

2009-2010 Regular Sessions

I N   S E N A T E

January 9, 2009

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Introduced by Sen. MARCELLINO -- read twice and ordered printed, and  
when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to establishing  
the school safety zone act

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

1     Section 1. This act shall be known and may be cited as the "school  
2     safety zone act".  
3     S 2. The vehicle and traffic law is amended by adding a new section  
4     142-a to read as follows:  
5     S 142-A. SCHOOL SAFETY ZONE. THE AREA OR SPACE INCLUDED WITHIN A ONE-  
6     QUARTER MILE RADIUS OF A PRIMARY OR SECONDARY SCHOOL; EXCEPT THAT IN  
7     CITIES COMPRISING MORE THAN ONE COUNTY, SUCH RADIUS SHALL BE TWO HUNDRED  
8     YARDS.  
9     S 3. The vehicle and traffic law is amended by adding two new sections  
10    1229-e and 1229-f to read as follows:  
11    S 1229-E. FINES DOUBLED WITHIN SCHOOL SAFETY ZONE. 1. THE OTHERWISE  
12    APPLICABLE FINE OR RANGE OF FINES FOR THE COMMISSION OF A MOVING TRAFFIC  
13    VIOLATION PROHIBITED UNDER ANY PROVISION OF THIS TITLE WITHIN A SCHOOL  
14    SAFETY ZONE, AS DEFINED IN SECTION ONE HUNDRED FORTY-TWO-A OF THIS CHAP-  
15    TER, DURING POSTED SCHOOL HOURS SHALL BE DOUBLED.  
16    2. THE (A) GOVERNING BODY OF THE CITY, TOWN, OR VILLAGE IN WHICH ANY  
17    SCHOOL SAFETY ZONE IS LOCATED IN EVERY COUNTY NOT WHOLLY CONTAINED WITH-  
18    IN A CITY AND (B) LOCAL COMMUNITY BOARD OF ANY CITY COMPRISING MORE THAN  
19    ONE COUNTY SHALL OBTAIN FROM THE SCHOOL AUTHORITIES OF EVERY SCHOOL  
20    BUILDING IN A SCHOOL SAFETY ZONE WITHIN THEIR RESPECTIVE JURISDICTIONS  
21    THE SCHOOL HOURS OF EACH SUCH SCHOOL BUILDING. SUCH HOURS SHALL BE  
22    INCORPORATED INTO THE SIGNS POSTED AS REQUIRED BY LAW AND PRESCRIPTION  
23    OF THE COMMISSIONER OF TRANSPORTATION TO DESIGNATE SCHOOL SAFETY ZONES.  
24    S 1229-F. SCHOOL SAFETY ZONES; ESTABLISHMENT OF MAXIMUM SCHOOL SPEED  
25    LIMITS. THE BODY OR OFFICER AUTHORIZED BY THIS TITLE TO ESTABLISH MAXI-

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

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1 MUM SCHOOL SPEED LIMITS SHALL ESTABLISH SUCH MAXIMUM SCHOOL SPEED LIMITS  
2 WITHIN ALL SCHOOL SAFETY ZONES AND SHALL DO SO IN CONSULTATION WITH THE:  
3 (1) (A) GOVERNING BODY OF THE CITY, TOWN, OR VILLAGE IN WHICH SUCH  
4 SCHOOL SAFETY ZONE IS LOCATED IN EVERY COUNTY NOT WHOLLY CONTAINED WITH-  
5 IN A CITY, UNLESS SUCH BODY OR OFFICER SO AUTHORIZED BE SUCH GOVERNING  
6 BODY, OR (B) LOCAL COMMUNITY BOARD OF ANY CITY COMPRISING MORE THAN ONE  
7 COUNTY; AND (2) THE POLICE DEPARTMENT, FORCE, OR AGENCY HAVING JURISDIC-  
8 TION OVER SUCH SCHOOL SAFETY ZONE, IN THE FOLLOWING ORDER OF PREFERENCE:  
9 (A) CITY, TOWN, OR VILLAGE POLICE, (B) COUNTY SHERIFF OR POLICE, AND (C)  
10 STATE POLICE; PROVIDED THAT IF ANY SCHOOL SAFETY ZONE IS SUBJECT TO THE  
11 JURISDICTION OF ANY BODY OR OFFICER AUTHORIZED TO ESTABLISH MAXIMUM  
12 SCHOOL SPEED LIMITS PURSUANT TO SECTION SIXTEEN HUNDRED THIRTY OF THIS  
13 CHAPTER AND SUCH BODY OR OFFICER HAS ITS OWN POLICE DEPARTMENT, FORCE,  
14 OR AGENCY, SUCH POLICE DEPARTMENT, FORCE, OR AGENCY SHALL BE FIRST IN  
15 ORDER OF PREFERENCE FOR CONSULTATION WITH RESPECT TO SCHOOL SAFETY ZONES  
16 SUBJECT TO THE JURISDICTION OF SUCH BODY OR OFFICER.

17 S 4. The commissioner of transportation, or his or her designee, shall  
18 prescribe the appropriate type of signage, which shall include the  
19 language, "school safety zone fines doubled during school hours", state  
20 the applicable school hours, and be conspicuously posted and maintained  
21 by the city, town, or village wherein the school safety zone is located.

22 S 5. This act shall take effect on the first of November next succeed-  
23 ing the date on which it shall have become a law; provided that any and  
24 all rules and regulations and any other measures necessary to implement  
25 any provision of this act on its effective date may be promulgated and  
26 taken, respectively, on or before the effective date of such provision.