



Legislation Text

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Int. No. 466-A

By Council Members Garodnick, Foster, James, Mealy, Seabrook, Williams, Comrie, Gennaro, Koslowitz, Van Bramer, Gentile, Jackson, Cabrera, Halloran and Greenfield

A Local Law to amend the administrative code of the city of New York, in relation to seizing pedicabs and suspending and/or revoking pedicab registration plates and drivers' licenses for certain violations.

Be it enacted by the Council as follows:

Section 1. Subdivision d of section 20-263 of the administrative code of the city of New York, as added by local law number 19 for the year 2007, is amended to read as follows:

d. Any police or peace officer or authorized officer or employee of the department, upon service on the pedicab business or pedicab driver of a notice of violation for the failure of the pedicab business to obtain the required inspection of a pedicab or have a valid registration plate affixed to the pedicab pursuant to [subdivision a of] section 20-255 or for the failure of a pedicab driver to be licensed pursuant to section 20-257, may seize such pedicab. Any pedicab seized pursuant to this subdivision shall be delivered into the custody of the department or other appropriate agency. The commissioner shall hold a hearing to adjudicate the violation of subdivision a of section 20-255 or section 20-257 within two business days after the date of the seizure and shall render his or her determination within two business days after the conclusion of the hearing.

§ 2. Subdivision e of section 20-261 of the administrative code of the city of New York, as amended by local law number 53 for the year 2009, is amended to read as follows:

e. 1. Any pedicab driver who has been found to have committed:

(i) one violation of paragraph 7 of subdivision b of section 20-259 within any twelve-month period shall have his or her pedicab drivers license suspended by the commissioner for a period of not less than three

months.

(ii) two violations of paragraph 7 of subdivision b of section 20-259 within any twelve-month period shall have his or her pedicab drivers license revoked by the commissioner.

(iii) [Any pedicab driver who has been found to have committed] one violation of paragraph 6 of subdivision b of section 20-259 within any twelve-month period shall have his or her license revoked by the commissioner.

2. For purposes of this subdivision, all violations committed on any one day by any one pedicab shall constitute a single violation.

§3. Section 20-261 of the administrative code of the city of New York is amended by adding a new subdivision i to read as follows:

i. Any pedicab that is found in violation of paragraph 4, paragraph 5 or paragraph 9 of subdivision a of section 20-254 three times or more within any twelve month period shall have its registration suspended by the commissioner for a period of not less than one year and such pedicab shall not be operated during such period.

§4. This local law shall take effect one hundred twenty days after its enactment into law; provided, however, that the commissioner shall take any actions necessary prior to such effective date for the implementation of this local law including, but not limited to, the adoption of any necessary rules.

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