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

4613--A

2013-2014 Regular Sessions

I N S E N A T E

April 15, 2013

Introduced by Sen. GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Cities -- recommitted to the Committee on Cities in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the administrative code of the city of New York, in relation to school zone speed limits and signage and other traffic calming devices

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

Section 1. Subdivision a of section 19-177 of the administrative code of the city of New York, as added by local law number 6 of the city of New York for the year 1996, is amended and five new subdivisions d, e, f, g, and h are added to read as follows:

a. The official speed limit for a vehicle in the city of New York shall be thirty miles per hour EXCEPT THAT:

1. SCHOOL SPEED LIMITS MAY BE ESTABLISHED AT NOT LESS THAN FIFTEEN MILES PER HOUR, FOR A DISTANCE NOT TO EXCEED ONE THOUSAND THREE HUNDRED TWENTY FEET ON A HIGHWAY PASSING A SCHOOL BUILDING OR AT AN ENTRANCE OR EXIT OF A SCHOOL ABUTTING A HIGHWAY;

2. SENIOR CENTER SPEED LIMITS MAY BE ESTABLISHED AT NOT LESS THAN FIFTEEN MILES PER HOUR FOR A DISTANCE NOT TO EXCEED ONE THOUSAND THREE HUNDRED TWENTY FEET ON A HIGHWAY PASSING A SENIOR CENTER BUILDING OR THE ENTRANCE OR EXIT OF A SENIOR CENTER ABUTTING A HIGHWAY. FOR PURPOSES OF THIS SECTION, THE TERM "SENIOR CENTER" SHALL HAVE THE SAME MEANING AS IN SECTION 21-201 OF THIS CODE;

3. PARK SPEED LIMITS MAY BE ESTABLISHED AT NOT LESS THAN FIFTEEN MILES PER HOUR FOR A DISTANCE NOT TO EXCEED ONE THOUSAND THREE HUNDRED TWENTY FEET ON A HIGHWAY PASSING A PARK OR AT AN ENTRANCE OR EXIT OF A PARK ABUTTING A HIGHWAY. FOR THE PURPOSES OF THIS SECTION THE TERM "PARK" SHALL MEAN ANY BUILDING, STRUCTURE, PLAYING FIELD OR LAND CONTAINED

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

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WITHIN THE BOUNDARY OF LAND OWNED, LEASED OR MAINTAINED BY THE CITY OF NEW YORK OR BY ANY NOT-FOR-PROFIT CORPORATION OR ELEEMOSYNARY INSTITUTION, CORPORATION, OR ASSOCIATION WHICH IS USED ON A REGULAR BASIS AS A RECREATION AREA AND IS SO DESIGNATED AND MAY ALSO MEAN ANY OF THE FOLLOWING WHICH HAS THE SAME OWNERSHIP AS THE PARK GROUND: ANY PARKING LOT, PARKING GARAGE, OR OTHER PARKING FACILITY, MARINA, BOAT LAUNCH, OR OTHER SIMILAR FACILITY WHICH IS WITHIN ONE THOUSAND FEET OF AND SERVES SUCH PARK AND WHICH IS SO DESIGNATED BY EASILY VISIBLE SIGNAGE AS SERVING SUCH PARK;

4. PLAYGROUND SPEED LIMITS MAY BE ESTABLISHED AT NOT LESS THAN FIFTEEN MILES PER HOUR FOR A DISTANCE NOT TO EXCEED ONE THOUSAND THREE HUNDRED TWENTY FEET ON A HIGHWAY PASSING A PLAYGROUND OR AT AN ENTRANCE OR EXIT OF A PLAYGROUND ABUTTING A HIGHWAY. FOR THE PURPOSES OF THIS SECTION THE TERM "PLAYGROUND" SHALL MEAN ANY PLAYING FIELD, PLAYGROUND OR LAND CONTAINED WITHIN THE BOUNDARY OF LAND OWNED, LEASED OR MAINTAINED BY THE CITY OF NEW YORK OR BY ANY NOT-FOR-PROFIT CORPORATION OR ASSOCIATION WHICH IS USED ON A REGULAR BASIS AS A RECREATION AREA AND IS SO DESIGNATED;

5. HOSPITAL SPEED LIMITS MAY BE ESTABLISHED AT NOT LESS THAN FIFTEEN MILES PER HOUR FOR A DISTANCE NOT TO EXCEED ONE THOUSAND THREE HUNDRED TWENTY FEET ON A HIGHWAY PASSING A HOSPITAL BUILDING OR AT AN ENTRANCE OR EXIT OF A HOSPITAL ABUTTING A HIGHWAY; OR

6. except where an official sign indicates that a different speed limit is in effect.

D. THE COMMISSIONER SHALL POST AT EACH PUBLIC AND NON-PUBLIC SCHOOL, SCHOOL ZONE SPEED LIMIT SIGNS. NO PERSON SHALL DRIVE IN EXCESS OF SUCH MAXIMUM SCHOOL SPEED LIMITS DURING:

1. SCHOOL DAYS AT TIMES INDICATED ON THE SCHOOL ZONE SPEED LIMIT SIGN, PROVIDED, HOWEVER, THAT SUCH TIMES SHALL BE BETWEEN THE HOURS OF SEVEN O'CLOCK A.M. AND SIX O'CLOCK P.M. OR ALTERNATIVE TIMES WITHIN SUCH HOURS; OR

2. A PERIOD WHEN THE BEACONS ATTACHED TO THE SCHOOL ZONE SPEED LIMIT SIGN ARE FLASHING AND SUCH SIGN IS EQUIPPED WITH A NOTICE THAT INDICATES THAT THE SCHOOL ZONE SPEED LIMIT IS IN EFFECT WHEN SUCH BEACONS ARE FLASHING, PROVIDED, HOWEVER, THAT SUCH BEACONS SHALL ONLY FLASH DURING STUDENT ACTIVITIES AT THE SCHOOL AND UP TO THIRTY MINUTES IMMEDIATELY BEFORE AND UP TO THIRTY MINUTES IMMEDIATELY AFTER SUCH STUDENT ACTIVITIES.

E. THE COMMISSIONER SHALL POST AT EACH SENIOR CENTER SPEED ZONE SPEED LIMIT SIGNS. NO PERSON SHALL DRIVE IN EXCESS OF SUCH MAXIMUM SPEED LIMITS DURING THE TIMES INDICATED ON THE SPEED LIMIT SIGN, PROVIDED, HOWEVER, THAT SUCH TIMES SHALL BE BETWEEN THE HOURS OF SIX O'CLOCK A.M. AND NINE O'CLOCK P.M. OR ALTERNATIVE TIMES WITHIN SUCH HOURS.

F. THE COMMISSIONER SHALL POST AT EACH PARK ZONE SPEED LIMIT SIGNS. NO PERSON SHALL DRIVE IN EXCESS OF SUCH MAXIMUM SPEED LIMITS DURING THE TIMES INDICATED ON THE SPEED LIMIT SIGN, PROVIDED, HOWEVER, THAT SUCH TIMES SHALL BE BETWEEN THE HOURS OF SIX O'CLOCK A.M. AND NINE O'CLOCK P.M., UNLESS OTHER OPEN HOURS ARE POSTED AT ANY PARK.

G. THE COMMISSIONER SHALL POST AT EACH PLAYGROUND ZONE SPEED LIMIT SIGNS. NO PERSON SHALL DRIVE IN EXCESS OF SUCH MAXIMUM SPEED LIMITS DURING THE TIMES INDICATED ON THE SPEED LIMIT SIGN, PROVIDED, HOWEVER, THAT SUCH TIMES SHALL BE BETWEEN THE HOURS OF EIGHT O'CLOCK A.M. AND EIGHT O'CLOCK P.M., UNLESS OTHER OPEN HOURS ARE POSTED AT ANY PLAYGROUND.

H. THE COMMISSIONER SHALL POST AT EACH HOSPITAL ZONE SPEED LIMIT SIGNS. NO PERSON SHALL DRIVE IN EXCESS OF SUCH MAXIMUM SPEED LIMITS.

S 2. Paragraph 3 of subdivision a and subdivision b of section 19-183 of the administrative code of the city of New York, as added by local law number 64 of the city of New York for the year 2010, are amended and five new subdivisions c, d, e, f and g are added to read as follows:

3. "Traffic calming device" shall mean any device, not governed by the manual on uniform traffic control devices, including, but not limited to, speed humps, curb extensions, traffic diverters, FLASHING BEACONS, median barriers and raised walkways, installed on a street and intended to slow, reduce or alter motor vehicle traffic to improve safety for pedestrians and bicyclists.

b. The department shall establish guidelines governing the approval and placement of traffic calming devices. Such guidelines shall consider whether such traffic calming devices would be installed [adjacent to a school or] in a location where a high percentage of seniors use the streets, such as locations adjacent to senior centers and nursing homes, and any other locations as determined by the department. Such guidelines shall list the conditions under which installation of such traffic calming device may be appropriate. Such guidelines shall be distributed to any entity upon request and shall be published on the department's website.

C. THE DEPARTMENT SHALL INSTALL AND MAINTAIN TRAFFIC CALMING DEVICES ADJACENT TO SCHOOLS AND ANY OTHER LOCATIONS AS DETERMINED BY THE DEPARTMENT FOR STUDENT SAFETY AND NO LATER THAN MARCH FIRST OF EACH YEAR, THE COMMISSIONER SHALL TRANSMIT TO THE MAYOR AND THE CITY COUNCIL A REPORT SETTING FORTH, WITH RESPECT TO THE PRIOR CALENDAR YEAR, THE FOLLOWING INFORMATION:

1. THE LOCATION OF EACH SCHOOL SPEED LIMIT ZONE SIGN;

2. THE NUMBER OF CITATIONS ISSUED FOR SPEED VIOLATIONS IN EACH SUCH SPEED ZONE;

3. THE EFFECT THAT SUCH SCHOOL SPEED LIMIT ZONE SIGNS HAVE ON THE NUMBER OF CITATIONS ISSUED AND NUMBER OF ACCIDENTS OCCURRING WITHIN EACH SUCH ZONE; PROVIDED THAT SUCH EFFECT SHALL INCLUDE STATISTICS REGARDING THE CITATIONS ISSUED AND ACCIDENTS FOR EACH SPEED ZONE DURING THE IMMEDIATELY PRIOR CALENDAR YEAR; AND

4. THE EFFECT THAT SUCH SCHOOL SPEED ZONES HAVE ON THE TRAFFIC FLOW AND SPEED VIOLATIONS IN AREAS OUTSIDE THE SCHOOL SPEED LIMIT ZONES.

D. THE DEPARTMENT SHALL INSTALL AND MAINTAIN TRAFFIC CALMING DEVICES ADJACENT TO SENIOR CENTERS AS SUCH TERM IS DEFINED IN SECTION 21-201 OF THIS CODE, AND NO LATER THAN MARCH FIRST OF EACH YEAR, THE COMMISSIONER SHALL TRANSMIT TO THE MAYOR AND THE CITY COUNCIL A REPORT SETTING FORTH, WITH RESPECT TO THE PRIOR CALENDAR YEAR, THE FOLLOWING INFORMATION:

1. THE LOCATION OF EACH SENIOR CENTER SPEED LIMIT ZONE SIGN;

2. THE NUMBER OF CITATIONS ISSUED FOR SPEED VIOLATIONS IN EACH SUCH SPEED ZONE;

3. THE EFFECT THAT SUCH SENIOR CENTER SPEED LIMIT ZONE SIGNS HAVE ON THE NUMBER OF CITATIONS ISSUED AND NUMBER OF ACCIDENTS OCCURRING WITHIN EACH SUCH ZONE; PROVIDED THAT SUCH EFFECT SHALL INCLUDE STATISTICS REGARDING THE CITATIONS ISSUED AND ACCIDENTS FOR EACH SPEED ZONE DURING THE IMMEDIATELY PRIOR CALENDAR YEAR; AND

4. THE EFFECT THAT SUCH SENIOR CENTER SPEED ZONES HAVE ON THE TRAFFIC FLOW AND SPEED VIOLATIONS IN THE AREAS OUTSIDE THE SENIOR CENTER SPEED LIMIT ZONES.

E. THE DEPARTMENT SHALL INSTALL AND MAINTAIN TRAFFIC CALMING DEVICES ADJACENT TO PARKS AS SUCH TERM IS DEFINED IN SECTION 19-177 OF THIS SUBCHAPTER AND NO LATER THAN MARCH FIRST OF EACH YEAR, THE COMMISSIONER

SHALL TRANSMIT TO THE MAYOR AND THE CITY COUNCIL A REPORT SETTING FORTH, WITH RESPECT TO THE PRIOR CALENDAR YEAR, THE FOLLOWING INFORMATION:

1. THE LOCATION OF EACH PARK SPEED LIMIT ZONE SIGN;

2. THE NUMBER OF CITATIONS ISSUED FOR SPEED VIOLATIONS IN EACH SUCH SPEED ZONE;

3. THE EFFECT THAT SUCH PARK SPEED LIMIT ZONE SIGNS HAVE ON THE NUMBER OF CITATIONS ISSUED AND NUMBER OF ACCIDENTS OCCURRING WITHIN EACH SUCH ZONE; PROVIDED THAT SUCH EFFECT SHALL INCLUDE STATISTICS REGARDING THE CITATIONS ISSUED AND ACCIDENTS FOR EACH SPEED ZONE DURING THE IMMEDIATELY PRIOR CALENDAR YEAR; AND

4. THE EFFECT THAT SUCH PARK SPEED ZONES HAVE ON THE TRAFFIC FLOW AND SPEED VIOLATIONS IN THE AREAS OUTSIDE THE PARK SPEED LIMIT ZONES.

F. THE DEPARTMENT SHALL INSTALL AND MAINTAIN TRAFFIC CALMING DEVICES ADJACENT TO PLAYGROUNDS AS SUCH TERM IS DEFINED IN SECTION 19-177 OF THIS SUBCHAPTER AND NO LATER THAN MARCH FIRST OF EACH YEAR, THE COMMISSIONER SHALL TRANSMIT TO THE MAYOR AND THE CITY COUNCIL A REPORT SETTING FORTH, WITH RESPECT TO THE PRIOR CALENDAR YEAR, THE FOLLOWING INFORMATION:

1. THE LOCATION OF EACH PLAYGROUND SPEED LIMIT ZONE SIGN;

2. THE NUMBER OF CITATIONS ISSUED FOR SPEED VIOLATIONS IN EACH SUCH SPEED ZONE;

3. THE EFFECT THAT SUCH PLAYGROUND SPEED LIMIT ZONE SIGNS HAVE ON THE NUMBER OF CITATIONS ISSUED AND NUMBER OF ACCIDENTS OCCURRING WITHIN EACH SUCH ZONE; PROVIDED THAT SUCH EFFECT SHALL INCLUDE STATISTICS REGARDING THE CITATIONS ISSUED AND ACCIDENTS FOR EACH SPEED ZONE DURING THE IMMEDIATELY PRIOR CALENDAR YEAR; AND

4. THE EFFECT THAT SUCH PLAYGROUND SPEED ZONES HAVE ON THE TRAFFIC FLOW AND SPEED VIOLATIONS IN THE AREAS OUTSIDE THE PLAYGROUND SPEED LIMIT ZONES.

G. THE DEPARTMENT SHALL INSTALL AND MAINTAIN TRAFFIC CALMING DEVICES ADJACENT TO HOSPITALS AND NO LATER THAN MARCH FIRST OF EACH YEAR, THE COMMISSIONER SHALL TRANSMIT TO THE MAYOR AND THE CITY COUNCIL A REPORT SETTING FORTH, WITH RESPECT TO THE PRIOR CALENDAR YEAR, THE FOLLOWING INFORMATION:

1. THE LOCATION OF EACH HOSPITAL SPEED LIMIT ZONE SIGN;

2. THE NUMBER OF CITATIONS ISSUED FOR SPEED VIOLATIONS IN EACH SUCH SPEED ZONE;

3. THE EFFECT THAT SUCH HOSPITAL SPEED LIMIT ZONE SIGNS HAVE ON THE NUMBER OF CITATIONS ISSUED AND NUMBER OF ACCIDENTS OCCURRING WITHIN EACH SUCH ZONE; PROVIDED THAT SUCH EFFECT SHALL INCLUDE STATISTICS REGARDING THE CITATIONS ISSUED AND ACCIDENTS FOR EACH SPEED ZONE DURING THE IMMEDIATELY PRIOR CALENDAR YEAR; AND

4. THE EFFECT THAT SUCH HOSPITAL SPEED ZONES HAVE ON THE TRAFFIC FLOW AND SPEED VIOLATIONS IN THE AREAS OUTSIDE THE HOSPITAL SPEED LIMIT ZONES.

S 3. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.