

10325

I N A S S E M B L Y

March 18, 2010

Introduced by M. of A. THIELE -- read once and referred to the Committee on Tourism, Parks, Arts and Sports Development

AN ACT to amend the economic development law, in relation to creating the New York State bicycle tourism promotion act

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

1 Section 1. The economic development law is amended by adding a new
2 article 17 to read as follows:

3 ARTICLE 17

4 NEW YORK STATE BICYCLE TOURISM PROMOTION ACT

5 SECTION 349. SHORT TITLE.

6 350. STATEMENT OF LEGISLATIVE INTENT.

7 351. DEFINITIONS.

8 352. ADMINISTRATION.

9 353. GRANTS FOR LOCAL BICYCLE TOURISM KIOSK.

10 354. PROGRAM REVIEW.

11 S 349. SHORT TITLE. THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE
12 NEW YORK STATE BICYCLE TOURISM PROMOTION ACT.

13 S 350. STATEMENT OF LEGISLATIVE INTENT. THE LEGISLATURE HEREBY RECOG-
14 NIZES THE ROLE THAT CYCLING PLAYS IN LOCAL TOURISM. INCREASINGLY, BICY-
15 CLES ARE UTILIZED BY TRAVELERS TO EXPLORE LOCAL COMMUNITIES, OR AS A
16 METHOD OF TRAVEL THROUGH THE STATE. AS BICYCLES HELP EXPAND TRAVEL
17 DESTINATIONS, AND ADD TO EXPERIENCE BASED TOURISM, THE STATE SHOULD ACT
18 TO SUPPORT THE GROWTH IN THIS SECTOR. IT IS THE OBJECTIVE OF THIS LEGIS-
19 LATION TO ESTABLISH A WORKING FLEET OF RENTAL BIKES AT CONVENTION
20 BUREAUS, VISITOR CENTERS AND POINTS OF INTEREST THAT ARE HEAVILY VISITED
21 BY TOURISTS AND PROFESSIONALS. ADDITIONALLY, THE LEGISLATURE WISHES TO
22 PROVIDE A MECHANISM TO CONNECT VISITING PROFESSIONALS AND TRAVELERS WITH
23 INFORMATION AND MAPS OF BICYCLING ROUTES AND DESTINATION POINTS.

24 S 351. DEFINITIONS. AS USED IN THIS ACT, "BICYCLE TOURISM KIOSK" SHALL
25 MEAN A CENTRAL LOCATION EASILY ACCESSIBLE BY TOURISTS WHERE BICYCLES,
26 BICYCLING SAFETY EQUIPMENT AND A LOCAL BICYCLE ROUTE MAP ARE PROVIDED
27 FOR RENTAL AND USE.

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

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1 S 352. ADMINISTRATION. 1. THE DEPARTMENT SHALL ADOPT GUIDELINES FOR,
2 AND ADMINISTER A PROGRAM TO PROMOTE BICYCLE TOURISM IN LOCAL COMMUNI-
3 TIES. IN DOING SO, THE DEPARTMENT SHALL:

4 (A) SOLICIT AND ACCEPT PROPOSALS FROM LOCAL TOURISM PROMOTION AGEN-
5 CIES, CONVENTION AND VISITORS BUREAUS AND CHAMBERS OF COMMERCE TO IDEN-
6 TIFY POTENTIAL BICYCLE ROUTES AND HOST A BICYCLE TOURISM KIOSK;

7 (B) EVALUATE THOSE PROPOSALS TO ENSURE THAT PROPOSED BICYCLE ROUTES
8 WILL PROVIDE TRAVELERS WITH AN ADEQUATE EXPERIENCE BASED ON THE PROXIMI-
9 TY OF POINTS OF INTEREST AND TOURISM ATTRACTIONS TO PROPOSED BICYCLE
10 ROUTES; AND

11 (C) PROVIDE THAT NO BICYCLES SHALL BE RENTED WITHOUT ALSO PROVIDING A
12 BICYCLE HELMET, OR HAVING BEEN PROVIDED THAT THE PERSON RENTING THE
13 BICYCLE HAS IN HIS OR HER POSSESSION A HELMET TO BE USED WHILE OPERATING
14 SUCH BICYCLE.

15 2. THE DEPARTMENT MAY APPROVE UP TO FIFTEEN PROPOSALS TO CREATE A
16 LOCAL BICYCLE TOURISM KIOSK.

17 3. NOTHING SHALL PROHIBIT THE DEPARTMENT FROM CONTRACTING WITH A
18 STATEWIDE BICYCLING ORGANIZATION FOR THE PURPOSES OF IDENTIFYING POTEN-
19 TIAL AREAS FOR A BICYCLE TOURISM PROGRAM, EVALUATING PROPOSALS SUBMITTED
20 TO THE DEPARTMENT AND LOCALLY ADMINISTERING GRANTS PROVIDED UNDER THIS
21 ARTICLE.

22 S 353. GRANTS FOR LOCAL BICYCLE TOURISM KIOSK. 1. FROM EXISTING
23 AMOUNTS APPROPRIATED FOR TOURISM PROMOTION, AND ANY OTHER AMOUNTS APPRO-
24 PRIATED FOR THE PROGRAM, THE DEPARTMENT SHALL PROVIDE GRANTS TO TOURISM
25 PROMOTION AGENCIES, CONVENTIONS AND VISITORS BUREAUS, CHAMBERS OF
26 COMMERCE, OR A LOCAL GOVERNMENT FOR THE PURCHASE OF EQUIPMENT AND OPERA-
27 TION OF A BICYCLE TOURISM KIOSK.

28 2. THE DEPARTMENT MAY CONTRACT WITH A STATEWIDE BICYCLING ORGANIZATION
29 TO ADMINISTER GRANTS PROVIDED UNDER THIS ARTICLE.

30 3. NO SINGLE GRANT MAY EXCEED TWENTY THOUSAND DOLLARS.

31 4. ELIGIBLE USES FOR GRANTS PROVIDED UNDER THIS SECTION ARE AS
32 FOLLOWS:

33 (A) FOR THE PURCHASE OF BICYCLES, HELMETS, LOCKS, BICYCLE TOOLS,
34 STATIONARY BICYCLE RACKS, AND ANY OTHER EQUIPMENT NECESSARY TO MAINTAIN
35 AND PROVIDE SAFE BICYCLE RENTALS;

36 (B) FOR PERSONAL SERVICE COSTS, PROVIDED HOWEVER THAT SUCH PERSONAL
37 SERVICE COSTS SHALL NOT EXCEED NINE THOUSAND DOLLARS PER GRANT;

38 (C) FOR ANY OTHER COSTS NECESSARY TO LEASE OR PURCHASE SPACE TO OPER-
39 ATE A BICYCLE TOURISM KIOSK; AND

40 (D) FOR REASONABLE NON-PERSONAL SERVICE COSTS ASSOCIATED WITH THE
41 OPERATION AND MAINTENANCE OF A BICYCLE TOURISM KIOSK.

42 S 354. PROGRAM REVIEW. THE DEPARTMENT SHALL, SIX MONTHS AFTER THE
43 AWARDING OF GRANTS UNDER THIS ARTICLE, CAUSE TO BE PRODUCED A REVIEW OF
44 THE PROGRAM. A REPORT ON THE EFFECTIVENESS OF THIS PROGRAM SHALL BE
45 SUBMITTED TO THE GOVERNOR, TEMPORARY PRESIDENT OF THE SENATE, AND SPEAK-
46 ER OF THE ASSEMBLY.

47 S 2. This act shall take effect immediately.