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Referral No. 5834
September 6, 2023

LOCAL LAW NO. 5 OF 2023
COUNTY OF ROCKLAND
STATE OF NEW YORK

WOLFE/JOBSON: M.V.

A local law amending and supplementing the Laws of Rockland County, Chapters 35, *Consumer Protection, Office of* and 375, *Vehicles and Traffic*, to create a law and a board for the regulation of for hire vehicles (i.e. taxis and livery vehicles) their drivers, and base stations for the purpose of protecting consumers, including provisions to protect the public from unsafe, underinsured and uninsured drivers of pre-arranged for hire vehicle and for-hire vehicles.

Be it enacted by the Legislature of the County of Rockland, State of New York as follows:

Section 1. Common Name of Local Law

This Local Law shall be known as the "Rockland Livery Licensing Law of 2023".

Section 2. Creation of the Rockland County Livery Board and codification

This section shall be codified as follows,

- The Laws of Rockland County (LORC), Chapter 35, *Consumer Protection, Office of*, Sections 35-1 to 35-4, shall be designated as Article I, *Establishment of the Office of Consumer Protection;*

- A new, Article II, *Rockland County Livery Board* shall be created within Chapter 35, *Consumer Protection, Office of,* and read as follows:

Article II – Rockland County Livery Board

§ 35-25 Rockland County Livery Board.

A. There is hereby created a Division of Livery Regulation in the Office of Consumer Protection.

B. Within the division there is hereby created a Rockland County Livery Board consisting of seven members, hereinafter referred to as the "Board".

1. The members of the Board shall be residents of Rockland County, or shall have their principal place of business in Rockland County.
2. The Director of the Office of Consumer Protection will appoint one member of the Board from among the employees of the Office of Consumer Protection. The Director's appointment may be the Director. A member who is the Director or a Director's designee will not be required to be confirmed by the County Legislature.
3. The remaining members shall be as follows:
   a. Three members engaged in the pre-arranged for hire vehicle as a driver, base station owner or operator; and
   b. Three members from the public at large. "public at large" members are residents of Rockland County who do not qualify for Board membership under any other class of membership.
   c. One non-voting member who is the Sheriff or the Sheriff's designee, with any designee to be selected from the Office of the Sheriff or a local police department, to act as a liaison with the law enforcement agencies of the County.

C. Each member, other than the Director or the Director's designee, will be appointed by the County Executive, subject to confirmation by the

County Legislature.

D. No member may be compensated solely for service on the Board.

E. The Director, or Director's designee, is the Chairperson of the Board. The Board must annually select a Vice Chairperson from its own members. Should the membership fail to appoint a Vice Chairperson prior to February 1 of any given year, the Director may appoint a Vice Chairperson from among the members of the Board. The Director's selection for Vice Chairperson will be replaced by a selection of the Board at any time the Board makes its selection.

F. At any time that there are not sufficient members appointed to the Board to form a quorum, the Director shall exercise and be vested with all powers and duties of the Board.

G. The Director of Consumer Protection must assign or appoint one or more employees of the Office of Consumer Protection to act as secretary of the Board, which employees will be responsible to:
   1. make and keep the records and minutes of the Board;
   2. conduct the correspondence of the Board;
   3. publish notices for the Board; and
   4. undertake such other clerical duties as the Board may require.

§ 35-26 Powers and Duties of the Board and its officers.

A. The Board has the following powers and duties in addition to those prescribed by any other law or regulation:

   1. Annually report, on March 1, to the County Legislature and the County Executive on the activities of the Board;
   2. Advise the County Legislature and County Executive concerning matters related to the for-hire vehicle industry; and
   3. Perform such other related powers and duties as may be authorized by law or as may be required by the County

Executive or County Legislature and which are within the powers of the Board granted by law.

B. The Chairperson has the sole power to:
   1. call meetings of the Board;
   2. set the agenda of the Board;
   3. ensure a quorum of members is present for meetings of the Board; and
   4. Create and assign members to such subcommittees of the Board as needed to accomplish the duties of the Board.

C. The Vice Chairman shall have the powers and duties of the Chairperson to exercise in the event of a vacancy in the position or when the Director is not available.

Section 3. Implementing and codifying the *Rockland County Livery Licensing Law of 2023*

This section shall be codified as follows:

- A new Article III, *Rockland County Livery Licensing Law*, shall be created in Chapter 375, *Vehicles and Traffic*, as follows:

Article III The Rockland County Livery Licensing Law

§375-30 Legislative Intent.

The Legislature passed a home rule message on March 6, 2012, requesting that New York State authorize the County of Rockland to regulate the licensing of livery vehicles.

The Governor of the State of New York signed Chapter 385 of the Laws of 2012 amending Section 181, Subdivision 1 of the New York State General Municipal Law, as amended by Chapter 430 of the Laws of 2002 and Section 498 of the Vehicle and Traffic Law on

August 17, 2012. The law authorizes the County of Rockland to regulate the licensing of livery vehicles and taxis by local law.

The Rockland County Legislature has found and determined that unlicensed passenger vehicles operating as livery and taxi vehicles within the County pose a danger to the public because these vehicles and the drivers who operate them may be uninsured, underinsured and/or unsafe. The Rockland County Legislature further determined that it is essential for the County of Rockland to make every effort to protect the public from these uninsured, underinsured and/or unsafe drivers and vehicles.

The purpose of this local law is to authorize the licensing of livery vehicles, drivers and base stations by the County of Rockland and to prohibit the operation of any unlicensed taxi or livery vehicles, except where otherwise permitted within a Town or Village.

§375-31 Definitions.

As used in this article, the following terms shall have the meaning indicated:

AFFILIATED DRIVER

A person who drives a livery vehicle and who holds a valid livery driver's license issued by the Rockland County Livery Board.

BASE STATION

A central facility or location which manages, organizes and/or dispatches livery vehicles licensed pursuant to this Article.

BASE STATION OWNER

Any individual, firm, partnership, corporation or other entity that owns the operation of a base station. In the event of a licensed base station, the persons or entity that received the license and any other person described as an owner on the application. In the event of an unlicensed base station, the individual or entity responsible for

operating the base station, and each partner, member, officer, principal, and/or shareholder holding more than 10% ownership of each such entity.

BOARD

The Rockland County Livery Board.

CHAIRPERSON

The Chairperson of the Rockland County Livery Board.

COUNTY

The County of Rockland.

DIRECTOR

The Director of the Office of Consumer Protection.

FOR HIRE VEHICLE

See "Taxi."

LICENSEE or PERMITTEE (or license or permit holder)

A person holding a license or permit issued by the Board, or an equivalent to such licenses or permits issued by a jurisdiction with reciprocity with the County as per NYS VTL § 498(2) or, where required, for which reciprocity is approved by a determination of the Board.

LIVERY DRIVER'S LICENSE

A license to operate a livery vehicle issued by the Board pursuant to the requirements of this Article.

LIVERY VEHICLE (a/k/a pre-arranged for hire vehicle)

A motor vehicle, other than an exempt vehicle as defined by this local law, that is used in the business of transporting passengers for compensation on a pre-arranged basis, and operated in such business under a license or permit issued by the County or another licensing jurisdiction as provided for in this Article. The term "Livery

Vehicle" shall apply to any vehicle that is a "pre-arranged for-hire vehicle" as defined by NYS VTL § 498(1) regardless of any other nomenclature defining or describing such vehicles by any other terms such as "black car", "limousine", etc., when such vehicle is operated as a pre-arranged for hire vehicle.

LOCALITY

Any of the Towns, or Villages of the County,

MAILING ADDRESS

The address designated by a licensee or permittee for the mailing of all notices and correspondence from the Board and for service of Notices of Violation and/or other legal notices. In the case of a licensed base station, mailing address shall mean the base station's street address. In the case of the holder of the livery driver's license, mailing address shall mean the street address of the driver's residence. In the case of the owner of a livery vehicle carrying a permit, mailing address shall mean the street address of the home or business of the owner of the vehicle.

NYS VTL

New York State Vehicle and Traffic Law § 498. See Appendix 1 for full text of section 498. Regardless of the text of the Appendix, all references to section 498 are to the most current version adopted by the State of New York.

ONE-POINT TRIP

A trip that discharges any passenger within Rockland County where the trip originated outside of Rockland County, or that picks up any passenger within Rockland County having a destination outside of Rockland County. With respect to regulated activities wholly within Rockland County, a one-point trip is a trip from a locality in which a vehicle is licensed to a location outside that locality.

PASSENGER

A person who is being transported by a vehicle regulated by this

Chapter, or who is awaiting the arrival of such a vehicle.

PERSON

An individual, partnership, corporation or other entity.

PRE-ARRANGED FOR HIRE VEHICLE

See "Livery Vehicle."

RECIPROCITY

The condition where the County and another jurisdiction meet the requirements of NYS VTL § 498(2), which permits prearranged for hire drivers and vehicles to operate in both jurisdictions under the licensing requirements of one of them.

TAXI (also, "for-hire vehicle")

A vehicle being used on a for-fire basis that picks up passengers without the need for pre-arrangement of transportation, for example picking up passengers hailing a ride on an *ad hoc* basis; or a motor vehicle registered with the New York State Department of Motor Vehicles as a 'Taxi', bearing a 'Taxi' license plate, and which carries passengers picked up on an *ad hoc* as opposed to pre-arranged basis, which passengers will be charged for such transportation.

TRIP SHEET

A fully completed legibly written or electronic read only record, not including a pager or cell phone, that is recorded prior to the commencement of each passenger trip and is carried at all times in the pre-arranged for-hire vehicle and for-hire vehicle. Such record shall include the passenger's name, time of scheduled pick up, location of scheduled pick up and the final destination.

VEHICLE OWNER

A person in whose name a vehicle is registered with the New York State Department of Motor Vehicles, or a foreign state's agency that similarly regulates the ownership of motor vehicles. For purposes of this Article, the term shall also apply to the lessees of a leased vehicle.

§ 375-32 Powers and duties of the Rockland County Livery Licensing Board and the Director of Consumer Protection

A. General powers and duties of the Director of Consumer Protection.

1. The Director of Consumer Protection must:

   a. Keep records of all licenses and permits issued, suspended, refused or revoked by the Board and all other records related to the implementation of this Article, and to make such records available for public inspections and made available online;

   b. Act as the inspector, and within the appropriations of the County Budget, to appoint inspectors to investigate and enforce this Article, including prosecutions of administrative actions before the Board.

   c. The Director shall make all notifications of violations of this Article to other licensing jurisdictions with which the County has reciprocity, as required by NYS VTL § 498(6).

   d. Take necessary steps to enter into a contract with the New York State Division of Criminal Justice Services in order to effectuate the provisions of this Chapter relating to fingerprinting and criminal background checks.

   e. Maintain a database and access to such database by other licensing jurisdictions of license and permit data required by NYS VTL § 498(3)(e).

2. The Director is authorized to:

   a. Conduct, or cause to be conducted, on-street inspections of all vehicles operating as pre-arranged for-hire vehicles licensed under this article or by any other licensing jurisdiction, in the manner described by NYS VTL § 498(5).

   b. Subpoena witnesses and records relating to investigations and compliance with this Article;

   c. Hold administrative proceedings or cause administrative hearings to be held in accordance with rules and

regulations promulgated by the Board, to assess penalties as permitted by this Article, and refer other violations to appropriate authorities.

B. General powers and duties of the Board.

1. The Board must:

a. Hold meetings at the call of the Chairperson as needed to promptly undertake the business of this Article.

b. Adopt regulations by written resolution of the Board as may be necessary to effectuate the provisions and intent of this Article, which regulations must be ratified by a resolution of the Rockland County Legislature prior to implementation and must include but are not limited to, regulations for:

i. the implementation of this Article;

ii. issuance of licenses and permits described in this Article;

iii. the suspension, revocation, and renewal of the licenses described in this Article;

iv. the continuing review of the driving record of every licensed pre-arranged for-hire vehicle driver in the manner required by NYS VTL § 498(4)(c);

v. standards of pre-arranged for hire vehicle driver conduct;

vi. standards of safety and design, comfort, convenience, noise, air pollution control in the operation of vehicles regulated under this Article, as well as describing mandatory auxiliary equipment including but not limited to barriers, radios, markings, safety equipment, etc.;

vii. maintenance of financial responsibility, insurance and minimum coverage for vehicles regulated by this Article; and

viii. passenger rights.

c. All such rules and regulations must be available to the

public in hard copy and available online.

2. The Board is authorized to:
   a. Issue, suspend, revoke, and renew licenses as provided in this Article;
   b. Direct the Director to conduct investigations regarding any application, complaint or alleged violation of this Article, and to execute the regulations promulgated by the Board;
   c. Hold administrative proceedings or cause administrative hearings to be held in accordance with rules and regulations promulgated by the Board, to grant licenses, or to renew, suspend, or revoke licenses granted by this Article;
   d. Hold hearings concerning the state of the livery and taxi industries within the County;
   e. Subpoena witnesses and records relating to investigations and compliance with this Article and to obtain and provide testimony or documents with respect to proceedings and hearings commenced by the Board;
   f. Recommend to the County Executive to enter into agreements with municipalities within and outside Rockland County for inter-municipal cooperation and enforcement pursuant to relevant State and Local law; and
   g. Delegate its powers and duties granted under this Article to the Director for execution.

§ 375-33 Licenses and permits, generally.

A. Livery driver's licenses, livery vehicle permits, and base station operation licenses are issued by the Board, at the Board's sole discretion, and after the Board's receipt of a completed application for the requested document.
   1. The Board must give each license or permit a unique identifying number. That identifying number will continue to

be associated with the license or permit upon its renewal.

2. The Board must maintain on a website a listing of all licenses and permits issued by the Board, in a searchable form, with each such license or permit affiliated with the relevant licensee or permittee, along with the status of each such license or permit stating whether the license or permit is valid, suspended, revoked or otherwise encumbered, and such other information as the Board may determine to provide.
3. The Board must also include on a website a listing of each affiliated driver and the base station licensee with which the driver is affiliated.

B. The Board has the power to renew, suspend, or revoke licenses and permits issued pursuant to the powers granted by this Article.
   1. The processes for renewal, suspension, and revocation must be stated in the regulations of the Board.
   2. No suspension or revocation may occur without the licensee being offered the opportunity for a hearing before the Board incorporating the requirements of due process.

C. No license or permit issued under this Article for any purpose shall expire more than one year from the last day of the month in which the permit or license was issued or renewed.

D. A renewing applicant must file a completed application on or before the expiration date of the permit or license or the license or permit is deemed abandoned and an application for a new license or permit will be required.
   1. Upon the timely filing of an application for renewal, an existing permit or license shall remain in effect until a final determination is made upon the application for renewal subject to any pending revocation or suspension.
   2. The time to file a renewal application will not be extended beyond the expiration date of the prior license or permit unless the Board resolves to, in its sole discretion, permit a late filing due to a hardship upon the applicant or other reason

acceptable to the Board.

3. Regardless of the date of renewal, renewed licenses and permits will expire no more than one year following the expiration date of the preceding license or permit being renewed.

E. The fee for a license or permit, whether on the initial application or upon renewal, must be paid at the time of the filing of the application and will not be refunded in the event of a disapproval of the application. Any application not accompanied by the required fee is an incomplete application. The amount of the fee will be determined by the Board.

F. No license or permit issued pursuant to this Article may be issued to an applicant for a new or renewed license or permit for a period of three years subsequent to a final determination in a judicial or administrative proceeding that the applicant:

1. operated a base station without a valid license; or
2. operated a livery vehicle without a valid license; or
3. owned a vehicle used within the County as a livery vehicle without a valid permit required by the Article; or
4. operated a taxi in any manner prohibited by this Article.

§ 375-34 Minimum requirements for an application for a Rockland County livery driver's license

A. The application for a livery driver's license will be on a form approved by the Board and be accompanied by such fee as the Board may require.

B. An applicant for a livery driver's license must:

1. Be a natural person.
2. Possess a valid NYS Class A, B, or C CDL license or a Class E driver's license from either the State of New York or the equivalent from the State in which applicant resides. Drivers' licenses issued by non-US jurisdictions are not acceptable;

3. Submit a recent digital, or three hard copies of a recent photograph of the applicant in a size, content, and quality to be determined by the Board.
4. Comply with all requirements of NYS VTL § 498(4)(a),
    a. The applicant must be fingerprinted by the County;
    b. The County must obtain the applicant's criminal history records from the New York State Division of Criminal Justice Services; and
    c. The applicant is responsible to pay the processing fee for such services described in this subsection.

5. Provide an affidavit, in a form determined by the Board, attesting to all offenses, violations or crimes, including traffic and parking infractions, that such applicant has been convicted of between the date the fingerprints were taken and the date of the submission the application is submitted to the Director.
6. Indicate the base station with which the driver is or will be affiliated, if any.
7. Agree that any service of papers, notice, letter, summons, complaint or legal process of any kind relating to a license or permit issued pursuant to this Article may be made by certified mail (return receipt requested at the sole discretion of the Director), or other trackable delivery service, or by personal service, at the address on the most recent application, or amended application, submitted to the Board. Also, provide an email address that may be used for service of notices and other official papers and communications by the Office of Consumer Protection.
8. Comply with the requirements of NYS VTL § 498(4)(d) by having a drug test by an approved testing company within 30 days prior to the filing of the application. The applicant shall undergo testing for the presence of the following substances: amphetamines; cocaine; opiates; and phencyclidines, and any other substance deemed necessary by the Board.
    a. Such testing shall be performed by an individual or entity designated by the Board and possessing a requisite

permit to operate a clinical laboratory issued by the New York State Department of Health pursuant to the authority contained in Title V of New York State Public Health Law. In the absence of a determination by the Board, the Director shall designate a testing facility.

b. Any applicant who tests positive for drugs or intoxicating liquors will be denied a livery driver's license.

9. Attend and complete and submit to the Board proof of completion of a New York State defensive driving course that satisfies the requirement of NYS VTL § 498(4)(e).
   a. For new applicants the course must be completed within 6 months before the date the application is submitted.
   b. For renewal applicants, the course must be completed within 3 months before the renewal application.

C. Upon receiving a complete application, the Board must:
   1. forward the fingerprints and processing fee to the New York State Division of Criminal Justice Services for review in accordance with GML § 289.
   2. The Board shall review the records received from the New York State Division of Criminal Justice consistent with Article 23-A of the New York State Correction Law and shall consider such records in making a determination to issue the license.

§ 375-35 Application for a livery vehicle permit

A. The application for a livery vehicle permit will be on a form approved by the Board and be accompanied by such fee as the Board may require.

B. An applicant for a livery vehicle permit must:
   1. Be the owner or lessee of the vehicle for which the permit is being sought.
      a. If the applicant is the owner of the vehicle, the applicant must provide a copy of the vehicle's title and registration;

b. If the vehicle is leased, the applicant must provide a copy of the lease and registration. The Board may not issue a permit with an expiration date beyond the term of the lease.

c. If the applicant is a natural person then the identity of the natural person. If the applicant is not a natural person, then the applicant must disclose each partner, member, officer, principal, and/or shareholder holding more than 10% of the entity, as applicable. If any partner, member, officer, principal, or shareholder is itself not a natural person, then each such holding entity must disclose in the same manner, until each chain of holding ends in a natural person.

2. Provide the make, model, license plate number, and Vehicle Identification Number for the vehicle.
3. For each person identified in subsection (B)(1)(c), above, agree, that any service of papers, notice, letter, summons, complaint or legal process of any kind relating to a license or permit issued pursuant to this Article may be made by certified mail (with return receipt requested at the sole discretion of the Director) or other trackable delivery service, or by personal service upon the applicant at the address on the most recent application, or amended application, submitted to the Board. Also, provide an email address that may be used for service of notices and other official papers and communications by the Office of Consumer Protection.; and
4. Indicate each base station with which the applicant is to be affiliated, if known.
5. Provide any other information required by the Board.

C. Vehicles being registered must:
1. Have three or more doors; a trunk, hatch, or door access on the back of a vehicle shall not be counted as a door unless it has been designed by the manufacturer of the vehicle for the purpose of passenger access;

2. Hold twenty or fewer passengers;
3. Pass an inspection conducted by such persons or entities that the Board must designate. The Board will require such reasonable qualifications for safety and soundness of the vehicle as the Board may determine.
4. Possess such other features, characteristics or equipment that the Board may require.

§ 375-36 Application for a base station license.

A. The application for a base station license will be on a form approved by the Board and be accompanied by such fee as the Board may require.

B. An applicant for a license to operate a base station must:
   1. Disclose the applicant's identity.
      a. If the applicant is a natural person then the identity of the natural person.
      b. If the applicant is not a natural person, then the applicant must disclose each partner, member, officer, principal, and/or shareholder holding more than 10% of the entity, as applicable. If any partner, member, officer, principal, or shareholder is itself not a natural person, then each such holding entity must disclose in the same manner, until each chain of holding ends in a natural person.

   2. Provide the present location of the base station to be operated. If the base station does not exist at the time of the application, then provide the intended town and, if applicable, the village in which it will be established.
   3. Submit a list of all affiliated drivers and vehicles to be dispatched by the base station, including their livery driver's license numbers;
   4. Provide to the Board a bond in the amount of five thousand dollars ($5,000.00) with one or more sureties to be approved by the Commission to assure the payment by the licensee of all

civil penalties imposed pursuant to any provision of this Article. Such bond shall be for the benefit of Rockland County and shall be conditioned upon the licensee complying with the requirement that only affiliated drivers and vehicles licensed or permitted by the Board are dispatched from the base station.

C. Provide any other information or documentation that the Board may require.

D. Upon receipt of an application for a new base station or for the renewal of a license for a previously licensed base station, the Board must, within five business days, submit notification to the Supervisor/Mayor of the town/village in which such base station is or would be located, or his/her designee. The notice must advise the municipality of its right to submit a comment concerning the application within 20 business days. Any comment may be considered by the Board in granting the application. Should the municipality fail to comment, the lack of comment is not a ground to deny the application.

§ 375-37 Standards of conduct, prohibitions and requirements for licensees, owners of permitted vehicles, and unlicensed owners and operators of regulated operations and vehicles.

A. Convictions for violations.

All licensees shall be subject to license suspension in the manner set forth in NYS VTL § 498(3)(a). Base station operators are included in the class of persons subject to suspension, revocation or non-renewal of licenses for the reasons set forth in section 498(3)(a).

B. Display of vehicle permit.

As required by NYS VTL § 498(3)(b), the owner of every vehicle operated as a livery vehicle in the County shall display a livery vehicle permit[1] issued pursuant to this Article or issued by another

[1] Note: While section 498(3)(b) refers to this document as a "license," section 498(1)(c) states that,

jurisdiction with which the County has reciprocity, and the rules and regulations of the Board.

C. Insurance.

The owner of each livery vehicle licensed shall maintain the insurance or other financial security required by NYS VTL § 498(3)(c). Base station operators must have continuous financial security or insurance coverage that may be required by the Board.

D. Vehicle inspection.

As required by NYS VTL § 498(3)(d) and the rules and regulations of the Board, the owner of each livery vehicle must ensure that the vehicle is inspected and displays a valid New York State Department of Motor Vehicles inspection sticker, or the equivalent from the state in which the vehicle received its state registration.

E. Licensed operation of livery vehicles.

1. As required by NYS VTL § 498(3)(f), no person may operate: (a) a livery vehicle, (b) a vehicle being operated as a livery vehicle, or (c) a vehicle displaying a livery vehicle permit, unless the operator has, in their possession, a valid New York State issued Class A, B, or C CDL license or a Class E driver's license.
2. As required by NYS VTL § 498(3)(g), no person may operate: (a) a livery vehicle, (b) a vehicle being operated as a livery vehicle, or (c) a vehicle displaying a livery vehicle permit, unless their livery driver's license is in their possession, and displayed in any manner required by the Board, while operating the vehicle.
3. Livery vehicles may only be operated by a person holding a livery driver's license issued pursuant to this Article or an

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"Pre-arranged for-hire vehicle" shall mean a motor vehicle, other than a bus, that is used in the business of transporting passengers for compensation on a pre-arranged basis, and operated in such business under a license *or permit* issued by a licensing jurisdiction. (emphasis added).

The County has chosen to use the term "permit."

equivalent license issued by another jurisdiction with which the County has reciprocity.

4. Persons holding a livery driver's license issued by the Board may only be dispatched by the base station with which that driver is affiliated.
5. A livery vehicle driver must display and produce the driver's livery driver's license in a vehicle being operated as a livery vehicle in the manner required by NYS VTL § 498(3)(h) and in any other manner required by the Board.

F. Trip logs.

1. The driver of a livery vehicle must keep a trip log, recording all trips including each interjurisdictional trip, the record of which is to be entered prior to the commencement of such trip in accordance with the requirements of NYS VTL § 498(3)(i).
2. The log must be maintained in the vehicle, and kept readily accessible in a form and manner prescribed by the Board, and produced at the request of any police officer or peace officer acting pursuant to his or her special duties or other enforcement personnel authorized by the Board or the licensing authority of any other jurisdiction in which the vehicle is operated.
3. Such record shall be kept for a period of no less than one year after such trip.
4. Failure to produce such a log maintained in the manner prescribed by a licensing jurisdiction when requested by a police officer or other enforcement personnel shall be presumptive evidence of illegal operation, whether within the County or interjurisdictionally.

G. Standards for ownership of a livery vehicle

1. As required by NYS VTL § 498(3)(j), the owner of a livery vehicle must hold a valid state issued vehicle registration for each vehicle possessing a livery vehicle permit.
2. No owner of a vehicle being used as a livery vehicle may allow its vehicle to be operated in violation of the prohibition against

interjurisdictional business operation contained in NYS VTL § 498(3)(k).

H. Standards for drivers of livery vehicles

1. Serious Criminal Offenses.

a. As required by NYS VTL § 498(4)(b) and to the extent required by that section, a holder of a livery driver's license may have that license suspended, revoked, or be subject to denial of renewal upon conviction of a serious criminal offense.

b. All holders of livery driver's licenses issued by the pursuant to this Article, must report any arrest, indictment, or conviction for a serious criminal offense to the Director within three business days of occurrence.

c. Reports of arrest or indictment are for record keeping and follow up purposes only. No action may be taken against a license or permit issued pursuant to this Article by the Board or Director based solely upon a report of arrest or indictment.

d. The term "serious criminal offense" as used in this section has the meaning set forth in NYS VTL § 498(1)(f).

2. Other offenses.

Within 72 hours of conviction, report to the Director,

a. all convictions for violations traffic laws or regulations; and

b. all convictions for violations laws or regulations concerning the licensing of livery or taxi vehicles or drivers in any jurisdiction, whether or not the jurisdiction has reciprocity with the County of Rockland.

I. Standards for Base station operators

1. Base station license required.

No person may operate a base station in Rockland County dispatching for livery passenger pick-ups where passengers will embark in the Rockland County without a valid base

station license issued pursuant to this Article; and

2. Every base station that conducts operations in Rockland County:
   a. Must possess a license to operate in Rockland County or to dispatch vehicles to pick up passengers in Rockland County.
      i. Notwithstanding the preceding, base station operators whose base stations are not located in Rockland County do not require a license to dispatch livery vehicles for one-point trips originating outside Rockland County; and
      ii. Base station operators both within and outside the County are prohibited from interjurisdictional business operation as per NYS VTL § 498(3)(k).

   b. Is prohibited from dispatching a driver not on its list of affiliated drivers on file with the Director.
   c. Is prohibited from dispatching any driver who does not have a valid state issued driver's license of Class A, B, or C CDL license or a Class E, and a livery driver's license.
   d. Is prohibited from dispatching a vehicle without a valid livery vehicle permit.
   e. Is liable for violations of this Chapter, for any violation by aa dispatched driver, or violations related to any vehicle operated by a dispatched driver.

J. Prohibition on the operation of taxis.

No person may operate a vehicle as a taxi in Rockland County.

Notwithstanding the foregoing,

1. If a person operates a vehicle as a taxi pursuant to the laws of a locality within Rockland County, the taxi may be operated without County restriction where the taxi is operated wholly within that locality; or
2. If a person operates a vehicle as a taxi pursuant to the laws of any locality in which the person is authorized by that locality to operate a taxi, that person may engage in one-point trips that

pick up passengers in the locality in which the driver is authorized and to drop passengers at other locations within Rockland County without County restriction; and

3. Regardless of the exceptions described above, with respect to any one-point trip, the operator will be subject to the laws of the State and any locality in Rockland County where the vehicle is operated or a passenger is picked up or dropped off.

K. No person may alter or deface any license or permit document issued pursuant to this Article.

L. No person may violate any order, rule or regulation of the Board or the Director.

M. Exempt vehicles.

1. No operator of an exempt vehicle, exempt vehicle, or base station dispatching an exempt vehicle, is subject to any requirements, restrictions or standards of conduct stated in this Article.
2. An exempt vehicle is any motor vehicle which is used for:
   a. passenger transportation by a transportation network company. A "a transportation network company" is a company which pre-arranges trips between paying passengers and drivers who provide the transportation in the driver's own non-commercial vehicle through a digital network as defined in NYS VTL Article 44B.
   b. a commercial transportation purposes for charge or by hire by paying passengers or persons for whom a fare has been paid but which is, or is being used as,
   c. an ambulance,
   e. a truck carrying freight or otherwise engaged in interstate commerce;
   f. a vehicle used for educational purposes and under contract with or operated by, or pursuant to a contract with, a school district;
   g. a bus or vehicle used for public mass transit;

h. a vehicle used in a funeral; or

i. a vehicle for such other purpose as defined by the Board and described in a regulation, or as otherwise may be legally exempt from the provisions of his Chapter.

3. The Board is authorized to define specifications for these classifications of exempt vehicles or exempt other vehicles in its rules and regulations.

§ 375-38 Notice of violations; service; and hearings.

A. Notice of Violation.

1. The Director may issue a Notice of Violation to any person who has violated any provisions of this Article or any prohibited conduct described in a rule or regulation promulgated for the implementation of this Article.
2. The person subject to the notice shall be known as the 'respondent.'
3. The Notice of Violation must, at a minimum, contain,
   a. A description of the date and time of each violation;
   b. the identifying information, including name, for each respondent driver, vehicle owner, or base station operator who committed the violation; and
   c. Any civil penalty assessed for each violation itemized by violation, or other remedy that the Director is authorized to order or assess.

B. The assessment of a civil penalty permitted by this Article, will be by a method determined by the Director in the rules and regulations implementing this Article. The Director must afford all respondents appropriate due process for each of the violations stated.

C. When a hearing will occur, the respondent must receive a notice of hearing including:

1. A statement that the respondent has the right to be represented by counsel, the right to present evidence, and the right to examine

and cross-examine witnesses;

2. A statement that the personal appearance of the respondent is required at the hearing;
3. A warning that failure to appear at such hearing shall constitute a default whereby the Director may proceed with the hearing in respondent's absence and a determination may be made against the respondent without further opportunity for respondent to offer evidence or a statement in mitigation of penalty; and
4. A statement that an adjournment may only be granted upon application to the Director.

D. Notices of violation and notices of hearing must be served upon the respondent(s) by:

1. personal service on respondent or his/her designee described in the respondent's most recent application for a license or permit; or
2. by certified mail, (the notice may be delivered as return receipt requested at the sole discretion of the person issuing the Notice of Hearing), or other trackable delivery service, to the address listed for the licensee on the most recent application for a license or permit subject to.

§ 375-39 Enforcement; civil penalties; Board action; and injunction

A. Civil Penalties.

1. In addition to and notwithstanding any other relief that may be available or which may be sought under this Article, or any other applicable law, the Director may, after a hearing by a process determined by the Board, assess civil penalties under the terms described in this section not to exceed $2,000 per violation, with each calendar day upon which a violation continues to exist being a separate violation.
2. Upon the Director's issuance of a determination to assess a civil penalty, the Director must refer the matter to the Board. The

Board may, by a process it determines, assess any potential action on a related license or permit or, in the case that the Director deems it necessary, refer the matter to any other appropriate authority for prosecution of a criminal offense.

3. Upon the assessment of a civil penalty, the Board is authorized, where it deems necessary, to take action to issue a warning to the respondent, or to take action to revoke, suspend or refuse renewal of any license or permit held by the respondent.

B. Expenses and costs incurred by the County for the enforcement of this Chapter against the respondent may be assessed against a respondent in addition to any other fines, penalties, or other means of enforcement. Such expenses may include reasonable attorney's fees and expenses incurred in the prosecution of the matter and the collection of any civil penalty, including those costs and expenses incurred by the Office of the County Attorney or any other counsel retained by the County to perform enforcement of this Article or penalty collection activities.

C. The failure to comply with an order issued pursuant to this Chapter, or the failure to timely pay for any civil penalty imposed shall be grounds for the Director to:

1. Commence legal action to enforce the order or recover the civil penalty assessed by the Board in any court of competent jurisdiction; and/or for the Board to
2. Suspend, or not renew the Respondent's license or permit until the civil penalty is paid and/or until Respondent fully complies with the order of the Board.

D. Abatement. The Board may resolve to seek to abate or prevent a violation of this Article by a legal action in court of appropriate jurisdiction.

§ 375-40 Enforcement; criminal penalties

A. In addition to and notwithstanding any other relief that may be available or which may be sought under this Article, or any other

applicable law, a person who willfully violates, refuses or fails to comply with any order of the Board is guilty of an 'A' Misdemeanor punishable by imprisonment up to one year and a fine of up to $1,000.

B. In addition to any other person authorized by law, the Director and any employee of the County authorized by the Director, may issue appearance tickets for any violation of this Article or refer a violation to an appropriate authority to prosecute under this section.

§ 375-41 Enforcement; summary suspension of a license or permit.

A. In addition to and notwithstanding any other relief that may be available or which may be sought under this Article, or any other applicable law, the Director may issue a summary suspension of a license or permit under the terms described in this section where the Director has reasonable grounds to believe that it is necessary in order to the ensure the public health, safety or welfare, the Director may order summary suspension of a license or permit issued pursuant to this Article effective immediately.

B. A summary suspension order must be served upon the respondent by personal service, or by other trackable overnight mail service and by regular mail, to the last address on file with the Board.
   1. The order of summary suspension must be served upon the license or permit holder to be affected, within one day of its issuance;
   2. Effective date of an order of summary suspension.
      a. If the order is served by personal service, then the order is effective against the respondent upon delivery.
      b. If the order is delivered by trackable overnight mail, the order will become effective against the respondent 24 hours from the date and time that delivery is confirmed.

C. Where summary suspension is invoked, the Director must commence proceedings within seventy-two hours to offer the respondent an

opportunity to be heard, and promptly make findings of fact and a determination on the issue of summary suspension.

1. The Director's failure to render and serve a determination within five business days will result in the immediate administrative termination of the summary suspension at 11:59 PM on the last business day. The Director must report the occurrence of an administrative termination of an order for summary suspension to the Board within five business days of the administrative termination.
2. No new order of summary suspension may be issued for the same transaction, occurrence, or condition after an administrative termination. There is, however, no bar to any other means of enforcement of this Article.

D. When a hearing occurs, the Director must deliver the record and determination concerning the order of summary suspension, to the Board within five business days of the conclusion of the hearing.

E. No summary suspension may be in effect for more than six months from the date of the initial determination by the Director to issue the summary suspension.

§ 375-42 Enforcement; vehicle immobilization.

In addition to and notwithstanding any other relief that may be available or which may be sought under this Article, or any other applicable law, the Director may direct the immobilization of a vehicle operated as a livery vehicle pursuant to the terms of this section.

A. As used in this section, the phrase "vehicle immobilizer," also known as a "boot", shall mean any device which is locked to the wheel of a vehicle to prevent the vehicle from being driven.

B. In addition to any other penalties provided for in this Chapter, a vehicle immobilizer may be applied to any vehicle whose owner has failed to pay civil penalties which exceed $1,000.00 resulting from

violations of this Article assessed by the Director against the owner of the vehicle, the driver of the vehicle and/or the owner of the base station with which the vehicle is affiliated.

C. The Director must notify the owner of the vehicle that the vehicle immobilizer will remain attached to the vehicle until the outstanding civil penalties are paid. Such written notice shall be served as soon as practicable but in no event later than one business day after the vehicle immobilizer has been applied.

D. Contact information for the Division of Livery Regulation, by address, telephone and email must be conspicuously posted on each vehicle immobilizer device and/or left on the windshield of the vehicle.

E. If a vehicle is immobilized in a location where it cannot legally remain, the vehicle may be towed to a location designated by the Director. Law enforcement personnel may also tow a vehicle which has been immobilized for public safety reasons or to protect the immobilized vehicle.

F. The Director shall not authorize the release of any immobilized or towed vehicle until all of the following fees and penalties have been in full or otherwise satisfied:

1. Fees relating to the application of the vehicle mobilizer;
2. Fees, if any, relating to transport of any passenger, who was in the vehicle at the time the vehicle immobilizer was applied. This fee, if any, shall be the same amount that the passenger was being charged for his/her transport when such transport was interrupted when the vehicle immobilizer was applied;
3. Fees for towing payable by the County, if applicable;
4. Storage fees payable by the County, if applicable; and
5. All unpaid civil penalty assessments.

G. The unauthorized removal or destruction of a vehicle immobilizer may result in a criminal prosecution in accordance with the

provisions of New York State Penal Law and New York State Criminal Procedure Law.

§ 375-43 Appeals

A. Appellate Panel

1. The County Executive, upon requesting a proposal for candidates from the Chair of the Legislature, and subject to confirmation by the County Legislature, will annually designate three members of the Legislature to hear appeals on matters related to this Article for that calendar year. On a case-by-case basis, the County Executive may, upon requesting a proposal for candidates from the Chair of the Legislature, and subject to confirmation by the County Legislature, submit changes to the panel in whole or in part.
2. The appellate panel will meet no less frequently than once per month to review all pending appeals.
3. The appellate panel has the authority to make such regulations as it believes to be required with respect to this section, including the setting of fees. All such regulations are subject to approval by resolution of the full Legislature.

B. Review of action by Board or Director

Any person aggrieved by the action of the Board or the Director, in refusing to issue a license or to permit the renewal or use thereof or suspending or revoking a license or making any decision or determination may take an appeal from that determination to the Legislature.

1. To appeal a notice of appeal, in a form determined by the County Legislature, must be filed with the Clerk of the Legislature and the Director within 30 days.
2. To be a valid filing, all information requested on the form must be provided and all fees required to file the notice of appeal must be paid in full on or prior to the expiration of the 30 day filing period.

3. The notice of appeal form will be in a form approved by the County Legislature which must include:
   a. The name and address of the respondent appealing the determination;
   b. The name and address of any attorney representing respondent in the appeal;
   c. A copy of the order or directive being appealed from; and
   d. A statement of the basis of the appeal.

4. The Board or Director, dependent on who made the determination being appealed from, must as soon as practicable, transmit to the Clerk of the Legislature all the papers constituting the record upon which the action appealed from was taken.

5. Stay of administrative proceedings upon appeal
   a. Upon filing of a notice of appeal, all proceedings in furtherance of the action appealed from will be stayed.
   b. Notwithstanding the foregoing, if the Board or the Director issues a finding to the Legislature stating that a stay of all proceedings would present a risk of imminent danger to the public, the stay will not be in effect unless the appeal panel overrides the determination in the certificate and grants a stay of all proceedings in furtherance of the action appealed from.

6. The legislative appeal panel will review each matter filed by notice of appeal and make a preliminary determination, before any argument or testimony, to certify the appeal for further hearing or argument.
   a. If the legislative appeal panel declines to certify the appeal then the determination of the Board or Director becomes final and any stay in effect as the result of the application of this section is terminated.
   b. If the legislative appeals panel does certify the appeal, it must fix a time and date for the hearing of the appeal.

i. The Clerk of the Legislature must serve notices of the hearing by first class mail to each appealing respondent and any attorney representative of the respondent identified on a notice of appeal. The Clerk shall also deliver the notice to the Board or Director that issued the determination on appeal.

ii. The notices must be served on the appealing respondent by mail at least 10 days before the hearing.

iii. All exhibits proposed to be submitted as evidence at the hearing of the appeal shall be filed with the Clerk to the Legislature at least three days prior to said hearing.

7. At the hearing, any party may appear in person or by an attorney.
8. The legislative appeal panel will rehear the case *de novo*, taking such testimony and argument of law from the Board or Director and the respondent as the panel may choose, while affording the respondent due process.
9. Following the hearing on appeal, the legislative appeal panel will issue a determination, and serve that determination on respondent, respondent's attorney, if any, and the Board or the Director that made the underlying decision.
10. Any person aggrieved by any determination made upon an appeal may apply to the Supreme Court of the State of New York for review by a proceeding under Article 78 of the Civil Practice Law and Rules, provided that the proceeding is commenced within 30 days after the legislative appeal panel's determination is received by the respondent.

§ 375-44 Reciprocity of vehicles licensed by qualified jurisdictions.

A vehicle with a vehicle license or permit that has been issued by a qualified jurisdiction, which jurisdiction has been recognized by resolution passed County Legislature, will be granted reciprocity as set forth in

Section, provided that the vehicle meets all of the requirements set forth in Section 498 of the New York State Vehicle and Traffic Law.

§ 375-45 Reciprocal recognition of drivers licensed by qualified jurisdictions.

A driver holding a current, valid pre-arranged for-hire vehicle and for-hire driver's license issued by a qualified jurisdiction in accordance with NYS VTL § 498, as recognized by resolution passed by the County Legislature, will be granted reciprocity as set forth in NYS VTL § 498 provided that the driver meets all of the criteria of and complies with all requirements set forth in that section.

§ 375-46 Liability for damage.

This Chapter shall not be construed to relieve from nor lessen the responsibility of any individual licensed and/or owner of a permitted vehicle under this Article for any loss of life or damage to person or property, nor shall the County of Rockland be deemed to have assumed any such liability by reason of any license and/or permit issued pursuant to this Article.

Section 4. Appendix.

This local law must includes an appendix designated as "Appendix 1", and entitled "Text of NYS VTL § 498". The Appendix is composed of the most current text of Section 498 and may be updated from time to time to reflect changes in that section as may be implemented by the New York State government.

Section 5. Severability.

If any clause, sentence, paragraph, subdivision, section or part of this Chapter, or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but

shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered, for any reason, which remaining portions shall continue in full force and effect.

Section 6. Effective Date.
This local law shall take effect 270 days after it is filed in the office of the NYS Secretary of State

The vote resulted as follows:

Ayes:	13	(Legislators Carey, Earl, Falciglia, Foley, Friedman, Grant, Hofstein, Jobson, Soskin, Wieder, Wolfe, Cornell, Paul)
Nay:	01	(Legislator Yeger)
Absent:	03	(Legislators Santulli, Tyer, Hood, Jr.)

7/10/2023 TH
09/05/2023 TH (fixed typos and appeal section as per ELY and Office of Consumer Protection comments)
9/6/2023 TH (added changes to appeal procedure)
7/7/2023/dmg

Appendix 1
Text of NYS VTL § 498
(as amended through August 31, 2016)

1. Definitions: When used in this section, the following terms shall have the following meanings:

a. "Driver's license" shall mean a license issued by the department pursuant to article nineteen of this chapter or by a similar regulatory agency of another state.

b. "Licensing jurisdiction" shall mean a city with a population of one million or more, or a county within New York state contiguous to such city, the county of Suffolk, the county of Rockland or the county of Dutchess or the county of Ulster, that requires the issuance of a license, permit, registration, certification or other approval for a vehicle to perform the pre-arranged pick up or drop off of one or more passengers in such jurisdiction for compensation.

c. "Pre-arranged for-hire vehicle" shall mean a motor vehicle, other than a bus, that is used in the business of transporting passengers for compensation on a pre-arranged basis, and operated in such business under a license or permit issued by a licensing jurisdiction. The term "pre-arranged for-hire vehicle" shall apply to vehicles as defined herein regardless of any other provision of local law or rule defining or describing such vehicles by any other terms such as livery, black car, or luxury limousine.

d. "Pre-arranged for-hire vehicle license" shall mean a license, permit, registration, certification or other approval issued by a licensing jurisdiction to the owner of a pre-arranged for-hire vehicle for the purpose of providing pre-arranged transportation for compensation.

e. "Pre-arranged for-hire vehicle driver's license" shall mean a license, permit or other approval to operate a pre-arranged for-hire vehicle issued by a licensing jurisdiction.

f. "Serious criminal offense" shall mean a conviction of (i) a felony involving the use of a motor vehicle except a felony as described in subparagraph (ii) of this paragraph; (ii) a felony involving manufacturing, distributing or dispensing a drug as defined in section one hundred fourteen-a of this chapter or possession of any such drug with intent to manufacture, distribute or dispense such drug in which a motor vehicle was used; (iii) a violation of subdivision one or two of section six hundred of this chapter; (iv) operating a pre-arranged for-hire vehicle when, as a result of prior violations committed while operating a pre-arranged for-hire vehicle, the driver's license is revoked, suspended, or canceled; (v) causing a fatality through the negligent operation of a pre-arranged for-hire vehicle, including but not limited to the crimes of vehicular manslaughter or criminally negligent homicide; (vi) homicide; and (vii) a felony for assault, sexual offenses, kidnapping, or burglary.

2. Reciprocity.

a. A pre-arranged for-hire vehicle that is licensed to provide pre-arranged transportation for compensation by a licensing jurisdiction meeting the standards and requirements set forth in subdivisions three, four and six of this section shall be authorized to pick up passengers in such jurisdiction for drop off within the same jurisdiction, to pick up passengers in another licensing jurisdiction for drop off within the licensing jurisdiction licensing such pre-arranged for-hire vehicle, to drop off passengers in another licensing jurisdiction who were picked up within the licensing jurisdiction licensing such pre-arranged for-hire vehicle, and to transit other licensing jurisdictions. No other licensing jurisdiction may require a pre-

arranged for-hire vehicle providing pre-arranged transportation for compensation, which is licensed by a licensing jurisdiction meeting the standards and requirements set forth in subdivisions three, four and six of this section, to also be licensed by such other licensing jurisdiction or to pay any pre-arranged for-hire vehicle license fee in order to be allowed to pick up or drop off passengers within or to transit such jurisdiction. A licensing jurisdiction meeting the standards and requirements set forth in subdivisions three, four and six of this section shall provide written confirmation thereof to other licensing jurisdictions, containing information sufficient to establish that such licensing jurisdiction meets all such standards and requirements, and which shall be verifiable by such other licensing jurisdictions. Such written confirmation shall be resubmitted to such other licensing jurisdictions every three years.

b. A pre-arranged for-hire vehicle licensed by a licensing jurisdiction not meeting the standards and requirements set forth in subdivisions three, four and six of this section shall be authorized to pick up and/or drop off passengers in any other licensing jurisdiction only (i) pursuant to the terms of a separate written agreement or memorandum of understanding entered into between such licensing jurisdictions or (ii) if the owner of such vehicle obtains a pre-arranged for-hire vehicle license from such other licensing jurisdiction.

c. Where pre-arranged transportation is provided by a pre-arranged for-hire vehicle licensed by a licensing jurisdiction meeting the standards and requirements set forth in subdivisions three, four and six of this section and such transportation begins with the pick up or the drop off of a passenger outside of such jurisdiction, such pre-arranged for-hire vehicle shall be authorized to temporarily discharge and subsequently pick up such passenger outside the licensing jurisdiction during the course of such transportation, provided no intra-jurisdictional transportation is provided at that time to any other person who is not covered by the pre-arranged transportation agreement.

3. Standards for pre-arranged for-hire vehicle transportation. A licensing jurisdiction shall be deemed to comply with the provisions of this subdivision if the following conditions are met:

a. The licensing jurisdiction requires the suspension of the pre-arranged for-hire vehicle license of a pre-arranged for-hire vehicle owner, or the pre-arranged for-hire vehicle driver's license of a driver, against whom there is an outstanding judgment or an unpaid civil penalty owed for a violation of this chapter relating to traffic in any other licensing jurisdiction meeting the standards and requirements of this subdivision and subdivisions four and six of this section, or a violation of regulations promulgated by such other licensing jurisdiction duplicating or incorporating by reference any of the provisions of this chapter, until such judgment is satisfied or such civil penalty is paid.

b. The licensing jurisdiction requires that each pre-arranged for-hire vehicle it licenses shall display evidence of a current, valid pre-arranged for-hire vehicle license affixed to the windshield in a form and manner that may be further specified by the regulations of such jurisdiction.

c. The licensing jurisdiction requires the owner of each pre-arranged for-hire vehicle it licenses to maintain, for purposes of insurance or other financial security, coverage in a specified amount per person, payable for those expenses specified in paragraphs one, two and three of subsection (a) of section five thousand one hundred two of the insurance law, and coverage in specified amounts of minimum and maximum liability for bodily injury and death, as said terms are defined in subdivision one of section three hundred seventy of this chapter.

d. The licensing jurisdiction requires (i) each pre-arranged for-hire vehicle it licenses to be inspected no less frequently than every twelve months by an official inspection station licensed pursuant to section three hundred three of this chapter, or, if the pre-arranged for-hire vehicle is registered in another state, by the agency responsible for vehicle registration and inspection in that state, and (ii) each pre-arranged for-hire vehicle to display a valid inspection sticker indicating the date of the last inspection and/or the expiration date, if such stickers are issued by the state of registration.

e. The licensing jurisdiction provides, by means of a dedicated telephone line or read-only access to an electronic database, the following information to other jurisdictions meeting the standards and requirements set forth in this subdivision and subdivisions four and six of this section: the name of the holder of a pre-arranged for-hire vehicle license; the vehicle identification number of a licensed pre-arranged for-hire vehicle; the date first licensed; the date such licenses were most recently renewed; and all violations issued to each licensee and the disposition of each such violation. Such information obtained by a licensing jurisdiction from other licensing jurisdictions shall be used solely for the enforcement of laws and regulations applicable to the provision of transportation for compensation on a pre-arranged basis.

f. The licensing jurisdiction requires that a pre-arranged for-hire vehicle be driven only by the holder of a driver's license which is valid to operate such motor vehicle in this state.

g. The licensing jurisdiction requires that a pre-arranged for-hire vehicle be driven only by the holder of a pre-arranged for-hire vehicle driver's license.

h. The licensing jurisdiction requires that a pre-arranged for-hire vehicle driver display his or her pre-arranged for-hire vehicle driver's license in such vehicle in a manner clearly visible to passengers or have such license readily available to produce upon the request of a passenger or law enforcement personnel.

i. The licensing jurisdiction requires that a record of each interjurisdictional trip be entered prior to the commencement of such trip in a log maintained and kept readily accessible in the vehicle in a form and manner prescribed by the licensing jurisdiction and produced at the request of any police officer or peace officer acting pursuant to his or her special duties or other enforcement personnel authorized by such jurisdiction. Such record shall be kept for a period of no less than one year after such trip. Failure to produce such a log maintained in the manner prescribed by such jurisdiction when requested by a police officer or other enforcement personnel shall be presumptive evidence of illegal interjurisdictional operation.

j. The licensing jurisdiction requires that the owner of each motor vehicle licensed as a pre-arranged for-hire vehicle hold a valid vehicle registration for such vehicle issued by the department for which a registration fee has been paid pursuant to schedule C of subdivision seven of section four hundred one of this title, or, in the case of a non-resident of this state, a vehicle registration issued by the state of residence.

k. No owner of a vehicle licensed as a pre-arranged for-hire vehicle by a licensing jurisdiction meeting the standards and requirements of this subdivision and subdivisions four and six of this section or any person or business engaged in the for-hire transportation of passengers by motor vehicle that is affiliated with such licensee shall do business within any jurisdiction in which it seeks to operate on an interjurisdictional basis. "Do business" shall mean having a place of business or telephone number in such jurisdiction relating to for-hire transportation of passengers by motor vehicle.

4. Standards for drivers of pre-arranged for-hire vehicles. A licensing jurisdiction shall be deemed to comply with the provisions of this subdivision if it requires the following as conditions of licensure of pre-arranged for-hire vehicle drivers:

a. The pre-arranged for-hire vehicle driver is fingerprinted and his or her criminal history obtained from the department of criminal justice services.

b. The licensing jurisdiction adopts criteria pursuant to which an applicant for a new or renewal pre-arranged for-hire vehicle driver's license shall be denied, and a pre-arranged for-hire vehicle driver's license shall be suspended or revoked, upon conviction of the applicant or licensee for a serious criminal offense, subject to applicable laws, including, but not limited to, article twenty-three-A of the correction law.

c. The licensing jurisdiction provides by regulation for the continuing review of the driving record of every pre-arranged for-hire vehicle driver licensed by such jurisdiction, as reflected in the number and type of convictions accumulated on the driver's license issued to such driver. Such regulation shall provide for the mandatory suspension for a thirty-day period of a pre-arranged for-hire vehicle driver's license upon the accumulation of a specified number and type of conviction on such person's driver's license within a fifteen-month period, and the mandatory revocation of a pre-arranged for-hire vehicle driver's license upon the accumulation of an additional number of convictions of a specified number and type on such person's driver's license within a fifteen-month period.

d. The licensing jurisdiction requires that an applicant for a pre-arranged for-hire vehicle driver's license submit to drug testing, and that licensed pre-arranged for-hire vehicle drivers be required to submit to additional drug testing upon each application for renewal of such person's pre-arranged for-hire vehicle driver's license, and additional drug testing such that each licensee shall submit to such drug testing no less often than once each year; and that any applicant who tests positive for drugs or intoxicating liquors shall be denied a pre-arranged for-hire vehicle driver's license, and the pre-arranged for-hire vehicle driver's license of any licensee who tests positive for drugs or intoxicating liquors shall be revoked after notice and an opportunity to be heard. Such drug test shall be administered by a person or entity holding the requisite permit from the New York state department of health. Individual test results and any related medical information about such applicant or licensee shall be confidential, shall not be disclosed except to the applicant or licensee or his or her representative, and shall not be entered or received as evidence at any civil, criminal or administrative trial, hearing or proceeding other than an administrative trial, hearing or proceeding for the denial or revocation of the pre-arranged for-hire vehicle driver's license as set forth in this paragraph. No person, other than an applicant or licensee who is the subject of such records to whom such records are disclosed, may redisclose such records.

e. The licensing jurisdiction requires that every individual applying for a pre-arranged for-hire vehicle driver's license must submit proof of completion of a state-approved defensive driving course no more than six months prior to the date of application. The licensing jurisdiction shall further require that any individual renewing a pre-arranged for-hire vehicle driver's license must submit proof of completion of a state-approved defensive driving course no more than three years prior to the date of the renewal application.

5. On-street inspections. The enforcement authorities of a licensing jurisdiction meeting the standards and requirements set forth in subdivisions three, four and six of this section may conduct on-street inspections of all vehicles operating as pre-arranged for-hire vehicles within such jurisdiction. A pre-arranged for-hire vehicle owner may be ordered by such licensing jurisdiction to repair or replace such vehicle where it appears that it no longer meets the reasonable standards for safe operation prescribed by regulations of such jurisdiction. Upon

failure of the pre-arranged for-hire vehicle owner to comply with such an order within ten days after service thereof, the recognition of such owner's pre-arranged for-hire vehicle license shall be suspended by the licensing jurisdiction. Provided, however, that this subdivision shall not impair such authority to conduct on-street inspections of pre-arranged for-hire vehicles as may otherwise exist.

6. Notification. A licensing jurisdiction meeting the standards and requirements set forth in this subdivision and subdivisions three and four of this section shall, upon both the issuance and disposition of a summons issued in such jurisdiction to a pre-arranged for-hire vehicle licensed in another jurisdiction, notify such other jurisdiction of such issuance and disposition.

STATE OF NEW YORK)
) ss.:
COUNTY OF ROCKLAND)

I, the undersigned, Deputy Clerk to the Legislature of the County of Rockland DO HEREBY CERTIFY that the attached is an original Local Law of such Legislature, duly adopted on the 6th day of September 2023 by a majority of the members elected to the Legislature while such Legislature was in regular session with a duly constituted quorum of members present and voting.

I FURTHER CERTIFY that at the time said Local Law was adopted said Legislature was comprised of seventeen members.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Legislature this 7th day of September 2023.

Date sent to the County Executive:
September 7, 2023

Mary Widmer, Deputy Clerk
Rockland County Legislature

Edwin J. Day, County Executive
County of Rockland

9/12/23
Date