Legislation Details (With Text)

File #:	Int 0182-2010 **Version:** *	**Name:**	Sound reproduction devices on sight-seeing buses.
Type:	Introduction	**Status:**	Enacted
		In control:	Committee on Consumer Affairs
On agenda:	4/29/2010		
Enactment date:	5/19/2010	**Enactment #:**	2010/015
Title:	A Local Law to amend the administrative code of the city of New York, in relation to sound reproduction devices on sight-seeing buses.		
Sponsors:			
Indexes:			
Attachments:	1. Committee Report 4/12/10, 2. Hearing Testimony 4/12/10, 3. Hearing Transcript 4/12/10, 4. Committee Report 4/28/10, 5. Hearing Transcript 4/28/10, 6. Fiscal Impact Statement, 7. Hearing Transcript - Stated Meeting 4/29/10, 8. Local Law 15		

Date	Ver.	Action By	Action	Result
4/12/2010	*	Committee on Consumer Affairs	Hearing on P-C Item by Comm	
4/12/2010	*	Committee on Consumer Affairs	P-C Item Laid Over by Comm	
4/28/2010	*	Committee on Consumer Affairs	Hearing on P-C Item by Comm	
4/28/2010	*	Committee on Consumer Affairs	P-C Item Approved by Comm	Pass
4/29/2010	*	City Council	Introduced by Council	
4/29/2010	*	City Council	Referred to Comm by Council	
4/29/2010	*	City Council	Approved by Council	Pass
4/29/2010	*	City Council	Sent to Mayor by Council	
5/18/2010	*	Mayor	Hearing Held by Mayor	
5/19/2010	*	Mayor	Signed Into Law by Mayor	
5/19/2010	*	City Council	Recved from Mayor by Council	

Preconsidered Int. No. 182

By Council Members Brewer, Levin, Chin, Jackson, James, Koppell, Lander, Rose, Sanders Jr., Williams and Rodriguez

A Local Law to amend the administrative code of the city of New York, in relation to sound reproduction devices on sight-seeing buses.

Be it enacted by the Council as follows:

Section 1. Subchapter 21 of title 20 of the administrative code of the city of New York is amended by adding a new section 20-376.1, to read as follows:

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Section 20-376.1 Sound reproduction on open-air sight-seeing buses. a. Definitions. For purposes of this section the following terms shall have the following meanings:

(1) "Fleet" shall mean the total number of sight-seeing bus licenses issued to open-air sight-seeing buses that are held by one person. A person shall be considered to hold all sight-seeing bus licenses in which: (i) such holder has a direct or indirect beneficial interest; or (ii) a family member of such holder has a direct or indirect beneficial interest.

(2) "Headphone-limited sound reproduction system" shall mean a sound reproduction system that transmits an audio signal, including but not limited to the amplified voice of any guide on an open-air sight-seeing bus, so that the audio signal is audible through personal headphones and is not otherwise audible.

(3) "Open-air sight-seeing bus" shall mean a sight-seeing bus, licensed to operate in New York City, that has seating that is partially or entirely unenclosed.

b. The commissioner shall not issue a new license to any open-air sight-seeing bus that is not equipped with a headphone-limited sound reproduction system. For purposes of this section, a new license is any license issued to a sight-seeing bus that is not a renewal.

c. Open-air sight-seeing buses shall be equipped with headphone-limited sound reproduction systems according to the following schedule:

(1) By July 1, 2011 no less than ten percent of each fleet;

(2) By July 1, 2012 no less than forty percent of each fleet;

(3) By July 1, 2013 no less than sixty percent of each fleet;

(4) By July 1, 2014 no less than eighty percent of each fleet;

(5) By July 1, 2015, every open-air sight-seeing bus in each licensee's fleet shall be equipped with a headphone-limited sound reproduction system.

d. The department shall verify by inspection that the required number of open-air sight-seeing buses has been equipped with headphone-limited sound reproduction systems, in compliance with the schedule as set

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forth in paragraph c of this section. The sight-seeing bus license holder of each fleet required to comply with this section shall provide annually to the department a list of buses that are equipped with the required sound equipment, in accordance with rules promulgated by the commissioner.

e. Any sight-seeing bus license holder shall be subject to a fine of not less than $200 nor more than $750 per day for each open-air sight-seeing bus that is required to be equipped with a headphone- limited sound reproduction system in order for the fleet to be in compliance with the applicable percentages set forth in paragraph c of this section and that is not so equipped. Additionally, the commissioner shall suspend the licenses of as many open-air sight-seeing buses as the number of such buses that are required to be equipped with a headphone-limited sound reproduction system as set forth in paragraph c of this section but that are not so equipped. Such suspension(s) shall continue until such time as compliance with paragraph c is complete.

f. Beginning on April 1, 2016 the Commissioner shall not renew the license of any open-air sight-seeing bus that is not equipped with a headphone-limited sound reproduction system and shall revoke the license of any open-air sight-seeing bus that is not equipped with a headphone-limited sound reproduction system.

g. The commissioner shall promulgate such rules as are necessary to carry out the provisions of this section.

§2. This local law shall take effect thirty days after it shall have been enacted into law.

LCC
LS #242
Int. 742-2008
4/28/10