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

9731

I N A S S E M B L Y

May 20, 2014

Introduced by M. of A. O'DONNELL, SILVER, MOSLEY, JACOBS, ORTIZ, ROSA, DAVILA, SIMOTAS, GOTTFRIED, ROBINSON, MILLMAN, DINOWITZ, OTIS, QUART, WEPRIN, KAVANAGH, SEPULVEDA, PICHARDO, WRIGHT, SCARBOROUGH, CLARK, DenDEKKER, BENEDETTO, MILLER, HEASTIE, SIMANOWITZ, GLICK, WEINSTEIN, MARKEY, CYMBROWITZ, ROSENTHAL, CRESPO, MOYA, RODRIGUEZ -- Multi-Sponsored by -- M. of A. ARROYO, COOK, FARRELL, JAFFEE, LENTOL, PERRY, RIVERA, ROZIC, STECK -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to speed limits

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

Section 1. Paragraph 26 of subdivision (a) of section 1642 of the vehicle and traffic law is renumbered paragraph 27 and a new paragraph 26 is added to read as follows:

26. WITH RESPECT TO HIGHWAYS (WHICH TERM FOR THE PURPOSES OF THIS PARAGRAPH SHALL INCLUDE PRIVATE ROADS OPEN TO PUBLIC MOTOR VEHICLE TRAFFIC) IN SUCH CITY, 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 CITY 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, ESTABLISHMENT OF MAXIMUM SPEED LIMITS AT WHICH VEHICLES MAY PROCEED WITHIN SUCH CITY OR WITHIN DESIGNATED AREAS OF SUCH CITY HIGHER OR LOWER THAN THE FIFTY-FIVE MILES PER HOUR MAXIMUM STATUTORY LIMIT. NO SUCH SPEED LIMIT APPLICABLE THROUGHOUT SUCH CITY OR WITHIN DESIGNATED AREAS OF SUCH CITY SHALL BE ESTABLISHED AT LESS THAN TWENTY-FIVE MILES PER HOUR.

S 2. Paragraph 27 of subdivision (a) of section 1642 of the vehicle and traffic law, as added by chapter 499 of the laws of 1999 and as renumbered by section one of this act, is amended to read as follows:

27. (a) Establishment of maximum speed limits below twenty-five miles per hour at which motor vehicles may proceed on or along designated

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

LBD15293-01-4

highways within such city for the explicit purpose of implementing traffic calming measures as such term is defined herein; provided, however, that no speed limit shall be set below fifteen miles per hour nor shall such speed limit be established where the traffic calming measure to be implemented consists solely of a traffic control sign AND PROVIDED, FURTHER, THAT IF SUCH CITY HAS MADE A WRITTEN DETERMINATION THAT THE IMPLEMENTATION OF TRAFFIC CALMING MEASURES AS SUCH TERM IS DEFINED HEREIN IS NOT FEASIBLE ON A PARTICULAR DESIGNATED HIGHWAY, SPEED LIMITS AT WHICH MOTOR VEHICLES MAY PROCEED ON OR ALONG SUCH DESIGNATED HIGHWAY WITHIN SUCH CITY MAY BE ESTABLISHED AND POSTED AT NOT LESS THAN TWENTY MILES PER HOUR. Establishment of such a speed limit shall, where applicable, be in compliance with the provisions of sections sixteen hundred twenty-four and sixteen hundred eighty-four of this chapter. Nothing contained herein shall be deemed to alter or affect the establishment of school speed limits pursuant to the provisions of section sixteen hundred forty-three of this article. For the purposes of this paragraph, "traffic calming measures" shall mean any physical engineering measure or measures that reduce the negative effects of motor vehicle use, alter driver behavior and improve conditions for non-motorized street users such as pedestrians and bicyclists.

(b) Any city establishing maximum speed limits below twenty-five miles per hour pursuant to clause (i) of this subparagraph shall submit a report to the governor, the temporary president of the senate and the speaker of the assembly on or before March first, two thousand [two] FIFTEEN AND BIANNUALLY THEREAFTER on the results of using traffic calming measures and speed limits lower than twenty-five miles per hour as authorized by this paragraph. Such report shall include, but not be limited to the following:

(i) a description of the designated highways where traffic calming measures and a lower speed limit were established and

(ii) a description of the specific traffic calming measures used and the maximum speed limit established.

S 3. This act shall take effect on the ninetieth day after it shall have become a law.