

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2018**

No. 197

Introduced by Council Members Williams, Chin, Yeger, Ampry-Samuel, Cohen, Vallone and Holden.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to for-hire vehicles and commuter vans with a seating capacity greater than 20

Be it enacted by the Council as follows:

Section 1. Subdivision g of section 19-502 of the administrative code of the city of New York, as amended by local law number 70 for the year 2001, is amended to read as follows:

g. “For-hire vehicle” means a motor vehicle carrying passengers for hire in the city, with a seating capacity of twenty passengers or less, not including the driver, other than a taxicab, coach, wheelchair accessible van, commuter van or an authorized bus operating pursuant to applicable provisions of law. For the purpose of this subdivision, “seating capacity” shall include any plain view location which is capable of accommodating a normal adult [is] *as* part of an overall seat configuration and design and is likely to be used as a seating position while the vehicle is in motion. *For purposes of the provisions of this chapter relating to prohibitions against the operation of an unauthorized for-hire vehicle and to the enforcement of such prohibitions and to the imposition of penalties for violations of such prohibitions and to the seizure and forfeiture of for-hire vehicles, the term shall also include any common carrier of passengers by motor vehicle not subject to licensure as a taxicab, commuter van, or wheelchair accessible van and not*

operating as an authorized bus line pursuant to applicable provisions of law regardless of the seating capacity of any such vehicle.

§ 2. Subdivision p of section 19-502 of the administrative code of the city of New York, as added by local law number 115 for the year 1993, is amended to read as follows:

p. “Commuter van” means a commuter van service having a seating capacity of at least nine passengers but not more than twenty passengers or such greater capacity as the commission may establish by rule and carrying passengers for hire in the city duly licensed as a commuter van by the commission and not permitted to accept hails from prospective passengers in the street. For purposes of the provisions of this chapter relating to prohibitions against the operation of an unauthorized commuter van service or an unlicensed commuter van and to the enforcement of such prohibitions and to the imposition of penalties for violations of such prohibitions *and to the seizure and forfeiture of commuter vans*, the term shall also include any common carrier of passengers by motor vehicle not subject to licensure as a taxicab, for-hire vehicle, or wheelchair accessible van [or] *and* not operating as an authorized bus line pursuant to applicable provisions of law *regardless of the seating capacity of any such vehicle*. The commission shall submit to the council the text of any proposed rule relating to the maximum capacity of commuter vans at the time such proposed rule is published in the City Record.

§ 3. This local law takes effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on October 31, 2018 and returned unsigned by the Mayor on December 3, 2018.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 197 of 2018, Council Int. No. 925-A of 2018) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEVEN LOUIS, Acting Corporation Counsel.