S T A T E O F N E W Y O R K

7177

I N S E N A T E

March 18, 2010

Introduced by Sen. DILAN -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to restricting access of commercial vehicles

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraph 9 of subdivision (a) of section 1621 of the vehicle and traffic law, as amended by chapter 1008 of the laws of 1983, is amended to read as follows:

9. Exclude trucks, commercial vehicles, tractors, tractor-trailer combinations, tractor-semitrailer combinations, or tractor-trailer-semitrailer combinations from highways specified by the commissioner. Such exclusion shall not be construed to prevent the delivery or pickup of merchandise or other property along the highways from which such vehicles and combinations are otherwise excluded *AND SHALL BE DONE ONLY FOR REASONS OF PUBLIC SAFETY. PRIOR TO THE IMPLEMENTATION OF AN EXCLUSION THE COMMISSIONER SHALL ISSUE A FINDING SHOWING (I) A DEMONSTRATED PUBLIC SAFETY HAZARD, (II) SUCH A RESTRICTION WILL ADEQUATELY ADDRESS THAT PUBLIC SAFETY HAZARD AND (III) OTHER MITIGATING ACTIONS HAVE BEEN ATTEMPTED AND FAILED. SUCH MITIGATING ACTIONS CAN INCLUDE BUT ARE NOT LIMITED TO SPEED ZONE ENFORCEMENT, TRAFFIC REGULATION ENFORCEMENT AND ADDITIONAL SIGNAGE.*

S 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after February 11, 2010.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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