



Legislation Text

File #: Int 1408-2016, **Version:** *

Int. No. 1408

By Council Members Garodnick, Cumbo, Vacca and Rodriguez

A Local Law to amend the administrative code of the city of New York, in relation to requiring the police department, the 311 customer service center, and the New York city taxi and limousine commission to collect and report disaggregated data on sexual harassment and sex offenses

Be it enacted by the Council as follows:

Section 1. Title 14 of the administrative code of the city of New York is amended by adding a new section 14-162 to read as follows:

§ 14-162. Sexual harassment and sex offenses in vehicles licensed by the taxi and limousine commission. a. No later than July 1 of each year, the commissioner shall submit to the council, the mayor and the taxi and limousine commission a report regarding complaints of sexual harassment and sex offenses occurring in licensed vehicles.

b. Such report shall include the total number of complaints disaggregated by:

1. The type of vehicle licensed by the taxi and limousine commission; and

2. The type of complaint categorized by the conduct alleged, including but not limited to the following categories of conduct:

(a) Sexual misconduct as defined in section 130.20;

(b) Rape as defined in sections 130.25, 130.30, and 130.35;

(c) Criminal sexual act as defined in sections 130.40, 130.45, and 130.50;

(d) Forcible touching as defined in section 130.52;

(e) Misdemeanor sex offenses as defined in sections 130.52, 130.55, and 130.60;

(f) Sexual abuse as defined in sections 130.65, 130.65-a, 130.66, 130.67, and 130.70;

(g) Course of sexual conduct against a child as defined in sections 130.75 and 130.80;

(h) Predatory sexual assault as defined in sections 130.95 and 130.96; and

(i) Conduct not covered by subparagraphs (a) to (h) of this paragraph that involve a driver engaging in any conversation or conduct related to sexual acts, sexual contact, or sexual or intimate body parts, or expressing a desire to enter into a sexual relationship or asking about a person's sexual relationships.

c. The commissioner may discontinue reporting to the council, mayor and the taxi and limousine commission after issuing five annual reports as required by subdivision a of this section, so long as the commissioner provides written notice to the mayor, the speaker of the council and the commissioner of the taxi and limousine commission, at least 60 days before any report would otherwise be due, of the commissioner's intention to discontinue such reporting.

d. No information that is otherwise required to be collected and reported pursuant to this section shall be collected and reported in a manner that would publicly identify individual complainants, violate any applicable provision of federal, state or local law relating to the privacy of information, or interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement.

§ 2. Title 19 of the administrative code of the city of New York is amended by adding a new section 19-547 to read as follows:

§ 19-547. Sexual harassment and sex offenses in vehicles licensed by the taxi and limousine commission. a. The commission shall collect data from its records and all entities licensed by the commission and from the reports provided to it pursuant to subdivision a of section 14-162 and subdivision a of section 23-303 and shall issue a report on complaints of sexual harassment and sex offenses occurring in licensed vehicles.

b. Such report shall include the total number of complaints disaggregated by:

1. The type of vehicle licensed by the taxi and limousine commission;

2. The licensed entity or city body receiving the complaint; and

3. The type of complaint categorized by the conduct alleged, including but not limited to the following categories of conduct:

(a) Sexual misconduct as defined in section 130.20;

(b) Rape as defined in sections 130.25, 130.30, and 130.35;

(c) Criminal sexual act as defined in sections 130.40, 130.45, and 130.50;

(d) Forcible touching as defined in section 130.52;

(e) Misdemeanor sex offenses as defined in sections 130.52, 130.55, and 130.60;

(f) Sexual abuse as defined in sections 130.65, 130.65-a, 130.66, 130.67, and 130.70;

(g) Course of sexual conduct against a child as defined in sections 130.75 and 130.80;

(h) Predatory sexual assault as defined in sections 130.95 and 130.96; and

(i) Conduct not covered by subparagraphs (a) to (h) of this paragraph that involve a driver engaging in any conversation or conduct related to sexual acts, sexual contact, or sexual or intimate body parts, or expressing a desire to enter into a sexual relationship or asking about a person's sexual relationships.

c. No later than December 1 of each year, the commission shall submit such report to the council and the mayor and post such report to the commission's website.

d. The commissioner may discontinue reporting to the mayor and the council after issuing five annual reports, so long as the commissioner provides written notice to the mayor and the speaker of the council, at least 60 days before any report would otherwise be due, of the commissioner's intention to discontinue such reporting.

e. No information that is otherwise required to be collected and reported pursuant to this section shall be collected and reported in a manner that would publicly identify individual complainants, violate any applicable provision of federal, state or local law relating to the privacy of information, or interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement.

§ 3. Title 23 of the administrative code of the city of New York is amended by adding a new section 23-

303 to read as follows:

§ 23-303. Sexual harassment and sex offenses in vehicles licensed by the taxi and limousine commission. a. No later than July 1 of each year, the 311 service center shall submit to the council, the mayor and the taxi and limousine commission a report regarding complaints of sexual harassment and sex offenses occurring in licensed vehicles.

b. Such report shall include the total number of complaints disaggregated by:

1. The type of vehicle licensed by the taxi and limousine commission;

2. The type of complaint categorized by the conduct alleged, including but not limited to the following categories of conduct:

(a) Sexual misconduct as defined in section 130.20;

(b) Rape as defined in sections 130.25, 130.30, and 130.35;

(c) Criminal sexual act as defined in sections 130.40, 130.45, and 130.50;

(d) Forcible touching as defined in section 130.52;

(e) Misdemeanor sex offenses as defined in sections 130.52, 130.55, and 130.60;

(f) Sexual abuse as defined in sections 130.65, 130.65-a, 130.66, 130.67, and 130.70;

(g) Course of sexual conduct against a child as defined in sections 130.75 and 130.80;

(h) Predatory sexual assault as defined in sections 130.95 and 130.96; and

(i) Conduct not covered by subparagraphs (a) to (h) of this paragraph that involve a driver engaging in any conversation or conduct related to sexual acts, sexual contact, or sexual/intimate body parts, or expressing a desire to enter into a sexual relationship or asking about a person's sexual relationships.

c. The 311 customer service center may discontinue reporting to the council, mayor and the taxi and limousine commission after issuing five annual reports as required by subdivision a of this section, so long as written notice is provided to the mayor, the speaker of the council and the commissioner of the taxi and limousine commission, at least 60 days before any report would otherwise be due, of the intention to

discontinue such reporting.

d. No information that is otherwise required to be collected and reported pursuant to this section shall be collected and reported in a manner that would publicly identify individual complainants, violate any applicable provision of federal, state or local law relating to the privacy of information, or interfere with law enforcement investigations or otherwise conflict with the interests of law enforcement.

§ 4. This local law takes effect immediately.

BAM/BG
LS 7771/7796
12/13/16