporting
40 system shall be monitored by command center personnel at all times the
41 center is operating. When a complaint is received, it shall be forwarded
42 to the proper department within the command and taken care of as soon as
43 practicable, relative to the type and severity of the report. The system
44 shall allow and encourage riders to report issues, including but not
45 limited to:

46 (a) violations of posted subway rules;

47 (b) panhandling;

48 (c) violence or threats of violence;

49 (d) criminal activity;

50 (e) complaints about officer or employee behavior, including use of
51 force;

52 (f) damaged subway or station property, including graffiti, faulty
53 turnstiles or entrances and exits, elevator outages, and broken, slip-
54 pery, or otherwise dangerous flooring, tiles, benches, stairwells, or
55 railings;

56 (g) sanitation concerns, including biohazards;

1 (h) other safety concerns; and

2 (i) persons in need of medical assistance.

3 4. (a) The subway safety command shall keep records and data regarding
4 the use and effectiveness of the subway system, including but not limit-
5 ed to fare compliance; customer complaints; safety concerns; police
6 officer interaction with the public; and the efficacy of homelessness
7 intervention services offered by the command.

8 (b) Such data shall be accessible by the authority, the department of
9 transportation, and the subway improvement task force, established by
10 section twelve hundred sixty-six-p of this title, at any time.

11 (c) Not less than once every six months, the command, the authority
12 police force, and the New York city police department shall develop a
13 patrol and deployment plan for police, social workers, and other indi-
14 viduals engaged in homelessness intervention based on the efficacy of
15 previous such plans. Such plans shall minimize over-time scheduling and
16 deployment of New York city police department officers in the subway
17 system and shall maximize utilization of safety command officers and
18 personnel and command services.

19 § 1266-p. Subway improvement task force. The authority shall create a
20 task force that will conduct a thorough study of the design and layout
21 of subway stations in order to improve safety and rider experience. Such
22 study shall culminate in recommendations to improve the existing
23 stations and provide guidance for the construction of new stations. The
24 goal of such recommendations shall include, but not be limited to,
25 improving open sightliness and reducing visible obstructions for riders
26 and personnel, ensuring all areas are well-lit, clearly marking and
27 restricting access to non-public areas, using durable materials to
28 reduce the risk of and costs associated with vandalism, and making the
29 stations conducive to the orderly flow of foot traffic, including clear
30 directional signage, minimal chokepoints, and platform accessibility.
31 Such task force shall continue to study and make recommendations to
32 improve the subway system until disbanded or otherwise instructed by the
33 department or the legislature.

34 § 3. Section 240.35 of the penal law, subdivision 5 as separately
35 amended by chapters 350 and 395 of the laws of 2001 and subdivision 6 as
36 renumbered by chapter 446 of the laws of 1978, is amended to read as
37 follows:

38 § 240.35 Loitering.

39 A person is guilty of loitering when [~~he~~] such person:

40 [~~2-~~] 1. Loiters or remains in a public place for the purpose of gambl-
41 ing with cards, dice or other gambling paraphernalia; or

42 [~~5-~~] 2. Loiters or remains in or about school grounds, a college or
43 university building or grounds or a children's overnight camp as defined
44 in section one thousand three hundred ninety-two of the public health
45 law or a summer day camp as defined in section one thousand three
46 hundred ninety-two of the public health law, or loiters, remains in or
47 enters a school bus as defined in section one hundred forty-two of the
48 vehicle and traffic law, not having any reason or relationship involving
49 custody of or responsibility for a pupil or student, or any other
50 specific, legitimate reason for being there, and not having written
51 permission from anyone authorized to grant the same or loiters or
52 remains in or about such children's overnight camp or summer day camp in
53 violation of conspicuously posted rules or regulations governing entry
54 and use thereof; or

55 [~~6-~~] 3. (a) Loiters or remains in any transportation facility, unless
56 specifically authorized to do so, for the purpose of using such facility

1 as a domicile, temporary residence, or overnight shelter, soliciting or
2 engaging in any business, trade or commercial transactions involving the
3 sale of merchandise or services, or for the purpose of entertaining
4 persons by singing, dancing or playing any musical instrument[~~;-or~~].

5 (b) For the purposes of enforcement of paragraph (a) of this subdivi-
6 sion, a police officer may remove such person from any transportation
7 facility; provided, however, that only a safety officer, or an employee
8 or other agent of the state or the city of New York with expertise in
9 homelessness intervention services or behavioral health, may remove a
10 person who loiters or remains in any transportation facility for the
11 purpose of using such facility as a domicile, temporary residence, or
12 overnight shelter, and such person shall be offered and receive access
13 to services pursuant to section twelve hundred sixty-six-n of the public
14 authorities law.

15 Loitering is a violation.

16 § 4. Subdivisions 3 and 4 of section 1279 of the public authorities
17 law, as added by chapter 427 of the laws of 1983, paragraph (a-1) of
18 subdivision 4 as amended by section 15 of part BBB of chapter 59 of the
19 laws of 2021 and paragraph (e) of subdivision 4 as amended by chapter
20 322 of the laws of 1985, are amended to read as follows:

21 3. The inspector general shall have full and unrestricted access to
22 all records, information, data, reports, plans, projections, matters,
23 contracts, memoranda, correspondence and any other materials of the
24 authority and its subsidiaries, the subway safety command, the Long
25 Island [~~railroad~~] Rail Road, metro-north railroad, metropolitan suburban
26 bus authority and Staten Island rapid transit operating authority, of
27 the Triborough bridge and tunnel authority, and of the New York city
28 transit authority and its subsidiary, the Manhattan and Bronx surface
29 transit operating authority, or any other agency that may come under the
30 control of the authority, or within their custody or control.

31 4. The inspector general, notwithstanding the provisions of title nine
32 of this article and this title, and of title three of article three of
33 this chapter, shall have the following functions, powers and duties:

34 (a) to receive and investigate complaints from any source or upon
35 [~~his~~] such inspector's own initiative concerning alleged abuses, frauds
36 and service deficiencies, including deficiencies in the maintenance and
37 operation of facilities, relating to the authority and its subsidiaries
38 as listed in subdivision two [~~above~~] of this section, the subway safety
39 command, the Triborough bridge and tunnel authority and the New York
40 city transit authority and its subsidiary;

41 (a-1) to receive and investigate complaints from any source, or upon
42 [~~his or her~~] such inspector's own initiative, concerning allegations of
43 corruption, fraud, use of excessive force, criminal activity, conflicts
44 of interest or abuse by any police officer under the jurisdiction of the
45 office of the metropolitan transportation authority or the safety
46 command force and promptly inform the division of criminal justice
47 services, in the form and manner as prescribed by the division, of such
48 allegations and the progress of investigations related thereto unless
49 special circumstances require confidentiality. Nothing in this para-
50 graph shall require the division of criminal justice services to partic-
51 ipate in the investigation of such allegations or take action or prevent
52 the division of criminal justice services from taking action authorized
53 pursuant to subdivision three of section eight hundred forty-five of the
54 executive law in the time and manner determined by the commissioner of
55 the division of criminal justice services[~~-~~].

(b) to initiate such reviews as ~~[he]~~ may ~~[deem]~~ be deemed appropriate of the operations of the authority and its subsidiaries as listed in subdivision two ~~[above]~~ of this section, the subway safety command, the Triborough bridge and tunnel authority, or the New York city transit authority and its subsidiary, in order to identify areas in which performance might be improved and available funds used more effectively;

(b-1) to dispatch personnel or other agents of the office to determine compliance of best practices by individuals under the direction of or working in conjunction with the subway safety command; such personnel or agents shall not be required to bear any identifying indicia and may have attire or a manner of conduct consistent with a person with a mental disability or homeless person;

(c) to recommend remedial actions to be taken by the authority and its subsidiaries as listed in subdivision two of this section, the subway safety command, the Triborough bridge and tunnel authority, and the New York city transit authority and its subsidiary, to overcome or correct operating or maintenance deficiencies and inefficiencies that ~~[he]~~ such inspector determines to exist;

(d) to make available to appropriate law enforcement officials information and evidence which relate to criminal acts ~~[that he may obtain]~~ obtained in carrying out ~~[his]~~ the duties of the inspector general under this section;

(e) to subpoena witnesses, administer oaths or affirmations, take testimony and compel the production of such books, papers, records and documents as ~~[he]~~ may ~~[deem]~~ be deemed to be relevant to any inquiry or investigation undertaken pursuant to this section and to delegate such powers to a duly authorized deputy inspector general;

(f) to monitor the implementation by the authority and its subsidiaries, the subway safety command, the ~~[Triborough]~~ Triborough bridge and tunnel authority and the New York city transit authority and its subsidiary of recommendations made by the inspector general or other audit agencies; and

(g) to do all things necessary to carry out the functions, powers and duties set forth in this section.

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