

10652

I N A S S E M B L Y

June 10, 2016

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Glick) --
read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to photo speed violation monitoring systems in school speed zones in the city of New York; and to repeal certain provisions of such law relating thereto

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

1 Section 1. Paragraph 1 of subdivision (a) of section 1180-b of the
2 vehicle and traffic law, as amended by chapter 43 of the laws of 2014,
3 is REPEALED.
4 S 2. Paragraph 1 of subdivision (a) of section 1180-b of the vehicle
5 and traffic law, as added by chapter 189 of the laws of 2013, is amended
6 to read as follows:
7 1. Notwithstanding any other provision of law, the city of New York is
8 hereby authorized to establish a demonstration program imposing monetary
9 liability on the owner of a vehicle for failure of an operator thereof
10 to comply with posted maximum speed limits in a school speed zone within
11 [the] SUCH city (i) when a school speed limit is in effect as provided
12 in paragraphs one and two of subdivision (c) of section eleven hundred
13 eighty of this article or (ii) when other speed limits are in effect as
14 provided in subdivision (b), (d), (f) or (g) of section eleven hundred
15 eighty of this article [during the following times: (A)] on school days
16 [during school hours and one hour before and one hour after the school
17 day, and (B) a period during student activities at the school and up to
18 thirty minutes immediately before and up to thirty minutes immediately
19 after such student activities] BETWEEN THE HOURS OF SEVEN O'CLOCK A.M.
20 AND SEVEN O'CLOCK P.M. Such demonstration program shall empower the
21 city OF NEW YORK to install photo speed violation monitoring systems
22 within no more than [twenty] TWO HUNDRED school speed zones within [the]
23 SUCH city at any one time and to operate such systems within such zones
24 (iii) when a school speed limit is in effect as provided in paragraphs
25 one and two of subdivision (c) of section eleven hundred eighty of this
26 article or (iv) when other speed limits are in effect as provided in
27 subdivision (b), (d), (f) or (g) of section eleven hundred eighty of

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

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1 this article [during the following times: (A)] on school days [during
2 school hours and one hour before and one hour after the school day, and
3 (B) a period during student activities at the school and up to thirty
4 minutes immediately before and up to thirty minutes immediately after
5 such student activities] BETWEEN THE HOURS OF SEVEN O'CLOCK A.M. AND
6 SEVEN O'CLOCK P.M. In selecting a school speed zone in which to install
7 and operate a photo speed violation monitoring system, the city OF NEW
8 YORK shall consider criteria including, but not limited to, the speed
9 data, crash history, and the roadway geometry applicable to such school
10 speed zone. A PHOTO SPEED VIOLATION MONITORING SYSTEM SHALL NOT BE
11 INSTALLED ON A CONTROLLED-ACCESS HIGHWAY EXIT RAMP OR WITHIN THREE
12 HUNDRED FEET ALONG A HIGHWAY THAT CONTINUES FROM THE END OF A CONT-
13 ROLLED-ACCESS HIGHWAY EXIT RAMP.

14 S 3. Paragraph 2 of subdivision (a) of section 1180-b of the vehicle
15 and traffic law, as added by chapter 189 of the laws of 2013, is amended
16 to read as follows:

17 2. No photo speed violation monitoring system shall be used in a
18 school speed zone unless (i) on the day it is to be used it has success-
19 fully passed a self-test of its functions; and (ii) it has undergone an
20 annual calibration check performed pursuant to paragraph four of this
21 subdivision. The city [may] SHALL install signs giving notice that a
22 photo speed violation monitoring system is in use to be mounted on
23 advance warning signs notifying motor vehicle operators of such upcoming
24 school speed zone and/or on speed limit signs applicable within OR
25 APPROACHING such school speed zone, PROVIDED THAT SUCH SPEED LIMIT SIGNS
26 SHALL BE NO MORE THAN THREE HUNDRED FEET FROM SUCH SCHOOL SPEED ZONE, in
27 conformance with standards established in the MUTCD.

28 S 4. Paragraph 4 of subdivision (c) of section 1180-b of the vehicle
29 and traffic law, as added by chapter 189 of the laws of 2013, is amended
30 to read as follows:

31 4. "school speed zone" shall mean a RADIAL distance not to exceed one
32 thousand three hundred twenty feet [on a highway passing] FROM a school
33 building, entrance or exit [of a school abutting on the highway].

34 S 5. Subdivision (j) of section 1180-b of the vehicle and traffic law
35 is REPEALED and subdivisions (k), (l), (m), (n) and (o) are relettered
36 subdivisions (j), (k), (l), (m) and (n), respectively.

37 S 6. Paragraphs 2 and 3 of subdivision (j) of section 1180-b of the
38 vehicle and traffic law, as added by chapter 189 of the laws of 2013 and
39 such subdivision as relettered by section five of this act, are amended
40 to read as follows:

41 2. Failure to comply with subparagraph (ii) of paragraph [(a)] ONE of
42 this subdivision shall render the owner liable for the penalty
43 prescribed in this section.

44 3. Where the lessor complies with the provisions of paragraph [(a)]
45 ONE of this subdivision, the lessee of such vehicle on the date of such
46 violation shall be deemed to be the owner of such vehicle for purposes
47 of this section, shall be subject to liability for such violation pursu-
48 ant to this section and shall be sent a notice of liability pursuant to
49 subdivision [nine] (G) of this section.

50 S 7. This act shall take effect immediately; provided that the amend-
51 ments to section 1180-b of the vehicle and traffic law made by this act
52 shall not affect the repeal of such section and shall be deemed repealed
53 therewith.