

"P" 9 (2017)

"M" 8 (2017)

Albany, New York

October 30, 2017

TO: All Enforcement Agencies and Magistrates

SUBJECT: Chapter 340 of the Laws of 2017 – Taxi & Livery Safety Belt Law

Effective November 1, 2017, Chapter 340 of the Laws of 2017 adds a new subdivision (3-c) to Section 1229-c of the Vehicle and Traffic Law to require taxi and livery operators and certain passengers to wear safety belts.

The amendments are as follows:

- (a) No person shall operate a taxi or livery unless such person is restrained by a safety belt approved by the commissioner.
- (b) No person sixteen years of age or over shall be a passenger in the front seat of a taxi or livery unless such person is restrained by a safety belt approved by the commissioner.

Because section 1229-c does not specify the fine for this offense, please refer to Vehicle and Traffic Law section 1800(b). For example, a first offense is punishable by a fine of up to \$150.

A copy of Chapter 340 is attached for your reference.

Please share this information with appropriate staff. Thank you.

Theresa L. Egan  
Executive Deputy Commissioner

## STATE OF NEW YORK

1258

2017-2018 Regular Sessions

### IN ASSEMBLY

January 11, 2017

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the use of safety belts in taxicabs and liveries

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivisions 5 and 9 of section 1229-c of the vehicle and  
2 traffic law, subdivision 5 as amended by chapter 448 of the laws of 2015  
3 and subdivision 9 as amended by chapter 390 of the laws of 1996, are  
4 amended to read as follows:

5 5. Any person who violates the provisions of subdivision three,  
6 **three-c** or ten-a of this section shall be punished by a civil fine of up  
7 to fifty dollars. Any person who violates the provisions of subdivision  
8 one, two, eleven or thirteen of this section shall be punished by a  
9 civil fine of not less than twenty-five nor more than one hundred  
10 dollars. In any prosecution or proceeding alleging a violation of para-  
11 graph (b) of subdivision one or paragraph (c) of subdivision two of this  
12 section, it shall be an affirmative defense that the passenger subject  
13 to the requirements of such paragraphs was restrained by a safety belt  
14 and measures more than four feet nine inches in height and/or weighs  
15 more than one hundred pounds. In any prosecution or proceeding alleging  
16 a violation of paragraph (b) of subdivision three-c of this section, it  
17 shall be an affirmative defense that such taxi or livery was in  
18 violation of subdivision four-b of section three hundred eighty-three of  
19 this chapter.

20 9. Notwithstanding the provisions of subdivision four of this section,  
21 the provisions of this section shall not apply to [~~taxi, liveries, and~~]  
22 buses other than school buses and the provisions of subdivisions one,  
23 two, three and three-a of this section shall not apply to taxis and  
24 liveries.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD04425-01-7

1     § 2. Section 1229-c of the vehicle and traffic law is amended by  
2 adding a new subdivision 3-c to read as follows:

3     3-c. (a) No person shall operate a taxi or livery unless such person  
4 is restrained by a safety belt approved by the commissioner.

5     (b) No person sixteen years of age or over shall be a passenger in the  
6 front seat of a taxi or livery unless such person is restrained by a  
7 safety belt approved by the commissioner.

8     § 3. This act shall take effect November 1, 2017. Effective immediate-  
9 ly, the addition, amendment and/or repeal of any rule or regulation  
10 necessary for the implementation of this act on its effective date is  
11 authorized to be made on or before such effective date.