

2013-2014 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 9, 2013

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

AN ACT to amend the education law, in relation to requiring community
district education councils to establish safety hazard advisory review
committees

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

1 Section 1. Section 2590-e of the education law is amended by adding a
2 new subdivision 8-a to read as follows:
3 8-A. (A) A COMMUNITY COUNCIL SHALL ESTABLISH FROM AMONG ITS MEMBERS A
4 SAFETY HAZARD ADVISORY REVIEW COMMITTEE TO REVIEW CONDITIONS ALONG
5 ROUTES IN ITS DISTRICT BY WHICH STUDENTS TRAVEL OR WALK TO AND FROM
6 SCHOOL. THE SAFETY HAZARD ADVISORY REVIEW COMMITTEE SHALL REVIEW CONDI-
7 TIONS ALONG STOP TO SCHOOL ROUTES IN ITS COMMUNITY COUNCIL DISTRICT UPON
8 THE REQUEST OF A PARENT WHO HAS SUBMITTED TO THE OFFICE OF PUPIL TRANS-
9 PORTATION A REQUEST FOR A VARIANCE FROM STOP TO SCHOOL ROUTES BASED ON
10 HAZARDOUS OR UNSAFE CONDITIONS ALONG THE STUDENT'S ROUTE TO OR FROM
11 SCHOOL. SUCH REQUEST SHALL BE SUBMITTED IN WRITING TO THE CHAIR OF THE
12 COMMUNITY COUNCIL AND INCLUDE A COPY OF THE PARENT'S REQUEST TO THE
13 OFFICE OF PUPIL TRANSPORTATION FOR A VARIANCE. THE COMMUNITY COUNCIL
14 CHAIR SHALL CONVENE A MEETING OF THE SAFETY HAZARD ADVISORY REVIEW
15 COMMITTEE AS NECESSARY. THE COMMITTEE SHALL MAKE FINDINGS OF FACT AND
16 RECOMMENDATIONS ABOUT CONDITIONS ALONG THE STOP TO SCHOOL ROUTE. SUCH
17 FINDINGS AND RECOMMENDATIONS SHALL BE SUBMITTED IN WRITING TO THE COMMU-
18 NITY COUNCIL WHICH MAY ADOPT THE COMMITTEE'S RECOMMENDATIONS OR SEND
19 THEM BACK TO THE COMMITTEE FOR ADDITIONAL INFORMATION. UPON ADOPTION OF
20 THE COMMITTEE'S FINDINGS AND RECOMMENDATIONS, THE COMMUNITY COUNCIL
21 SHALL SEND THE WRITTEN FINDINGS AND RECOMMENDATIONS TO THE PARENT AND
22 THE OFFICE OF PUPIL TRANSPORTATION WHICH SHALL CONSIDER THE FINDINGS AND

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

LBD00126-01-3

1 RECOMMENDATIONS FROM THE COMMUNITY COUNCIL IN ITS DECISION ABOUT A VARI-
2 ANCE OR DESIGNATION OF STOP TO SCHOOL ROUTES.

3 (B) UPON THE REQUEST OF A MEMBER OF THE COMMUNITY COUNCIL OR AN ADMIN-
4 ISTRATOR IN A SCHOOL IN THE COMMUNITY COUNCIL DISTRICT, THE SAFETY
5 HAZARD ADVISORY REVIEW COMMITTEE MAY REVIEW UNSAFE AND HAZARDOUS CONDI-
6 TIONS ALONG ROUTES BY WHICH STUDENTS IN THEIR DISTRICT TRAVEL TO AND
7 FROM THEIR SCHOOL. SUCH REQUEST SHALL BE SUBMITTED IN WRITING TO THE
8 CHAIR OF THE COMMUNITY COUNCIL AND SHALL INCLUDE THE LOCATION AND A
9 DESCRIPTION OF THE CONDITIONS TO BE REVIEWED BY THE SAFETY HAZARD ADVI-
10 SORY REVIEW COMMITTEE. THE SAFETY HAZARD ADVISORY REVIEW COMMITTEE SHALL
11 MAKE FINDINGS OF FACT AND, IF NECESSARY, RECOMMENDATIONS ABOUT CONDI-
12 TIONS ALONG THE STOP TO SCHOOL ROUTE. SUCH FINDINGS AND RECOMMENDATIONS
13 SHALL BE SUBMITTED IN WRITING TO THE COMMUNITY COUNCIL WHICH MAY ADOPT
14 THE COMMITTEE'S RECOMMENDATIONS OR SEND THEM BACK TO THE COMMITTEE FOR
15 ADDITIONAL INFORMATION. UPON ADOPTION OF THE COMMITTEE'S FINDINGS AND
16 RECOMMENDATIONS, THE COMMUNITY COUNCIL SHALL SEND THE WRITTEN FINDINGS
17 AND RECOMMENDATIONS TO A MEMBER OF THE COMMUNITY COUNCIL OR SCHOOL
18 ADMINISTRATOR WHO REQUESTED THE REVIEW AND THE OFFICE OF PUPIL TRANSPOR-
19 TATION.

20 S 2. This act shall take effect on the first of July next succeeding
21 the date on which it shall have become a law; provided, however that the
22 amendments made to section 2590-e of the education law, by section one
23 of this act shall survive the expiration and reversion of such section
24 as provided in section 34 of chapter 91 of the laws of 2002, as amended.