



Kevin Barwell - President
Limousine, Bus, Taxi Operators Of Upstate NY

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Chairman, Members of the assembly and senate thank you for allowing me to speak today, in regard to the proposed legislation the governor has proposed in his budget which would eliminate Stretch, or remanufactured / modified vehicles) I represent many companies across Upstate New York and have spoken and worked with many. We believe the accident that killed 20 people was a horrific tragedy and our hearts go out to all the families and people involved.

With better policing this accident could of never happened, we agree with the governor on a few points about the ban on Limousines, we agree that higher fines, heavier penalties and changes to incorporate stronger safety, this will help in stopping rough operators, and better establish a method for which all operators in the transportation industry should follow.

These specific items will not effect many of our members who believe in safety first, have premier compliance ratings through DOT, and their insurance companies. These are the legitimate operators. But I do believe we should not be punished for one bad apple. There have been many transportation accidents in New York State involving School bus, Coaches buses, Public Transit vehicles, Ambulances yet we have not banned these vehicle, after flight 3407 which killed 50 people outside of Buffalo we didn't ban airplanes, or when a mega bus crashed outside of Syracuse killing 4 people we didn't ban motor coaches, NO we have learned and made adjustments to make things safer and police better. Many of these vehicles I just mentioned have been modified in some form or way, does this mean we are banning every form of transportation I just mentioned or singling out one, Why?

There have been more fatality related accidents with other forms of ground transportation in NY and they are are still operating.

The day I moved into my transportation facility a bus crashed in on our property, with many injuries, yet we didn't ban them, no we solved the problem.

This accident nor the one in Long Island a few years ago had nothing to do with how the vehicle was remanufactured.

So why are we asking legitimate Limousine operators, who follow some of the strictest DOT laws in the Country and pass the DOT inspection twice a year, not including any additional road side inspections, to get rid of there fleet and possibly there business. This is a unfair action that will bankrupt many of your constitutes, devalue the vehicles for sale out side of

NY, loss of job, loss of tax revenue included a major part of the 26 million in sales tax revenue.

This is like telling a pizzeria you can sell pizza anymore.

Operators from outside the state will look at this a opportunities to solicit business and these vehicles will still operate but taking tax revenue away, from our state.

We suggest the following changes

-That vehicles can be stretched, but no more than double the seating capacity of the manufactures seating capacity of the vehicle being modified and would only pertain to vehicles that have been stretched and also meet present DOT specifications at the time of this legislation. Similar to the New Jersey law

-No stretched vehicles can be over 10 years old in the for hire business, this will allow them to meet the latest technology.

-Seat belt be required in all new vehicles moving forward, such as how the Federal law was enacted in regard to seatbelts

-That there be a 24 month sunset period for companies to matriculate the vehicles that don't meet these standards we have mentioned, out of there fleets.

-Also that all for "hire drivers" have a background matching that of the Federal or FBI checks

We completely understand that policing needs to be at the fore front of all of this, which we have been asking for years, but our industry over the past 10 years has been hit with double sales tax, ride sharing, which has created a completely unfair working advantage for limousine operators, and now a proposed ban on stretch limousines, we have lost many companies in the Upstate, many cities have lost 70% of our operators over the past decade with these changes.

So we implore you to please rethink this legislation so we can make it a safer industry, better policed and keep business alive. So as the Governor Cuomo said in October at his press conference -the laws are fine and some of the strictest, it was a bad operator not the laws

Thank you for your time