

## **RIDING IN A TAXI - START BUCKLING UP**

Although not too many residents in Allegany County routinely ride in taxi cabs, you might be so inclined when visiting in other metropolitan areas. Heretofore, drivers of taxis and livery vehicles in New York State have been exempt from the seatbelt laws, and persons 16 years of age and older riding in these vehicles have also been exempt from wearing seat belts. However, effective November 1, 2017, that is no longer the case. Chapter 340 of the Laws of 2017 adds a new subdivision (3-c) to Section 1229-c of NYS Vehicle and Traffic Law (VTL) 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 16 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.

Violation of the new restraint requirements is punishable by a fine up to \$150 plus surcharges and/or up to 15 days in jail for the first offense.

When discussing this new law with some friends the question was asked if this would include Uber rides. Also, not being totally familiar with the term “livery” as used in VTL, I looked up the definition of this word. As applicable to VTL, livery is defined in section 121-e as “Every motor vehicle, other than a taxicab or bus, used in the business of transporting passengers for compensation. However, it shall not include vehicles which are rented or leased without a driver.”

Therefore, based on the definition, it is my opinion that the new seatbelt law would apply to Uber vehicles, as their business is transporting passengers for compensation. That is my opinion only. If you really need to know, you should seek legal advice.

If you are 16 years of age or older, you are not legally required to wear a seatbelt when riding in the rear seat of any vehicle, but you should anyway – for safety sake.

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