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

3127

2009-2010 Regular Sessions

I N A S S E M B L Y

January 23, 2009

Introduced by M. of A. BRADLEY -- Multi-Sponsored by -- M. of A. MAYER-SOHN, ORTIZ, ROBINSON, TOWNS, WRIGHT -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to determinations made by the department of transportation concerning traffic regulations in towns, cities, and villages

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

Section 1. Section 1620 of the vehicle and traffic law is amended by adding a new subdivision (d) to read as follows:

(D) (1) THE DEPARTMENT OF TRANSPORTATION SHALL MAKE A DETERMINATION AND ISSUE A DECISION ON ANY REQUEST MADE PURSUANT TO THIS SECTION FOR A CHANGE IN SPEED LIMIT REGULATION BY A TOWN, CITY, OR VILLAGE, WITHIN NINETY DAYS OF SUCH REQUEST.

(2) IF THE DEPARTMENT OF TRANSPORTATION FAILS TO ISSUE A DECISION WITHIN NINETY DAYS OF THE REQUEST BY THE TOWN, CITY, OR VILLAGE, THEN SUCH TOWN, CITY, OR VILLAGE MAY MAKE SUCH REQUESTED CHANGE ON THEIR OWN ACCORD SO LONG AS THERE IS A REASONABLE NEXUS TO PUBLIC SAFETY.

S 2. Section 1621 of the vehicle and traffic law is amended by adding a new subdivision (e) to read as follows:

(E) (1) THE DEPARTMENT OF TRANSPORTATION SHALL MAKE A DETERMINATION AND ISSUE A DECISION ON ANY REQUEST MADE PURSUANT TO THIS SECTION FOR A CHANGE IN TRAFFIC REGULATION BY A TOWN, CITY, OR VILLAGE, WITHIN NINETY DAYS OF SUCH REQUEST.

(2) IF THE DEPARTMENT OF TRANSPORTATION FAILS TO ISSUE A DECISION WITHIN NINETY DAYS OF THE REQUEST BY THE TOWN, CITY, OR VILLAGE, THEN SUCH TOWN, CITY, OR VILLAGE MAY MAKE SUCH REQUESTED CHANGE ON THEIR OWN ACCORD SO LONG AS THERE IS A REASONABLE NEXUS TO PUBLIC SAFETY.

S 3. This act shall take effect immediately.

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

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