

8945

I N   A S S E M B L Y

(PREFILED)

January 4, 2012

---

Introduced by M. of A. WEPRIN -- 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:

1     Section 1.     Subdivisions 1 and 3 of section 3635-b of the education  
2 law, subdivision 1 as amended by chapter 536 of the laws of 2002 and  
3 subdivision 3 as amended by chapter 403 of the laws of 1992, are amended  
4 to read as follows:  
5     1. This section shall apply where the board of education or trustees  
6 of a common, central, central high school, union free school district,  
7 or city school district of a city with less than one hundred twenty-five  
8 thousand inhabitants OR MORE THAN ONE MILLION INHABITANTS adopts a  
9 resolution to make transportation in child safety zones available to  
10 resident pupils for a particular school year. Such resolution shall  
11 continue in effect for subsequent school years until the board adopts a  
12 resolution providing otherwise.  
13     3. The commissioner of transportation shall establish regulations for  
14 determination of a hazardous zone including, but not limited to, such  
15 factors as the existence or nonexistence of sidewalks or walkways, the  
16 type of road surface, width of road, footpath or sidewalk, the volume  
17 and average speed of traffic, density of population, the commercial,  
18 industrial or residential character of the area [and], the existence or  
19 nonexistence of traffic safety features such as traffic lights, street  
20 lights and traffic patrols AND THE LACK OF AVAILABLE PUBLIC TRANSPORTA-  
21 TION. In preparing such regulations, the commissioner of transportation  
22 shall consult with the commissioners of education and motor vehicles and  
23 representatives from the state police who have traffic safety responsi-  
24 bilities. Such regulations shall be used by boards of education in  
25 determining whether a hazardous zone exists.  
26     S 2. This act shall take effect immediately.

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

LBD08938-03-1