

# STATE OF NEW YORK

6046

2017-2018 Regular Sessions

## IN SENATE

May 10, 2017

Introduced by Sen. PERALTA -- 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 photo speed violation monitoring systems in school speed zones in the city of New York; to amend chapter 189 of the laws of 2013, amending the vehicle and traffic law and the public officers law relating to establishing in a city with a population of one million people or more a demonstration program implementing speed violation monitoring systems in school zones by means of photo devices, and chapter 43 of the laws of 2014, amending the vehicle and traffic law, the public officers law and the general municipal law relating to photo speed violation monitoring systems in school speed zones in the city of New York, in relation to the effectiveness thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Paragraph 1 of subdivision (a) of section 1180-b of the vehicle and traffic law, as amended by chapter 43 of the laws of 2014, is amended to read as follows:

1. Notwithstanding any other provision of law, the city of New York is hereby authorized to establish a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with posted maximum speed limits in a school speed zone within [the] such city (i) when a school speed limit is in effect as provided in paragraphs one and two of subdivision (c) of section eleven hundred eighty of this article or (ii) when other speed limits are in effect as provided in subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this article [~~during the following times: (A) on school days during school hours and one hour before and one hour after the school day, and (B) a period during student activities at the school and up to thirty minutes immediately before and up to thirty minutes immediately after such student activities~~] between the hours of six o'clock A.M. and

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

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1 ten o'clock P.M. Such demonstration program shall empower the city of  
2 New York to install photo speed violation monitoring systems within no  
3 more than [~~one hundred forty~~] seven hundred fifty school speed zones  
4 within [~~the~~] such city at any one time and to operate such systems with-  
5 in such zones (iii) when a school speed limit is in effect as provided  
6 in paragraphs one and two of subdivision (c) of section eleven hundred  
7 eighty of this article or (iv) when other speed limits are in effect as  
8 provided in subdivision (b), (d), (f) or (g) of section eleven hundred  
9 eighty of this article [~~during the following times: (A) on school days~~  
10 ~~during school hours and one hour before and one hour after the school~~  
11 ~~day, and (B) a period during student activities at the school and up to~~  
12 ~~thirty minutes immediately before and up to thirty minutes immediately~~  
13 ~~after such student activities]~~ between the hours of six o'clock A.M. and  
14 ten o'clock P.M. In selecting a school speed zone in which to install  
15 and operate a photo speed violation monitoring system, the city of New  
16 York shall consider criteria including, but not limited to, the speed  
17 data, crash history, and the roadway geometry applicable to such school  
18 speed zone. A photo speed violation monitoring system shall not be  
19 installed or operated on a controlled-access highway exit ramp or within  
20 three hundred feet along a highway that continues from the end of a  
21 controlled-access highway exit ramp.

22 § 2. Paragraph 2 of subdivision (a) of section 1180-b of the vehicle  
23 and traffic law, as added by chapter 189 of the laws of 2013, is amended  
24 to read as follows:

25 2. No photo speed violation monitoring system shall be used in a  
26 school speed zone unless (i) on the day it is to be used it has success-  
27 fully passed a self-test of its functions; and (ii) it has undergone an  
28 annual calibration check performed pursuant to paragraph four of this  
29 subdivision. The city [~~may~~] shall install signs giving notice that a  
30 photo speed violation monitoring system is in use to be mounted on  
31 advance warning signs notifying motor vehicle operators of such upcoming  
32 school speed zone and/or on speed limit signs applicable within or  
33 approaching such school speed zone, provided that such speed limit signs  
34 shall be no more than three hundred feet from such school speed zone, in  
35 conformance with standards established in the MUTCD.

36 § 3. Paragraph 4 of subdivision (c) of section 1180-b of the vehicle  
37 and traffic law, as added by chapter 189 of the laws of 2013, is amended  
38 to read as follows:

39 4. "school speed zone" shall mean a radial distance not to exceed [~~one~~  
40 ~~thousand three hundred twenty feet on a highway passing]~~ two thousand  
41 six hundred forty feet from a school building, entrance, or exit [~~of a~~  
42 ~~school abutting on the highway~~].

43 § 4. The opening paragraph of section 12 of chapter 43 of the laws of  
44 2014, amending the vehicle and traffic law, the public officers law and  
45 the general municipal law relating to photo speed violation monitoring  
46 systems in school speed zones in the city of New York, is amended to  
47 read as follows:

48 This act shall take effect on the thirtieth day after it shall have  
49 become a law [~~and~~]; provided that sections one through ten of this act  
50 shall expire 4 years after such effective date when upon such date the  
51 provisions of this act shall be deemed repealed; and provided further  
52 that any rules necessary for the implementation of this act on its  
53 effective date shall be promulgated on or before such effective date,  
54 provided that:

55 § 5. The opening paragraph of section 15 of chapter 189 of the laws of  
56 2013, amending the vehicle and traffic law and the public officers law

1 relating to establishing in a city with a population of one million  
2 people or more a demonstration program implementing speed violation  
3 monitoring systems in school zones by means of photo devices, is amended  
4 to read as follows:

5 This act shall take effect on the thirtieth day after it shall have  
6 become a law and shall expire [~~5 years after such effective date when~~  
7 ~~upon such date the provisions of this act shall~~] and be deemed repealed  
8 July 1, 2022; and provided further that any rules necessary for the  
9 implementation of this act on its effective date shall be promulgated on  
10 or before such effective date, provided that:

11 § 6. This act shall take effect immediately; provided that the amend-  
12 ments to section 1180-b of the vehicle and traffic law made by sections  
13 one, two and three of this act shall not affect the repeal of such  
14 section and shall be deemed repealed therewith.