

1 4. IF IN RESPONSE TO A REQUEST AND AFTER COMPLETION OF THE STUDY AND
2 REPORT REQUIRED BY THIS SECTION, THE DEPARTMENT DETERMINES THAT NO TRAF-
3 FIC CONTROL DEVICE IS WARRANTED, THE PARTY OR PARTIES THAT REQUESTED
4 IMPLEMENTATION OF THE TRAFFIC CONTROL DEVICE SHALL BE ENTITLED TO APPLY
5 TO THE COMMISSIONER FOR A REVIEW OF THE FINDINGS WITHIN SIXTY DAYS OF
6 THE DATE OF NOTIFICATION. THE APPEALING PARTY OR PARTIES SHALL BE ENTI-
7 TLED TO SUBMIT NEW DATA WITH THE APPEAL, WHICH NEW DATA MUST BE CONSID-
8 ERED BY THE DEPARTMENT AND ADDRESSED IN A SUPPLEMENTARY REPORT. IF AFTER
9 CONSIDERATION OF ANY NEW DATA, THE DEPARTMENT STILL DETERMINES THAT NO
10 TRAFFIC CONTROL DEVICE IS WARRANTED, THE COMMISSIONER SHALL REFER THE
11 MATTER TO AN INDEPENDENT ADVISORY BOARD TO REVIEW THE DEPARTMENT'S FIND-
12 INGS. A COPY OF THE ADVISORY BOARD'S RECOMMENDATIONS SHALL BE PROMPTLY
13 FORWARDED TO THE PARTY OR PARTIES AND TO THE COMMISSIONER. IF THE ADVI-
14 SORY BOARD'S RECOMMENDATION IS REJECTED BY THE COMMISSIONER, WHOLLY OR
15 IN PART, THE COMMISSIONER SHALL STATE HIS OR HER REASONS FOR SUCH
16 REJECTION IN WRITING.

17 5. THE ADVISORY BOARD SHALL CONSIST OF FIVE MEMBERS. THE MEMBERSHIP OF
18 THE BOARD SHALL CONSIST OF THE DEPUTY MAYOR FOR PUBLIC SAFETY OR HIS OR
19 HER ASSIGNEE, THE POLICE COMMISSIONER OR HIS OR HER ASSIGNEE, ONE PERSON
20 APPOINTED BY THE COMMISSIONER AND TWO RESIDENTS OF THE CITY APPOINTED BY
21 THE NEW YORK CITY COUNCIL. EACH OF THE MEMBERS OF THE ADVISORY BOARD
22 SHALL SERVE DURING THE TERM OF THEIR RESPECTIVE OFFICES OR, IN THE CASE
23 OF AN ASSIGNEE OF SUCH AN OFFICER AND THE MEMBER APPOINTED BY THE
24 COMMISSIONER, AT THE PLEASURE OF SUCH OFFICER AND THE COMMISSIONER OR,
25 IN THE CASE OF AN ASSIGNEE OF THE NEW YORK CITY COUNCIL, FOR A PERIOD OF
26 FOUR YEARS, RESPECTIVELY. NO MEMBER OF THE ADVISORY BOARD SHALL BE
27 DISQUALIFIED FROM HOLDING ANY OTHER PUBLIC OFFICE, NOR SHALL EMPLOYMENT
28 BE FORFEITED BY REASON OF THE MEMBER'S APPOINTMENT HEREUNDER, NOTWITH-
29 STANDING THE PROVISIONS OF ANY GENERAL, SPECIAL OR LOCAL LAW, ORDINANCE,
30 COUNTY OR CITY CHARTER. ALL MEMBERS OF THE ADVISORY BOARD SHALL RECEIVE
31 ACTUAL AND NECESSARY EXPENSES INCURRED IN THE PERFORMANCE OF THEIR
32 DUTIES.

33 6. AFTER COMPLETING A STUDY PURSUANT TO THIS SECTION, THE DEPARTMENT
34 SHALL NOT BE REQUIRED TO COMPLETE ANOTHER STUDY AT THE SAME LOCATION FOR
35 TWELVE MONTHS FOLLOWING SUCH STUDY, UNLESS IT IS DETERMINED BY THE
36 DEPARTMENT THAT TRAFFIC CONDITIONS AT THE LOCATION HAVE CHANGED SIGNIF-
37 ICANTLY SINCE THE COMPLETION OF SUCH STUDY.

38 S 19-191 COLLECTION OF ACCIDENT DATA. IN PERFORMING A STUDY REQUIRED
39 BY SECTION 19-190 OF THIS SUBCHAPTER, THE DEPARTMENT SHALL COLLECT AND
40 CONSIDER ACCIDENT DATA. IN ADDITION TO INFORMATION RETRIEVED FROM THE
41 STATE POLICE DEPARTMENT ACCIDENT INDEX SYSTEM AND INDIVIDUAL ACCIDENT
42 REPORTS, SUCH ACCIDENT DATA SHALL INCLUDE, BUT SHALL NOT BE LIMITED TO:

43 1. REPORTS OF ACCIDENTS CONTAINED IN AFFIDAVITS SIGNED BY MEMBERS OF
44 THE PUBLIC. A PERSON MAKING A FALSE STATEMENT OR PROVIDING FALSE INFOR-
45 MATION OF FALSE TESTIMONY IN A REPORT UNDER THIS SECTION SHALL BE
46 SUBJECT TO CRIMINAL PROSECUTION PURSUANT TO ARTICLE ONE HUNDRED SEVEN-
47 TY-FIVE OR ARTICLE TWO HUNDRED TEN OF THE PENAL LAW.

48 2. TRAFFIC ACCIDENT DATA COLLECTED BY THE STATE DEPARTMENT OF FINAN-
49 CIAL SERVICES AS A RESULT OF AUTOMOBILE INSURANCE CLAIMS RELATING TO
50 TRAFFIC ACCIDENTS. SUCH DATA, WHICH RELATES TO TRAFFIC ACCIDENTS OCCUR-
51 RING WITHIN THE CITY, SHALL BE PROVIDED BY THE STATE DEPARTMENT OF
52 FINANCIAL SERVICES, WITH SPECIFIC INFORMATION IDENTIFYING THE LOCATION
53 OF REPORTED ACCIDENTS.

54 S 3. This act shall take effect on the one hundred eightieth day after
55 it shall have become a law.