

# STATE OF NEW YORK

3938

2025-2026 Regular Sessions

## IN ASSEMBLY

January 30, 2025

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

AN ACT to amend the highway law, in relation to enacting "Alexander John Smullen Traffic Safety Memorial Law"

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

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "Alexander John Smullen Traffic Safety Memorial Law".

3 § 2. The highway law is amended by adding a new section 24 to read as  
4 follows:

5 § 24. Memorial sign program for collision victims. 1. The commissioner  
6 shall establish and administer a memorial sign program to publicly memo-  
7 rialize the victims of fatal vehicle collisions.

8 2. As used in this section, "victim" means a person killed in a high-  
9 way collision.

10 3. A sign designed and posted under this section shall include:

11 (a) the phrase "Please Don't Drink and Drive", "Please Don't Drive  
12 Impaired", "Please Don't Text and Drive", "Please Don't Speed", "Please  
13 Buckle Up", "Please Drive Sober", "Please Drive Safely", "Please Ride  
14 Safely", "Please Watch for Bicyclists", "Please Watch for Motorcycles",  
15 "Please Watch for Pedestrians", "Reckless Driving Costs Lives", "Seat  
16 Belts Save Lives", "Slow Down for Workers", or "Stay Alert Drive Safe";

17 (b) the phrase "In Memory Of" and the name of one or more victims in  
18 accordance with the rules promulgated by the department; and

19 (c) the date of the collision that resulted in the victim's death.

20 4. The sign may include the names of more than one victim so long as  
21 the total length of the names does not exceed one line of text.

22 5. A person may request that a sign be posted under this section by:

23 (a) making an application to the department on a form prescribed by  
24 the department; and

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

LBD04527-02-5

1 (b) submitting a fee to the department in an amount determined by the  
2 department to help defray the costs of posting the memorial sign.

3 6. If the application meets the department's requirements and the  
4 applicant pays the memorial sign fee, the department shall erect a sign.  
5 A sign posted under this section may remain posted for two years. At the  
6 end of the two-year period the department may release the sign to the  
7 applicant. The department is not required to release a sign that has  
8 been damaged.

9 7. A sign posted under this section that is damaged shall be removed  
10 by the department. Except as provided in subdivision eight of this  
11 section, the department may post a new sign if it has been less than two  
12 years from the posting of the original sign and a person:

13 (a) submits a written request to the department to replace the sign;  
14 and

15 (b) submits a replacement fee in the amount provided under paragraph  
16 (b) of subdivision five of this section.

17 8. During the two-year posting period the department shall replace a  
18 sign posted under this section that is damaged because of the depart-  
19 ment's negligence.

20 9. The commissioner shall promulgate such rules and regulations as may  
21 be necessary to effectuate the provisions of this section.

22 10. All signs posted pursuant to this section shall comply with all  
23 applicable federal law and regulations.

24 § 3. This act shall take effect on the one hundred eightieth day after  
25 it shall have become a law.