

STATE OF NEW YORK

8046

2021-2022 Regular Sessions

IN ASSEMBLY

June 11, 2021

Introduced by M. of A. ABBATE -- read once and referred to the Committee on Cities

AN ACT to amend the administrative code of the city of New York, in relation to the review of major transportation projects

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

1 Section 1. Section 19-101.2 of the administrative code of the city of
2 New York, as added by local law number 90 for the year 2009, subdivision
3 c as amended and subdivision j as added by local law number 64 for the
4 year 2011, is amended to read as follows:

5 § 19-101.2 Review of major transportation projects. a. For the
6 purposes of this section, the following terms shall be defined as
7 follows:

8 1. "Affected council member(s) and community board(s)" shall mean the
9 council member(s) and community board(s) in whose districts a proposed
10 major transportation project is to be located, in whole or in part.

11 2. "Major transportation project" shall mean any project that, after
12 construction will alter four or more consecutive blocks, or 1,000
13 consecutive feet of street, whichever is less, involving a major
14 realignment of the roadway, including either removal of a vehicular
15 lane(s) or full time removal of a parking lane(s) or addition of vehicu-
16 lar travel lane(s).

17 b. If an agency of the city [~~other than the department~~] implements a
18 major transportation project, such agency[~~, in lieu of the department,~~]
19 shall provide the notice required by this section.

20 c. Prior to the implementation of a major transportation project, the
21 department shall provide, or in the case of another agency implementing
22 a major transportation project, forward notice of such project, includ-
23 ing a description of such project, to affected council member(s) and
24 community board(s) by electronic mail.

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

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1 d. Within ten business days after receipt of such notice: (i) the
2 affected council member(s) may submit recommendations and/or comments on
3 such notice to the department; and (ii) the affected community board(s)
4 may either submit recommendations and/or comments on such notice to the
5 department and/or request a presentation of the major transportation
6 project plan by the department, which shall be made to the community
7 board within thirty days of such community board's request.

8 e. Each presentation shall include, at a minimum, the project limits,
9 a description, and a justification of such plan, and a map showing the
10 streets affected by such plan and, within three days of such presenta-
11 tion, shall be forwarded to the affected council member(s).

12 f. The department shall consider recommendations and/or comments, if
13 any, made under the provisions of subdivision d of this section and/or
14 within seven days of the presentation to the community board, from the
15 affected council member(s) and affected community board(s), and may
16 incorporate changes, where appropriate, into the plan.

17 g. The department may implement its plan fourteen or more days after
18 it sends an amended plan or notice that it will proceed with its
19 original plan to the affected council member(s) and community board(s).

20 h. Nothing in this section shall be construed to prohibit the depart-
21 ment from providing notice of its major transportation projects on its
22 website and to affected council member(s) and community board(s) and
23 other interested parties by other means in addition to those specified
24 in this section.

25 i. Nothing in this section shall be construed to require the depart-
26 ment to provide notification of major transportation projects requiring
27 immediate implementation to preserve public safety.

28 j. Prior to the implementation of a major transportation project, the
29 department shall consult with the police department, the fire depart-
30 ment, the department of small business services and the mayor's office
31 for people with disabilities. The department shall include a certifi-
32 cation of such consultations in the notice required by subdivision c of
33 this section.

34 k. Commissioners, deputy commissioners and any managerial personnel
35 who participate in the decision-making process to authorize any changes
36 in traffic patterns shall be criminally and civilly liable for any
37 damage which may be occasioned to persons, animals or property for fail-
38 ure to comply with the provisions of this section. Provided further,
39 such individuals shall be criminally and civilly liable for any accident
40 or fatality which occurs on any such changed traffic pattern.

41 § 2. This act shall take effect immediately.