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

1343

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

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

AN ACT to amend the vehicle and traffic law, in relation to stopping at the exits of parking garages in cities with a population of one million or more

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

Section 1. Section 1173 of the vehicle and traffic law, as amended by chapter 603 of the laws of 1970, is amended to read as follows:

S 1173. Emerging from alley, driveway, private road or building. 1. The driver of a vehicle emerging from an alley, driveway, private road or building shall stop such vehicle immediately prior to driving onto a sidewalk extending across any alleyway, building entrance, road or driveway, or in the event there is no sidewalk, shall stop at the point nearest the roadway to be entered where the driver has a view of approaching traffic thereon.

2. (A) IN ANY CITY HAVING A POPULATION OF ONE MILLION OR MORE, THE DRIVER OF A VEHICLE EMERGING FROM A PARKING GARAGE SHALL STOP SUCH VEHICLE IMMEDIATELY PRIOR TO DRIVING ONTO A SIDEWALK EXTENDING ACROSS ANY EXIT FROM SUCH PARKING GARAGE, OR IN THE EVENT THERE IS NO SIDEWALK, SHALL STOP AT THE POINT NEAREST THE ROADWAY TO BE ENTERED WHERE THE DRIVER HAS A VIEW OF APPROACHING TRAFFIC THEREON.

(B) IN ALL CITIES HAVING A POPULATION OF ONE MILLION OR MORE, THE LOCAL AUTHORITIES SHALL ERECT, OR CAUSE TO BE ERECTED, APPROPRIATE SIGNS REQUIRING STOPPING AT ALL EXITS OF ALL PARKING GARAGES. THE FAILURE TO ERECT, OR THE ERECTION OF OR FAILURE TO REPLACE OR MAINTAIN SUCH SIGNS SHALL NOT BE A BASIS FOR ANY ACTION OF NEGLIGENCE AGAINST SUCH A CITY OR THE STATE NOR A BASIS OF A DEFENSE BY ANY OPERATOR OR OWNER OF A MOTOR VEHICLE IN AN ACTION BASED ON NEGLIGENCE AGAINST ANY OPERATOR OR OWNER OF A MOTOR VEHICLE.

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

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S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided that the local authorities of any city having a population of one million or more are authorized to promulgate any and all rules and regulations and take any other measures necessary to implement this act on its effective date on or before such date.