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

6911

2015-2016 Regular Sessions

I N A S S E M B L Y

April 10, 2015

Introduced by M. of A. OTIS -- 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. Section 1643 of the vehicle and traffic law, as amended by chapter 412 of the laws of 2012, is amended to read as follows:

S 1643. Speed limits on highways in cities, TOWNS and villages. (A) The legislative body of any city, TOWN or village with respect to highways (which term for the purposes of this section shall include private roads open to public motor vehicle traffic) in such city, TOWN or village, 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, TOWN or village 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 may by local law, ordinance, order, rule or regulation establish maximum speed limits at which vehicles may proceed within such city, TOWN or village, within designated areas of such city, TOWN or village or on or along designated highways within such city or village higher or lower than the fifty-five miles per hour maximum statutory limit. No such speed limit applicable throughout such city, TOWN or village or within designated areas of such city or village shall be established at less than [thirty] TWENTY-FIVE miles per hour; except that in the city of Long Beach, in the county of Nassau, speed limits may be established at not less than fifteen miles per hour on any portion of the following highways in such city: Cleveland avenue, Harding avenue, Mitchell avenue, Belmont avenue, Atlantic avenue, Coolidge avenue, Wilson avenue

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

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and Taft avenue. No such speed limit applicable on or along designated highways within such city or village shall be established at less than twenty-five miles per hour, except that 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, entrance or exit of a school abutting on the highway and except that within the cities of Buffalo and Rochester speed limits may be established at not less than fifteen miles per hour for any portion of a highway within a city park.

(B)(1) ANY CITY, TOWN OR VILLAGE MAY ESTABLISH MAXIMUM SPEED LIMITS BELOW TWENTY-FIVE MILES PER HOUR AT WHICH MOTOR VEHICLES MAY PROCEED ON OR ALONG DESIGNATED HIGHWAYS WITHIN SUCH CITY, TOWN OR VILLAGE 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. 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 TITLE. NOTHING CONTAINED HEREIN SHALL BE DEEMED TO ALTER OR AFFECT THE ESTABLISHMENT OF SCHOOL SPEED LIMITS PURSUANT TO THE PROVISIONS OF THIS SECTION. 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.

(2) ANY CITY, TOWN OR VILLAGE ESTABLISHING MAXIMUM SPEED LIMITS BELOW TWENTY-FIVE MILES PER HOUR PURSUANT TO CLAUSE (I) OF THIS PARAGRAPH SHALL SUBMIT A REPORT TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY ON OR BEFORE THE FIRST OF JUNE NEXT SUCCEEDING THE EFFECTIVE DATE OF THIS SUBDIVISION 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. THIS REPORT SHALL ALSO BE MADE AVAILABLE TO THE PUBLIC BY SUCH CITY, TOWN OR VILLAGE ON ITS WEBSITE. 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;

(II) A DESCRIPTION OF THE SPECIFIC TRAFFIC CALMING MEASURES USED AND THE MAXIMUM SPEED LIMIT ESTABLISHED; AND

(III) A COMPARISON OF THE AGGREGATE TYPE, NUMBER, AND SEVERITY OF ACCIDENTS REPORTED ON STREETS ON WHICH STREET CALMING MEASURES AND LOWER SPEED LIMITS WERE IMPLEMENTED IN THE YEAR PRECEDING THE IMPLEMENTATION OF SUCH MEASURES AND POLICIES AND THE YEAR FOLLOWING THE IMPLEMENTATION OF SUCH MEASURES AND POLICIES, TO THE EXTENT THIS INFORMATION IS MAINTAINED BY ANY AGENCY OF THE STATE OR THE CITY, TOWN OR VILLAGE.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.