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

2253

2011-2012 Regular Sessions

I N S E N A T E

January 18, 2011

Introduced by Sen. KRUGER -- 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 speed limits on highways passing a school building

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

Section 1. Subdivision (a) of section 1620 of the vehicle and traffic law, as amended by chapter 563 of the laws of 2002, is amended to read as follows:

(a) The department of transportation with respect to state highways maintained by the state outside of cities having a population in excess of one million, and highways on Indian reservations, may by order, rule or regulation establish higher or lower maximum speed limits at which vehicles may proceed on or along such highways than the fifty-five miles per hour statutory maximum speed limit. No such maximum speed limit shall be established at less than twenty-five miles per hour, except that school speed limits may be established at not less than fifteen miles per hour, for a distance OF not [to exceed one thousand three hundred twenty feet,] MORE THAN SIX HUNDRED FEET PLUS THE WIDTH OF THE SCHOOL BUILDING on a highway passing [a school] SUCH building, entrance or exit of a school abutting on the highway. Absence of signs installed pursuant to this section shall be presumptive evidence that the department of transportation has not established a higher maximum speed limit than the fifty-five miles per hour statutory limit.

S 2. Section 1662-a of the vehicle and traffic law, as amended by chapter 563 of the laws of 2002, is amended to read as follows:

S 1662-a. Speed limits in certain towns. The town board of any suburban town governed pursuant to article three-A of the town law and the town board of any other town having a population exceeding fifty thousand, with respect to highways (which term for the purposes of this section shall include private roads open to public motor vehicle traf-

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

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fic) in such towns outside any village, other than state highways maintained by the state on which the department of transportation shall have established higher or lower speed limits than the statutory fifty-five miles per hour speed limit as provided in section sixteen hundred twenty OF THIS TITLE, or on which the department of transportation shall have designated that such towns shall not establish any maximum speed limit as provided in section sixteen hundred twenty-four OF THIS TITLE, subject to the limitations imposed by section sixteen hundred eighty-four OF THIS TITLE may by local law, ordinance, order, rule or regulation establish maximum speed limits at which vehicles may proceed within such towns, within designated areas of such towns or on or along designated highways within such towns lower than the fifty-five miles per hour maximum statutory limit. No such speed limit applicable throughout such towns or within designated areas of such towns shall be established at less than thirty miles per hour, except that in the town of Hempstead speed limits may be established at not less than fifteen miles per hour on any portion of a highway in the community known as Point Lookout; provided, however, that no such speed limit in such town may be established unless a majority of the residents of such community file a petition with the town board of such town requesting such speed limit. No such speed limit applicable on or along designated highways within such towns shall be established at less than twenty-five miles per hour, except that school speed limits may be established at not less than fifteen miles per hour, for a distance OF not [to exceed one thousand three hundred twenty feet,] MORE THAN SIX HUNDRED FEET PLUS THE WIDTH OF THE SCHOOL BUILDING on a highway passing [a school] SUCH building, entrance or exit of a school abutting on the highway, and except further that in the town of Hempstead speed limits may be established at not less than fifteen miles per hour on any portion of a highway in the community known as Point Lookout; provided, however, that no such speed limit in such town may be established unless a majority of the residents of such community file a petition with the town board of such town requesting such speed limit.

S 3. This act shall take effect immediately.