

10207

I N A S S E M B L Y

May 17, 2016

Introduced by M. of A. DenDEKKER -- read once and referred to the
Committee on Transportation

AN ACT to amend the highway law, in relation to providing notice to
school districts of certain construction projects

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

1 Section 1. Section 102 of the highway law is amended by adding a new
2 subdivision 19 to read as follows:
3 19. A. FURNISH WRITTEN NOTICE TO A SCHOOL DISTRICT THIRTY DAYS PRIOR
4 TO THE COMMENCEMENT OF A CONSTRUCTION PROJECT UNDERTAKEN WITHIN A THREE
5 HUNDRED FOOT RADIUS OF ANY BUILDING OF SUCH SCHOOL DISTRICT. NO WRITTEN
6 NOTICE SHALL BE REQUIRED PURSUANT TO THIS SUBDIVISION WHEN THE COMMENCE-
7 MENT OF A CONSTRUCTION PROJECT IS IN RESPONSE TO AN EMERGENCY.
8 B. (I) THE TERM "CONSTRUCTION" AS USED IN THIS SUBDIVISION MEANS THE
9 ERECTION, BUILDING, OR SUBSTANTIAL ACQUISITION, ALTERATION, RECON-
10 STRUCTION, IMPROVEMENT, EXTENSION OR MODIFICATION OF A HIGHWAY, SIDEWALK
11 OR APPURTENANCE THEREOF.
12 (II) THE TERM "EMERGENCY" AS USED IN THIS SUBDIVISION MEANS A SITU-
13 ATION INVOLVING DANGER TO LIFE, SAFETY OR PROPERTY WHICH REQUIRES IMME-
14 DIATE ACTION, IS ESSENTIAL TO EFFICIENT OPERATION OR THE ADEQUATE
15 PROVISION OF SERVICE BY A MUNICIPALITY, SCHOOL DISTRICT OR THE STATE,
16 AND IS A DIRECT CONSEQUENCE OF AN ACCIDENT OR OTHER UNFORESEEN CIRCUM-
17 STANCE.
18 S 2. This act shall take effect immediately.

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

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