

1331

2009-2010 Regular Sessions

I N   S E N A T E

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Introduced by Sens. SERRANO, ADAMS, KRUEGER, ONORATO, STACHOWSKI -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business

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.

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

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

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

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

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

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

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

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

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

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

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

35 4. ELIGIBLE USES FOR GRANTS PROVIDED UNDER THIS SECTION ARE AS  
36 FOLLOWS:

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

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

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

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

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

51 S 2. This act shall take effect immediately.