



COMMITTEE ON
Transportation

2019 ANNUAL REPORT

NEW YORK STATE ASSEMBLY



CARL E. HEASTIE, *Speaker*

WILLIAM B. MAGNARELLI, *Chair*



WILLIAM B. MAGNARELLI
Assemblyman 129th District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

CHAIR
Committee on Transportation
COMMITTEES
Economic Development
Education
Rules
Oversight, Analysis and Investigation
Steering

December 15, 2019

Honorable Carl Heastie
Speaker of the Assembly
Legislative Office Building, Room 932
Albany, NY 12248

Dear Speaker Heastie:

I am pleased to submit to you the 2019 Annual Report of the Assembly Standing Committee on Transportation.

The 2019 Legislative Session was a banner year for transportation safety issues. The Committee acted upon many significant pieces of legislation impacting the safety and efficiency of State and local transportation facilities, providing oversight of transportation providers, enhancing public safety, expanding mobility, and reducing paperwork burdens. A number of these bills were ultimately signed into law. This report contains descriptions of legislation and important issues considered by the Committee, along with an overview of the public hearings the Committee conducted and the outlook for the coming year.

Facilitating the movement of people and goods all across the State requires a strong, safe, and efficient transportation system. Transportation is a key and necessary component to enabling individuals to conduct their daily lives, building and maintaining vibrant communities, and contributing to the overall public health and welfare as well as to the strength of the State and local economies. The work of the Committee reflects these goals, and I would like to express my appreciation to the members of the Committee for their commitment and contributions to the legislative work undertaken this year, as well as to the staff for their assistance.

I also wish to thank and commend you, Mr. Speaker, for the support and leadership you have provided the Transportation Committee in its pursuit to address transportation issues affecting the people of the State. With your assistance, the Committee looks forward to a productive Legislative Session in 2020.

Sincerely,

William B. Magnarelli, Chairman
Assembly Standing Committee
on Transportation



**2019 ANNUAL REPORT
OF THE
NEW YORK STATE ASSEMBLY
STANDING COMMITTEE ON TRANSPORTATION**

William B. Magnarelli, Chairman

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INTRODUCTION AND SUMMARY

Committee Jurisdiction

New York State's transportation network moves millions of people and tons of freight annually. Based on the most recent data available, this network includes a State and local highway and bridge system of approximately 17,450 bridges and over 113,000 miles of public roadways, upon which more than 130 billion vehicle miles are driven annually. More than 450 public and private aviation facilities provide service to more than 52 million passenger enplanements annually. Four port authorities (NY/NJ, Albany, Oswego, and Ogdensburg), the Port of Buffalo and numerous private ports and waterways handle millions of tons of freight each year. Approximately 77 million tons of freight in more than 2 million carloads originating or terminating in the State is transported annually on approximately 4,200 route miles of rail track. About 1.7 million riders use Amtrak's Empire and Adirondack services, and millions of rail passengers pass through Penn Station using Amtrak service with an origin or destination within New York State. Over 130 public transit operators provide service for approximately 3.8 billion passenger transit trips annually.

The Assembly Transportation Committee is charged with the responsibility of advancing policies for coordinating the management of these systems and ensuring the employment of measures designed to provide and encourage safe travel. The Committee is also responsible for developing and reviewing legislation covering a wide range of topics affecting the movement of people and goods throughout the State.

The Committee's jurisdiction includes oversight and analysis of the activities (including the implementation and administration of programs) of the Departments of Transportation (DOT) and Motor Vehicles (DMV), the New York State Thruway Authority, and various regional transportation authorities and commissions. Committee action primarily affects the following consolidated laws: Vehicle and Traffic, Highway, Transportation, Navigation, Canal, and Railroad.

Summary of Committee Action

During the 2019 Legislative Session, 680 bills were referred to the Assembly Standing Committee on Transportation. A number were ultimately signed into law, including legislation to enhance the safety of school children through the use of school bus stop-arm cameras, authorize the issuance of drivers' licenses to undocumented persons, strengthen measures relating to the oversight of drivers experiencing loss of consciousness, and reduce paperwork burdens on farm

vehicles. Additionally, significant legislation addressing numerous aspects of stretch limousine safety, including the creation of new felony crimes for operating a commercial vehicle in a manner causing the death of another person while the vehicle's registration is suspended for violating DOT safety regulations or for operating without DOT operating authority, were enacted in the State Fiscal Year (SFY) 2019-20 budget.

The Committee conducted three public hearings in 2019, two conducted jointly with the Senate Transportation Committee on the subject of the effectiveness of New York State's transit networks, and one on the subject of the impact of the 2019-20 State budget on the New York State Department of Transportation Capital Program.

2019 Legislative Action

A. School Transportation Safety

School Bus Safety Awareness

(A.605-A, L. Rosenthal; Chapter 513, Laws of 2019)

In order to protect the health and safety of school children when they are boarding or exiting school buses, current law prohibits motorists from passing a stopped school bus with extended stop arms and flashing red lights. Children are placed at great risk whenever motorists ignore this law and pass a stopped school bus. To ensure that drivers are taught from the very beginning of the driver's license process of the dangers and illegality of passing a stopped school bus, the Assembly passed A.605-A (Rosenthal). Enacted as Chapter 513, the new law requires DMV to provide a "School Bus Safety" awareness component in the mandatory five hour pre-licensing course, and include school bus safety awareness information in the learner's permit driving manual. Chapter 513 also authorizes the inclusion of one or more questions on school bus safety awareness on the driver's license written test.

School Bus Photo Enforcement

(A.4950-B, Magnarelli; Chapter 145, Laws of 2019)

Despite the law prohibiting motorists from passing a stopped school bus when its stop sign-shaped arms are extended and its red lights are flashing, motorists continue to illegally pass school buses. Motorists pass from the front and the rear of buses as well as on the right hand, or boarding, side of school buses. It has been estimated that over 50,000 vehicles pass stopped school buses illegally each school day in New York State. A recent one-day survey conducted in 21 rural, urban, and small city school districts reported 306 illegal passes (an average of 1.28 illegal passes per school bus) including six "right side" passes. That number, if extrapolated, would bring the estimated number of illegal passes in the State to over 64,000 on that date alone. Illegal passes expose children to the risk of death or serious physical injury from being struck by motor vehicles, and raise significant safety concerns among parents, drivers, and transportation administrators alike.

Until this year, violations could not be ticketed unless a police officer personally witnessed the violation and stopped the offending motorist. Given the size and scope of the problem, the need for additional enforcement options was clear. Thus, the Assembly passed A.4950-B

(Magnarelli). Signed into law as Chapter 145, the new statute establishes a five-year demonstration program authorizing local governments (counties, cities, towns, and villages) to impose liability on the owners of motor vehicles whose drivers illegally pass stopped school buses displaying red visual signals, through the use of stationary or mobile cameras.

Chapter 145 authorizes municipalities to enter agreements with the school districts in which they are located for the installation and use of school bus photo violation monitoring systems on school buses, with the cost borne by municipalities. Additionally, Chapter 145 provides parameters for the program, including provisions relating to the certification of violations, the process for the issuance and adjudication of notices of liability, and privacy measures, including exempting recorded images from the Freedom of Information Law. The new law establishes fines ranging from \$250 for a first violation to \$300 for a third or subsequent violation within 18 months, and authorization for the denial of motor vehicle registrations for persons failing to respond to three or more notices of violation within 18 months. The new law prohibits the imposition of driver's license points and use of violations for insurance purposes, exempts notices of violation from traffic ticket surcharges, and authorizes the issuance of warnings during the first 30 days of the program.

School Speed Zone Photo Enforcement

(A.951, Peoples-Stokes; Chapter 148, Laws of 2019)

(A.6449, Glick; Chapter 30, Laws of 2019)

Each school day, children traveling to school are exposed to the dangers posed by speeding vehicles. Children who are walking are particularly vulnerable to traffic conditions, and it has been well-established that the risk that a pedestrian struck by a vehicle will be injured or killed is related to the impact speed. A AAA Foundation for Traffic Safety study¹ has shown that the average risk of severe injury for a pedestrian struck by a vehicle reaches 10% at an impact speed of 16 mph, 25% at 23 mph, 50% at 31 mph, 75% at 39 mph, and 90% at 46 mph. The average risk of death for a pedestrian reaches 10% at an impact speed of 23 mph, 25% at 32 mph, 50% at 42 mph, 75% at 50 mph, and 90% at 58 mph. In 2018, speed was a factor in more than one quarter of all fatal crashes in New York State. While close to 700,000 speeding tickets were issued that year, a police officer must observe the violation before a ticket can be issued.

¹ AAA Foundation for Traffic Safety, *Impact Speed and a Pedestrian's Risk of Severe Injury or Death*, Washington D.C., September 2011.

In response to concerns about speeding motor vehicles around schools within the City of Buffalo, the Committee advanced A.951 (Peoples-Stokes, Chapter 148 of the Laws of 2019.) Chapter 148 authorizes the City of Buffalo to establish a five-year pilot program to impose monetary liability on owners of motor vehicles for the failure of the driver to comply with posted maximum speed limits, in up to twenty school speed zones. The program would be subject to standards set forth in the authorizing statute, including provisions related to due process, equipment calibration, privacy, and procurement.

Chapter 189 of the Laws of 2013 authorized the City of New York to establish a pilot program imposing monetary liability on owners of motor vehicles for the failure of the driver to comply with posted maximum speed limits in school speed zones. The City has reported a significant drop in speeding infractions in locations where school zone speed cameras were installed. However, only a small percentage of New York City school children go to a school with such cameras nearby. Therefore, in order to extend the protections offered by this equipment to more school children, the Assembly passed A.6449 (Glick, Chapter 30 of the Laws of 2019.) Chapter 30 increased the cap on the number of school speed camera zones, required prioritization of camera placement based on speed data or crash history in a school speed zone, modified the times for camera use and locations for camera placement, required signs, updated program reporting requirements, and extended the length of the program to July 1, 2022.

B. Limousine Safety

The Legislature in 2006 passed legislation relating to limousine inspection, registration and enforcement. Following the veto of this legislation, DOT and DMV established a joint plan to expand the pool of stretch limousines subject to DOT inspections and operating authority and to improve DMV's ability to confirm stretch limousines' registration classification in order to verify proper insurance levels and subject drivers of stretch limousines to commercial driver license requirements. Despite these changes, two recent crashes involving stretch limousines which resulted in the tragic death and serious physical injury of occupants of the limousines as well as nearby pedestrians have heightened the need for further statutory changes to improve public health and safety, and prevent future similar tragedies and the toll they take on surviving victims, families, friends, and communities.

Penalties for Operating Authority and Safety Violations

(A.2009-C, Part III, §§1-7, Budget; Chapter 59, Laws of 2019)

Section 140 of the Transportation Law imposes a number of safety requirements on motor carriers of passengers and property, and authorizes the Commissioner of Transportation to adopt rules and regulations governing the safety of operation of vehicles such as buses, commercial vehicles transporting passengers or property in commerce, commuter vans, and double-decker sightseeing buses. Motor carriers are prohibited from operating in the State unless they are in compliance with DOT's safety regulations, and have obtained DOT operating authority. DOT is granted the authority to inspect all such vehicles, and to place vehicles, drivers, and/or motor carriers out-of-service for failing to comply.

Sections one through seven of Part III of Chapter 59 increases civil penalties on motor carriers of passengers and property, as well as drivers, for violations of safety or operating authority requirements. For example, Chapter 59 creates two new class E felony crimes for knowingly operating a vehicle in a manner causing the death of another person if the vehicle's registration was suspended either for violating DOT safety requirements or for providing transportation without DOT operating authority. Other examples of penalty increases include those for violations involving operating with an out-of-service (OOS) brake, steering, or coupling defect, which were increased to \$500-\$1,250 for a first violation and \$1,250-\$3,500 for subsequent violations within 18 months. Drivers violating an OOS order would be subject to a \$3,000-\$5,000 fine for a first violation and a \$6,000-\$7,000 fine for subsequent violations.

Stretch Limousine Inspection Failure

(A.2009-C, Part III, §3, Budget; Chapter 59, Laws of 2019)

Section three of Part III of Chapter 59 explicitly authorizes DOT to seize, or direct the seizure of, the license plates of stretch limousines that fail a DOT inspection and are placed out-of-service. DOT is required to notify DMV to suspend the registration of any vehicle whose license plates are seized, until such time as the OOS defect is remedied. Persons failing to surrender the license plates would be subject to a misdemeanor, and operating a vehicle while it is suspended would be a misdemeanor.

Federal Motor Vehicle Safety Certification Labels

(A.2009-C, Part III, §§8 - 9, Budget; Chapter 59, Laws of 2019)

At the completion of the manufacture of a motor vehicle, federal law and regulation requires that a federal motor vehicle safety certification label be attached. The label indicates that the completed vehicle meets all relevant Federal Motor Vehicle Safety Standards. Federal regulations² impose a duty on persons altering motor vehicles to determine continued conformity of the altered vehicle with applicable federal motor vehicle safety, bumper, and theft prevention standards, require that the vehicle manufacturer's certification label remain affixed to the vehicle, and require alterers to affix an additional certification label with specified information.

Section eight of Part III of Chapter 59 prohibits any person from knowingly removing, defacing, destroying, covering, altering, or otherwise changing the form or appearance, with intent to defraud, of a federal motor vehicle safety standard certification label on an altered motor vehicle, or to affix such label in a manner not conforming with federal requirements. Violations would be subject to a misdemeanor.

Section nine of such Part also prohibits the Commissioner of Motor Vehicles from registering any altered motor vehicle that fails to comply with the federal certification requirements for altered motor vehicles. Additionally, the Commissioner would be required to revoke the registration of any altered motor vehicle failing to comply with the federal certification requirements and to refund the pro-rata unused portion of the registration fee.

Public Motor Vehicle Inspection Stations

(A.2009-C, Part III, §§10-11, Budget; Chapter 59, Laws of 2019)

Vehicle and Traffic Law Section 303 establishes penalties for DMV-licensed inspection stations engaging in prohibited actions such as failing to conduct inspections in conformance with applicable laws and regulations, engaging in fraud, or imposing excessive charges for inspections or related repairs. DMV regulations³ require inspection stations to refuse to perform an inspection if a passenger car, multipurpose passenger vehicle, or truck is presented for inspection, and such vehicle has been altered (a vehicle commonly referred to as a "stretch limousine") so as to have an extended chassis, or a lengthened

² 49 Code of Federal Regulations §567.7

³ 15 NYCRR Part 79.20(f)(2)

wheel base, or an elongated seating area, and in the case of a truck, has been modified to transport passengers in addition to having been altered. The regulations prohibit inspection stations from charging for the inspection, and require them to provide the motorist with instructions about how to comply with New York State Department of Transportation periodic inspection requirements.

Sections 10 and 11 of Part III of Chapter 59 increase the penalties upon inspection stations and inspectors for engaging in the aforementioned prohibited actions, and for failing to refuse to inspect stretch limousines. Fines for failing to refuse a stretch limousine inspection would be increased to \$250 - \$1,000 for a first violation and to \$500 - \$1,500 for subsequent violations. Further, in addition to imposing fines, DMV would be required to suspend, revoke, or refuse to renew a license to operate an official inspection station or a certificate to inspect vehicles, upon a third or subsequent violation of refusing to inspect a stretch limousine.

Mandatory Inspection Station Refusal and Reporting

(A.2009-C, Part III, §12, Budget; Chapter 59, Laws of 2019)

Section 12 of Part III of Chapter 59 requires DMV-licensed inspection stations to refuse to inspect any motor vehicle, commonly referred to as a “stretch limousine,” that was altered to add seating capacity beyond that provided by the original manufacturer by way of an extended chassis, lengthened wheel base, or elongated seating area. The new law also requires inspections stations to promptly report the vehicle to the Commissioner of Motor Vehicles. However, these provisions do not apply to vehicles that have been issued a DOT exemption letter and are in compliance with federal regulations relating to altered motor vehicles.

For-Hire Vehicle Financial Security

(A.2009-C, Part III, §§13 and 19, Budget; Chapter 59, Laws of 2019)

(A.7789, Magnarelli; Chapter 408, Laws of 2019)

Vehicle and Traffic Law §370 requires all persons and entities engaged in the business of carrying or transporting passengers for hire in any motor vehicle to file a corporate surety bond or insurance policy for liability for bodily injury or death with DMV, in tiered amounts based upon vehicle passenger capacity, as provided under the statute. Section 13 of Part III of Chapter 59 replaces the tiered system for all vehicles, including limousines, carrying eight or more passengers with a combined single limit of \$1.5 million, while section 19 makes corollary changes to the Insurance Law.

Assembly bill 7789 (Magnarelli, Chapter 408 of the Laws of 2019) provides a technical clarification that the \$1.5 million single combined limit minimum liability coverage required to be carried on for-hire vehicles carrying 8 or more passengers includes the \$10,000 per accident coverage for property damage.

Stretch Limousine U-Turn Prohibition

(A.2009-C, Part III, §14, Budget; Chapter 59, Laws of 2019)

Prior to the enactment of Chapter 59, the Vehicle and Traffic Law prohibited all motor vehicles from making U-turns within a school zone, or upon any curve, or upon the approach to or near the crest of a grade, where the motor vehicle cannot be seen by the driver of any other motor vehicle approaching from either direction within 500 feet. Section 14 of Part III of Chapter 59 prohibits stretch limousines having a seating capacity of ten or more passengers including the driver from making a U-turn on any public highway or private road open to public motor vehicle traffic. "Highway" as defined in the Vehicle and Traffic Law means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

Stretch Limousine Display of Information

(A.2009-C, Part III, §15, Budget; Chapter 59, Laws of 2019)

To provide the general public and passengers with relevant information regarding the status of stretch limousine vehicles and drivers, section 15 of Part III of Chapter 59 requires DOT, in consultation with DMV, to establish requirements for stretch limousine owners and operators to conspicuously display valid DOT operating authority, inspection information, and driver qualifications in locations where they perform contract or common carrier services with stretch limousines, and within each stretch limousine used to provide those services.

DOT Website

(A.2009-C, Part III, §16, Budget; Chapter 59, Laws of 2019)

When members of the general public seek to engage for-hire vehicle services, information regarding the various providers can be helpful in making their choice. Section 16 of Part III of Chapter 59 requires DOT to maintain and update its website to provide information on motor carriers transporting passengers for compensation and New York City double-

decker sightseeing buses requiring DOT operating authority. The posted information includes the operator's name, number of inspections, number of out-of-service orders, operator identification number, location and region of operation including place of address, percentile to which a motor carrier falls with respect to out-of-service defects, and the number of serious physical injury or fatal crashes involving a for-hire vehicle requiring DOT operating authority.

DOT and DMV Studies

(A.2009-C, Part III, §17, Budget; Chapter 59, Laws of 2019)

Section 17 of Part III of Chapter 59 directs DOT, in consultation with DMV, the Governor's Traffic Safety Committee, the Division of State Police, and any other State agency, authority, or political subdivision that the DOT Commissioner deems necessary, to conduct a study assessing the current design of entrance and exit ramps and the appropriateness of existing signage on State parkways to mitigate U-turns and wrong-way entry by commercial motor vehicles, and to make recommendations to mitigate. Section 17 also directs DMV, in consultation with DOT, the Governor's Traffic Safety Committee, the Division of State Police, and any other State agency, authority, or political subdivision that the DMV Commissioner deems necessary, to conduct a study and provide recommendations to improve crash reporting and data collection pertaining to commercial motor vehicles. Each study must be submitted to the Governor and Legislature by April 2021.

Mandatory Seatbelt Equipment

(A.2157-A, Paulin; Passed Assembly)

The provision of the Vehicle and Traffic Law that prohibits vehicles from being sold or registered in New York, or operated in New York if registered in the State, to be equipped with seatbelts applies to vehicles manufactured or assembled or, if used, sold or leased, after specified dates. Because stretch limousines are altered post-manufacture, the seatbelt equipment requirements do not apply to the portion of the vehicle that was altered. To address this gap and enhance public safety, the Assembly passed A.2157-A (Paulin.) This bill would require altered motor vehicles commonly referred to as "stretch limousines" that were altered on or after January 1, 2020, to be equipped with seatbelts for every seating position. The bill would require that the seatbelts be clearly visible, accessible and maintained in good working order, and prohibit their removal. Finally, the bill would require the following notice to be posted in stretch limousines, in a manner legible and conspicuous to

passengers in all seating positions: “Seatbelts must be available for your use. Please buckle up.”

Online Stretch Limousine Driver Information

(A.5774-A, Santabarbara; Passed Assembly)

Hiring a stretch limousine company can be a difficult task if a consumer lacks basic information regarding the company and its drivers. Providing consumers with an easily available way to check information on stretch limousine drivers prior to their final decision to hire a particular company could assist them in comparing the various options and help them with their final choice.

Assembly bill 5774-A (Santabarbara) would require DMV to maintain and annually update its website to provide information regarding each motor carrier operating stretch limousines including: the carrier’s name, location, address and region of operation; whether the motor carrier is in compliance with Article 19-A of the Vehicle and Traffic Law (Special Requirements for Bus Drivers); the number and nature of violations of the motor carrier resulting in convictions relating to stretch limousines; the number of miles traveled by stretch limousines operated by the motor carrier within the preceding 12 months; the total number of stretch limousine drivers employed by the motor carrier, the number holding valid licenses valid for the operation of stretch limousines, and the number lacking such license; the number of disqualified stretch limousine drivers; the number of convictions and accidents involving any such driver employed by the motor carrier during the preceding 12 months; and the number of convictions and accidents per 10,000 miles traveled.

The bill also would require DMV to review the bus driver files of each driver of a motor carrier operating stretch limousines, and annually verify whether each such driver holds a valid driver’s license valid for the operation of a stretch limousine. Finally, the bill would require motor carriers to furnish DMV with a list of each altered motor vehicle commonly referred to as a “stretch limousine” designed to carry 15 or more passengers in addition to the driver that such carrier operates, if any, and a list of all drivers the motor carrier employs who drive stretch limousines and whether such drivers are qualified or disqualified.

Commercial Global Positioning System (GPS) for Stretch Limousines
(A.8171-A, Santabarbara; Passed Assembly)

A number of roadways within the State, such as parkways, prohibit the operation of vehicles which are registered as commercial. This is due to the fact that parkways were designed and engineered for smaller passenger automobiles, and have narrow lanes, no or minimal shoulders, low clearances, and other design features that would make commercial operation inappropriate and dangerous. To ensure that stretch limousines are using routes designed for commercial vehicles, thereby protecting the health and safety of passengers, the Assembly passed A.8171-A (Santabarbara).

This bill would require every stretch limousine that has a seating capacity of nine or more passengers not including the driver registered in the State and used in the business of transporting passengers for compensation to be equipped with commercial global positioning system (GPS) technology, and to prohibit any person from operating, or causing the operation, of a stretch limousine registered in the State unless it is equipped with the required commercial GPS technology. The act would be deemed repealed if any federal agency or any court of competent jurisdiction finally determines that the act would render New York State out of compliance with federal law or regulation.

U-Turn Penalty Increases

(A.8172-A, Santabarbara; Passed Assembly)

As previously stated, Part III of Chapter 59 of the Laws of 2019 prohibited stretch limousines from making U-turns on any public highway or private road open to public motor vehicle traffic. This bill would increase penalties for violations of this law, as follows: a first violation would be punishable by a minimum \$250, maximum \$400 fine and/or up to 15 days imprisonment, and second or subsequent violations within 18 months would be subject to a minimum \$600, maximum \$750 fine and/or up to 45 days imprisonment. A violation where the violator is operating a stretch limousine while carrying at least one passenger other than the driver would be subject to a minimum \$750, maximum \$1,000 fine and/or up to 180 days imprisonment.

Impoundment of Stretch Limousines

(A.8302, Magnarelli; Passed Assembly)

While the recently enacted State budget contained provisions clarifying that DOT has the authority to seize the license plates and direct the suspension of registration of stretch limousines that fail DOT inspections and are placed out-of-service (OOS), more can and should be done to ensure that those vehicles found to have more serious OOS defects be pulled off the road.

To that end, the Assembly passed A.8302 (Magnarelli). This bill would authorize DOT, upon seizing the license plates of a stretch limousine, to impound it if the OOS defect is of a type where a re-inspection is required before an inspection certificate is issued, and DOT determines that allowing the stretch limousine to leave the inspection area would be contrary to public safety. An impounded vehicle could not be released unless DOT is satisfied that repairs were scheduled or had been made to satisfactorily adjust the OOS defect, and payment had been made to DOT for the reasonable costs of the vehicle's removal and storage.

The bill also would establish procedures for notification to vehicle owners and lienholders of an impoundment and an opportunity to be heard, and for the disposition of unclaimed vehicles, which would be deemed abandoned.

C. Traffic Safety

Driver Unconsciousness

(A.4751-A, Carroll; Chapter 740, Laws of 2019)

Human factors contribute to the majority of motor vehicle crashes in the State, and many recent crashes have highlighted a need to help protect both drivers and pedestrians. Under current law, the Commissioner of Motor Vehicles can determine the fitness of a driver's license applicant, or current licensee, to hold a driver's license. DMV regulations establish a process for driver's license qualifications following a loss of consciousness. These regulations include the suspension or denial of a license by DMV following a Department hearing if requested, or immediately if DMV determines that the person would be an immediate hazard.

Despite this process, there have been reports that individuals experiencing loss of consciousness have continued to hold a driver's

license and to drive, which has led to fatal and personal injury crashes. To address this issue and reduce the risk of an event occurring prior to a hearing, Chapter 740 of the Laws of 2019 (A.4751-A, Carroll) was enacted. Chapter 740 codifies the aforementioned DMV regulations, and directs DMV to immediately suspend or deny the license of any person about whom the Department has received evidence of loss of consciousness, pending a hearing if the applicant or licensee so requests.

Rideshare Vehicle Identification

(A.7219-C, Fahy; Passed Assembly)

Transportation network company (TNC) vehicles provide for-hire vehicle service on an app-based, pre-arranged basis. Although the law currently requires DMV to promulgate regulations to ensure that each TNC vehicle is distinguishable, there have been instances where individuals have mistakenly entered non-TNC vehicles and been subjected to criminal acts. Recently, a University of South Carolina student was a victim of kidnapping and murder after entering a vehicle she believed was a TNC vehicle she had ordered. The vehicle in question was driven by the individual who has been charged with her murder.

To prevent such tragedies and to protect the riding public, the Assembly passed A.7219-C (Fahy). This bill would require DMV to require TNCs to provide each TNC driver with a machine-readable code or image to be displayed on the outside of each TNC vehicle. The bill would require TNC digital networks to enable passengers to scan, with their mobile devices, the TNC vehicle machine-readable codes prior to entering a TNC vehicle in order to confirm that the TNC vehicle is the one authorized for the passenger's pre-arranged trip.

The bill also would require TNCs to issue a TNC driver identification card to each of their drivers containing, at a minimum, the name and photograph of the TNC driver and the license plate number of the TNC vehicle utilized for providing the TNC prearranged trip, to be posted within the TNC vehicle in a manner that is legible, clear and conspicuous to passengers in all seating positions. Finally, A.7219-C would require that TNC vehicle markings include an illuminated sign indicating the name of the TNC for which the vehicle is providing service.

D. Department of Motor Vehicles

Green Light Law

(A.3675-B, Crespo; Chapter 37, Laws of 2019)

Securing driving privileges for all residents of New York, including undocumented immigrants, has been sought for a number of years. Studies and reports, including from the Fiscal Policy Institute and the New York City Comptroller's Bureau of Policy and Research, have indicated numerous public safety and economic benefits to providing undocumented persons the ability to obtain drivers' licenses.

Chapter 37 of the Laws of 2019 (A.3675-B, Crespo) amended the Vehicle and Traffic Law to expand the types of proofs of identity that could be submitted with an application for a non-commercial driver's license that does not meet federal standards for identification (i.e., a "standard" license) to include a valid, unexpired foreign passport issued by the applicant's country of citizenship (which could also be submitted as proof of age), a valid unexpired consular identification document issued by a consulate from the applicant's country of citizenship, and a valid foreign driver's license that includes the applicant's photo image and which is either unexpired, or is expired for less than 24 months from its date of expiration. The new law also allows driver's license and learner's permit applicants who lack a Social Security number (SSN) to instead submit a signed affidavit that they have not been issued an SSN. Among its provisions, Chapter 37 also establishes standards for the appearance of standard drivers' licenses and learners' permits, provides privacy protections, and contains restrictions prohibiting DMV or its agents from inquiring about, or revealing, the immigration status of applicants.

Farm Vehicle Documentation

(A.3860-A, Magnarelli; Chapter 500, Laws of 2019)

New York agricultural producers are afforded the opportunity to register farm vehicles for a reduced registration fee of one dollar. Such farm-plated vehicles are restricted in their travel, and must remain within 25 miles of a designated point on the farm when traveling between fields, buildings, and facilities managed or operated as part of a single farm enterprise in connection with the production, harvesting, processing or marketing on that farm of crops, livestock, or livestock products produced on that farm, or to transport materials from a farm to the nearest available municipal sanitary landfill, or to transport the farm vehicle to a licensed repair shop.

When registering farm vehicles, the registrant is required to file an additional form specifying the routes upon which the farm vehicle will travel to the authorized locations. This information must then be kept on file with the vehicle registration as an attachment. Each time registrants acquire additional land or find it necessary to travel to an alternate destination in order to conduct business, they must file another document with DMV, which expends time and staff resources on behalf of the registrant and the State.

To ease the burden of maintaining the additional paperwork, while at the same time providing a means for route restrictions to be enforced, the Assembly passed A.3860-A (Magnarelli), signed as Chapter 500 of the Laws of 2019. By modifying this requirement to require designation only of the point of origin on the attachment, farmers will no longer have to file new paperwork each time they wish to bring the vehicle to a different destination as permitted under the law. Chapter 500 will reduce unnecessary and cumbersome paperwork associated with farm plated vehicles, and help alleviate the regulatory burden the agricultural community already wrestles with.

PUBLIC HEARINGS

Effectiveness of New York's Transit Networks

Buffalo, Friday, March 15, 2019

Syracuse, Friday, March 22, 2019

The Assembly Standing Committee on Transportation, jointly with the Senate Standing Committee on Transportation, convened public hearings in Buffalo and Syracuse on March 15th and 22nd, respectively, on the effectiveness of New York's transit networks. Testimony at the Buffalo hearing was presented by the Mayor of the City of Buffalo and the Chautauqua County Executive, and representatives of the Niagara Frontier Transportation Authority (NFTA), the Town of Amherst, the Chautauqua County Department of Public Works, Chautauqua Area Regional Transit (CARTS), the Amalgamated Transit Union Local 1342, the Livingston County Regional Transit Service, the Wyoming County Regional Transit Service, the Buffalo Niagara Medical Campus, the Greater Buffalo Niagara Regional Transportation Council, Citizens for Regional Transit, the Buffalo Transit Rider Union, the Coalition for Economic Justice, the Fruit Belt Advisory Council, the Fruit Belt Coalition, the Restore Our Community Coalition, the Sierra Club Niagara Group, the University at Buffalo Student Council, the University at Buffalo School of Social Work, Western New York Independent Living, and private citizens.

Testimony at the Syracuse hearing was presented by representatives of the Mayor's Office of the City of Syracuse, the Central New York Regional Transportation Authority, the Rochester Genesee Regional Transportation Authority, the Syracuse Common Council, the City of Syracuse, the Center for Disability Rights, the Greater Syracuse Tenants Network, the Broome County Department of Public Transportation, the Centerstate Corporation for Economic Opportunity, Greater Syracuse Hope, the Moving People Transportation Coalition, ARISE Independent Living Center, Syracuse United Neighbors, and private citizens.

Impact of the 2019-20 State Budget on the NYSDOT Capital Program

Albany, Friday, December 6, 2019

The Assembly Standing Committee on Transportation convened a public hearing in Albany on December 6, 2019, to seek information and testimony on the impact of the 2019-2020 enacted State budget on the fifth and final year of the current Department of Transportation Capital Program. The hearing provided an opportunity to obtain pertinent budgetary information and to assess progress on the DOT Capital Program.

Witnesses providing oral testimony included the NYS Association of Town Superintendents of Highways, the NYS County Highway Superintendents

Association, the New York City Department of Transportation, the New York Aviation Management Association, the Long Island Contractors' Association, the New York State Public Employees Federation, the New York Public Transit Association, the Capital District Transportation Committee, the Associated General Contractors NYS, the Construction Industry Council of Westchester and Hudson Valley, Inc., Rebuild NY Now, and the American Council of Engineering Companies of New York.

OUTLOOK FOR 2020

With the conclusion this year of the 2015-16 to 2019-20 Department of Transportation five year Capital Program, during the 2020 Legislative Session the Committee will work toward authorizing and securing the financing for a multi-year transportation capital plan. Ensuring that transportation infrastructure throughout the State, from roads and bridges to rail, aviation, port, public transit, bicycle and pedestrian facilities is safe, efficient, and cost-effective remains a Committee priority.

Building upon the significant new laws that were enacted in the 2019-20 budget, the Committee will work toward the enactment of additional legislation addressing the safety of stretch limousine transportation. Aspects that the Committee plans to address include occupant protection, impoundment or immobilization of unsafe vehicles, driver oversight including mandatory drug and alcohol testing, records review, and commercial driver licensing, methods to report safety violations, transparency of information on the history and performance of stretch limousine companies, drivers and vehicles, increased penalties for illegal U-turns, and use of commercial GPS technology.

During the 2020 Legislative Session, the Committee will also continue its work on a wide range of legislation affecting various aspects of the State and local transportation systems and enhancing the safety of the walking, boating, biking and motoring public. Among the issue areas that will be under consideration include those relating to pedestrians, bicyclists, motorists and motor vehicle occupants, work zone safety, improved accessibility for the disabled, and penalties for various violations, as well as issues relating to the State's transportation infrastructure. As always, the Committee will examine additional issues brought to its attention by legislators and the public, and looks forward to continuing to work with the Governor, the Senate, and the various State agencies toward a safe transportation system that is responsive to the needs of the people of the State of New York.

APPENDIX A: 2019 SUMMARY SHEET

	<u>ASSEMBLY BILLS</u>	<u>SENATE BILLS</u>	<u>TOTAL BILLS</u>
<u>Bills Reported Favorable to</u>			
Codes	27	0	27
Judiciary	0	0	0
Ways and Means	31	0	31
Rules	8	0	8
Floor	<u>7</u>	<u>0</u>	<u>7</u>
Subtotal	73	0	73
 <u>Committee Action</u>			
Remaining in Committee (Assembly Bills Held for Consideration: 46)	542	57	599
Defeated	0	0	0
Enacting Clause Stricken	<u>8</u>	<u>0</u>	<u>8</u>
Subtotal	<u>550</u>	<u>57</u>	<u>607</u>
TOTAL:	623	57	680

Bills Reference Changed to

Consumer Affairs	1
Codes	1
Ways and Means Committee	<u>1</u>
Total	3

Total Number of Committee Meetings Held: 8

APPENDIX B: BILLS THAT PASSED BOTH HOUSES

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.605-A L. Rosenthal S.2960-B Kaplan	Requires DMV to provide a mandatory component in “school bus safety” awareness in the mandatory 5-hour pre-licensing course, to include school bus safety awareness information in the learner’s permit driving manual, and authorizes the inclusion of one or more questions on school bus safety awareness on the driver’s license written test.	Chapter 513
A.888 Jones S.2027 Little	Designates the bridge on State Route 9N crossing the west branch of the Ausable River and connecting the town of Black Brook, Clinton County with the town of Jay, Essex County, as the “Steve Godlewski Memorial Bridge”, and requires DOT to install signage.	Chapter 172
A.951 Peoples-Stokes S.231 Kennedy	Authorizes the City of Buffalo to implement a school speed zone photo enforcement program.	Chapter 148
A.1851 Magnarelli S.2497 Kennedy	Prohibits a child less than ten years of age from being left unattended in a motor vehicle under conditions presenting a substantial risk.	Vetoed, Memo 176
A.3366-A Colton S.6243 Persaud	Requires DMV to provide information on motor vehicle manufacturer safety recalls.	Chapter 338
A.3675-B Crespo S.1747-B Sepulveda	Enacts the Driver’s License Access and Privacy Act.	Chapter 37

A.3860-A Magnarelli S.4945 Metzger	Streamlines the requirements for registration attachments for farm vehicles relating to routing restrictions.	Chapter 500
A.4417-A DenDekker S.2978-A Gaughran	Requires the installation of global positioning system (GPS) technology in charter buses registered in the State.	Vetoed, Memo 177
A.4751-A Carroll S.5225-A Gounardes	Establishes a process within DMV relating to the licensing of drivers who have experienced a loss of consciousness.	Chapter 740
A.4880 Rozic S.1673 Skoufis	Imposes requirements on DOT relating to long-range transportation planning.	Vetoed, Memo 140
A.4950-B Magnarelli S.4524-B Kennedy	Authorizes local governments to implement programs, in conjunction with school districts, for the photo enforcement of laws prohibiting the passing of stopped school buses.	Chapter 145
A.5268-A Santabarbara S.3161-A Amedore	Designates a portion of State Route 5S in the Town of Glen, Montgomery County, as the "Sergeant Jeremy J. VanNostrand Memorial Highway" and requires DOT to install and maintain signage.	Chapter 114
A.5563 Goodell S.6528 O'Mara	Designates a portion of State Route 394 in the Village of Lakewood, Chautauqua County, as the "Lance Corporal Aaron M. Swanson Memorial Highway" and requires DOT to install and maintain signage.	Chapter 170

A.5575-A Goodell S.6526-A O'Mara	Designates a portion of State Route 60 in the Town of Kiantone, Chautauqua County, as the "Private Charles S. Cooper, Jr. Memorial Highway" and requires DOT to install and maintain signage.	Chapter 215
A.5701-B Buttenschon S.3220-B Griffo	Designates that portion of State Route 69, Oriskany Boulevard within the Village of Whitesboro as the "Kevin F. Crossley Memorial Highway" and requires DOT to install and maintain signage.	Chapter 101
A.5806 Palumbo S.3329 LaValle	Authorizes the Town of Riverhead, Suffolk County, to establish maximum speed limits on local town roads, within statutory parameters.	Chapter 364
A.5874-A Cusick S.3965-A Kennedy	Directs DMV to implement a pilot program for the provision of online five hour pre-licensing courses.	Chapter 368
A.5939 Jaffee S.521-A Carlucci	Designates a portion of State Route 17 in the Village of Hillburn, Rockland County, as the "Justice Thurgood Marshall Memorial Highway" and requires DOT to install and maintain signage.	Chapter 113
A.5990-A Rozic S.4048-A Kennedy	Increases and indexes the reimbursement rate paid by the State to cities for their maintenance and repair of State arterial highways within such cities.	Vetoed, Memo 146

A.6332-A Buchwald S.4588-A Mayer	Designates the bridge crossing I-287 and intersecting with Westchester Avenue in the town of Harrison, Westchester County, as the “NYPD Det. TSgt. Joseph G. Lemm Memorial Bridge” and requires DOT to install and maintain signage.	Chapter 173
A.6413 Weprin S.4492 Liu	Directs the State Office of Parks, Recreation and Historic Preservation and the Office of Mental Health to jointly conduct a study on a proposed extension of the Long Island Motor Parkway trail.	Vetoed, Memo 163
A.6449 Glick S.4331 Gounardes	Expands and extends the authorization for New York City to establish a pilot program for school zone speed cameras.	Chapter 30
A.6547 Stern S.4363 Gaughran	Increases the cap on the amount that the Town of Huntington, Suffolk County, is authorized to expend on the purchase of highway equipment, unless otherwise authorized by town vote, from \$800,000 to \$1 million.	Chapter 555
A.6560-A Walczyk S.1827-A Ritchie	Designates State Route 37 from its intersection with New York Avenue to its intersection with County Route 28 in the town of Lisbon as the “Charles ‘Chuck’ Kelly Memorial Highway” and requires DOT to install and maintain signage.	Chapter 156

A.6670-B Salka S.3658-B Seward	Designates a portion of State Route 205 in the Town of Hartwick, Otsego County, as the “Sergeant John Kempe Winslow Memorial Highway” and requires DOT to install and maintain signage.	Chapter 157
A.6703-A Cusick S.4200-A Lanza	Authorizes the Board of Commissioners of Pilots to exempt recreational vessels less than 200 feet in length from the compulsory state pilotage requirement in the Port of New York (Sandy Hook), Long Island Sound, Block Island Sound, and the Hudson River.	Chapter 582
A.7296-A DeStefano S.5112-A LaValle	Designates the bridge on Yaphank Avenue between the northbound and southbound service roads and crossing the Long Island Expressway in the town of Brookhaven, Suffolk County, as the “SSgt Louis Bonacasa Memorial Bridge” and requires DOT to install and maintain signage.	Chapter 159
A.7431-B Rozic S.5294-A Ramos	Authorizes the operation of electric bicycles and electric scooters, subject to statutory requirements.	Vetoed, Memo 280
A.7497 Darling S.5288 Thomas	Designates State Route 102 from its intersection with Uniondale Avenue to its intersection with Hawthorne Avenue in the hamlet of Uniondale, Nassau County, as “Melvin Harris, Jr. Way” and requires DOT to install and maintain signage.	Chapter 102
A.7577-B Palmesano S.5484-B O’Mara	Designates a portion of State Route 415 in Steuben County, as the “Trooper Nicholas Clark Memorial Bridge” and requires DOT to install and maintain signage.	Chapter 111

A.7696-A Friend S.4915-A Akshar	Designates State Route 17 from exit 62 to exit 63 in the town of Nichols, Tioga County, as the “Dennis ‘Matt’ Howe Memorial Highway” and requires DOT to install and maintain signage.	Chapter 158
A.7789 Magnarelli S.5329-A Breslin	Clarifies a provision of Part III of Chapter 59 of the Laws of 2019 in relation to for-hire vehicle insurance.	Chapter 408
A.7945-A Magnarelli S.6169-A Kennedy	Modifies provisions of a State program for the single audit of the expenditure of transportation funds by public authorities and local governments.	Chapter 285
A.8011 Gunther S.6254 Metzger	Designates the bridge on State Route 97 crossing over Basket Creek in the town of Fremont, Sullivan County, as the “Specialist Allan Milk Memorial Bridge” and requires DOT to install and maintain signage.	Chapter 112
A.8013-A Ashby S.6213-A Jordan	Designates a bridge crossing Kinderhook Creek in the Village of Valatie, Columbia County, as the “Roger J. Mazal Memorial Bridge” and requires DOT to install and maintain signage.	Chapter 144
A.8057 Otis S.3874-A Mayer	Requires DMV to issue “manufacturer” license plates, having the same privileges as “dealer” plates.	Chapter 706
A.8223-A Crouch S.6377-A Seward	Designates a portion of State Route 8 in the Village of Sidney, Delaware County, as the “Sidney Veterans Memorial Highway” and requires DOT to install and maintain signage.	Chapter 433

A.8430 Rozic S.6597 Ramos	Provides a technical amendment to a Chapter of the Laws of 2019 as set forth in A.7431-B/S.5294-A, relating to electric bicycles and electric scooters.	Vetoed, Memo 288
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APPENDIX C: BILLS THAT PASSED THE ASSEMBLY

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>
A.2157-A Paulin S.6530 Parker	Would require the installation of seat belts in stretch limousines modified on and after January 1, 2020, and the posting of a notice within such limousines informing passengers to buckle up.
A.2226-A Cahill	Would designate the bridge over Esopus Creek on State Route 28, between Creek Side Drive and Church Road in the town of Shandaken, Ulster County, as the "John 'Jody' Rossitz Memorial Bridge" and require DOT to install and maintain signs.
A.2331 Dinowitz S.1026 Rivera	Would require DMV to establish a process for sharing with the Division of Veterans' Affairs, upon request, information on persons applying for a veterans' notation on their driver's license or non-driver ID card.
A.3400-A Gunther S.4104-A Skoufis	Would authorize the solicitation of donations, within statutory parameters, on the shoulders of certain State highways within towns.
A.4438 DenDekker S.80 Robach	Would authorize the use of rear-facing blue lights on hazard vehicles equipped to push or tow disabled vehicles.
A.5390-A Lupardo	Would authorize the operation of "auto-cycles" with either a Class D or Class M driver's license.
A.5774-A Santabarbara S.6604 Sanders	Would require DMV to provide information on its website relating to the operation of limousines by motor carriers, and to annually review the records of limousine drivers.
A.7219-C Fahy S.5536-C Breslin	Would provide for the identification of transportation network company (TNC) drivers and vehicles.

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>
A.8156 Byrnes S.6392 O'Mara	Would designate a portion of State Route 63 in the Town of North Dansville, Livingston County, as the "North Dansville Veterans Memorial Highway" and require DOT to install and maintain signage.
A.8171-A Santabarbara	Would require stretch limousines registered within the State to be equipped with global positioning system (GPS) technology.
A.8172-A Santabarbara	Would increase penalties for illegally conducting a U-turn in a stretch limousine.
A.8215 McDonough S.6610 Brooks	Would designate a bridge on the Bay Parkway crossing over Wantagh State Parkway, just above Jones Beach Field 4 and Jones Beach Field 5 within Jones Beach State Park in the hamlet of Wantagh, Nassau County, as the "Detective Betsy Horner-Miller Cutrone Memorial Bridge" and require DOT to install and maintain signage.
A.8302 Magnarelli	Would authorize DOT to impound stretch limousines which fail a DOT inspection and the Commissioner determines impoundment would be necessary for public safety.