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Int. No. 286

By Council Members Rodriguez and Brannan

A Local Law to amend the administrative code of the city of New York, in relation to defensive driving courses for employees of the city of New York and employees of contractors of the city of New York

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 6 of the administrative code of the city of New York is hereby amended to add a new section 6-142 to read as follows:

§ 6-142. Defensive driving course. a. Definitions. For purposes of this section, the following terms shall have the following meanings:

Contract. The term "contract" means any written agreement, purchase order or instrument whereby the city is committed to expend or does expend funds in return for an interest in real property, work, labor, services, supplies, equipment, materials, construction, construction related service or any combination of the foregoing.

Contracting agency. The term "contracting agency" means a city, county, borough, or other office, position, administration, department, division, bureau, board or commission, or a corporation, institution or agency of government, the expenses of which are paid in whole or in part from the city treasury.

Contractor. The term "contractor" means any individual, sole proprietorship, partnership, joint venture, corporation or other form of doing business.

Covered contract. The term "covered contract" means a contract between a contracting agency and a contractor which by itself, or when aggregated with all contracts awarded to such contractor by any contracting agency during the immediately preceding twelve months, has a value of one hundred thousand dollars or more.

Employee. The term "employee" means a person employed by a contractor.

b. Defensive driving course for city contractors' employees. Any contractor with a covered contract with a contracting agency which owns no less than five motor vehicles in its fleet used in performance of the contract, shall require that any employee who is required to drive a contractor-owned motor vehicle in performance of their duties, shall take a defensive driving course provided by New York state department of motor vehicles. Such course shall be taken within thirty days of either:

1. A new employee commencing employment, if the duties of the position require driving a contractor-owned motor vehicle; or

2. An existing employee being given new responsibilities that require driving of a contractor-owned motor vehicle.

c. The cost of such course shall be borne by the contractor.

d. This local law shall not apply to any agency that already requires its employees who use city-owned motor vehicles to take a defensive driving course.

§ 2. Chapter 1 of title 12 of the administrative code of the city of New York is hereby amended to add a new section 12-140 to read as follows:

§ 12-140. a. Defensive driving course. Any employee of any agency of the city of New York who is given access to and duties that require driving a city-owned motor vehicle, shall take a defensive driving course provided by New York state department of motor vehicles. Such course shall be taken within thirty days of either:

1. A new employee commencing employment, if the duties of the position require driving a contractor-owned motor vehicle; or

2. An existing employee being given new responsibilities that require driving of a contractor-owned motor vehicle.

b. The cost of such course shall be borne by the employee's agency.

§ 3. This local law shall take effect in 120 days.

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