

STATE OF NEW YORK

10061

IN ASSEMBLY

January 30, 2026

Introduced by M. of A. MAGNARELLI -- read once and referred to the
Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to permitting
the use of photo speed violation monitoring systems in highway
construction or maintenance work areas on all state highways

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

1 Section 1. Paragraph 1 of subdivision (a) of section 1180-e of the
2 vehicle and traffic law, as amended by section 1 of part Q of chapter 58
3 of the laws of 2025, is amended to read as follows:

4 1. Notwithstanding any other provision of law, the commissioner of
5 transportation is hereby authorized to establish a demonstration program
6 imposing monetary liability on the owner of a vehicle for failure of an
7 operator thereof to comply with posted maximum speed limits in a highway
8 construction or maintenance work area [~~located on a controlled access~~
9 ~~highway~~] (i) when highway construction or maintenance work is occurring
10 and a work area speed limit is in effect as provided in paragraph two of
11 subdivision (d) or subdivision (f) of section eleven hundred eighty of
12 this article or (ii) when highway construction or maintenance work is
13 occurring and other speed limits are in effect as provided in subdivi-
14 sion (b) or (g) or paragraph one of subdivision (d) of section eleven
15 hundred eighty of this article. Such demonstration program shall empower
16 the commissioner to install photo speed violation monitoring systems
17 within no more than forty highway construction or maintenance work areas
18 [~~located on controlled access highways~~] and to operate such systems
19 within such work areas (iii) when highway construction or maintenance
20 work is occurring and a work area speed limit is in effect as provided
21 in paragraph two of subdivision (d) or subdivision (f) of section eleven
22 hundred eighty of this article or (iv) when highway construction or
23 maintenance work is occurring and other speed limits are in effect as
24 provided in subdivision (b) or (g) or paragraph one of subdivision (d)
25 of section eleven hundred eighty of this article. The commissioner, in
26 consultation with the superintendent of the division of state police,
27 shall determine the location of the highway construction or maintenance

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

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1 work areas [~~located on a controlled access highway~~] in which to install
2 and operate photo speed violation monitoring systems. In selecting a
3 highway construction or maintenance work area in which to install and
4 operate a photo speed violation monitoring system, the commissioner
5 shall consider criteria including, but not limited to, the speed data,
6 crash history, and roadway geometry applicable to such highway
7 construction or maintenance work area. A photo speed violation monitor-
8 ing system shall not be installed or operated on a controlled-access
9 highway exit ramp.

10 § 2. Subdivision (b) of section 1180-e of the vehicle and traffic law,
11 as amended by section 2 of part Q of chapter 58 of the laws of 2025, is
12 amended to read as follows:

13 (b) If the commissioner or chair of the thruway authority, Triborough
14 bridge and tunnel authority, or bridge authority establishes a demon-
15 stration program pursuant to subdivision (a) of this section, the owner
16 of a vehicle shall be liable for a penalty imposed pursuant to this
17 section if such vehicle was used or operated with the permission of the
18 owner, express or implied, within a highway construction or maintenance
19 work area located on a [~~controlled access~~] highway, the thruway, Tribor-
20 ough bridge and tunnel authority facilities or bridge authority facili-
21 ties, as applicable in violation of paragraph two of subdivision (d) or
22 subdivision (f), or when other speed limits are in effect in violation
23 of subdivision (b) or (g) or paragraph one of subdivision (d), of
24 section eleven hundred eighty of this article, such vehicle was travel-
25 ing at a speed of more than ten miles per hour above the posted speed
26 limit in effect within such highway construction or maintenance work
27 area, and such violation is evidenced by information obtained from a
28 photo speed violation monitoring system; provided however that no owner
29 of a vehicle shall be liable for a penalty imposed pursuant to this
30 section where the operator of such vehicle has been convicted of the
31 underlying violation of subdivision (b), (d), (f) or (g) of section
32 eleven hundred eighty of this article.

33 § 3. Paragraph 9 of subdivision (c) of section 1180-e of the vehicle
34 and traffic law, as amended by section 2 of part Q of chapter 58 of the
35 laws of 2025, is amended to read as follows:

36 9. "photo speed violation monitoring system" shall mean a vehicle
37 sensor installed to work in conjunction with a speed measuring device
38 which automatically produces two or more photographs, two or more micro-
39 photographs, a videotape or other recorded images of each vehicle at the
40 time it is used or operated in a highway construction or maintenance
41 work area located on a [~~controlled access~~] highway, the thruway, Tribor-
42 ough bridge and tunnel authority facility or bridge authority facility
43 in violation of subdivision (b), (d), (f) or (g) of section eleven
44 hundred eighty of this article in accordance with the provisions of this
45 section;

46 § 4. Paragraphs 2, 4 and 6 of subdivision (m) of section 1180-e of the
47 vehicle and traffic law, as amended by section 2 of part Q of chapter 58
48 of the laws of 2025, are amended to read as follows:

49 2. the aggregate number, type and severity of crashes, fatalities,
50 injuries and property damage reported within all highway construction or
51 maintenance work areas on [~~controlled access~~] highways, the thruway,
52 Triborough bridge and tunnel authority facilities or bridge authority
53 facilities, as applicable, to the extent the information is maintained
54 by the commissioner, the chair of the thruway authority, Triborough
55 bridge and tunnel authority, or bridge authority, or the department of
56 motor vehicles of this state;

1 4. the number of violations recorded within all highway construction
2 or maintenance work areas on [~~controlled-access~~] highways, the thruway,
3 Triborough bridge and tunnel authority facilities or bridge authority
4 facilities, in the aggregate on a daily, weekly and monthly basis to the
5 extent the information is maintained by the commissioner, the chair of
6 the thruway authority, Triborough bridge and tunnel authority, or bridge
7 authority, or the department of motor vehicles of this state;

8 6. to the extent the information is maintained by the commissioner,
9 the chair of the thruway authority, Triborough bridge and tunnel author-
10 ity, or bridge authority, or the department of motor vehicles of this
11 state, the number of violations recorded within all highway construction
12 or maintenance work areas on [~~controlled-access~~] highways, the thruway,
13 Triborough bridge and tunnel authority facilities or bridge authority
14 facilities, that were:

15 (i) more than ten but not more than twenty miles per hour over the
16 posted speed limit;

17 (ii) more than twenty but not more than thirty miles per hour over the
18 posted speed limit;

19 (iii) more than thirty but not more than forty miles per hour over the
20 posted speed limit; and

21 (iv) more than forty miles per hour over the posted speed limit;

22 § 5. This act shall take effect immediately; provided, however, that
23 the amendments to section 1180-e of the vehicle and traffic law made by
24 sections one, two, three and four of this act shall not affect the
25 repeal of such section and shall be deemed repealed therewith.