

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-mon-
itoring devices are in use yellow signal lights meet minimum duration
requirements

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

1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 1111-e to read as follows:
3 S 1111-E. YELLOW SIGNAL LIGHTS; MINIMUM DURATION WHERE TRAFFIC-CONTROL
4 SIGNAL PHOTO VIOLATION-MONITORING DEVICES ARE IN USE. (A) ANY MUNICI-
5 PALITY OPERATING A DEMONSTRATION PROGRAM THAT IMPOSES MONETARY LIABILITY
6 ON THE OWNER OF THE VEHICLE FOR THE FAILURE OF AN OPERATOR THEREOF TO
7 COMPLY WITH TRAFFIC-CONTROL INDICATIONS PURSUANT TO THIS ARTICLE SHALL
8 REQUIRE YELLOW SIGNAL LIGHTS IN EVERY INTERSECTION WHERE A TRAFFIC-CON-
9 TROL SIGNAL PHOTO VIOLATIONS-MONITORING DEVICE IS IN OPERATION TO MEET
10 MINIMUM DURATION PERIODS PURSUANT TO SUBDIVISION (B) OF THIS SECTION.
11 FOR THE PURPOSES OF THIS SECTION, THE TERM "TRAFFIC-CONTROL SIGNAL PHOTO
12 VIOLATION-MONITORING DEVICE" SHALL MEAN A VEHICLE SENSOR INSTALLED TO
13 WORK IN CONJUNCTION WITH A TRAFFIC-CONTROL SIGNAL WHICH AUTOMATICALLY
14 PRODUCES TWO OR MORE PHOTOGRAPHS, TWO OR MORE MICROPHOTOGRAPHS, A VIDE-
15 OTAPE OR OTHER RECORDED IMAGES OF EACH VEHICLE AT THE TIME IT IS USED OR
16 OPERATED IN VIOLATION OF SUBDIVISION (D) OF SECTION ELEVEN HUNDRED ELEV-
17 EN OF THIS ARTICLE.
18 (B) ALL YELLOW SIGNAL LIGHTS LOCATED WHERE A TRAFFIC-CONTROL SIGNAL
19 PHOTO VIOLATION-MONITORING DEVICE IS IN OPERATION SHALL MEET THE FOLLOW-
20 ING MINIMUM DURATION PERIODS:
21 1. A MINIMUM DURATION OF THREE SECONDS IN INTERSECTIONS WITH A MAXIMUM
22 SPEED LIMIT OF TWENTY-FIVE MILES PER HOUR;

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

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

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

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

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

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

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

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

22 S 2. This act shall take effect on the one hundred twentieth day after
23 it shall have become a law; provided, however, effective immediately,
24 the addition, amendment and/or repeal of any rule or regulation neces-
25 sary for the implementation of this act on its effective date is author-
26 ized to be made on or before such date.