

2009-2010 Regular Sessions

I N   S E N A T E

January 21, 2009

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Introduced by Sen. KRUGER -- 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 speed limits on highways passing a school building

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

1     Section 1. Subdivision (a) of section 1620 of the vehicle and traffic  
2     law, as amended by chapter 563 of the laws of 2002, is amended to read  
3     as follows:

4     (a) The department of transportation with respect to state highways  
5     maintained by the state outside of cities having a population in excess  
6     of one million, and highways on Indian reservations, may by order, rule  
7     or regulation establish higher or lower maximum speed limits at which  
8     vehicles may proceed on or along such highways than the fifty-five miles  
9     per hour statutory maximum speed limit. No such maximum speed limit  
10    shall be established at less than twenty-five miles per hour, except  
11    that school speed limits may be established at not less than fifteen  
12    miles per hour, for a distance OF not [to exceed one thousand three  
13    hundred twenty feet,] MORE THAN SIX HUNDRED FEET PLUS THE WIDTH OF THE  
14    SCHOOL BUILDING on a highway passing [a school] SUCH building, entrance  
15    or exit of a school abutting on the highway. Absence of signs installed  
16    pursuant to this section shall be presumptive evidence that the depart-  
17    ment of transportation has not established a higher maximum speed limit  
18    than the fifty-five miles per hour statutory limit.

19    S 2. Section 1662-a of the vehicle and traffic law, as amended by  
20    chapter 563 of the laws of 2002, is amended to read as follows:

21    S 1662-a. Speed limits in certain towns. The town board of any subur-  
22    ban town governed pursuant to article three-A of the town law and the  
23    town board of any other town having a population exceeding fifty thou-  
24    sand, with respect to highways (which term for the purposes of this  
25    section shall include private roads open to public motor vehicle traf-

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

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1 fic) in such towns outside any village, other than state highways main-  
2 tained by the state on which the department of transportation shall have  
3 established higher or lower speed limits than the statutory fifty-five  
4 miles per hour speed limit as provided in section sixteen hundred twenty  
5 OF THIS TITLE, or on which the department of transportation shall have  
6 designated that such towns shall not establish any maximum speed limit  
7 as provided in section sixteen hundred twenty-four OF THIS TITLE,  
8 subject to the limitations imposed by section sixteen hundred eighty-  
9 four OF THIS TITLE may by local law, ordinance, order, rule or regu-  
10 lation establish maximum speed limits at which vehicles may proceed  
11 within such towns, within designated areas of such towns or on or along  
12 designated highways within such towns lower than the fifty-five miles  
13 per hour maximum statutory limit. No such speed limit applicable  
14 throughout such towns or within designated areas of such towns shall be  
15 established at less than thirty miles per hour, except that in the town  
16 of Hempstead speed limits may be established at not less than fifteen  
17 miles per hour on any portion of a highway in the community known as  
18 Point Lookout; provided, however, that no such speed limit in such town  
19 may be established unless a majority of the residents of such community  
20 file a petition with the town board of such town requesting such speed  
21 limit. No such speed limit applicable on or along designated highways  
22 within such towns shall be established at less than twenty-five miles  
23 per hour, except that school speed limits may be established at not less  
24 than fifteen miles per hour, for a distance OF not [to exceed one thou-  
25 sand three hundred twenty feet,] MORE THAN SIX HUNDRED FEET PLUS THE  
26 WIDTH OF THE SCHOOL BUILDING on a highway passing [a school] SUCH build-  
27 ing, entrance or exit of a school abutting on the highway, and except  
28 further that in the town of Hempstead speed limits may be established at  
29 not less than fifteen miles per hour on any portion of a highway in the  
30 community known as Point Lookout; provided, however, that no such speed  
31 limit in such town may be established unless a majority of the residents  
32 of such community file a petition with the town board of such town  
33 requesting such speed limit.

34 S 3. This act shall take effect immediately.