



Legislation Details (With Text)

File #: Int 1249-2018 **Version:** B **Name:** Repealing the critical driver program and amending the persistent violators program relating to drivers of taxicabs and for-hire vehicles.

Type: Introduction **Status:** Enacted
In control: Committee on Governmental Operations

On agenda: 11/28/2018

Enactment date: 1/10/2020 **Enactment #:** 2020/012

Title: A Local Law to amend the administrative code of the city of New York, in relation to repealing the critical driver program and amending the persistent violators program relating to drivers of taxicabs and for-hire vehicles

Sponsors: Fernando Cabrera, Farah N. Louis

Indexes: Agency Rule-making Required

Attachments: 1. Summary of Int. No. 1249-B, 2. Summary of Int. No. 1249-A, 3. Summary of Int. No. 1249, 4. Int. No. 1249, 5. November 28, 2018 - Stated Meeting Agenda with Links to Files, 6. Hearing Transcript - Stated Meeting 11/28/18, 7. Minutes of the Stated Meeting - November 28, 2018, 8. Proposed Int. No. 1249-A - 12/7/18, 9. Committee Report 1/31/19, 10. Hearing Testimony 1/31/19, 11. Hearing Transcript 1/31/19, 12. Proposed Int. No. 1249-B - 11/26/19, 13. Committee Report 12/9/19, 14. Hearing Transcript 12/9/19, 15. Committee Report - Stated Meeting, 16. December 10, 2019 - Stated Meeting Agenda with Links to Files, 17. Hearing Transcript - Stated Meeting 12-10-19, 18. Minutes of the Stated Meeting - December 10, 2019, 19. Int. No. 1249-B (FINAL), 20. Fiscal Impact Statement, 21. Legislative Documents - Letter to the Mayor, 22. Local Law 12

| Date | Ver. | Action By | Action | Result |
|------------|------|--------------------------------------|-------------------------------------|--------|
| 11/28/2018 | * | City Council | Introduced by Council | |
| 11/28/2018 | * | City Council | Referred to Comm by Council | |
| 12/10/2018 | A | City Council | Re-referred to Committee by Council | |
| 1/31/2019 | * | Committee on Governmental Operations | Hearing Held by Committee | |
| 1/31/2019 | * | Committee on Governmental Operations | Amendment Proposed by Comm | |
| 1/31/2019 | * | Committee on Governmental Operations | Laid Over by Committee | |
| 12/9/2019 | * | Committee on Governmental Operations | Hearing Held by Committee | |
| 12/9/2019 | * | Committee on Governmental Operations | Amendment Proposed by Comm | |
| 12/9/2019 | * | Committee on Governmental Operations | Amended by Committee | |
| 12/9/2019 | B | Committee on Governmental Operations | Approved by Committee | Pass |
| 12/10/2019 | B | City Council | Approved by Council | Pass |
| 12/10/2019 | B | City Council | Sent to Mayor by Council | |
| 1/10/2020 | B | Administration | City Charter Rule Adopted | |
| 1/10/2020 | B | City Council | Returned Unsigned by Mayor | |

Int. No. 1249-B

By Council Members Cabrera and Louis

A Local Law to amend the administrative code of the city of New York, in relation to repealing the critical driver program and amending the persistent violators program relating to drivers of taxicabs and for-hire vehicles

Be it enacted by the Council as follows:

Section 1. Subdivisions a, b and c of section 19-507.1 of the administrative code of the city of New York, as amended by local law number 51 for the year 2016, are amended to read as follows:

a. (1) Any taxicab or for-hire vehicle driver may attend a remedial or refresher course approved by the commission or a motor vehicle accident prevention course approved by the New York state department of motor vehicles. Upon presentation to the commission of proof of satisfactory completion of a commission-approved remedial or refresher course by such driver, three points shall be deducted from the number of points assessed under the persistent violators program against his or her commission-issued driver's license, except as otherwise provided in this paragraph. A taxicab or for-hire vehicle driver shall be eligible for a point reduction pursuant to this [subdivision] paragraph for points assessed by the commission against his or her commission-issued driver's license only once within a five-year period.

(2) Upon presentation to the commission of proof of satisfactory completion of a motor vehicle accident prevention course approved by the New York state department of motor vehicles, three points shall be deducted from the number of points accrued under the persistent violator program for points assessed by the New York state department of motor vehicles or an equivalent licensing agency of the driver's state of residence against the driver's license issued to such taxicab or for-hire vehicle driver by such department or agency, except as otherwise provided in this paragraph. A taxicab or for-hire vehicle driver shall be eligible for a point reduction pursuant to this paragraph for points assessed by the New York state department of motor vehicles or an equivalent licensing agency of the driver's state of residence only once within an eighteen-month period.

(3) In the event no [such approved] commission-approved remedial or refresher course is available at

the time such driver seeks to enroll, [such driver may take a course provided for in paragraph one of subdivision c of section 19-507.2 of this chapter. In such instance, completion] completion of a New York state department of motor vehicles-approved course taken pursuant to [this] paragraph [or pursuant to paragraph one of subdivision c of section 19-507.2] two of this subdivision shall result in the removal of three points from [either] the number of points accrued under the persistent violators program [or from the number of points accrued under the critical drivers program, but not from both, upon the election of the driver who completes such course], whether such points are assessed against such driver's commission-issued license or such driver's license issued by the New York state department of motor vehicles or an equivalent licensing agency of the driver's state of residence.

[(2)] (4) Notwithstanding the provisions of [paragraph] paragraphs one, two or three of this subdivision, no point reduction shall affect any suspension or revocation action which may be taken by the commission pursuant to this program prior to the completion of [the] a commission-approved or department of motor vehicles-approved course and no taxicab or for-hire vehicle driver shall receive a point reduction unless attendance at [the] such course is voluntary on the part of the driver.

b. Any taxicab or for-hire vehicle driver who has been found guilty of violations [of the commission's rules] such that a total of six or more points but fewer than ten points have been assessed by the commission against his or her commission-issued driver's license or by the New York state department of motor vehicles or an equivalent licensing agency of the driver's state of residence against the driver's license issued to such taxicab or for-hire vehicle driver by such department or agency within any fifteen-month period and whose license has not been revoked shall have his or her commission-issued driver's license suspended for up to thirty days.

c. Any taxicab or for-hire vehicle driver who has been found guilty of violations [of the commission's rules] such that a total of ten or more points have been assessed by the commission against his or her commission-issued driver's license or by the New York state department of motor vehicles or an equivalent

licensing agency of the driver's state of residence against the driver's license issued to such taxicab or for-hire vehicle driver by such department or agency within any fifteen-month period shall have his or her commission-issued driver's license revoked.

§2. Subdivision e of section 19-507.1 of the administrative code of the city of New York, as amended by local law number 51 for the year 2016, is amended to read as follows:

e. A taxicab or for-hire vehicle driver shall not be subject to an assessment of points against his or her commission-issued driver's license or the imposition of duplicate penalties where the same act is a violation under provisions of law other than commission rules and where such violations duplicate each other or are substantively the same and any such driver may be issued only one summons or notice of violation for such violation. [Points assessed pursuant to section 19-507.2 of this chapter may, pursuant to subdivisions i and j of this section, be added to points assessed by the commission under this section for violations of commission rules.]

§3. Subdivisions i and j of section 19-507.1 of the administrative code of the city of New York are REPEALED.

§ 4. Section 19-507.2 of the administrative code of the city of New York is REPEALED.

§ 5. This local law takes effect 60 days after it becomes law, except that the taxi and limousine commission shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

EL/dfc
LS #6823
11/22/19 2:50 p.m.