

"P" 16 (2020)

"M" 12 (2020)

Albany, New York

October 20, 2020

TO: All Enforcement Agencies and Magistrates

SUBJECT: Chapter 8 and Chapter 38 of the Laws of 2020 – Safety Belt Requirements for  
Taxi and Livery Vehicles

Effective November 1, 2020, Chapter 8 and Chapter 38 of the Laws of 2020 amend the  
Vehicle and Traffic Law (VTL) section 1229-c as follows:

- Backseat passengers in a taxi or livery who are sixteen years of age or older are now required to be restrained by a safety belt.
- All passengers in a taxi or livery who are between the ages of eight and fifteen are now required to be restrained by a safety belt. Tickets for this violation can be issued to a parent or guardian of such passenger only if the violation occurs in the presence of the parent or guardian.

Effective November 1, 2021, Chapter 38 of the Laws of 2020 amends the taxicab and livery notices required under VTL section 375(51). These notices must state "Seatbelts must be available for your use. You must buckle up, it's the law."

A copy of Chapter 8 and Chapter 38 of the Laws of 2020 are attached for reference.

Please share this information with appropriate staff. Thank you.

Mark J.F. Schroeder  
Commissioner

Attachment

LAWS OF NEW YORK, 2020

CHAPTER 8

AN ACT to amend the vehicle and traffic law, in relation to safety belt requirements for taxis and livery vehicles

Became a law February 3, 2020, with the approval of the Governor.  
Passed by a majority vote, three-fifths being present.

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

Section 1. Paragraph (b) of subdivision 3-c of section 1229-c of the vehicle and traffic law, as added by chapter 340 of the laws of 2017, is amended and a new paragraph (c) is added to read as follows:

(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.

**(c) No person shall operate a taxi or livery unless all passengers who are age eight or older but under age sixteen are restrained by a safety belt approved by the commissioner.**

§ 2. Subdivision 9 of section 1229-c of the vehicle and traffic law, as amended by chapter 340 of the laws of 2017, is amended to read as follows:

9. Notwithstanding the provisions of subdivision four of this section, the provisions of this section shall not apply to buses other than school buses and the provisions of subdivisions one, two, three and three-a of this section shall not apply to taxis and liveries **except that the provisions of subdivision three-a of this section shall be applicable to any person operating a taxi or livery and to taxi and livery passengers age eight or older.**

§ 3. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

The Legislature of the STATE OF NEW YORK **ss:**

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

ANDREA STEWART-COUSINS  
**Temporary President of the Senate**

CARL E. HEASTIE  
**Speaker of the Assembly**

LAWS OF NEW YORK, 2020

CHAPTER 38

AN ACT to amend the vehicle and traffic law, in relation to seatbelts in a taxi or livery

Became a law April 17, 2020, with the approval of the Governor.

Passed by a majority vote, three-fifths being present.

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

Section 1. Paragraph (c) of subdivision 3-c of section 1229-c of the vehicle and traffic law, as added by a chapter of the laws of 2020, amending the vehicle and traffic law relating to safety belt requirements for taxis and livery vehicles, as proposed in legislative bills numbers S. 7134 and A. 8990, is amended to read as follows:

(c) No person [~~shall operate a taxi or livery unless all passengers who are age~~] eight years of age or older but under age sixteen [are] shall be a passenger in a taxi or livery unless such person is restrained by a safety belt approved by the commissioner. A police officer shall only issue a summons for a violation of this paragraph to the parent or guardian of such person if the violation by such person occurs in the presence of such person's parent or guardian and where such parent or guardian is eighteen years of age or more. Such summons shall only be issued to such parent or guardian and shall not be issued to the person eight years of age or older but under age sixteen.

§ 2. Subdivision 5 of section 1229-c of the vehicle and traffic law, as amended by chapter 340 of the laws of 2017, is amended to read as follows:

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

§ 3. Subdivision 51 of section 375 of the vehicle and traffic law, as added by chapter 495 of the laws of 2003, is amended to read as follows:

51. Taxicab and livery notices. (a) Every taxicab and livery registered in this state shall have posted therein the following notice:

"Seatbelts must be available for your use. [~~Please~~] You must buckle up, it's the law."

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

CHAP. 38

2

(b) The notices required to be posted pursuant to paragraph (a) of this subdivision shall be posted in a manner legible and conspicuous to passengers in all seating positions of such vehicles. Provided, however, that in addition to the requirements of this paragraph, such notices posted within taxis and livery subject to registration and licensing by cities having a population of one million or more shall also be provided in the top two designated citywide languages as such term is defined in section 23-1101 of the administrative code of the city of New York.

§ 4. The commissioner of motor vehicles shall undertake a public education campaign to alert drivers of for-hire vehicles and cities, towns and villages which regulate for-hire vehicles of the provisions of sections 1229-c and 375 of the vehicle and traffic law, as amended by sections one, two, and three of this act.

§ 5. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2020, amending the vehicle and traffic law relating to safety belt requirements for taxis and livery vehicles, as proposed in legislative bills numbers S. 7134 and A. 8990, takes effect; provided, however, that section three of this act shall take effect one year after this act shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.

The Legislature of the STATE OF NEW YORK ss:

Pursuant to the authority vested in us by section 70-b of the Public Officers Law, we hereby jointly certify that this slip copy of this session law was printed under our direction and, in accordance with such section, is entitled to be read into evidence.

ANDREA STEWART-COUSINS  
Temporary President of the Senate

CARL E. HEASTIE  
Speaker of the Assembly