

**HONORABLE BOARD OF LEGISLATORS
THE COUNTY OF WESTCHESTER**

**DRAFT
IMAs ON FILE**

Your Committee is in receipt of a communication from the County Executive recommending the enactment of an Act by which your Honorable Board would authorize the County of Westchester (the "County") to enter into inter-municipal agreements (the "IMAs") with one or more Westchester County municipal corporations as defined in Article 5-G of the New York State General Municipal Law ("Municipalities"), pursuant to which the Municipalities will assist the County in enforcing the Westchester County For-Hire Vehicle Law, Chapter 270 of the Westchester County Administrative Code, and its implementing regulations (the "For-Hire Vehicle Law"). The term of the IMA will be five (5) years from the date of execution thereof.

Your Committee is advised that the Municipalities will assist the County by having their police officers, or other public servants of the Municipalities authorized by state or local law to issue and serve summonses and notices of hearing (referred to herein as "Appearance Tickets"), issue Appearance Tickets to any person, partnership, corporation, or other entity violating the For-Hire Vehicle Law. The County will prosecute, hear and determine the Appearance Tickets issued by the Municipalities in accordance with the terms of the IMA and the For-Hire Vehicle Law.

For the services rendered by the Municipalities under the IMAs, the Municipalities will be paid a fee equal to sixty percent (60%) of the total penalties collected by the County from the enforcement of Appearance Tickets issued by the Municipalities pursuant to the terms of the IMAs.

Your Committee notes that since 2011, your Honorable Board has approved a series of acts authorizing the County to enter into IMAs with local Municipalities to assist the County in enforcing the For-Hire Vehicle Law. Until now, these acts have authorized the County to pay the Municipalities a fee equal to only twenty-five percent (25%) of the total penalties collected by the County from the enforcement of Appearance Tickets issued by the Municipalities. Your Committee is advised that the current 75/25 revenue split in favor of the County has deterred

municipalities from participating in this program, thus resulting in reduced enforcement of the law, as well as lost revenue to the County.

Your Committee is further advised that after a thorough review of this issue by the County Executive's Office, in consultation with the Department of Public Safety Services, a determination has been made to change the revenue sharing split from the current 75/25 in favor of the County, to 60/40 in favor of the municipalities. It is believed that this change will incentivize more municipalities to participate in the program, thus increasing enforcement coverage as well as bringing more revenue into the County.

The Planning Department has advised that the proposed IMAs do not meet the definition of an action under New York State Environmental Quality Review Act and its implementing regulations 6 NYCRR Part 617. As such, no environmental review is required. Please refer to the memorandum from the Department of Planning dated January 14, 2022, which is on file with the Clerk of the Board of Legislators.

An affirmative vote of a majority of the voting strength of your Honorable Board is required for approval of the attached Act.

Your Committee strongly urges your adoption of the attached legislation because it will expand the scope of the County's enforcement of the For-Hire Vehicle Law and its rules and regulations.

Dated: April 4, 2022
White Plains, New York

Committees on

Legislation

Benjamin Bayliss
Colin O'Neil
Mary Jane Skimich
Margaret A. Cojio

Budget & Appropriations

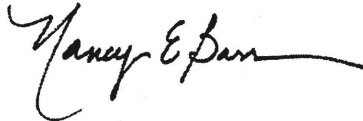


John
John
Colin O'Neil
Mary Jane Skimich
Margaret A. Cojio

Dated: April 4, 2022
White Plains, New York

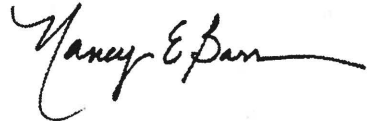

The following members attended the meeting remotely, as per Chapter 1 of the Laws of 2022 and approved this item out of Committee with an affirmative vote. Their electronic signature was authorized and is below.

Committees on

Legislation

Budget & Appropriations


Catherine F. Parker


FISCAL IMPACT STATEMENT

SUBJECT: TLC Share Fine Revenue

NO FISCAL IMPACT PROJECTED

OPERATING BUDGET IMPACT

To Be Completed by Submitting Department and Reviewed by Budget

SECTION A - FUND

GENERAL FUND

AIRPORT FUND

SPECIAL DISTRICTS FUND

SECTION B - EXPENSES AND REVENUES

Total Current Year Expense _____

Total Current Year Revenue

TBD

Source of Funds (check one): Current Appropriations Transfer of Existing Appropriations

Additional Appropriations

Other (explain)

Identify Accounts: _____

Potential Related Operating Budget Expenses:

Annual Amount

TBD

Describe: _____

Potential Related Operating Budget Revenues:

Annual Amount

TBD

Describe:

It will be difficult to ascertain an accurate fiscal impact at this time.

The fiscal impact will be revisited when more data is available.

Anticipated Savings to County and/or Impact on Department Operations:

Current Year: _____

Next Four Years: _____

Prepared by: Larry Soule

Title: Budget Director

Department: Budget

Date: March 14, 2022

Reviewed By: 

Budget Director

Date: _____

3/14/2022

AN ACT to authorize the County of Westchester to enter into inter-municipal agreements with one or more Westchester County municipal corporations as defined in Article 5-G of the New York State General Municipal Law pursuant to which the Municipalities will assist the County in enforcing the Westchester County For-Hire Vehicle Law, Chapter 270 of the Westchester County Administrative Code.

BE IT ENACTED by the County Board of Legislators of the County of Westchester as follows:

Section 1. The County of Westchester (the “County”) is hereby authorized to enter into inter-municipal agreements (“IMAs”) with one or more Westchester County municipal corporations as defined in Article 5-G of the New York State General Municipal Law (“Municipalities”) pursuant to which the Municipalities will assist the County in enforcing the Westchester County For-Hire Vehicle Law, Chapter 270 of the Westchester County Administrative Code (the “For-Hire Vehicle Law”). The Municipalities will assist the County by having their police officers, or other public servants of the Municipalities authorized by state or local law to issue and serve summonses and notices of hearing (referred to herein as “Appearance Tickets”), issue Appearance Tickets to any person, partnership, corporation, or other entity violating the For-Hire Vehicle Law. The County will prosecute, hear and determine the Appearance Tickets issued by the Municipalities in accordance with the terms of the IMA and the For-Hire Vehicle Law.

§2. The term of the IMAs shall be five (5) years from the date of execution thereof. For the services rendered by the Municipalities under the IMAs, the Municipalities will be paid a fee equal to sixty percent (60%) of the total penalties collected by the County from the enforcement of Appearance Tickets issued by the Municipalities.

§3. The County Executive or his authorized designee is hereby authorized and empowered to execute instruments and take all action necessary and appropriate to accomplish the purposes hereof.

§4. This Act shall take effect immediately.

STATE OF NEW YORK)
) ss.
WESTCHESTER COUNTY)

I **HEREBY CERTIFY** that I have compared the foregoing Act, Act No. 31 - 2022, with the original on file in my office, and that the same is a correct transcript therefrom, and of the whole, of the said original Act, which was duly adopted by the County Board of Legislators, of the County of Westchester on April 25, 2022, and approved by the County Executive on April 27, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of said County Board of Legislators on this 28th day of April, 2022.



Malika Vanderberg

The Clerk of the Westchester County
Board of Legislators

County of Westchester, New York

