Legislation Details (With Text)

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Title: A Local Law to amend the administrative code of the city of New York, in relation to the New York city taxi and limousine commission's critical drivers and persistent violators programs.

Sponsors: Ydanis A. Rodriguez, Vanessa L. Gibson, Mark Levine, Stephen T. Levin, Helen K. Rosenthal, Maria Del Carmen Arroyo, James G. Van Bramer, Inez D. Barron, (by request of the Mayor)

Indexes:

Attachments: 1. Int. No. 272 - 4/10/14, 2. Committee Report 4/30/14, 3. Hearing Testimony 4/30/14, 4. Hearing Transcript 4/30/14, 5. Committee Report 5/29/14, 6. Hearing Transcript 5/29/14, 7. Fiscal Impact Statement, 8. Message of Necessity, 9. Hearing Transcript - Stated Meeting 5-29-14, 10. Mayor's Letter, 11. Local Law 30, 12. Minutes of the Stated Meeting - May 29, 2014

Date	Ver.	Action By	Action	Result
4/10/2014	*	City Council	Introduced by Council	
4/10/2014	*	City Council	Referred to Comm by Council	
4/30/2014	*	Committee on Transportation	Hearing Held by Committee	
4/30/2014	*	Committee on Transportation	Laid Over by Committee	
5/29/2014	*	Committee on Transportation	Hearing Held by Committee	
5/29/2014	*	Committee on Transportation	Amendment Proposed by Comm	
5/29/2014	*	Committee on Transportation	Amended by Committee	
5/29/2014	A	Committee on Transportation	Approved by Committee	Pass
5/29/2014	A	City Council	Approved by Council	Pass
5/29/2014	A	City Council	Sent to Mayor by Council	
6/11/2014	A	Mayor	Hearing Scheduled by Mayor	
6/23/2014	A	Mayor	Hearing Held by Mayor	
6/23/2014	A	Mayor	Signed Into Law by Mayor	
6/23/2014	A	City Council	Recved from Mayor by Council	

Int. No. 272-A

By Council Members Rodriguez, Gibson, Levine, Levin, Rosenthal, Arroyo, Van Bramer and Barron (by request of the Mayor)

A Local Law to amend the administrative code of the city of New York, in relation to the New York city taxi and limousine commission's critical drivers and persistent violators programs.

Be it enacted by the Council as follows:

Section 1. Section 19-507.1 of the administrative code of the city of New York, as added by local law number 20 for the year 1999, is amended by amending subdivisions a,b,c and e, and adding new subdivisions i and j, to read as follows:

§ 19-507.1 Persistent Violators of Rules Relating to Drivers of Taxicabs and For-Hire Vehicles. a. (1) [On or after September 1, 1999, any] Any taxicab or for-hire vehicle driver may attend a remedial or refresher course approved by the commission. Upon presentation to the commission of proof of satisfactory completion of a commission-approved course by such driver, [two] three points shall be deducted from the number of points assessed under the persistent violators program against his or her taxicab or for-hire vehicle driver's license, except as otherwise provided in this paragraph. A taxicab or for-hire vehicle driver shall be eligible for a point reduction pursuant to this subdivision only once within [the] a five-year period [commencing on or after September 1, 1999]. In the event no such approved course is available at the time such driver seeks to enroll, such driver may take a course provided for in paragraph one of subdivision c of section 19-507.2 of this chapter. In such instance, completion of a course taken pursuant to this paragraph or pursuant to paragraph one of subdivision c of section 19-507.2 shall result in the removal of three points from either the number of points accrued under the persistent violators program or from the number of points accrued under the critical drivers program, but not from both, upon the election of the driver who completes such course.

(2) [Notwithstanding the provisions of paragraph one of this subdivision, any taxicab or for-hire vehicle driver may attend one remedial or refresher course approved by the commission between the effective date of this local law and August 31, 1999. Upon satisfactory completion of a commission-approved course by such driver two points shall be deducted from the number of points assessed under the persistent violators program against his or her taxicab or for-hire vehicle driver's license.

(3)] Notwithstanding the provisions of [paragraphs] paragraph one [or two] of this subdivision, no point reduction shall affect any suspension or revocation action which may be taken by the commission

pursuant to this program prior to the completion of the course and no taxicab or for-hire vehicle driver shall receive a point reduction unless attendance at the course is voluntary on the part of the driver. [If the commission has no approved remedial or refresher course on the effective date of this subdivision, then a department of motor vehicles-approved course shall be deemed acceptable until such time as the commission approves a course.

b. Any taxicab or for-hire vehicle driver who has been found guilty of violations of the commission's rules such that six or more points but fewer than ten points have been assessed against his or her taxicab or for-hire vehicle driver's license within any fifteen-month period and whose license has not been revoked shall have his or her taxicab or for-hire vehicle driver's license suspended for up to thirty days. [The provisions of this subdivision shall apply only to violations issued on or after July 26, 1998.]

c. Any taxicab or for-hire vehicle driver who has been found guilty of violations of the commission's rules such that ten or more points have been assessed against his or her taxicab or for-hire vehicle driver's license within any fifteen-month period shall have his or her taxicab or for-hire vehicle driver's license revoked. [The provisions of this subdivision shall apply only to violations issued on or after July 26, 1998.]

e. A taxicab or for-hire vehicle driver shall not be subject to an assessment of points against his or her taxicab or for-hire vehicle driver's license or the imposition of duplicate penalties where the same act is a violation under provisions of law other than commission rules and where such violations duplicate each other or are substantively the same and any such driver may be issued only one summons or notice of violation for such violation. Points assessed [by the department of motor vehicles by reason of violations under the vehicle and traffic law] pursuant to section 19-507.2 of this chapter may [not], pursuant to subdivisions i and j of this section, be added to points assessed by the commission under this section for violations of commission rules.

i. Any taxicab or for-hire vehicle driver who has been found guilty of violations such that six or more points but fewer than ten points in total have been assessed within any fifteen-month period against his or her taxicab or for-hire vehicle driver's license pursuant to this section and against the driver license issued to such

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taxicab or for-hire vehicle driver by the department of motor vehicles or an equivalent licensing agency of the driver's state of residence pursuant to section 19-507.2 of this chapter and whose taxicab or for-hire vehicle driver's license has not been revoked shall have his or her taxicab or for-hire vehicle driver's license suspended for up to thirty days; provided, however, that only points assessed against a taxicab or for-hire vehicle driver's license for violations that threaten the safety of passengers or any other persons, as specified by rule of the commission, may be applied for purposes of this subdivision.

j. Any taxicab or for-hire vehicle driver who has been found guilty of violations such that ten or more points in total have been assessed within any fifteen-month period against his or her taxicab or for-hire vehicle driver's license pursuant to this section and against the driver's license issued to such taxicab or for-hire vehicle driver by the department of motor vehicles or an equivalent licensing agency of the driver's state of residence pursuant to section 19-507.2 of this chapter shall have his or her taxicab or for-hire vehicle driver's license revoked; provided, however, that only points assessed against a taxicab or for-hire vehicle driver's license for violations that threaten the safety of passengers or any other persons, as specified by rule of the commission, may be applied for purposes of this subdivision.

§2. Section 19-507.2 of the administrative code of the city of New York, as added by local law number 20 for the year 1999, is amended to read as follows:

§19-507.2 Critical driver program a. Any taxicab or for-hire vehicle driver who has been found guilty of violations such that six or more points have been assessed by the department of motor vehicles or an equivalent licensing agency of the driver's state of residence against the driver license issued to such taxicab or for-hire vehicle driver within any fifteen-month period and whose taxicab or for-hire vehicle driver's license has not been revoked shall have his or her taxicab or for-hire vehicle driver's license suspended for thirty days. [The provisions of this subdivision shall apply only to violations issued on or after February 15, 1999.]

b. Any taxicab or for-hire vehicle driver who has been found guilty of violations such that ten or more points have been assessed by the department of motor vehicles or an equivalent licensing agency of the driver's

state of residence against the driver license issued to such taxicab or for-hire vehicle driver within any fifteen-month period shall have his or her taxicab or for-hire vehicle driver's license revoked. [The provisions of this subdivision shall apply only to violations issued on or after February 15, 1999.]

c. (1) [On or after September 1, 1999, a] A taxicab or for-hire vehicle driver shall be eligible to receive a [two] three point reduction in the number of points assessed pursuant to the critical driver program upon the submission to the commission of proof of the satisfactory completion of a motor vehicle accident prevention course approved by the department of motor vehicles. Such point reduction shall be considered in computing the total number of points accumulated by such driver as a result of violations which occurred within fifteen months prior to the date of the completion of the course. In the event that no commission approved course is available pursuant to paragraph one of subdivision a of section 19-507.1 of this chapter, completion of a course taken pursuant to this paragraph shall result in the removal of three points from either the number of points accrued under the persistent violators program or from the number of points accrued under the critical drivers program, but not from both, upon the election of the driver who completes such course.

(2) Notwithstanding the provisions of paragraph one of this subdivision no point reduction shall affect any suspension or revocation action which may be taken by the commission pursuant to this program prior to the completion of the course. No person shall receive a point reduction more than once in any eighteen month period and no person shall receive a point reduction unless attendance at the course is voluntary on the part of the driver.

[(3) Notwithstanding the provisions of paragraphs one and two of this subdivision, any taxicab or for-hire vehicle driver who voluntarily attends and satisfactorily completes one motor vehicle accident prevention course approved by the department of motor vehicles between the effective date of this local law and August 31, 1999, shall have two points deducted from the total number of points assessed pursuant to the critical driver program against his or her taxicab or for-hire vehicle driver's license. No point reduction shall affect any

suspension or revocation action which may be taken by the commission pursuant to this program prior to the completion of the course.]

§3. This local law shall take effect one hundred twenty days following enactment; newly added subdivisions i and j of section 19-507.1 of the administrative code of the city of New York shall only be applicable to points accrued subsequent to the effective date of this local law. The commission shall take all necessary action, including the promulgation of rules, prior to such effective date.

LF
Amended 5/23/14 5:48pm