



**TOWN OF NORTH HEMPSTEAD  
OFFICE OF THE TOWN ATTORNEY**

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**PROPOSED LOCAL LAW AMENDING  
CHAPTER 52 OF THE TOWN CODE ENTITLED  
"TAXICABS, LIMOUSINES AND PRIVATE LIVERY VEHICLES"**

**LOCAL LAW MEMORANDUM**

**Purpose of Law:**

The purpose of the local law is to amend Section 52-26(A)(2) of the Town Code to expand the definition of "Town taxi transportation services" to include Town Programs other than the Town's Project Independence taxi transportation program.

**Budget Implications:**

The adoption of the proposed local law will not have any direct budgetary implications.

**Explanation:**

Matter in **bold** and underscored is new; matter in brackets with strikethrough [—] is old law to be omitted.

**TOWN OF NORTH HEMPSTEAD  
LOCAL LAW NO. OF 2016**

**A LOCAL LAW AMENDING CHAPTER 52 OF THE TOWN CODE  
ENTITLED "TAXICABS, LIMOUSINES AND PRIVATE LIVERY VEHICLES"**

**BE IT ENACTED** by the Town Board of the Town of North Hempstead, as follows:

**Section 1. Legislative Intent.**

The Town Board finds that there is a need in the Town for transportation services for persons with disabilities regardless of age. The Town can provide this service using the same methods and processes that the Town uses to provide taxi transportation services to those aged sixty (60) or over through the Town's Project Independence program. The Town previously amended Chapter 52 of the Town Code to allow companies that have obtained a taxi license issued by another municipality to qualify for a Town taxi license solely for the purposes of providing transportation to the Town's senior residents pursuant to an agreement with the Town. The Town Code, however, does not currently allow those companies to receive a license to provide transportation to persons with disabilities under a contract with the Town. In order to expand the taxi service to disabled residents, the Town Board desires to further amend Chapter 52 of the Town Code to broaden the scope Section 52-26 of the Town Code to apply to any taxi transportation programs offered by the Town.

**Section 2.**

Section 52-26 of Article VI of Chapter 52 of the Town Code is hereby amended as follows:

- A. (1) The Town Clerk may issue a driver's or owner's license without the application required under this chapter to any person who shall submit a certified copy of a license issued by any other municipality within the Town of North Hempstead whose licensing requirements are substantially the equivalent of those established by this chapter and § 498 of the Vehicle and Traffic Law of the State of New York, if such municipality extends similar reciprocity to licensees of the Town of North Hempstead. In such a case, the terminal required by § 52-17 may be located in such municipality.
- (2) Notwithstanding § 52-26(A)(1) above, the Town Clerk may issue a driver's or owner's license without the application required under this chapter to any person who shall submit a certified copy of a license issued by any other municipality within the Town of North Hempstead, without regard to the licensing requirements of this chapter or § 498 of the Vehicle and Traffic Law of the State of New York and without regard to whether such municipality extends similar reciprocity to licensees of the Town of North Hempstead; provided that the Town Clerk may only issue the license if the license is required by the licensee to

perform Town Taxi Transportation Services and provided further that the license shall be issued for the sole purpose of providing Town Taxi Transportation Services and for no other purpose. Such license shall only be granted by the Town Clerk for the term that Town Taxi Transportation Services will be provided by the licensee. Any application for a license pursuant to this § 52-26(A)(2) shall be accompanied by a statement by the Town Department of Services for the Aging **or the Town Department of Community Services** that the license is required for the licensee to perform Town Taxi Transportation Services and shall also state the term during which the Town Taxi Transportation Services will be provided. For purposes of this § 52-26(A)(2), the term "Town Taxi Transportation Services" shall mean taxi transportation services [~~to those aged sixty (60) and older~~] pursuant to an agreement with the Town of North Hempstead that requires that the contractor comply with certain drug and alcohol testing requirements as if the agreement were funded by grants by the State of New York and/or the United States Department of Transportation.

B. Whenever another licensing municipality shall require operators licensed under this chapter to obtain an additional license for prearranged pickups within its borders, any operator licensed by such municipality who makes any prearranged pickups within the borders of the Town of North Hempstead shall be required to obtain a prearranged trip license.

(1) The conditions of a prearranged trip license shall include:

- (a) Possession of a valid for-hire operating license issued under conditions substantially the equivalent of those required for a for-hire operating license issued under this chapter.
- (b) Possession of a valid operator's license.
- (c) Possession of a valid vehicle registration.
- (d) Maintenance of a record of each transport authorized by such license, said record to include:

[1] The passenger's name.

[2] The time of scheduled pickup of the passenger.

[3] The location of the scheduled pickup of the passenger.

[4] The final destination of the passenger.

[5] The time elapsed during the completion of the transport.

- (e) No solicitation of business, no operation of a place of business and no operation of a telephone number within the borders of the Town of North Hempstead.
- (2) If, in the opinion of the Town Clerk, the license possessed by an applicant shall not have been issued under conditions substantially the equivalent of those required under this chapter, the applicant shall be required to meet any and all additional conditions which will bring the applicant into compliance with the provisions of this chapter.
- (3) A prearranged trip license shall require renewal on an annual basis.

**Section 3.**

This Local Law shall take effect upon filing with the Secretary of State.