

WITHDRAWN AS OF 5/14/2018

Intro. Res. No. 1006-2018

Laid on Table 1/2/2018

Introduced by Legislators Fleming and Muratore

**RESOLUTION NO. -2018, ADOPTING LOCAL LAW
NO. -2018, A LOCAL LAW TO ESTABLISH A TEMPORARY
MORATORIUM ON RIDE-SHARING SERVICES IN SUFFOLK
COUNTY**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on January 1, 2018, a proposed local law entitled, "**A LOCAL LAW TO ESTABLISH A TEMPORARY MORATORIUM ON RIDE-SHARING SERVICES IN SUFFOLK COUNTY**"; now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. -2018, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO ESTABLISH A TEMPORARY
MORATORIUM ON RIDE-SHARING SERVICES IN SUFFOLK
COUNTY**

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that the New York State Legislature has approved legislation that will allow mobile ride-sharing services, such as Uber and Lyft (designated in the legislation as "transportation network companies"), to operate in communities across the State, without allowing those communities to regulate the services in any way.

This Legislature further finds that the authorizing State legislation includes a provision that allow counties to "opt out" and prohibit the pick-up of persons by ride-sharing services within the County's boundaries.

This Legislature finds and determines that while there are undeniable benefits associated with ride-sharing services that may be welcome in Suffolk County communities, there are also areas of concern that need to be carefully considered before such services are allowed to operate within the County of Suffolk without any local rules and regulations governing them.

This Legislature finds that ride-sharing companies will enjoy an unfair competitive advantage over taxi and limousine companies, which are subject to licensing fees and strict regulatory oversight.

This Legislature finds that the State legislation authorizing mobile ride-sharing services imposes a 4% tax on ride revenue but none of that revenue will be shared with Suffolk County or any other local government, this at a time when public transportation services in the County are grossly underfunded.

This Legislature also finds that proper consideration must be given to the impacts ride-sharing services will place on our local roadways and transportation infrastructure; public safety services, and our natural environment, including water runoff and air quality; as well as issues of ADA (Americans with Disabilities Act) compliance, passenger safety, and the security of banking information.

This Legislature concludes that a temporary moratorium on ride-sharing services should be established to allow the Suffolk County Public Transportation Working Group to study the costs and benefits of ride-sharing services.

Therefore, the purpose of this law is to prohibit ride-sharing services in Suffolk County for a six (6) month period.

Section 2. Opt-Out of Ride Sharing.

As authorized by § 182 of NEW YORK GENERAL MUNICIPAL LAW, the County of Suffolk hereby prohibits the pick-up of any person by a transportation network rental company within its boundaries.

Section 3. Notification to the Department of Motor Vehicles.

The Clerk of the Suffolk County Legislature shall notify the New York State Department of Motor Vehicles of the enactment of this law and shall provide the Department of Motor Vehicles with a certified copy of this law.

Section 4. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law.

Section 5. Working Group Study.

The Suffolk County Public Transportation Working Group, established by Resolution No. 139-2017, is hereby authorized, empowered and directed to conduct a cost benefit analysis of ride-sharing services, and make recommendations to the County Executive and the County Legislature, as to whether ride-sharing services should be permitted within Suffolk County. The Working Group will issue its report within one hundred twenty (120) days of the effective date of this law.

Section 6. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law 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.

Section 7. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 8. Effective Date and Sunset of Law.

This law shall take effect immediately upon its filing in the Office of the Secretary of State and its effect shall terminate six (6) months thereafter.

DATED:

APPROVED BY:

County Executive of Suffolk County

Date: