STATE OF NEW YORK

6679

2017-2018 Regular Sessions

IN SENATE

June 12, 2017

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

AN ACT relating to giving the Malta town board the discretion to change speed limits

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. 1. Notwithstanding the provisions of section sixteen hundred twenty-two of the vehicle and traffic law, in lieu of making a request of the department of transportation pursuant to such section, the town board of the town of Malta in the county of Saratoga, with respect to town highways which have been functionally classified by the department of transportation as local roads on official functional classification maps approved by the federal highway administration pursuant to part 470.105 of title 23 of the code of federal regulations, as amended from time to time, and which are outside of cities and villages, may by local law, ordinance, order, rule or regulation:

(a) Establish maximum speed limits at which vehicles may proceed on or along designated town highways lower than the fifty-five miles per hour statutory maximum speed limit. No such limit 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.

(b) Establish maximum speed limits at which vehicles may proceed on or along all such town highways lying within such towns or within designated areas of such towns lower than the fifty-five miles per hour statutory maximum speed limit. No such speed limit applicable throughout such towns or within designated areas of such towns shall be established at less than thirty miles per hour.

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

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2. No such speed limits shall be established except in accordance with the engineering considerations and factors for speed limits set forth in the New York state manual and specifications for a uniform system of traffic control devices as such manual and specifications may be amended from time to time, certified by a licensed professional engineer who specializes in traffic operations.

3. For the purposes of this section, the term "New York state manual and specifications for a uniform system of traffic control devices" shall mean the national manual of uniform traffic control devices promulgated by the federal highway administration pursuant to subpart (f) of part 655 of title 23 of the code of federal regulations and the New York state supplement adopted by the commissioner of transportation pursuant to section sixteen hundred eighty of the vehicle and traffic law, and the term "town highways" shall have the same meaning as such term is defined by subdivision five of section three of the highway law.

4. Nothing contained in this act shall be deemed to alter the authority of the department of transportation to establish maximum speed limits at the request of the town board of the town of Malta in the county of Saratoga, with respect to all town highways within such towns outside of cities and villages pursuant to subdivision one of this section, provided that no maximum speed limits have been established by such town boards pursuant to this act on any town highway functionally classified as a local road within such towns.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that effective immediately, the department of transportation is authorized and directed to promulgate such rules and regulations as are necessary for the implementation of this act on its effective date.