S T A T E O F N E W Y O R K

1783

2009-2010 Regular Sessions

I N A S S E M B L Y

January 12, 2009

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

AN ACT to amend the vehicle and traffic law, in relation to the establishment of speed limits on county roads and town highways in certain cases and to repeal section 1622 of such law relating thereto

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

Section 1. Section 1622 of the vehicle and traffic law is REPEALED.

S 2. The vehicle and traffic law is amended by adding a new section 1651-a to read as follows:

S 1651-A. SPEED LIMITS ON COUNTY ROADS IN CERTAIN CASES. THE COUNTY LEGISLATURE UPON THE REQUEST OF THE TOWN BOARD OF THE TOWN OR TOWNS AFFECTED WITH RESPECT TO COUNTY ROADS IN SUCH TOWN OR TOWNS OUTSIDE OF CITIES OR VILLAGES, MAY BY LOCAL LAW:

1. ESTABLISH MAXIMUM SPEED LIMITS AT WHICH VEHICLES MAY PROCEED ON OR ALONG SUCH HIGHWAYS LOWER THAN THE FIFTY-FIVE MILES PER HOUR STATUTORY MAXIMUM SPEED LIMIT. NO SUCH LIMIT SHALL BE ESTABLISHED AT LESS THAN TWENTY-FIVE MILES PER HOUR, EXCEPT THAT SCHOOL SPEED LIMITS MAY BE ESTABLISHED AT NOT LESS THAN FIFTEEN MILES PER HOUR ON ANY PORTION OF A HIGHWAY PASSING A SCHOOL BUILDING FOR NOT MORE THAN THREE HUNDRED FEET IN EITHER DIRECTION FROM THE BUILDING LINE OF A SCHOOL ABUTTING ON THE HIGHWAY.

2. ESTABLISH MAXIMUM SPEED LIMITS AT WHICH VEHICLES MAY PROCEED ON OR ALONG ALL SUCH HIGHWAYS LYING WITHIN AN AREA OR AREAS AS DESIGNATED BY A DESCRIPTION OF THE BOUNDARIES OF SUCH AREA OR AREAS SUBMITTED BY THE TOWN BOARD OF THE TOWN OR TOWNS AFFECTED LOWER THAN FIFTY-FIVE MILES PER HOUR STATUTORY MAXIMUM SPEED LIMIT. NO SUCH LIMIT SHALL BE ESTABLISHED AT LESS THAN THIRTY MILES PER HOUR.

S 3. The vehicle and traffic law is amended by adding a new section 1660-b to read as follows:

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

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S 1660-B. SPEED LIMITS ON TOWN HIGHWAYS. THE TOWN BOARD OF ANY TOWN AFFECTED WITH RESPECT TO TOWN HIGHWAYS IN SUCH TOWN OUTSIDE OF CITIES OR VILLAGES, MAY BY LOCAL LAW:

1. ESTABLISH MAXIMUM SPEED LIMITS AT WHICH VEHICLES MAY PROCEED ON OR ALONG SUCH HIGHWAYS LOWER THAN THE FIFTY-FIVE MILES PER HOUR STATUTORY MAXIMUM SPEED LIMIT. NO SUCH LIMIT SHALL BE ESTABLISHED AT LESS THAN TWENTY-FIVE MILES PER HOUR, EXCEPT THAT SCHOOL SPEED LIMITS MAY BE ESTABLISHED AT NOT LESS THAN FIFTEEN MILES PER HOUR ON ANY PORTION OF A HIGHWAY PASSING A SCHOOL BUILDING FOR NOT MORE THAN THREE HUNDRED FEET IN EITHER DIRECTION FROM THE BUILDING LINE OF A SCHOOL ABUTTING ON THE HIGHWAY.

2. ESTABLISH MAXIMUM SPEED LIMITS AT WHICH VEHICLES MAY PROCEED ON OR ALONG ALL SUCH HIGHWAYS LYING WITHIN AN AREA OR AREAS AS DESIGNATED BY A DESCRIPTION OF THE BOUNDARIES OF SUCH AREA OR AREAS AFFECTED LOWER THAN FIFTY-FIVE MILES PER HOUR STATUTORY MAXIMUM SPEED LIMIT. NO SUCH LIMIT SHALL BE ESTABLISHED AT LESS THAN THIRTY MILES PER HOUR.

S 4. Subdivisions (c) and (d) of section 1180 of the vehicle and traffic law, subdivision (c) as amended by chapter 563 of the laws of 2002 and subdivision (d) as amended by chapter 432 of the laws of 1997, are amended to read as follows:

(c) Except as provided in subdivision (g) of this section, whenever maximum school speed limits have been established on a highway adjacent to a school as authorized in section sixteen hundred twenty, [sixteen hundred twenty-two,] sixteen hundred thirty, sixteen hundred forty-three or sixteen hundred sixty-two-a OF THIS CHAPTER, no person shall drive in excess of such maximum school speed limits during:

(1) school days at times indicated on the school zone speed limit sign, provided, however, that such times shall be between the hours of seven o'clock A.M. and six o'clock P.M. or alternative times within such hours; or

(2) a period when the beacons attached to the school zone speed limit sign are flashing and such sign is equipped with a notice that indicates that the school zone speed limit is in effect when such beacons are flashing, provided, however, that such beacons shall only flash during student activities at the school and up to thirty minutes immediately before and up to thirty minutes immediately after such student activities.

(d) 1. Except as provided in subdivision (g) of this section, whenever maximum speed limits, other than school speed limits, have been established as authorized in sections sixteen hundred twenty, [sixteen hundred twenty-two,] sixteen hundred twenty-three, sixteen hundred twenty-seven, sixteen hundred thirty, sixteen hundred forty-three, sixteen hundred forty-four, SIXTEEN HUNDRED FIFTY-ONE-A, sixteen hundred fifty-two, SIXTEEN HUNDRED SIXTY-B, sixteen hundred sixty-two-a, sixteen hundred sixty-three, and sixteen hundred seventy OF THIS CHAPTER, no person shall drive in excess of such maximum speed limits at any time.

2. Except as provided in subdivision (g) of this section, whenever maximum speed limits, other than school speed limits, have been established with respect to any restricted highway as authorized in section sixteen hundred twenty-five OF THIS CHAPTER, no person shall drive in excess of such maximum speed limits at any time.

S 5. Subdivision (d) of section 1681 of the vehicle and traffic law, as amended by chapter 420 of the laws of 1968, is amended to read as follows:

(d) Signs posting speed limits established on county roads and town highways [as provided for in subdivision one of section sixteen hundred

twenty-two,] and traffic-control devices posting traffic regulations on the grounds of state departments and certain state institutions as provided for in sections sixteen hundred twenty-three and sixteen hundred twenty-seven OF THIS TITLE shall be provided, installed and maintained at their own expense by the county, town, state or state institution respectively. Signs posting speed limits [established as provided for in subdivision two of section sixteen hundred twenty-two] shall be provided, installed and maintained at its own expense by the town.

S 6. All speed limits in effect for county roads and town highways or portions thereof established pursuant to law prior to the effective date of this act shall be and remain in full force and effect until expressly altered or otherwise established pursuant to law after the effective date of this act.

S 7. This act shall take effect immediately.