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

6072

2011-2012 Regular Sessions

I N A S S E M B L Y

March 4, 2011

Introduced by M. of A. PHEFFER -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to expanding the authority of school boards and trustees of school districts to provide pupil transportation in child safety zones

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

Section 1. Subdivisions 1 and 3 of section 3635-b of the education law, subdivision 1 as amended by chapter 536 of the laws of 2002 and subdivision 3 as amended by chapter 403 of the laws of 1992, are amended to read as follows:

1. This section shall apply where the board of education or trustees of a common, central, central high school, union free school district, or city school district of a city with less than one hundred twenty-five thousand inhabitants OR MORE THAN ONE MILLION INHABITANTS adopts a resolution to make transportation in child safety zones available to resident pupils for a particular school year. Such resolution shall continue in effect for subsequent school years until the board adopts a resolution providing otherwise.

3. The commissioner of transportation shall establish regulations for determination of a hazardous zone including, but not limited to, such factors as the existence or nonexistence of sidewalks or walkways, the type of road surface, width of road, footpath or sidewalk, the volume and average speed of traffic, density of population, the commercial, industrial or residential character of the area [and], the existence or nonexistence of traffic safety features such as traffic lights, street lights and traffic patrols AND THE LACK OF AVAILABLE PUBLIC TRANSPORTATION. In preparing such regulations, the commissioner of transportation shall consult with the commissioners of education and motor vehicles and representatives from the state police who have traffic safety responsibilities. Such regulations shall be used by boards of education in determining whether a hazardous zone exists.

S 2. This act shall take effect immediately.

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

LBD08938-02-1