



Legislation Text

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Int. No. 257

By Council Member Reynoso

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting commercial carters from hiring individuals as drivers in certain instances

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 16-507 of the administrative code of the city of New York, as added by local law number 42 for the year 1996, is amended to read as follows:

a. Except in the case of a business issued a registration by reason of the grant of an exemption from the requirement for a license pursuant to section 16-505 of this chapter, an applicant for registration shall submit an application on a form prescribed by the commission and containing such information as the commission determines will adequately identify the business of such applicant. An applicant for registration to remove trade waste generated in the course of such applicant's business shall identify, in a manner to be prescribed by the commission, each vehicle that will transport waste pursuant to such registration, and, for any employee or agent who will operate a vehicle for or on behalf of the applicant, whether the employee or agent has been found by a court or administrative tribunal of competent jurisdiction to have engaged in reckless driving or driving under the influence of drugs or alcohol within the previous five calendar years. An application for registration as a trade waste broker shall contain information regarding any financial, contractual or employment relationship between such broker and a trade waste business. Any such relationship shall be indicated on the registration issued to such broker.

§ 2. Section 16-508 of the administrative code of the city of New York, as added by local law number 42 for the year 1996, is amended by adding a new subsection e to read as follows:

e. Each applicant shall provide the commission, for any employee or agent who will operate a vehicle for or on behalf of the applicant, whether the employee or agent has been found by a court or administrative tribunal of competent jurisdiction to have engaged in reckless driving or driving under the influence of drugs or alcohol within the previous five calendar years.

§ 3. Section 16-509 of the administrative code of the city of New York, as added by local law number 42 for the year 1996, is amended by adding a new subsection g to read as follows:

g. The commission may, by majority vote of its entire membership and after notice and the opportunity to be heard, refuse to issue a license or registration pursuant to this chapter to any applicant that is currently engaging or has proposed to engage for the purpose of operating a vehicle for the applicant, an employee or agent who has been found by a court or administrative tribunal of competent jurisdiction to have engaged in reckless driving or driving under the influence of drugs or alcohol within the previous five calendar years.

§ 4. Section 16-513 of the administrative code of the city of New York, as added by local law number 42 for the year 1996, is amended by adding a new subsection c to read as follows:

c. The commission may, after due notice and an opportunity to be heard, revoke or suspend a license or registration issued pursuant to the provisions of this chapter where the registrant or licensee (i) is currently engaging or has proposed to engage as an employee or agent for the purpose of operating a vehicle for the registrant or applicant any individual who has been found by a court or administrative tribunal of competent jurisdiction to have engaged in reckless driving or driving under the influence of drugs or alcohol within the previous five calendar years, or (ii) has failed to disclose this information as required in sections 16-507 or 16-508.

§ 5. Chapter 1 of Title 16-a of the administrative code of the city of New York, as added by local law number 42 for the year 1996, is amended by adding a new Section 16-510.1 to read as follows:

§ 16-510.1 Employees of licensees or registrants. A licensee or registrant shall provide to the commission the names of any employees or agents proposed to be engaged or engaged subsequent to the

issuance of a license or registration and such information regarding such employees or agents as is required in regard to employees and prospective employees or agents pursuant to subdivision a of section 16-507 and subdivisions a and e of section 16-508 of this chapter.

§ 6 This local law takes effect immediately.

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