



Legislation Details (With Text)

File #: Int 0658-2015 **Version:** A **Name:** Requiring information security and use of personal information policies for services licensed by taxi and limousine commission.

Type: Introduction **Status:** Enacted
In control: Committee on Transportation

On agenda: 2/12/2015

Enactment date: 4/21/2016 **Enactment #:** 2016/043

Title: A Local Law to amend the administrative code of the city of New York, in relation to requiring information security and use of personal information policies for services licensed by taxi and limousine commission

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Indexes: Agency Rule-making Required

Attachments: 1. Legislative History Report, 2. Summary of Int. No 658-A, 3. Summary of Int. No. 658, 4. Int. No. 658 - 2/12/15, 5. Committee Report 2/29/16, 6. Hearing Testimony 2/29/16, 7. Hearing Transcript 2/29/16, 8. Committee Report 4/6/16, 9. Hearing Transcript 4/6/16, 10. April 7, 2016 - Stated Meeting Agenda with Links to Files, 11. Committee Report - Stated Meeting, 12. Hearing Transcript - Stated Meeting 4-7-16, 13. Fiscal Impact Statement, 14. Int. No. 658-A - FINAL, 15. Mayor's Letter, 16. Minutes of the Stated Meeting - April 7, 2016, 17. Local Law 43

Date	Ver.	Action By	Action	Result
2/12/2015	*	City Council	Introduced by Council	
2/12/2015	*	City Council	Referred to Comm by Council	
2/29/2016	*	Committee on Transportation	Hearing Held by Committee	
2/29/2016	*	Committee on Transportation	Laid Over by Committee	
4/6/2016	*	Committee on Transportation	Hearing Held by Committee	
4/6/2016	*	Committee on Transportation	Amendment Proposed by Comm	
4/6/2016	*	Committee on Transportation	Amended by Committee	
4/6/2016	A	Committee on Transportation	Approved by Committee	Pass
4/7/2016	A	City Council	Approved by Council	Pass
4/7/2016	A	City Council	Sent to Mayor by Council	
4/21/2016	A	Mayor	Hearing Held by Mayor	
4/21/2016	A	Mayor	Signed Into Law by Mayor	
4/21/2016	A	City Council	Recved from Mayor by Council	

Int. No. 658-A

By Council Members Garodnick, Rodriguez, Chin, Constantinides, Rose, Espinal, Williams, Cabrera, Mendez, Rosenthal, Menchaca and Kallos

A Local Law to amend the administrative code of the city of New York, in relation to requiring information

security and use of personal information policies for services licensed by taxi and limousine commission

Be it enacted by the Council as follows:

Section 1. Section 19-502 of the administrative code of the city of New York is amended by adding new subdivisions aa, bb, and cc to read as follows:

aa. “Breach of the security of the system” has the same meaning as in paragraph c of subdivision 1 of section 899-aa of the general business law.

bb. “Personal information” has the same meaning as in paragraph a of subdivision 1 of section 899-aa of the general business law and includes such information pertaining to passengers and drivers.

cc. “Passenger geolocation information” means information concerning the location of a wireless communication device that, in whole or in part, is generated by or derived from the operation of such device and that could be used to determine or infer information regarding the present, prospective, or historical location of an individual.

§ 2. Chapter 5 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-546 to read as follows:

§ 19-546 Information security and use of personal information. a. All entities licensed by the commission, or authorized by the commission to provide services regulated by the commission, that collect or maintain passenger personal information or passenger geolocation information shall file with the commission an information security and use of personal information policy. Any policy filed pursuant to this section must include, at a minimum, the following provisions:

(i) a statement of internal access policies relating to passenger and driver personal information for employees, contractors, and third party access, if applicable;

(ii) a statement that, except to the extent necessary to provide credit, debit, and prepaid card services and services for any application that provides for electronic payment, personal information will only be collected and used with such passenger’s affirmative express consent and that such personal information will

not be used, shared, or disclosed, except for lawful purposes;

(iii) procedures for notifying the commission and affected parties of any breach of the security of the system, pursuant to section 899-aa of the general business law;

(iv) a statement that any credit, debit, or prepaid card information collected by the entity or a credit, debit, or prepaid card services provider is processed by the entity or such provider in compliance with applicable payment card industry standards;

(v) a statement of the entity's policies regarding the use of passenger geolocation information, which must include, at a minimum, a prohibition on the use, monitoring, or disclosure of trip information, including the date, time, pick-up location, drop-off location, and real-time vehicle location and any retained vehicle location records, without such passenger's affirmative express consent; and

(vi) and other provisions related to the protection of passenger or driver information that the commission may require by rule.

b. Any entity that files an information security and use of personal information policy pursuant to subdivision a of this section shall comply with the terms of such policy.

c. Any entity that has been found to have violated subdivisions a or b of this section shall be subject to a civil penalty of \$1,000 for each offense.

§ 3. This local law shall take effect 120 days after its enactment into law, except that the Taxi and Limousine Commission shall take all necessary action, including the promulgation of rules, prior to such effective date.

KET 3/30/16 8:14PM
LS 3441/2014