

10280

I N A S S E M B L Y

March 16, 2010

Introduced by M. of A. TEDISCO, CALHOUN -- Multi-Sponsored by -- M. of  
A. BACALLES, KOLB, J. MILLER -- read once and referred to the Commit-  
tee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to speed limits  
on state highways

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Subdivision (a) of section 1620 of the vehicle and traffic  
2 law, as amended by chapter 563 of the laws of 2002, is amended to read  
3 as follows:

4 (a) The department of transportation with respect to state highways  
5 maintained by the state outside of cities having a population in excess  
6 of one million, and highways on Indian reservations, may by order, rule  
7 or regulation establish higher or lower maximum speed limits at which  
8 vehicles may proceed on or along such highways than the fifty-five miles  
9 per hour statutory maximum speed limit. SUCH MAXIMUM SPEED LIMIT MAY BE  
10 ESTABLISHED PURSUANT TO AN ENGINEERING AND/OR TRAFFIC INVESTIGATION  
11 AUTHORIZED OR PERFORMED BY THE DEPARTMENT OF TRANSPORTATION OR THE MUNI-  
12 CIPALITY WITHIN WHICH THE SECTION OF STATE HIGHWAY SUBJECT TO SUCH MAXI-  
13 MUM SPEED LIMIT IS LOCATED. No such maximum speed limit shall be estab-  
14 lished at less than twenty-five miles per hour, except that school speed  
15 limits may be established at not less than fifteen miles per hour, for a  
16 distance not to exceed one thousand three hundred twenty feet, on a  
17 highway passing a school building, entrance or exit of a school abutting  
18 on the highway. Absence of signs installed pursuant to this section  
19 shall be presumptive evidence that the department of transportation has  
20 not established a higher maximum speed limit than the fifty-five miles  
21 per hour statutory limit.

22 S 2. Subdivision (a) of section 1624 of the vehicle and traffic law,  
23 as amended by chapter 420 of the laws of 1968, is amended to read as  
24 follows:

25 (a) On any state highway maintained by the state within any city,  
26 village or suburban town governed pursuant to article three-A of the  
27 town law, the department of transportation may designate any such state

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

1 highway or section of such highway on which any such city, village or  
2 suburban town shall not by local law, ordinance, order, rule or regu-  
3 lation establish any maximum speed limits at which vehicles may proceed  
4 on or along such state highway. Such designation shall be PURSUANT TO  
5 AN ENGINEERING AND/OR TRAFFIC INVESTIGATION AUTHORIZED OR PERFORMED BY  
6 THE DEPARTMENT OF TRANSPORTATION OR THE CITY, VILLAGE OR SUBURBAN TOWN  
7 WITHIN WHICH SUCH STATE HIGHWAY OR SECTION OF STATE HIGHWAY IS LOCATED  
8 AND SHALL BE made by an order in writing of [the] SUCH department [of  
9 transportation] and served by mail on the mayor or supervisor or a  
10 member of the governing board of such city, village or suburban town ten  
11 days before the same shall take effect. At the expiration of ten days  
12 after service of such order upon any city, village or suburban town the  
13 speed of any vehicle upon such state highway or section of such highway  
14 shall not be subject to any such maximum speed limit established by such  
15 city, village or suburban town.

16 S 3. This act shall take effect on the first of October next succeed-  
17 ing the date on which it shall have become a law.