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I N   S E N A T E

June 16, 2014

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Introduced by Sen. KLEIN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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:

1     Section 1. Paragraph 26 of subdivision (a) of section 1642 of the  
2 vehicle and traffic law is renumbered paragraph 27 and a new paragraph  
3 26 is added to read as follows:  
4     26. (A) WITH RESPECT TO HIGHWAYS (WHICH TERM FOR THE PURPOSES OF THIS  
5 PARAGRAPH SHALL INCLUDE PRIVATE ROADS OPEN TO PUBLIC MOTOR VEHICLE TRAF-  
6 FIC) IN SUCH CITY, OTHER THAN STATE HIGHWAYS MAINTAINED BY THE STATE ON  
7 WHICH THE DEPARTMENT OF TRANSPORTATION SHALL HAVE ESTABLISHED HIGHER OR  
8 LOWER SPEED LIMITS THAN THE STATUTORY FIFTY-FIVE MILES PER HOUR SPEED  
9 LIMIT AS PROVIDED IN SECTION SIXTEEN HUNDRED TWENTY OF THIS TITLE, OR ON  
10 WHICH THE DEPARTMENT OF TRANSPORTATION SHALL HAVE DESIGNATED THAT SUCH  
11 CITY SHALL NOT ESTABLISH ANY MAXIMUM SPEED LIMIT AS PROVIDED IN SECTION  
12 SIXTEEN HUNDRED TWENTY-FOUR OF THIS TITLE, SUBJECT TO THE LIMITATIONS  
13 IMPOSED BY SECTION SIXTEEN HUNDRED EIGHTY-FOUR OF THIS TITLE, ESTABLISH-  
14 MENT OF MAXIMUM SPEED LIMITS AT WHICH VEHICLES MAY PROCEED WITHIN SUCH  
15 CITY OR WITHIN DESIGNATED AREAS OF SUCH CITY HIGHER OR LOWER THAN THE  
16 FIFTY-FIVE MILES PER HOUR MAXIMUM STATUTORY LIMIT. NO SUCH SPEED LIMIT  
17 APPLICABLE THROUGHOUT SUCH CITY OR WITHIN DESIGNATED AREAS OF SUCH CITY  
18 SHALL BE ESTABLISHED AT LESS THAN TWENTY-FIVE MILES PER HOUR, EXCEPT  
19 THAT SCHOOL SPEED LIMITS MAY BE ESTABLISHED AT NO LESS THAN FIFTEEN  
20 MILES PER HOUR PURSUANT TO THE PROVISIONS OF SECTION SIXTEEN HUNDRED  
21 FORTY-THREE OF THIS ARTICLE.  
22     (B) A CITY SHALL NOT LOWER A SPEED LIMIT BY MORE THAN FIVE MILES PER  
23 HOUR PURSUANT TO THIS PARAGRAPH UNLESS SUCH CITY PROVIDES WRITTEN NOTICE  
24 AND AN OPPORTUNITY TO COMMENT TO THE COMMUNITY BOARD OR COMMUNITY BOARDS  
25 ESTABLISHED PURSUANT TO SECTION TWENTY-EIGHT HUNDRED OF THE NEW YORK  
26 CITY CHARTER WITH JURISDICTION OVER THE AREA IN WHICH THE LOWER SPEED  
27 LIMIT SHALL APPLY. SUCH NOTICE MAY BE PROVIDED BY ELECTRONIC MAIL AND  
28 SHALL BE PROVIDED SIXTY DAYS PRIOR TO THE ESTABLISHMENT OF SUCH LOWER  
29 SPEED LIMIT.

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

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

4 27. (a) Establishment of maximum speed limits below twenty-five miles  
5 per hour at which motor vehicles may proceed on or along designated  
6 highways within such city for the explicit purpose of implementing traf-  
7 fic calming measures as such term is defined herein; provided, however,  
8 that no speed limit shall be set below fifteen miles per hour nor shall  
9 such speed limit be established where the traffic calming measure to be  
10 implemented consists solely of a traffic control sign. Establishment of  
11 such a speed limit shall, where applicable, be in compliance with the  
12 provisions of sections sixteen hundred twenty-four and sixteen hundred  
13 eighty-four of this chapter. Nothing contained herein shall be deemed to  
14 alter or affect the establishment of school speed limits pursuant to the  
15 provisions of section sixteen hundred forty-three of this article. For  
16 the purposes of this paragraph, "traffic calming measures" shall mean  
17 any physical engineering measure or measures that reduce the negative  
18 effects of motor vehicle use, alter driver behavior and improve condi-  
19 tions for non-motorized street users such as pedestrians and bicyclists.

20 (b) Any city establishing maximum speed limits below twenty-five miles  
21 per hour pursuant to clause (i) of this subparagraph shall submit a  
22 report to the governor, the temporary president of the senate and the  
23 speaker of the assembly on or before March first, two thousand [two]  
24 FIFTEEN AND BIANNUALLY THEREAFTER on the results of using traffic calm-  
25 ing measures and speed limits lower than twenty-five miles per hour as  
26 authorized by this paragraph. THIS REPORT SHALL ALSO BE MADE AVAILABLE  
27 TO THE PUBLIC BY SUCH CITY ON ITS WEBSITE. Such report shall include,  
28 but not be limited to the following:

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

31 (ii) a description of the specific traffic calming measures used and  
32 the maximum speed limit established[.] AND

33 (III) A COMPARISON OF THE AGGREGATE TYPE, NUMBER, AND SEVERITY OF  
34 ACCIDENTS REPORTED ON STREETS ON WHICH STREET CALMING MEASURES AND LOWER  
35 SPEED LIMITS WERE IMPLEMENTED IN THE YEAR PRECEDING THE IMPLEMENTATION  
36 OF SUCH MEASURES AND POLICIES AND THE YEAR FOLLOWING THE IMPLEMENTATION  
37 OF SUCH MEASURES AND POLICIES, TO THE EXTENT THIS INFORMATION IS MAIN-  
38 TAINED BY ANY AGENCY OF THE STATE OR THE CITY.

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