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

7894

2015-2016 Regular Sessions

I N A S S E M B L Y

May 29, 2015

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

AN ACT to amend the vehicle and traffic law, in relation to requiring that in communities where traffic-control signal photo violation-monitoring devices are in use yellow signal lights meet minimum duration requirements

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

Section 1. The vehicle and traffic law is amended by adding a new section 1111-e to read as follows:

S 1111-E. YELLOW SIGNAL LIGHTS; MINIMUM DURATION WHERE TRAFFIC-CONTROL SIGNAL PHOTO VIOLATION-MONITORING DEVICES ARE IN USE. (A) ANY MUNICIPALITY OPERATING A DEMONSTRATION PROGRAM THAT IMPOSES MONETARY LIABILITY ON THE OWNER OF THE VEHICLE FOR THE FAILURE OF AN OPERATOR THEREOF TO COMPLY WITH TRAFFIC-CONTROL INDICATIONS PURSUANT TO THIS ARTICLE SHALL REQUIRE YELLOW SIGNAL LIGHTS IN EVERY INTERSECTION WHERE A TRAFFIC-CONTROL SIGNAL PHOTO VIOLATIONS-MONITORING DEVICE IS IN OPERATION TO MEET MINIMUM DURATION PERIODS PURSUANT TO SUBDIVISION (B) OF THIS SECTION. FOR THE PURPOSES OF THIS SECTION, THE TERM "TRAFFIC-CONTROL SIGNAL PHOTO VIOLATION-MONITORING DEVICE" SHALL MEAN A VEHICLE SENSOR INSTALLED TO WORK IN CONJUNCTION WITH A TRAFFIC-CONTROL SIGNAL WHICH AUTOMATICALLY PRODUCES TWO OR MORE PHOTOGRAPHS, TWO OR MORE MICROPHOTOGRAPHS, A VIDEOTAPE OR OTHER RECORDED IMAGES OF EACH VEHICLE AT THE TIME IT IS USED OR OPERATED IN VIOLATION OF SUBDIVISION (D) OF SECTION ELEVEN HUNDRED ELEVEN OF THIS ARTICLE.

(B) ALL YELLOW SIGNAL LIGHTS LOCATED WHERE A TRAFFIC-CONTROL SIGNAL PHOTO VIOLATION-MONITORING DEVICE IS IN OPERATION SHALL MEET THE FOLLOWING MINIMUM DURATION PERIODS:

1. A MINIMUM DURATION OF THREE SECONDS IN INTERSECTIONS WITH A MAXIMUM SPEED LIMIT OF TWENTY-FIVE MILES PER HOUR;

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

LBD11291-01-5

2. A MINIMUM DURATION OF THREE AND ONE-HALF SECONDS IN INTERSECTIONS WITH A MAXIMUM SPEED LIMIT OF THIRTY MILES PER HOUR;

3. A MINIMUM DURATION OF FOUR SECONDS IN INTERSECTIONS WITH A MAXIMUM SPEED LIMIT OF THIRTY-FIVE MILES PER HOUR;

4. A MINIMUM DURATION OF FOUR AND ONE-HALF SECONDS IN INTERSECTIONS WITH A MAXIMUM SPEED LIMIT OF FORTY MILES PER HOUR;

5. A MINIMUM DURATION OF FIVE SECONDS IN INTERSECTIONS WITH A MAXIMUM SPEED LIMIT OF FORTY-FIVE MILES PER HOUR;

6. A MINIMUM DURATION OF FIVE AND ONE-HALF SECONDS IN INTERSECTIONS WITH A MAXIMUM SPEED LIMIT OF FIFTY MILES PER HOUR; AND

7. A MINIMUM DURATION OF SIX SECONDS IN INTERSECTIONS WITH A MAXIMUM SPEED LIMIT OF FIFTY-FIVE MILES PER HOUR.

(C) ALL TRAFFIC CONTROL SIGNALS WHERE A TRAFFIC-CONTROL SIGNAL PHOTO VIOLATION-MONITORING DEVICE IS IN OPERATION SHALL BE SUBJECT TO AN INDEPENDENT RANDOM ANNUAL AUDIT BY THE DEPARTMENT TO CONFIRM MINIMUM DURATION PERIODS REQUIRED IN SUBDIVISION (B) OF THIS SECTION ARE MET. ANY TRAFFIC-CONTROL SIGNAL FOUND NOT TO BE IN COMPLIANCE WITH THIS SECTION SHALL RESULT IN THE REFUND FROM THE DATE OF THE LAST PREVIOUSLY PERFORMED AUDIT OF ALL MONETARY PENALTIES IMPOSED FOR A VIOLATION OF SUBDIVISION (D) OF SECTION ELEVEN HUNDRED ELEVEN OF THIS ARTICLE AT SUCH TRAFFIC-CONTROL SIGNAL.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided, however, effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized to be made on or before such date.