



## Legislation Details (With Text)

<b>File #:</b>	Int 0573-2014	<b>Version:</b>	B	<b>Name:</b>	Operation of horse drawn cabs and pedicabs.
<b>Type:</b>	Introduction	<b>Status:</b>	Filed (End of Session)	<b>In control:</b>	Committee on Transportation
<b>On agenda:</b>	12/8/2014				
<b>Enactment date:</b>		<b>Enactment #:</b>			
<b>Title:</b>	A Local Law to amend the administrative code of the city of New York, in relation to the operation of horse drawn cabs and pedicabs, and to repeal subdivision c of section 20-374 of the administrative code of the city of New York, relating to licenses for additional horse-drawn cabs				
<b>Sponsors:</b>	Daniel Dromm, Ydanis A. Rodriguez, Margaret S. Chin, Helen K. Rosenthal, Fernando Cabrera, (by request of the Mayor)				
<b>Indexes:</b>	Agency Rule-making Required				
<b>Attachments:</b>	1. Summary of Int. No. 573-B, 2. Summary of Int. No. 573-A, 3. Int. No. 573 - 12/8/14, 4. Proposed Int. No. 573-A - 1/22/16, 5. Committee Report 1/22/16, 6. Hearing Testimony 1/22/16, 7. Hearing Transcript 1/22/16, 8. Proposed Int. No. 573-B - 1/29/16				

Date	Ver.	Action By	Action	Result
12/8/2014	*	City Council	Introduced by Council	
12/8/2014	*	City Council	Referred to Comm by Council	
1/22/2016	*	Committee on Transportation	Hearing Held by Committee	
1/22/2016	*	Committee on Transportation	Amendment Proposed by Comm	
1/22/2016	*	Committee on Transportation	Laid Over by Committee	
12/31/2017	B	City Council	Filed (End of Session)	

### Proposed Int. No. 573-B

By Council Members Dromm, Rodriguez, Chin, Rosenthal and Cabrera (by request of the Mayor)

A Local Law to amend the administrative code of the city of New York, in relation to the operation of horse drawn cabs and pedicabs, and to repeal subdivision c of section 20-374 of the administrative code of the city of New York, relating to licenses for additional horse-drawn cabs

### Be it enacted by the Council as follows:

Section 1. Declaration of legislative intent and findings. a. The Council finds and declares that:

1. Horse-drawn carriage service was developed for use in the city before automobiles became common, yet horses continue to work on streets alongside taxicabs, private cars, and busses. Numerous traffic crashes involving horse-drawn carriages have occurred in New York City, resulting in harm to horses and damage to vehicles. The presence of horse-drawn carriages on busy streets surrounding stables and Central Park not only

negatively impacts the quality of life in these areas, but puts horses in stressful situations and places them in harm's way.

2. Limiting the operation of horse-drawn carriages to Central Park will make the

City's streets safer for pedestrians, cyclists, and motorists; eliminate the potential for dangerous interactions between horses and vehicles; and allow for the continuation of the horse-drawn carriage industry.

3. Stabling carriage horses within Central Park will allow horse-drawn carriages to provide rides within the Park without requiring horses to work on City streets.

4. Moving the horse-drawn carriage industry within Central Park requires both a reduction in the number of licensed horses and in the number of hours per day a carriage may operate.

5. As a stable within Central Park will not be operational until October 1, 2018, prohibiting operation of horse-drawn carriages on streets unless they are traveling directly to or from a stable and Central Park will reduce the risk to horses and improve safety on city streets.

6. Once horse-drawn carriage operations, including the locations where carriages may wait and allow passengers to board, are moved within Central Park, it will be necessary to limit pedicab operation to areas of the Park north of the 85<sup>th</sup> Street Transverse in order to achieve an appropriate balance of park uses and interests in a heavily utilized area of the Park.

b. The Council finds that it is necessary and appropriate to reduce the number of licenses for horses used in the operation of horse-drawn carriages and the number of hours a horse-drawn carriage may operate during any 24-hour period, establish a stable within Central Park, limit the operation of horse-drawn carriages to Central Park, and prohibit the operation of pedicabs below the 85<sup>th</sup> Street Transverse in Central Park.

§ 2. Subdivisions d and e of section 17-327 of the administrative code of the city of New York, subdivision d as amended by local law number 22 for the year 2002, are amended and new subdivisions f, g, and h are added to read as follows:

d. 1. Application for a license or the renewal of a license shall be made to the department of health and

mental hygiene. Such application shall contain the name and address of the owner of the horse and of the owner of the rental horse business in which such horse is to be used if such person is not the owner of the horse, the age, sex, color, markings and any other identifying marks such as brands, microchips or tattoos of the horse, the location of the stable where the horse is to be kept, a certification that the horse will not be sold or otherwise transferred to an individual or organization for purposes of slaughter, resale for slaughter, or holding or transport for slaughter and any other information which the commissioner of health and mental hygiene may require. An application with respect to a horse which is used in the operation of a “horse drawn cab” as defined in subchapter twenty-one of chapter two of title twenty of this code shall include the identification number required to be inscribed on such horses hoof and on a microchip which shall be implanted pursuant to the rules and regulations of the department [of consumer affairs]. The application shall be accompanied by the license or renewal fee.

2. Until there are no more than 110 licenses for horses used in the operation of horse drawn cabs, the commissioner shall not accept new applications for such licenses and shall not issue any such license if such issuance would result in the total number of such licenses exceeding 110 on December 1, 2016; provided, however, that beginning on the date upon which the commissioner of parks and recreation makes a certification pursuant to subdivision s of section 17-330, until there are no more than 95 licenses for horses used in the operation of horse drawn cabs, the commissioner shall not accept new applications for such licenses and shall not issue any such license if such issuance would result in the total number of such licenses exceeding 95.

3. Notwithstanding subdivision b of this section, any license for a horse used in the operation of a horse drawn cab renewed on or after the effective date of the law that added this paragraph and before December 1, 2016 shall expire on December 1, 2016; provided, however, that this paragraph shall not apply to licenses for a horse used in the operation of a horse drawn cab that are identified for renewal pursuant to subdivision f of this section.

e. No license shall be transferable. 1. Upon the transfer of ownership of any horse to a new owner, the

[new owner shall obtain a license for such horse within fifteen days after the date of the transfer of ownership] former owner shall surrender the license to the commissioner. Such horse shall not be used in the operation of a horse drawn cab until it has been issued a new license for a horse used in the operation of a horse drawn cab pursuant to this subchapter.

2. Holders of licenses for horses used in the operation of horse drawn cabs who retain such a license or licenses shall be permitted to substitute or replace a licensed horse that is lame, suffers from a physical condition or other illness making it unsuitable for work, or that retires, with another licensed horse, and maintain the number of licenses for a horse or horses used in the operation of horse drawn cabs that such license holder has been designated under subdivision f or g of this section, provided that such license holder has complied with the requirements of section 17-329.

3. Within 30 days of receiving or renewing a license for a horse used in the operation of a horse drawn cab, holders of such a license shall be permitted to replace a licensed horse with another licensed horse for any reason and maintain the number of licenses for a horse or horses used in the operation of horse drawn cabs that such license holder has been designated under subdivision f or g of this section, provided that such license holder has complied with the requirements of section 17-329.

f. Prior to December 1, 2016, the department shall identify 110 licenses for horses used in the operation of horse drawn cabs that shall be renewed in the following order, provided that such licenses would otherwise be eligible for renewal pursuant to this section: (1) license holders who have a valid license to operate a horse drawn cab pursuant to subdivision a of section 20-374, provided that such license holder shall be permitted to renew one license for a horse used in the operation of a horse drawn cab; and (2) any remaining licenses for horses used in the operation of horse drawn cabs shall be distributed to license holders who have a valid license to operate a horse drawn cab pursuant to subdivision a of section 20-374, selected by means of a lottery; provided, however that the department may limit such lottery to such license holders who have two or more licenses for horses used in the operation of horse drawn cabs and provided, further, however, that no license

holder who has a valid license to operate a horse drawn cab shall be eligible to receive more than two licenses for horses used in the operation of a horse drawn cab.

g. Prior to the date the commissioner of parks and recreation makes a certification pursuant to subdivision s of section 17-330, the department shall select by means of a lottery 95 of the licenses for horses used in the operation of horse drawn cabs remaining under subdivision f of this section that shall be eligible for renewal as of the date the commissioner of parks and recreation makes a certification pursuant to subdivision s of section 17-330; provided, however that license holders who have a valid license to operate a horse drawn cab pursuant to subdivision a of section 20-374 shall each be permitted to retain at least one license for a horse used in the operation of a horse drawn cab.

h. The commissioner may promulgate such rules and regulations as are necessary to implement the provisions of this section.

§ 3. Subdivision a of section 17-328 of the administrative code of the city of New York is amended to read as follows:

a. Each horse licensed pursuant to the provisions of this subchapter shall be assigned an official identification number by the department. Such identification number shall be branded on the hoof of the horse and included on a microchip implanted in the horse in a manner to be prescribed by the commissioner and shall also be inscribed on a plainly visible metal tag which shall be attached to the bridle of the horse in a conspicuous place to be specified by the commissioner at all times when the horse is at work. Such tag shall be issued to the owner with the certificate of license. The tag and certificate of license shall be of such form and design and shall contain such information as the commissioner shall prescribe. Duplicate tags and certificates of license shall be issued only upon proof of loss of the original and the payment of a fee of two dollars.

§ 4. Section 17-329 of the administrative code of the city of New York is amended to read as follows:

§ 17-329 Disposition of licensed horse. a. The owner of a licensed horse shall notify the department [shall be notified] of the [transfer of ownership or other] proposed disposition of a licensed horse [within ten] at

least 5 days [thereafter] prior to the proposed disposition. Such notice shall include the date of the proposed disposition and [if sold in New York city,] the name [and], address and telephone number of the prospective buyer or other transferee, the certification required pursuant to subdivision b of this section, and such other information as the commissioner may prescribe.

b. A licensed horse shall not be [sold or] disposed of except in a humane manner, which, for the purposes of this subchapter, shall mean a licensed horse may not be sold or otherwise transferred to an individual or organization for purposes of slaughter, resale for slaughter, or holding or transport for slaughter. The owner of a licensed horse shall provide a statement in a form prescribed by the commissioner certifying that such horse will be sold or otherwise transferred for personal use and not for purposes of slaughter, resale for slaughter, or holding or transport for slaughter.

§ 5. Subdivision c of section 17-330 of the administrative code of the city of New York, as amended by local law number 10 for the year 2010, is amended to read as follows:

c. Standing stalls for carriage horses, other than standing stalls for carriage horses in a stable certified as operational pursuant to subdivision s of section 17-330, shall be [sixty] 60 square feet or larger, with a minimum width of seven feet, and shall be configured to permit a carriage horse to turn around and safely [lay] lie down within the stall. Standing stalls for carriage horses in a stable certified as operational pursuant to subdivision s of section 17-330 shall be 100 square feet or larger, with a minimum width of seven feet, and shall be configured to permit a carriage horse to turn around and safely lie down within the stall. Horses shall be un-tied when stabled. A halter shall be on the horse or hung outside each stall at all times.

§ 6. Subdivision f of section 17-330 of the administrative code of the city of New York, as added by local law number 2 for the year 1994, is amended to read as follows:

f. 1. Owners shall not allow a horse to be worked on a public highway, path [or], street, or within Central Park in the borough of Manhattan during adverse weather, a state of emergency or other dangerous events or conditions [which] that are a threat to the health or safety of the horse. A horse being worked when

such events or conditions develop shall be immediately returned to the stable by the most direct route.

2. Beginning on June 1, 2016 and until the date the commissioner of parks and recreation makes a certification pursuant to subdivision s of section 17-330, in addition to the restrictions set forth in paragraph 1 of this subdivision, horses used in the operation of horse drawn cabs shall be subject to the restrictions set forth in this paragraph. Such horses shall not be worked outside Central Park in the borough of Manhattan except to the extent necessary to travel to or from the stable in which the horse is housed and Central Park in the borough of Manhattan on routes or in zones designated by the department of transportation in consultation with the police department. Monday through Friday, such horses may not so travel between the hours of 7:00 a.m. and 10:00 a.m. and the hours of 4:30 p.m. and 7:00 p.m.; provided, however that such a horse may travel between the hours of 4:30 p.m. and 7:00 p.m. in order to return to the stable in which the horse is housed if such horse becomes unsuitable for work; and provided, further, however that this paragraph shall not limit the application of paragraph 1 of this subdivision or subdivision c of section 20-380.1.

3. Beginning on the date the commissioner of parks and recreation makes a certification pursuant to subdivision s of section 17-330, in addition to the restrictions set forth in paragraph 1 of this subdivision, horses used in the operation of horse drawn cabs shall not be worked outside Central Park in the borough of Manhattan.

4. Notwithstanding paragraphs 2 and 3 of this subdivision, horses used in the operation of horse drawn cabs may be worked on a public highway, path, or street in accordance with a variance granted pursuant to section 19-175.

§ 7. Subdivision g of section 17-330 of the administrative code of the city of New York, as amended by local law number 10 for the year 2010, paragraph 2 of subdivision g as added by local law number 10 for the year 2010, is amended to read as follows:

g. 1. Carriage horses shall not be at work for more than nine hours in any continuous twenty-four hour period. Riding horses shall not be at work for more than eight hours in any continuous twenty-four hour period.

Rest periods for carriage horses and riding horses shall be of such duration and at such intervals as the commissioner shall prescribe, but rest periods for carriage horses shall in no event be for less than fifteen minutes after each two hour working period, and the time of such rest period shall be included in calculating the number of hours the horse has worked in any twenty-four hour period. During such rest periods, the person in charge of such carriage horses shall make fresh water available to the horse.

2. Carriage horses shall receive no less than five weeks of vacation or furlough every twelve months at a [horse] stable [facility which] that complies with requirements specified by rule of the department that allows daily access to paddock or pasture turnout. No horse on vacation or furlough shall work during such vacation or furlough. Proof of such vacation or furlough shall be provided upon request to the department [and/or the ASPCA] pursuant to rules of the department.

3. Beginning on the date the commissioner of parks and recreation makes a certification pursuant to subdivision s of section 17-330, any licensed carriage horse available for work shall be stabled at a facility located in Central Park in the borough of Manhattan. Any licensed carriage horse not available for work pursuant to this paragraph shall be on vacation or furlough pursuant to paragraph 2 of this subdivision.

4. Beginning on the date upon which the commissioner of parks and recreation makes a certification pursuant to subdivision s of section 17-330, no more than 75 carriage horses shall be in the city of New York and available for work at any given time. In the event that more than 75 such horses are or may be in the city of New York and available for work at any given time, the department shall identify horses that must be sent to vacation or furlough pursuant to paragraph 2 of this subdivision in order to ensure that no more than 75 such horses are in the city of New York and available for work at any given time.

§ 8. Section 17-330 of the administrative code of the city of New York is amended by adding a new subdivision s to read as follows:

s. Central Park stable. The department of parks and recreation shall establish a stable for horses used in the operation of horse drawn cabs within Central Park in the borough of Manhattan by October 1, 2018. If such



stable is not established by October 1, 2018, the commissioner of parks and recreation shall, no later than such date, submit a report to the mayor and the council stating the reasons why and providing an updated timeline for the establishment of such stable. Upon such date as such a stable is available for the immediate housing of the 75 horses licensed for use in the operation of horse drawn cabs that are not on vacation or furlough pursuant to subdivision g of this section, the department of parks and recreation shall (i) operate such stable, or (ii) have permitted operation of such stable through a concession agreement, license, or other agreement with the department of parks and recreation for the stabling of such horses and the commissioner of parks and recreation shall certify to the mayor and the council that such stable is operational.

§ 9. Section 17-332 of the administrative code of the city of New York, as added by local law number 2 for the year 1994, is amended to read as follows:

§ 17-332 Violations. a. Any violation of this subchapter, or of any of the rules promulgated hereunder, shall upon conviction thereof be punishable by a fine of not less than [one hundred dollars] \$100 nor more than [five hundred dollars] \$500 or by imprisonment not exceeding [fifteen] 15 days, or both, provided, however, that any violation of subdivision b of section 17-329 or of any of the rules promulgated thereunder, shall upon conviction thereof be punishable by a fine of not less than \$500 nor more than \$1,000 or by imprisonment not exceeding 15 days, or both.

b. In lieu of criminal prosecution, any violation of this subchapter or any of the rules promulgated hereunder may be prosecuted as civil violations subject to a civil penalty of not less than [twenty-five dollars] \$100 nor more than [five hundred dollars] \$500 or by the suspension or revocation of a license and the suspension from work of the horse with respect to which the act that caused the violation was committed or by both such civil penalty and suspension or revocation of a license and such suspension from work of the horse; provided, however, that any violation of subdivision b of section 17-329 or of any of the rules promulgated thereunder, may be prosecuted as civil violations subject to a civil penalty of not less than \$500 nor more than \$1,000. Civil violations, under this section, shall be adjudicated [before the administrative tribunal of the

department] at the environmental control board or any tribunal established within the office of administrative trials and hearings designated by the commissioner.

§ 10. Section 18-131 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. The commissioner shall be required to post signs within Central Park in the borough of Manhattan at or near locations where passengers may board a horse drawn cab pursuant to section 19-174 and along routes used by horse drawn cabs within Central Park to alert motorists, bicyclists, and pedestrians that there are horses in the area.

§ 11. Section 19-174 of the administrative code of the city of New York, as added by local law number 2 for the year 1994, is amended to read as follows:

§ 19-174 Passengers boarding horse drawn cabs. a. [The] No later than June 1, 2016, the commissioner, together with the commissioner of parks and recreation, shall designate by rule specific locations [on the streets, avenues and roadways] within Central Park in the borough of Manhattan which shall be the sole locations where passengers may board horse drawn cabs if such passengers have not prearranged such horse drawn cab rides in accordance with the provisions of subdivision b of this section and any rules promulgated pursuant thereto. This subdivision shall not apply to passengers boarding horse drawn cabs in accordance with a variance granted pursuant to section 19-175.

b. (1) Horse drawn cabs may accept passengers on a prearranged basis [in areas and at times that are not restricted pursuant to section 20-381.1 of the code. Such prearranged rides shall commence in front of hotels and restaurants that have obtained the approval of the owner of the premises at which such hotel or restaurant is located] only at locations within Central Park in the borough of Manhattan as designated by a rule jointly promulgated by the commissioner and the commissioner of parks and recreation.

(2) This subdivision shall not be construed to permit the operation, parking, stopping or standing of any horse drawn cab in any area at any time where or when such operation, parking, stopping or standing is

prohibited by any other law or rule.

[c. The department shall annually review existing locations of horse drawn cab stands and any proposals by the department and any written proposals by others to establish or eliminate horse drawn cab stands and shall report the results of such review to the mayor and the council. This report shall include a list of those locations proposed to be added or eliminated, those considered by the department, the reasons why any proposal was not considered and the reasons why the department did or did not establish or eliminate a horse drawn cab stand at each proposed location that was considered. Such report shall be submitted to the mayor and the council within sixty days after the close of the fiscal year.]

§ 12. Subdivision c of section 20-259 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:

c. Pedicabs [can] may be operated within any public park or any property under the charge or control of the department of parks and recreation pursuant to the rules of the department of parks and recreation and in accordance with the rules of the department of transportation; provided, however, that beginning on June 1, 2016 pedicabs shall not be operated within Central Park in the borough of Manhattan in areas south of the 85<sup>th</sup> Street Transverse.

§ 13. Section 20-371 of the administrative code of the city of New York, as amended by local law number 31 for the year 1995, is amended to read as follows:

§ 20-371 Licensing of sight-seeing buses, horse drawn cabs and horse drawn cab drivers. Legislative findings. The legislative findings heretofore made in relation to the business of sight-seeing buses [and horse drawn cabs] in the city of New York and set forth in local law number ten of nineteen hundred sixty-four continue to be valid; such businesses are vested with a public interest and their regulation and control continue to be necessary and essential in order to cope with certain evils and hazards which existed in the absence of governmental supervision. The supervision formerly was reposed in the police commissioner, but recent experience and study indicate that jurisdiction over such businesses should be transferred to the commissioner.

It is further found that the present number of horse drawn cabs licensed in the city of New York is adequate to meet the public need and demand and should be preserved[, unless the commissioner finds that additional licenses are necessary and advisable.]

§ 14. Section 20-373 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. Horse drawn cab licenses shall be valid for no more than two years and shall expire on March 31 of years ending in an even number.

§ 15. Subdivision c of section 20-374 of the administrative code of the city of New York is REPEALED.

§ 16. Section 20-380 of the administrative code of the city of New York, as amended by local law number 10 for the year 2010, is amended to read as follows:

§ 20-380[.] Rates of horse drawn cabs. The amount to be charged and collected for the use of a horse drawn cab by one or more passengers shall be the total of the following items: [fifty dollars] \$50 for the first [twenty] 20 minutes or fraction thereof and [twenty dollars] \$20 for each additional [ten] 10 minutes thereafter. Regardless of the length of such a ride, an additional \$5 may be charged and collected for any rides beginning after 6:00 p.m., any rides between November 15 and January 5, and any rides on Valentine's Day or Easter Sunday. Such rates shall be [indexed for inflation based on the Consumer Price Index] adjusted to account for changes in the New York - northern New Jersey - Long Island consumer price index every three years beginning June 1, 2016.

§ 17. Section 20-381.1 of the administrative code of the city of New York, subdivision a as amended by local law number 10 for the year 2010, paragraph 2 of subdivision a as added by local law number 10 for the year 2010, subdivision b as amended by local law number 10 for the year 2010, paragraph 6 of subdivision b as added by local law number 10 for the year 2010 and subdivision e as amended by local law number 22 for the year 2002, is amended to read as follows:

§ 20-381.1 Area and time restrictions on the operation of horse drawn cabs. a. [1.] It shall be unlawful for a driver of a horse drawn cab to operate such cab at any time when and where such operation is prohibited.

[2. In addition to the time restrictions on the operation of horse drawn cabs as set forth in this section, no horse drawn cab may operate on any street in New York between the hours of 3:00 a.m. and 7:00 a.m., seven days a week.

b. (1) Horse drawn cabs shall not be driven or operated in the borough of Manhattan between the hours of 7:00 a.m. and 10:00 a.m. on Monday through Friday. Horse drawn cabs shall not be driven or operated in the borough of Manhattan between the hours of 10:00 a.m. and 9:00 p.m. on Monday through Friday except for that area inside or immediately adjacent to Central Park.

(2) Between the hours of 9:00 p.m. and 11:30 p.m. on Monday through Friday, between the hours of 12:30 p.m. and 11:30 p.m. on Saturday, and between the hours of 1:30 p.m. and 7:00 p.m. on Sunday, horse drawn cabs shall not be driven or operated in the borough of Manhattan in the areas bounded by and including the following streets: on the north by West Fifty-Seventh Street, on the east by Seventh Avenue, on the south by West Forty-Second Street and on the west by Ninth Avenue; and on the north by West Sixty-Fifth Street, on the east by Columbus Avenue, on the south by West Fifty-Seventh Street and on the west by Amsterdam Avenue.

(3) On Saturday between the hours of 10:00 a.m. and 8:00 p.m. throughout the year and on Sunday between the hours of 10:00 a.m. and 7:00 p.m. during the period commencing with the Sunday preceding Thanksgiving until the sixth day of January immediately thereafter, horse drawn cabs shall not be driven or operated in the borough of Manhattan in the area bounded by and including the following streets: on the north by West Fifty-Seventh Street, on the east by Fifth Avenue, on the south by West Forty-Second Street and on the west by Avenue of the Americas.

(4) On New Year's Day, Thanksgiving Day and Christmas Day, the restrictions set forth in paragraphs one, two and three of this subdivision shall not apply. On the aforementioned days between the hours of 10:00 a.m. and 11:30 p.m., horse drawn cabs shall not be driven or operated in the borough of Manhattan in the areas

bounded by and including the following streets: on the north by West Fifty-Seventh Street, on the east by Seventh Avenue, on the south by West Forty-Second Street and on the west by Ninth Avenue; and on the north by West Sixty-Fifth Street, on the east by Columbus Avenue, on the south by West Fifty-Seventh Street and on the west by Amsterdam Avenue.

(5) At no time shall any horse drawn cab be driven or operated on or in any bridge or tunnel within the city of New York.

(6) At no time shall any horse drawn cab be driven or operated on any street below 34th Street in the borough of Manhattan.

c. The prohibitions contained in this section shall not be construed to apply to horse drawn cabs which are being driven, without passengers, on a direct route to or from the location at which the horse is sheltered, provided that they are so driven no more than one-half hour prior to the end of any time restriction or one-half hour after the beginning of any time restriction. The driver may be accompanied at such times only by the owner or operator of a horse drawn cab, a stable owner, the driver of a horse drawn cab and driver-trainee, or an employee of an owner or operator of a horse drawn cab or stable owner.

d] A driver of a horse drawn cab shall not operate such cab, or transport, pick up, or discharge passengers, in violation of subdivision f of section 17-330 or section 19-174. It shall also be unlawful for a driver of a horse dawn cab to operate such cab in violation of any rules promulgated pursuant to subdivision b of this section.

b. The commissioners of transportation, parks and recreation, and the police commissioner are authorized to regulate the routes of travel of horse drawn cabs by rule in order to ensure public safety.

c. Where exigent circumstances exist and a police officer or other authorized officer or employee of the department, the department of transportation, or the department of parks and recreation gives notice to the driver of a horse drawn cab to refrain from operating such cab in a specific location at a specific time, such driver shall not operate such cab at such location at such time. For purposes of this subdivision, exigent

circumstances shall include, but shall not be limited to, unusually heavy pedestrian or vehicular traffic, the existence of any obstructions in the public space at or near such location, an accident, fire or other emergency situation, or a parade, demonstration or other similar event or occurrence at or near such location.

[e] d. This section shall be enforced by the department and the department of transportation, [with the cooperation of] the department of parks and recreation, the police department, and the department of health and mental hygiene [and the American Society for the Prevention of Cruelty to Animals].

[f] e. This section shall not be construed to permit the operation, parking, stopping or standing of any horse drawn cab in any area at any time where or when such operation, parking, stopping or standing is prohibited by any other law or rule.

f. Beginning on December 1, 2016, each horse drawn cab shall be limited to one nine-hour shift in any continuous 24-hour period and shall be permitted to operate such horse drawn cab at all times when Central Park in the borough of Manhattan is open to the public in compliance with this section and section 17-330. Each horse drawn cab shall be equipped with a device that enables the location of such cab to be determined at any time during the term of the license, including during any period of time when such license is suspended. The commissioner may prescribe requirements relating to such device, including, but not limited to, the manner in which such device shall be affixed.

§ 18. Persons holding a horse drawn cab driver's license, a license for a horse used in the operation of a horse drawn cab, and those employed in a stable that houses or maintains a horse used in the operation of a horse drawn cab shall be offered training similar to other displaced workers to transition into a different industry or industries. Training shall be offered on at least 3 occasions at such times and in such manner as shall be prescribed by the commissioner of small business services. Such training shall be available only to persons holding a horse drawn cab driver's license or a license for a horse used in the operation of a horse drawn cab valid at any time during the period between June 1, 2015 and December 31, 2018, or to persons employed in a stable that houses or maintains a horse used in the operation of a horse drawn cab at any time during the period

between June 1, 2015 and December 31, 2018. Notwithstanding any other provision of this section, such training shall not be available to any person whose horse drawn cab driver's license or license for a horse used in the operation of a horse drawn cab has been revoked. The commissioner of small business services shall promulgate such rules as are necessary to carry out the provisions of this section.

§ 19. Separability. If any clause, sentence, paragraph, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part of this local law that was adjudged to be invalid.

§ 20. This local law takes effect immediately, except that section 17 of this local law takes effect June 1, 2016 and except that the commissioners of parks and recreation, transportation, and the police commissioner may take all actions necessary for its implementation, including the promulgation of rules, prior to such effective date.

KET 1/28/16 8:07PM