

1 NEW YORK STATE SENATE

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3
4 THE STENOGRAPHIC RECORD

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9 ALBANY, NEW YORK

10 January 14, 2020

11 3:25 p.m.

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13
14 REGULAR SESSION

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19 SENATOR BRIAN A. BENJAMIN, Acting President

20 ALEJANDRA N. PAULINO, ESQ., Secretary

1 P R O C E E D I N G S

2 ACTING PRESIDENT BENJAMIN: The
3 Senate will come to order.

4 I ask everyone present to please
5 rise and recite the Pledge of Allegiance.

6 (Whereupon, the assemblage recited
7 the Pledge of Allegiance to the Flag.)

8 ACTING PRESIDENT BENJAMIN: In the
9 absence of clergy, let us bow our heads in a
10 moment of silent reflection or prayer.

11 (Whereupon, the assemblage respected
12 a moment of silence.)

13 ACTING PRESIDENT BENJAMIN: The
14 reading of the Journal.

15 THE SECRETARY: In Senate, Monday,
16 January 13, 2020, the Senate met pursuant to
17 adjournment. The Journal of Sunday, January 12,
18 2020, was read and approved. On motion, Senate
19 adjourned.

20 ACTING PRESIDENT BENJAMIN: Without
21 objection, the Journal stands approved as read.

22 Presentation of petitions.

23 Messages from the Assembly.

24 The Secretary will read.

25 THE SECRETARY: Senator May moves

1 to discharge, from the Committee on Rules,
2 Assembly Bill Number 8214B and substitute it for
3 the identical Senate Bill 6185B, Third Reading
4 Calendar 74.

5 ACTING PRESIDENT BENJAMIN: The
6 substitution is so ordered.

7 THE SECRETARY: Senator Metzger
8 moves to discharge, from the Committee on Rules,
9 Assembly Bill Number 712A and substitute it for
10 the identical Senate Bill 6186B, Third Reading
11 Calendar 75.

12 ACTING PRESIDENT BENJAMIN: The
13 substitution is so ordered.

14 THE SECRETARY: Senator Gaughran
15 moves to discharge, from the Committee on Rules,
16 Assembly Bill Number 9058 and substitute it for
17 the identical Senate Bill 6187C, Third Reading
18 Calendar 76.

19 ACTING PRESIDENT BENJAMIN: The
20 substitution is so ordered.

21 THE SECRETARY: Senator Gaughran
22 moves to discharge, from the Committee on Rules,
23 Assembly Bill Number 8172B and substitute it for
24 the identical Senate Bill 6188B, Third Reading
25 Calendar 77.

1 ACTING PRESIDENT BENJAMIN: The
2 substitution is so ordered.

3 THE SECRETARY: Senator Kaplan
4 moves to discharge, from the Committee on Rules,
5 Assembly Bill Number 1316C and substitute it for
6 the identical Senate Bill 6189C, Third Reading
7 Calendar 78.

8 ACTING PRESIDENT BENJAMIN: The
9 substitution is so ordered.

10 THE SECRETARY: Senator Kennedy
11 moves to discharge, from the Committee on Rules,
12 Assembly Bill Number 9057 and substitute it for
13 the identical Senate Bill 6191C, Third Reading
14 Calendar 79.

15 ACTING PRESIDENT BENJAMIN: The
16 substitution is so ordered.

17 THE SECRETARY: Senator Kennedy
18 moves to discharge, from the Committee on Rules,
19 Assembly Bill Number 8474A and substitute it for
20 the identical Senate Bill 6192A, Third Reading
21 Calendar 80.

22 ACTING PRESIDENT BENJAMIN: The
23 substitution is so ordered.

24 THE SECRETARY: Senator Kennedy
25 moves to discharge, from the Committee on Rules,

1 Assembly Bill Number 9056 and substitute it for
2 the identical Senate Bill 6193C, Third Reading
3 Calendar 81.

4 ACTING PRESIDENT BENJAMIN: The
5 substitution is so ordered.

6 THE SECRETARY: Senator Sanders
7 moves to discharge, from the Committee on Rules,
8 Assembly Bill Number 9059 and substitute it for
9 the identical Senate Bill 6604B, Third Reading
10 Calendar 82.

11 ACTING PRESIDENT BENJAMIN: The
12 substitution is so ordered.

13 THE SECRETARY: Senator Hoylman
14 moves to discharge, from the Committee on Rules,
15 Assembly Bill Number 8990 and substitute it for
16 the identical Senate Bill 7134, Third Reading
17 Calendar 83.

18 ACTING PRESIDENT BENJAMIN: The
19 substitution is so ordered.

20 Messages from the Governor.

21 Reports of standing committees.

22 Reports of select committees.

23 Communications and reports from
24 state officers.

25 Motions and resolutions.

1 Senator Gianaris.

2 SENATOR GIANARIS: Mr. President, I
3 move to adopt the Resolution Calendar, with the
4 exception of Resolution 2267, please.

5 ACTING PRESIDENT BENJAMIN: All in
6 favor of adopting the Resolution Calendar, with
7 the exception of Resolution 2267, please signify
8 by saying aye.

9 (Response of "Aye.")

10 ACTING PRESIDENT BENJAMIN:
11 Opposed, nay.

12 (No response.)

13 ACTING PRESIDENT BENJAMIN: The
14 Resolution Calendar is adopted.

15 Senator Gianaris.

16 SENATOR GIANARIS: Can you please
17 recognize Senator Kaminsky for an introduction.

18 ACTING PRESIDENT BENJAMIN:
19 Senator Kaminsky for an introduction.

20 SENATOR KAMINSKY: Thank you,
21 Mr. President. I have the privilege today to
22 introduce to you and to the Senate body a very
23 important organization doing work by a very
24 special family.

25 I'm here today to recognize the

1 O'Shea family. Last year they suffered the
2 unimaginable loss of their son Ryan Patrick, who
3 took his own life. But instead of cursing the
4 darkness, they've lit a candle and, in his name,
5 have started a foundation that has done
6 tremendous work to raise awareness of mental
7 health and to begin an important conversation
8 about suicide, about how families should talk
9 about it, recognize it, and take mental health
10 out of the stigma out of which it's associated.

11 In their community of Rockville
12 Centre, they are leaders, and it is no surprise
13 that their son Ryan Patrick was a leader, a star
14 basketball and track player, loved by everyone.
15 But he suffered, unimaginably so. And their work
16 in his honor, in his name, has already changed a
17 community. It will continue to change other
18 communities.

19 And their work will continue to go
20 on, with our support, because it must, because we
21 must take this conversation out of the shadows
22 and bring it into the light. And today it's
23 important that we all recognize the work they're
24 doing and in our own capacities carry it forward,
25 as we must.

1 Thank you for your leadership. Your
2 sacrifice will always be recognized by us. But
3 together we can work so that it is not in vain
4 and so that other families will get the benefit
5 of so much of your heart and goodness. We are
6 with you. We will stand together with you. And
7 on behalf of Assemblywoman Judy Griffin, who's
8 here, together there is much more work to do.

9 Thank you so much.

10 Mr. President, please welcome them
11 to the Senate.

12 ACTING PRESIDENT BENJAMIN: To our
13 guests from the O'Shea family, I welcome you on
14 behalf of the Senate. We extend to you all the
15 courtesies and privileges of this house. Please
16 rise and be recognized.

17 (Standing ovation.)

18 ACTING PRESIDENT BENJAMIN: Senator
19 Gianaris.

20 SENATOR GIANARIS: Can we now take
21 up the reading of the calendar, please.

22 ACTING PRESIDENT BENJAMIN: The
23 Secretary will read.

24 THE SECRETARY: Calendar Number 74,
25 Assembly Print 8214B, substituted earlier by

1 Assemblymember Santabarbara, an act to amend the
2 Transportation Law.

3 ACTING PRESIDENT BENJAMIN: Read
4 the last section.

5 THE SECRETARY: Section 2. This
6 act shall take effect one year after it shall
7 have become a law.

8 ACTING PRESIDENT BENJAMIN: Call
9 the roll.

10 (The Secretary called the roll.)

11 ACTING PRESIDENT BENJAMIN: Senator
12 Kennedy to explain his vote.

13 SENATOR KENNEDY: Thank you,
14 Mr. President.

15 I'd like to start by acknowledging
16 the 24 people we lost in the limousine crashes in
17 Schoharie, last October 2018, and in Cutchogue in
18 2015.

19 I'd like to request that my
20 colleagues please stand and join me as we have a
21 moment of silence for those were lost.

22 (Whereupon, the assemblage rose and
23 respected a moment of silence.)

24 SENATOR KENNEDY: Thank you,
25 Mr. President.

1 Many of their families have joined
2 us here today, are right here in the gallery.
3 I'd like to recognize those that are with us. We
4 have Linda King, who lost her four daughters --
5 Amy, Allison, Abigail and Mary -- and three
6 sons-in-law. Bethany Nacco, Linda's
7 daughter-in-law. Jamison Ott-Carpentier, the best
8 friend of the four King daughters.

9 Janet Steenburg, who lost her sons
10 Richard and Axel, and Richard's wife, Kim
11 Steenburg.

12 Lynne Semprivo, who lost her
13 daughter Erin. Sheila McGarvey, who lost her son
14 Shane. Jill Richardson Perez, who lost her son
15 Matthew. Donna Rivenburg, who lost her daughter
16 Amanda. Mindy Grabina, who lost her daughter
17 Amy.

18 And, finally, we have Kevin, Sue and
19 Hanna Cushing, who lost Patrick, who was one of
20 our own, part of our Senate family, working right
21 here in the IT department in the Senate.

22 Thank you for joining us here today.

23 All of these families have channeled
24 their grief into advocacy, and today we are
25 passing legislation to ensure that no other

1 family has to experience the heartbreak that
2 they've experienced. Today the Senate passes
3 10 monumental reforms designed to ensure the
4 safety of all New Yorkers when they choose to
5 ride in a limo or for-hire vehicle.

6 The reforms we're passing today will
7 undoubtedly strengthen safety standards here in
8 New York. From requiring stretch limousines to
9 be retrofitted with seat belts, to mandating
10 commercial driver's licenses and drug and alcohol
11 testing for drivers of vehicles with nine or more
12 passengers, to increasing criminal penalties for
13 drivers who break the law while on the road,
14 we're taking significant steps to ensure safety
15 measures are firmly in place when anyone steps
16 into one of these vehicles.

17 These pieces of legislation before
18 us make critical changes, including mandating
19 that an impounded vehicle must be repaired and
20 must be reinspected before it is released to the
21 road.

22 Today we're creating the strongest
23 limousine safety standards in the entire nation
24 right here in the State of New York. And while
25 we're advancing this aggressive agenda, we also

1 know that there's always more work to do, which
2 is why we're also creating a task force that will
3 further examine current limo regulations and
4 safety training programs.

5 Thank you to our incredible
6 Majority Leader, Senator Andrea Stewart-Cousins,
7 for making this a priority. Without her
8 leadership, we would not be here today, and we
9 would not be seeing so many progressive reforms
10 making their way to the Senate floor so
11 expeditiously this session.

12 I'd like to thank our colleagues in
13 the Assembly for doing the right thing, working
14 with our conference to enact legislation that
15 complements what we put forward here in the
16 Senate, and also to the Governor for signaling
17 his partnership and commitment to signing these
18 pieces of legislation into law.

19 I want to thank my colleagues for
20 joining me and all of us in casting an aye vote
21 on this historic day here in this chamber.

22 I hope it brings the families a bit
23 of closure that your loved ones did not die in
24 vain, but that their legacy will carry on and
25 will undoubtedly save lives here in the State of

1 New York and, there's no question in my mind, act
2 as a model for the rest of the nation to follow
3 suit.

4 Thank you for your fortitude, your
5 commitment, for championing this effort, for
6 taking that heartache and that difficult,
7 heartbreaking situation and turning it into
8 positive advocacy and ultimately action here on
9 the Senate floor today. You are all to be
10 commended. Thank you from the bottom of my
11 heart.

12 With that, Mr. President, I vote
13 aye. Thank you.

14 ACTING PRESIDENT BENJAMIN: Senator
15 Kennedy to be recorded in the affirmative.

16 Senator Seward to explain his vote.

17 SENATOR SEWARD: Thank you,
18 Mr. President.

19 When individuals enter a limousine
20 or a similar vehicle, there is an expectation of
21 safety. But sadly and very tragically, on
22 October 6, 2018, that expectation was not met.
23 Twenty people were killed in Schoharie County, in
24 the heart of my Senate district, in a horrific
25 limousine crash that literally made global

1 headlines.

2 You know, following the crash I
3 spent time meeting with family members of the
4 victims, the emergency responders who were called
5 to the scene that day, most of which were from
6 volunteer units. And I also met with
7 investigators who were tasked with determining
8 what happened and making some sense of what had
9 occurred.

10 The consensus from all was that we
11 need to, number one, better enforce our current
12 laws and regulations and, number two, make
13 meaningful revisions to our laws and regulations
14 to truly improve limousine safety on our highways
15 in New York State.

16 These bills that we are passing
17 today are a direct result of the courageous input
18 from the people who have experienced unimaginable
19 grief and pain, and that is the families of our
20 victims.

21 You know, I have such deep
22 admiration and respect for the family members who
23 have continued to keep the memory of their loved
24 ones alive and have turned this grief and tragedy
25 in their lives into something positive, and that

1 is meaningful changes in the laws of the State of
2 New York that govern limousines. You have gone
3 above and beyond to ensure that other families
4 won't have to go through the same heartbreak that
5 you continue to experience.

6 These bills that we're passing today
7 are a testament to your determination, and they
8 will make our highways safer and limousine
9 ridership safer in New York State.

10 Mr. President, I vote aye.

11 ACTING PRESIDENT BENJAMIN: Senator
12 Seward to be recorded in the affirmative.

13 Senator Little to explain her vote.

14 SENATOR LITTLE: Thank you,
15 Mr. President.

16 This is such a tragedy. And I think
17 when we all saw this in the paper and read the
18 reports of this, everyone's heart ached for all
19 of you.

20 And we all, I'm sure, have
21 experienced riding in a limousine or watching
22 your kids go off to proms or weddings. And
23 they're all such happy, happy occasions. And you
24 know that everyone in that limousine were
25 enjoying a happy occasion, and to have such a

1 tragedy occur just had to break your hearts. But
2 it just breaks everyone's heart here when you
3 think about it could have been any of us, it
4 could have been anyone.

5 And so what we are doing here today,
6 I commend all of the Senators here voting yes on
7 this, because we are making a change and, as
8 Senator Seward said, seeing that our current laws
9 are enforced but that we have new, stricter laws
10 and somehow can prevent something like this from
11 ever happening.

12 We have families who have their
13 roots -- the King family have roots in the
14 North Country, and my deepest sympathy, not just
15 to them but to all of you.

16 I vote aye.

17 ACTING PRESIDENT BENJAMIN: Senator
18 Little to be recorded in the affirmative.

19 Senator LaValle to explain his vote.

20 SENATOR LaVALLE: Thank you.

21 There is very little that one could
22 say, because we can't bring back people who --
23 daughters who were very vibrant.

24 And I represent the 1st Senate
25 District, the North Fork, and I go by that place

1 where the limo accident occurred, and I must tell
2 you I think about it almost every single time
3 when I go by that spot.

4 But something good has come out of
5 it, and we will be helping individuals in the
6 future be safer, be safer, and that is a good
7 thing. So know that the deaths did not go for
8 naught, but we're bringing about changes that
9 will save lives, that will save lives. And you
10 are part of that. You are part of what is taking
11 place here today.

12 I vote in the affirmative.

13 ACTING PRESIDENT BENJAMIN:
14 Senator LaValle to be recorded in the
15 affirmative.

16 Announce the results.

17 THE SECRETARY: Ayes, 60.

18 ACTING PRESIDENT BENJAMIN: The
19 bill is passed.

20 THE SECRETARY: Calendar Number 75,
21 Assembly Print 712A, substituted earlier by
22 Assemblymember Paulin, an act to amend the
23 Vehicle and Traffic Law.

24 ACTING PRESIDENT BENJAMIN: Read
25 the last section.

1 THE SECRETARY: Section 3. This
2 act shall take effect one year after it shall
3 have become a law.

4 ACTING PRESIDENT BENJAMIN: Call
5 the roll.

6 (The Secretary called the roll.)

7 ACTING PRESIDENT BENJAMIN: Senator
8 Metzger to explain her vote.

9 SENATOR METZGER: Thank you,
10 Mr. President.

11 To the families, I want to express
12 my gratitude for your leadership, your courage,
13 your incredible advocacy. The work we're doing
14 today is really -- is really your work.

15 I do also want to thank our chair of
16 our Transportation Committee for bringing this to
17 fruition at this time. It's so important.

18 There's a saying in the traffic
19 safety advocacy world that will most crashes are
20 predictable and preventable. We call them
21 accidents, but many are not accidental, they are
22 the result of risky and often illegal driving
23 behaviors.

24 As part of this package, we are
25 passing a law that I introduced to mandate drug

1 and alcohol testing for limo drivers and other
2 for-hire drivers. This will help save lives,
3 along with all of the other legislative
4 initiatives we pass today.

5 It is our duty as legislators to do
6 everything that we can to prevent these kinds of
7 horrible tragedies. To all of you who have
8 suffered unimaginable losses, our hearts are with
9 you.

10 Thank you.

11 ACTING PRESIDENT BENJAMIN:

12 Senator Metzger to be recorded in the
13 affirmative.

14 Announce the results.

15 THE SECRETARY: Ayes, 60.

16 ACTING PRESIDENT BENJAMIN: The
17 bill is passed.

18 THE SECRETARY: Calendar Number 76,
19 Assembly Print 9058, substituted earlier by
20 Assemblymember Santabarbara, an act to amend the
21 Vehicle and Traffic Law.

22 ACTING PRESIDENT BENJAMIN: Read
23 the last section.

24 THE SECRETARY: Section 3. This
25 act shall take effect 30 days after it shall have

1 become a law.

2 ACTING PRESIDENT BENJAMIN: Call
3 the roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BENJAMIN:
6 Announce the results.

7 THE SECRETARY: Ayes, 60.

8 ACTING PRESIDENT BENJAMIN: The
9 bill is passed.

10 THE SECRETARY: Calendar Number 77,
11 Assembly Print 8172B, substituted earlier by
12 Assemblymember Santabarbara, an act to amend the
13 Vehicle and Traffic Law.

14 ACTING PRESIDENT BENJAMIN: Read
15 the last section.

16 THE SECRETARY: Section 2. This
17 act shall take effect one year after it shall
18 have become a law.

19 ACTING PRESIDENT BENJAMIN: Call
20 the roll.

21 (The Secretary called the roll.)

22 ACTING PRESIDENT BENJAMIN: Senator
23 Gaughran to explain his vote.

24 SENATOR GAUGHRAN: Thank you,
25 Mr. President.

1 I'd like to thank Senator Kennedy
2 for his leadership in this. And, Senator, you
3 actually helped teach me how legislation really
4 works in this State Capitol by working very
5 closely with all the families, with colleagues
6 across the aisle, to make sure that we got this
7 done right. And I want to thank you.

8 But I really want to thank
9 especially the families, some of whom are here
10 today and some of whom are not, the families, the
11 upstate families from the horrible Schoharie
12 incident. Mindy Grabina I know spoke earlier
13 today on behalf of the Long Island families so
14 eloquently. And I also want to thank others,
15 including Nancy DiMonte, who is not here, and
16 whose daughter is alive but has faced many
17 challenges because of that horrific day.

18 And, you know, when the families
19 came to my office and also when I went to the
20 hearing here in Albany and listened to their
21 testimony, their testimony was so powerful. But
22 what was also so powerful was a simple picture of
23 these beautiful young women just before they got
24 into that limousine. And it struck me, because I
25 have a daughter who is 28 years old and we have

1 pictures like that.

2 So thank you for your advocacy.

3 Thank you for making this day happen. And while
4 this is probably not going to solve this problem
5 completely -- there will probably, unfortunately,
6 be other tragedies -- I guarantee you this bill
7 and all of these bills will be saving some lives.
8 So thank you so much.

9 And I vote in the affirmative,
10 Mr. President.

11 ACTING PRESIDENT BENJAMIN: Senator
12 Gaughran to be recorded in the affirmative.

13 Announce the results.

14 THE SECRETARY: Ayes, 60.

15 ACTING PRESIDENT BENJAMIN: The
16 bill is passed.

17 THE SECRETARY: Calendar Number 78,
18 Assembly Print 1316C, substituted earlier by
19 Assemblymember Paulin, an act to establish a
20 Stretch Limousine Passengers Safety Task Force.

21 ACTING PRESIDENT BENJAMIN: Read
22 the last section.

23 THE SECRETARY: Section 2. This
24 act shall take effect on the 30th day after it
25 shall have become a law.

1 ACTING PRESIDENT BENJAMIN: Call
2 the roll.

3 (The Secretary called the roll.)

4 ACTING PRESIDENT BENJAMIN:
5 Senator Kaplan to explain her vote.

6 SENATOR KAPLAN: Thank you.

7 For too long New Yorkers took safety
8 for granted when getting into a limousine. We
9 wrongly assumed that these vehicles were safe and
10 their operators were all trained in their safe
11 operation. But I think we all got a rude
12 awakening with the unimaginable tragedies that
13 have taken place in the last few years.

14 No family should have to experience
15 the loss of a loved one because of something that
16 could have possibly been prevented. So that's
17 why we're taking action to reform limousine
18 safety in New York, because we have a duty to
19 families across the state to do everything we can
20 to prevent this senseless tragedy from happening
21 again.

22 And we owe all of that to you. It
23 must be a very difficult day for you, but I hope
24 that it's also a way for you to have closure and
25 to feel that we understand what you're going

1 through and we are working with you and we stand
2 beside you.

3 That is why I'm so proud to be a
4 sponsor of this legislation that will help
5 protect our residents, and I cast my vote in the
6 affirmative. And I want to thank our
7 chairperson, Senator Kennedy, for shepherding
8 this through.

9 Thank you.

10 ACTING PRESIDENT BENJAMIN:
11 Senator Kaplan to be recorded in the affirmative.

12 Announce the results.

13 THE SECRETARY: Ayes, 60.

14 ACTING PRESIDENT BENJAMIN: The
15 bill is passed.

16 THE SECRETARY: Calendar Number 79,
17 Assembly Print 9057, substituted earlier by
18 Assemblymember Paulin, an act to amend the
19 Vehicle and Traffic Law.

20 ACTING PRESIDENT BENJAMIN: Read
21 the last section.

22 THE SECRETARY: Section 6. This
23 act shall take effect January 1, 2021.

24 ACTING PRESIDENT BENJAMIN: Call
25 the roll.

1 (The Secretary called the roll.)

2 ACTING PRESIDENT BENJAMIN:

3 Announce the results.

4 THE SECRETARY: Ayes, 60.

5 ACTING PRESIDENT BENJAMIN: The
6 bill is passed.

7 THE SECRETARY: Calendar Number 80,
8 Assembly Print 8474A, substituted earlier by
9 Assemblymember Santabarbara, an act to amend the
10 Transportation Law and the Vehicle and Traffic
11 Law.

12 ACTING PRESIDENT BENJAMIN: Read
13 the last section.

14 THE SECRETARY: Section 5. This
15 act shall take effect one year after it shall
16 have become a law.

17 ACTING PRESIDENT BENJAMIN: Call
18 the roll.

19 (The Secretary called the roll.)

20 ACTING PRESIDENT BENJAMIN:

21 Announce the results.

22 THE SECRETARY: Ayes, 60.

23 ACTING PRESIDENT BENJAMIN: The
24 bill is passed.

25 THE SECRETARY: Calendar Number 81,

1 Assembly Print 9056, substituted earlier by
2 Assemblymember Magnarelli, an act to amend the
3 Transportation Law.

4 ACTING PRESIDENT BENJAMIN: Read
5 the last section.

6 THE SECRETARY: Section 2. This
7 act shall take effect one year after it shall
8 have become a law.

9 ACTING PRESIDENT BENJAMIN: Call
10 the roll.

11 (The Secretary called the roll.)

12 ACTING PRESIDENT BENJAMIN:
13 Announce the results.

14 THE SECRETARY: Ayes, 60.

15 ACTING PRESIDENT BENJAMIN: The
16 bill is passed.

17 THE SECRETARY: Calendar Number 82,
18 Assembly Print 9059, substituted earlier by
19 Assemblymember Santabarbara, an act to amend the
20 Vehicle and Traffic Law and the Transportation
21 Law.

22 ACTING PRESIDENT BENJAMIN: Read
23 the last section.

24 THE SECRETARY: Section 5. This
25 act shall take effect on the 180th day after it

1 shall have become a law.

2 ACTING PRESIDENT BENJAMIN: Call
3 the roll.

4 (The Secretary called the roll.)

5 ACTING PRESIDENT BENJAMIN:
6 Announce the results.

7 THE SECRETARY: Ayes, 60.

8 ACTING PRESIDENT BENJAMIN: The
9 bill is passed.

10 THE SECRETARY: Calendar Number 83,
11 Assembly Print 8990, substituted earlier by
12 Assemblymember Magnarelli, an act to amend the
13 Vehicle and Traffic Law.

14 ACTING PRESIDENT BENJAMIN: Read
15 the last section.

16 THE SECRETARY: Section 3. This
17 act shall take effect on the first of November.

18 ACTING PRESIDENT BENJAMIN: Call
19 the roll.

20 (The Secretary called the roll.)

21 ACTING PRESIDENT BENJAMIN: Senator
22 Hoylman to explain his vote.

23 SENATOR HOYLMAN: Thank you,
24 Mr. President.

25 I too want to rise and thank

1 Senator Kennedy for his leadership on this rather
2 solemn day where we are taking much-needed steps
3 to improve limousine safety as well as taxicab
4 and livery safety.

5 In my district, where there is an
6 emergency room at NYU Langone, emergency room
7 doctors tell me that they'll often see
8 individuals come in with split lips, broken
9 noses, and cracked teeth. In fact, the
10 physicians in the ER department see it so often,
11 they call it "partition face." And partition
12 face is when a passenger is sitting in the back
13 seat of a taxicab, unbuckled, the cab makes a
14 sudden stop, and they are flung headfirst into
15 the plastic partition that's meant to protect the
16 drivers. It's very dangerous.

17 Well, today we're finally taking
18 steps here in the State of New York to require
19 that everyone who rides in the back seat of a cab
20 or a livery -- 8 years or older -- buckles up.

21 We know that wearing seat belts
22 saves lives. Well, seat belt laws also save
23 lives, Mr. President. I'm proud that we're
24 taking this step and again want to commend
25 Senator Kennedy for his leadership, along with

1 our colleagues on this important day.

2 I vote aye.

3 ACTING PRESIDENT BENJAMIN: Senator
4 Hoylman to be recorded in the affirmative.

5 Senator Tedisco to explain his vote.

6 SENATOR TEDISCO: Yeah, just to
7 explain my vote on this and the other seat belt
8 laws.

9 First of all, let me thank all the
10 families for their input on this. I think I was
11 at the first hearing here in Albany, and it was
12 very important to get your research and input.
13 And I thank the Senator for sponsoring that. I'm
14 proud to be sponsor of several of these bills.

15 Just one caveat in the future. I
16 know we have a task force that we're going to put
17 out there to give us future input on what we can
18 do to be safer in this these large vehicles,
19 these limousines. It's good that we're going to
20 require and mandate having seat belts in the back
21 of these limousines and in the back of the
22 liveries that we just talked about.

23 And the fact of the matter is it's
24 very difficult to give a limousine driver the
25 responsibility to make sure individuals keep

1 those seat belts on. But I think what we could
2 add to this piece of legislation to require
3 having those seat belts and buckling them up is a
4 requirement of the individual that drives these
5 limousine vehicles, are part of these limousine
6 companies -- as they open up the doors and the
7 individuals go in and sit down, that that
8 limousine driver be required and mandated to tell
9 everyone who is seated there, who they will be
10 driving and responsible for in terms of driving
11 the vehicle, no matter what the signs are, that
12 the law is New York State says there must be seat
13 belts here and you must have those seat belts on
14 and attached.

15 And he will not put the key into the
16 ignition and turn it until he sees all of them in
17 their seats with the seat belt attached. Because
18 there's a good chance if everyone is required --
19 before he starts that vehicle and drives --
20 having their seat belt attached, being notified
21 this is the law, that they'll keep that seat belt
22 on. Because we know the dangers to everybody if
23 one, two or three people take those seat belts
24 off. It not only impacts them, it impacts
25 everybody else in that vehicle.

1 So I don't think it's a lot to ask
2 the person who's driving, no matter how many
3 people are in it -- five, 10, 15 or 20 -- this is
4 the law, you have to be buckled, I have to see
5 you all buckled, and I can't put the key in the
6 ignition, start it and begin to drive you on what
7 should be a wonderful day for you and a good
8 time. I don't think that's a lot to ask of a
9 limousine driver. And I think there's a good
10 chance that people will keep those seat belts on
11 if we start them out notifying them of the law
12 and the requirement that it doesn't move, this
13 vehicle doesn't move until you're all attached
14 and I see that, and then he puts the key in and
15 drives.

16 So I would just suggest we think
17 about that and look at that. I don't think
18 that's a lot to ask of someone who is driving
19 people that are most precious to us.

20 Thank you. I vote aye.

21 ACTING PRESIDENT BENJAMIN: Senator
22 Tedisco to be recorded in the affirmative.

23 Announce the results.

24 THE SECRETARY: Ayes, 60.

25 ACTING PRESIDENT BENJAMIN: The

1 bill is passed.

2 Senator Gianaris, that completes the
3 reading of today's calendar.

4 SENATOR GIANARIS: Thank you,
5 Mr. President.

6 Can we now return to motions and
7 resolutions and take up Resolution 2267, by
8 Senator Akshar, read its title only, and
9 recognize Senator Akshar.

10 ACTING PRESIDENT BENJAMIN: The
11 Secretary will read.

12 THE SECRETARY: Senate Resolution
13 2267, by Senator Akshar, memorializing Governor
14 Andrew M. Cuomo to proclaim January 6 through 12,
15 2020, as Law Enforcement Appreciation Week in the
16 State of New York.

17 ACTING PRESIDENT BENJAMIN:
18 Senator Akshar on the resolution.

19 SENATOR AKSHAR: Mr. President,
20 thank you very much for your indulgence.

21 Allow me to thank the Majority
22 Leader and the floor leader for allowing this
23 resolution to the floor. I appreciate it very
24 much.

25 Many of you know that before being

1 elected, I had the good fortune of being a member
2 of law enforcement. I spent many good years with
3 the Broome County Sheriff's Office. So today, by
4 way of this resolution, I simply want to say
5 thank you to the more than 850,000 men and women
6 who wear the uniform across this great state and
7 across this great nation.

8 Being a member of law enforcement,
9 it's a thankless job, very long hours. It's
10 challenging work. But I also know, and I think
11 it's incredibly important for me to remind
12 everybody, that law enforcement members care
13 about their community and, underneath their
14 uniform, they're real people with a heart. And
15 they protect the communities that they love.
16 They are on the streets every day doing what they
17 love, ensuring that their communities are safe.

18 But there is also an undeniable
19 fact, that the men and women of law enforcement
20 are under attack. And their job is getting more
21 difficult, it's becoming more dangerous every
22 single day. And despite all of that, the men and
23 women who wear the uniform, they remain committed
24 to doing their job, to keeping our communities
25 safe. And because of that, they deserve our

1 respect and they deserve our gratitude.

2 And quite honestly, that's what this
3 resolution is all about. It's about allowing all
4 of us to take a moment to think about the
5 selfless sacrifices that these men and women make
6 and give them a sincere thank you.

7 Mr. President, I thank you for your
8 indulgence.

9 ACTING PRESIDENT BENJAMIN: The
10 question is on the resolution. All in favor
11 signify by saying aye.

12 (Response of "Aye.")

13 ACTING PRESIDENT BENJAMIN:
14 Opposed?

15 (No response.)

16 ACTING PRESIDENT BENJAMIN: The
17 resolution is adopted.

18 Senator Gianaris.

19 SENATOR GIANARIS: Mr. President,
20 is there any further business at the desk?

21 ACTING PRESIDENT BENJAMIN: There
22 is no further business at the desk.

23 SENATOR GIANARIS: I move to
24 adjourn until tomorrow, Wednesday, January 15th,
25 at 11:00 a.m.

1 ACTING PRESIDENT BENJAMIN: On
2 motion, the Senate stands adjourned until
3 Wednesday, January 15th, at 11:00 a.m.
4 (Whereupon, at 3:58 p.m., the Senate
5 adjourned.)

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