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Int. No. 937

By Council Members Gennaro, Schulman, Farías, De La Rosa, Banks, Feliz, Riley and Louis

A Local Law to amend the administrative code of the city of New York, in relation to the operation of horse-drawn carriages

Be it enacted by the Council as follows:

Section 1. Section 17-331 of the administrative code of the city of New York is amended to read as follows:

§ 17-331 Advisory board. a. The commissioner shall appoint an advisory board consisting of five members as follows:

1. Two members shall be appointed from among the owners of rental horse businesses operating within the city, one of whom shall be representative of the interests of owners of riding horses and one of whom shall be representative of the interests of owners of carriage horses.

2. Two members shall be appointed from the public at large. [However, in no event shall more than one person so appointed to the board be a member of the board of directors or an employee of any animal humane society or association.]

3. One member shall be a licensed veterinarian.

4. In no event shall more than one person appointed to the board be a member of the board of directors or an employee of any animal humane society or association.

b. The terms of office of the members of the board shall be three years except that the terms of office of the members first appointed shall be as follows:

1. Two of such members first appointed shall serve for a term ending on the thirty-first day of

December, nineteen hundred eighty-two.

2. Two of such members first appointed shall serve for a term ending on the thirty-first day of December, nineteen hundred eighty-three.

3. One of such members first appointed shall serve for a term ending on the thirty-first day of December, nineteen hundred eighty-four.

c. The members of the board shall serve without compensation, and ordinary and necessary expenses incurred in the discharge of their duties shall be timely reimbursed by the commissioner upon submission of reimbursement forms in accordance with federal, state, and local law. The commissioner shall make available such staff, meeting space and technical support reasonably required by the board.

d. The board shall meet at least once every two years, and (i) make recommendations to the commissioner on regulations necessary to carry out the provisions of this subchapter and to promote the health, safety and well-being of horses which are required to be licensed hereunder, the drivers of such horses, and of members of the public who hire such horses; and (ii) shall issue an annual public report to the commissioner.

§ 2. Subchapter 3 of chapter 3 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-331.1 to read as follows:

§ 17-331.1 Decennial study. a. As used in this section, the term "advisory board" means the advisory board established pursuant to section 17-331.

b. The advisory board shall conduct a study of (i) best practices to maintain the health and safety of carriage horses, drivers, passengers, and the general public; and (ii) recommendations to promote the necessary economic conditions to support the care of carriage horses and the livelihood of drivers. The study shall commence 90 days after the commissioner of health and mental hygiene delivers a report to the commissioner on equine health practices conducted by the advisory board.

c. The study shall consider the advisory board's report and issue recommendations on all of the following:

1. Adequacy of the city's street infrastructure along approved routes between horse stables and Central Park to enhance safety for carriage horses, drivers, passengers, motor vehicles, and pedestrians;

2. Improvements to existing carriage horse rest areas in and around Central Park, including adequate number of safety-enhancing hitching posts, water stations and troughs, and driver personal care facilities;

3. Alternative locations for carriage horse stables, including on city property;

4. Adequacy of horse care and recommendations for improvement, including activity during extreme weather, standardization of fitness tests, and workload standards;

5. Adequacy of driver training and recommendations for improvement or standardization;

6. Use of technology to advance horse, driver, and public safety;

7. Review of ticket sale infrastructure, including onsite dedicated sales kiosks and standardization of web-based purchasing;

8. Access to information on rates and passenger rights;

9. Review and make recommendations for the number and location of carriage stands and hack stands;

10. Review and make recommendations to enhance shade for horses at carriage stands;

11. Review and make recommendations for alternate carriage routes during special events that would otherwise obstruct existing carriage routes;

12. The development and maintenance of "carriage lanes" on the public way for carriage horses to operate; and

13. Improvements to the working conditions, health, safety, and well-being of carriage horses.

d. The study and subsequent report required by this section shall commence on the effective date of the local law that added this section and every 10 years thereafter. Recommendations shall be reported to the mayor, the council, and the public advocate, and shall be posted on the city's website within 2 years of the effective date of the local law that added this section, and within 2 years following each decennial study.

§ 3. Paragraph 3 of subdivision o of section 17-330 of the administrative code of the city of New York,

as amended by local law number 203 for the year 2019, is amended to read as follows:

3. For purposes of this subdivision, air temperatures and relative humidity shall be those measured by [a state-of-the-art thermometer, as determined by the commissioner. Relative humidity shall be determined by a state-of-the-art hygrometer or any other device having the same capability to measure relative humidity, as determined by the commissioner. Air temperatures and relative humidity shall be measured by the commissioner or the commissioner's designee at street level at one of the stands designated pursuant to section 19-174] the national weather service at its station in Central Park as reported on its publicly available website.

§ 4. Subchapter 1 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-161 to read as follows:

§ 19-161 Rental horse hitching posts. a. As used in this section, the term "hitching post" means a fixed standard to which a rental horse or carriage may be secured to prevent straying.

b. The commissioner shall, in collaboration with the commissioner of parks and recreation, on an annual basis, survey the number and condition of hitching posts in areas of the city where licensed horse carriages operate. Such survey shall consider the number of licensed horse carriages operating in that year, and the preferred locations of rest areas by licensed operators of such horse carriages. The findings of the survey shall be used to inform the installation and maintenance of hitching posts throughout the city.

c. Following the results of the annual survey, the commissioner shall install and maintain such hitching posts identified within one year.

§ 5. Section 17-334.1 of the administrative code of the city of New York, as added by local law number 2 for the year 1994, subdivision d of such section as added by local law number 10 for the year 2010, is amended to read as follows:

§ 17-334.1 Training program and examination. a. Horse-drawn cab drivers. 1. The department shall offer a training program and a written examination for all horse drawn cab drivers. The commissioner shall issue a certificate to any person successfully completing the training program and achieving satisfactory results

on the written examination administered by the department. Subjects which shall be included in such training program are: [(1)] (i) proper horse care and grooming, [(2)] (ii) proper preparation and cleaning of harnesses and padding, [(3)] (iii) proper fitting of the bit, bridle and harness to the horse, [(4)] (iv) proper hitching of the horse to the carriage, [(5)] (v) traffic laws and rules of the city of New York, [(6)] (vi) permissible hours and areas of operation of horse drawn cabs in the city of New York, [(7)] (vii) all laws and rules of the city of New York pertaining in any way to horse drawn cabs, and [(8)] (viii) such other subjects as shall be deemed appropriate and necessary by the commissioner.

[b.] 2. The department may impose a fee for the training program and examination, as provided in [subdivision a herein] paragraph 1 of this subdivision, in order to defray expenses incurred in the administration thereof.

[c.] 3. The department shall offer the training program and examination, as provided in [subdivision a herein] paragraph 1 of this subdivision, on a regularly scheduled basis, no less frequently than at least four times per year or more frequently as deemed necessary by the commissioner.

[d.] 4. The training program shall be available only to persons holding a currently valid driver's license.

b. Probationary licensees. 1. The department shall offer and administer a practical examination for the purposes of permitting a holder of a probationary licensee to operate a horse drawn cab to or from a stable pursuant to subdivision f of section 20-381. Such practical examination will include activities such as harnessing and unharnessing a horse, hitching and unhitching a horse to a carriage, demonstrations of street safety acuity, and any other activity necessary for proper horse care and operation of a horse drawn cab as determined by the commissioner in consultation with a veterinarian employed or contracted by the department. Upon successful completion of such examination, the commissioner shall furnish a certificate to the holder of the probationary license.

2. The department may impose a fee for the practical examination, as provided in paragraph 1 of this subdivision, in order to defray expenses incurred in the administration thereof.

§ 6. Subdivision f of section 20-381 of the administrative code of the city of New York, as added by local law number 10 for the year 2010, is amended to read as follows:

f. An applicant who has not previously held a license under this section shall be issued a probationary license upon approval of his or her application. A holder of a probationary license may ride alongside a licensed driver at any time, as long as such licensed driver has held a license for at least three years and is in good standing with the department. A probationary license shall be valid from the date of issuance until six months after the date of issuance and may be revoked for any violation of the rules and regulations pertaining to rental horses and horse drawn cabs. Until he or she accrues eighty hours time spent operating a horse drawn cab, a holder of a probationary license shall only be permitted to operate a horse drawn cab at staging areas immediately adjacent to Central Park and on roadways or paths wholly within a New York City park. Following the accrual of eighty hours of time spent operating a horse drawn cab, a holder of a probationary license who has submitted to the commissioner a certificate issued by the commissioner of health and mental hygiene pursuant to section 17-334.1 shall be permitted to operate a horse drawn cab to or from a stable at any time. For the purposes of this subsection a person shall be considered to be operating a horse drawn cab if he or she is holding the reins of a horse attached to a horse drawn cab and directing such horse's movements while the cab is in motion. At the conclusion of six months, if the probationary licensee has accrued no violations under subchapter 3 of title 17 or this subchapter, the licensee shall be issued a horse drawn cab driver's license under the terms of this subchapter.

§ 7. Paragraph (1) of subdivision b of section 20-381.1 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:

(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] 7:00 a.m. and 9:00 p.m. on Monday through Friday except for that area inside or immediately adjacent to Central Park.

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§ 8. This local law takes effect 60 days after it becomes law.

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