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

4088--A

2011-2012 Regular Sessions

I N A S S E M B L Y

February 1, 2011

Introduced by M. of A. KAVANAGH -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to pedestrian warning devices for parking garages

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

Section 1. The vehicle and traffic law is amended by adding a new section 1686 to read as follows:

S 1686. ALL VEHICLES MUST STOP AT PARKING GARAGE EXITS. (A) AS USED IN THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS: 1. "EXIT" SHALL MEAN A POINT OF EGRESS OF A MOTOR VEHICLE WHICH REQUIRES SUCH MOTOR VEHICLE TO CROSS A SIDEWALK.

2. "PARKING GARAGE" SHALL MEAN A BUILDING OR THAT PORTION OF A BUILDING DESIGNED OR USED FOR THE HOUSING, STORAGE OR PARKING OF TWENTY OR MORE MOTOR VEHICLES.

3. "PEDESTRIAN WARNING DEVICE" SHALL MEAN ANY DEVICE OR SYSTEM CONSISTING OF A MECHANISM WHICH DETECTS A MOTOR VEHICLE AS IT APPROACHES A PARKING GARAGE EXIT TO DEPART THEREFROM AND ACTIVATES A FLASHING YELLOW LIGHT POSITIONED AT THE EXTERIOR OF SUCH PARKING GARAGE EXIT WHICH IS VISIBLE TO PEDESTRIANS OR AN AUDIBLE WARNING SIGNAL CONSISTING OF AN INTERMITTENT SOUND NOT EXCEEDING 70 DB (A) MEASURED AT, OR ADJUSTED TO, A DISTANCE OF TEN FEET FROM SUCH EXIT. SUCH DEVICE SHALL NOT BE ACTIVATED FOR ANY PERIOD OF TIME IN EXCESS OF TEN SECONDS AFTER THE ACTIVATING VEHICLE HAS CLEARED THE EXIT, EXCEPT AS ACTIVATED BY A SUBSEQUENT VEHICLE.

(B) ALL OWNERS OF PARKING GARAGES SHALL INSTALL, AT EACH EXIT THEREFROM:

1. A PEDESTRIAN WARNING DEVICE;

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

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2. A STOP SIGN;

3. THE FOLLOWING NOTICE IN A MANNER WHICH IS LEGIBLE AND CONSPICUOUS TO OPERATORS OF EXITING MOTOR VEHICLES: "STATE LAW REQUIRES VEHICLES TO YIELD TO PEDESTRIANS ON SIDEWALKS."; AND

4. ON THE EXTERIOR OF EACH SUCH EXIT THE FOLLOWING NOTICE TO PEDESTRIANS: "CAUTION: EXITING VEHICLES." SUCH NOTICE SHALL BE POSTED IN A MANNER WHICH IS LEGIBLE AND CONSPICUOUS TO PEDESTRIANS.

(C) A VIOLATION OF THIS SECTION SHALL BE PUNISHABLE BY A FINE OF UP TO TWO HUNDRED FIFTY DOLLARS FOR EACH VIOLATION.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.