

5045

2015-2016 Regular Sessions

I N S E N A T E

April 29, 2015

Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the installation of traffic control devices upon request in cities

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

1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 1682-a to read as follows:

3 S 1682-A. THE INSTALLATION OF TRAFFIC CONTROL DEVICES UPON REQUEST IN
4 CITIES. 1. FOR THE PURPOSES OF THIS SECTION, THE FOLLOWING TERMS SHALL
5 HAVE THE FOLLOWING MEANINGS:

6 (A) "ELECTED OFFICIAL" SHALL MEAN ANY MEMBER OF THE LEGISLATIVE BODY
7 OF A CITY AS DEFINED IN SUBDIVISION SEVEN OF SECTION TWO OF THE MUNICI-
8 PAL HOME RULE LAW AS WELL AS ANY MEMBER OF THE STATE LEGISLATURE ELECTED
9 TO REPRESENT A DISTRICT THAT INCLUDES OR IS INCLUDED WITHIN THE BORDERS
10 OF A CITY;

11 (B) "COMMUNITY BOARD" MEANS A COMMUNITY BOARD AS ESTABLISHED IN
12 SECTION TWENTY-EIGHT HUNDRED OF THE NEW YORK CITY CHARTER;

13 (C) "TRAFFIC CONTROL AGENCY" SHALL MEAN ANY EXECUTIVE AGENCY OF A CITY
14 RESPONSIBLE FOR THE MAINTENANCE AND UPKEEP OF PUBLIC HIGHWAYS AND THE
15 INSTALLATION OF TRAFFIC CONTROL DEVICES.

16 2. WHEN AN ELECTED OFFICIAL OR A COMMUNITY BOARD MAKES A REQUEST IN
17 WRITING TO A TRAFFIC CONTROL AGENCY FOR THE INSTALLATION OF A TRAFFIC
18 CONTROL DEVICE ON A SPECIFIC SECTION OF A PUBLIC HIGHWAY MANAGED BY THAT
19 AGENCY, THE AGENCY SHALL:

20 (A) CONDUCT AN ENGINEERING STUDY ON THE VIABILITY OF INSTALLING A
21 TRAFFIC CONTROL DEVICE AS REQUESTED. THE STUDY SHALL CONFORM WITH THIS
22 SECTION;

23 (B) IF THE STUDY SUPPORTS THE INSTALLATION OF THE REQUESTED DEVICE THE
24 DEPARTMENT SHALL INSTALL THE TRAFFIC CONTROL DEVICE; AND

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

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1 (C) IF THE STUDY DOES NOT SUPPORT THE INSTALLATION OF A TRAFFIC
2 CONTROL DEVICE AS REQUESTED, THE AGENCY SHALL:

3 (I) PROVIDE A COPY OF THE ENGINEERING STUDY TO THE ELECTED OFFICIAL OR
4 COMMUNITY BOARD THAT SUBMITTED THE REQUEST; AND

5 (II) PROVIDE THE ELECTED OFFICIAL OR COMMUNITY BOARD A LEGIBLE SUMMARY
6 OF THE ENGINEERING STUDY AND ITS FINDING IN PLAIN ENGLISH, LAYING OUT
7 THE REASONS WHY THE AGENCY BELIEVES THAT THE STUDY SHOWS THAT SUCH A
8 TRAFFIC CONTROL DEVICE IS INAPPROPRIATE.

9 3. (A) THE ELECTED OFFICIAL OR COMMUNITY BOARD MAY WITHIN SIX MONTHS
10 RESUBMIT THEIR REQUEST IN WRITING FOR A TRAFFIC CONTROL DEVICE ON THE
11 SPECIFIC SECTION OF HIGHWAY BY INCLUDING DOCUMENTATION REFUTING THE
12 FINDINGS OF THE PREVIOUS ENGINEERING STUDY OR LAYING OUT CHANGES IN
13 CONDITIONS WHICH WOULD MATERIALLY CHANGE THE OUTCOME OF A NEW ENGINEER-
14 ING STUDY.

15 (B) THE ELECTED OFFICIAL OR COMMUNITY BOARD MAY WITHIN EIGHTEEN MONTHS
16 RESUBMIT IN WRITING THEIR REQUEST FOR A TRAFFIC CONTROL DEVICE ON THE
17 SPECIFIC SECTION OF HIGHWAY.

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