

# STATE OF NEW YORK

1925--B

2019-2020 Regular Sessions

## IN SENATE

January 17, 2019

Introduced by Sens. KRUEGER, COMRIE, GOUNARDES, HOYLMAN, LIU, RAMOS, SKOUFIS, STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to removing caps on automated enforcement cameras for bus lanes in the city of New York and creating a graduated schedule of fines for repeat offenders and to amend part II of chapter 59 of the laws of 2010, amending the vehicle and traffic law and the public officers law relating to establishing a bus rapid transit demonstration program to restrict the use of bus lanes by means of bus lane photo devices, in relation to the effectiveness thereof

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

1 Section 1. Paragraph 4 of subdivision (a), paragraph 5 of subdivision  
2 (c) and subdivisions (e) and (m) of section 1111-c of the vehicle and  
3 traffic law, as amended and subdivision (m) as added by section 6 of  
4 part NNN of chapter 59 of the laws of 2018, are amended to read as  
5 follows:  
6 4. Within the city of New York, such bus lane photo devices [~~shall~~  
7 may only be operated on designated bus lanes [~~within the bus rapid tran-~~  
8 ~~sit program and only from 6:00 a.m. to 10:00 p.m.~~]. Warning notices of  
9 violation be issued during the first sixty days that bus lane photo  
10 devices are operated on each route in the bus rapid transit program that  
11 is established after June fifteenth, two thousand fifteen.  
12 5. "bus rapid transit program" shall mean [~~up to ten~~] routes desig-  
13 nated by the New York city department of transportation in consultation  
14 with the applicable mass transit agency, in addition to the Bus Rapid  
15 Transit Phase I plan routes, that operate on designated bus lanes and

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

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1 that may include upgraded signage, enhanced road markings, minimum bus  
2 stop spacing, off-board fare payment, traffic signal priority for buses,  
3 and any other enhancement that increases bus speed or reliability.

4 (e) An owner liable for a violation of a bus lane restriction imposed  
5 on any route within a bus rapid transit program shall be liable for  
6 monetary penalties in accordance with a schedule of fines and penalties  
7 promulgated by the parking violations bureau of the city of New York;  
8 provided, however, that the monetary penalty for violating a bus lane  
9 restriction shall not exceed [~~one hundred fifteen~~] fifty dollars, one  
10 hundred dollars for a second offense within a twelve-month period, one  
11 hundred fifty dollars for a third offense within a twelve-month period,  
12 two hundred dollars for a fourth offense within a twelve-month period,  
13 and two hundred fifty dollars for each subsequent offense within a  
14 twelve-month period; provided, further, that an owner shall be liable  
15 for an additional penalty not to exceed twenty-five dollars for each  
16 violation for the failure to respond to a notice of liability within the  
17 prescribed time period.

18 (m) Any revenue from fines and penalties collected pursuant to this  
19 section from any mobile bus lane photo devices [~~that were authorized to~~  
20 ~~be installed pursuant to a chapter of the laws of two thousand eighteen~~  
21 ~~that added this subdivision~~], not including any revenue shared with the  
22 city of New York pursuant to agreement shall be remitted by the city of  
23 New York to the applicable mass transit agency on a quarterly basis to  
24 be deposited in the general transportation account of the New York city  
25 transportation assistance fund established pursuant to section twelve  
26 hundred seventy-i of the public authorities law.

27 § 2. The opening paragraph of section 14 of part II of chapter 59 of  
28 the laws of 2010, amending the vehicle and traffic law and the public  
29 officers law relating to establishing a bus rapid transit demonstration  
30 program to restrict the use of bus lanes by means of bus lane photo  
31 devices, as amended by chapter 239 of the laws of 2015, is amended to  
32 read as follows:

33 This act shall take effect on the ninetieth day after it shall have  
34 become a law and shall expire [~~10~~] 15 years after such effective date  
35 when upon such date the provisions of this act shall be deemed repealed;  
36 and provided that any rules and regulations related to this act shall be  
37 promulgated on or before such effective date, provided that:

38 § 3. This act shall take effect immediately; provided that the amend-  
39 ments to section 1111-c of the vehicle and traffic law made by section  
40 one of this act shall not affect the repeal of such section and shall be  
41 deemed repealed therewith. Effective immediately, the addition, amend-  
42 ment and/or repeal of any rule or regulation necessary for the implemen-  
43 tation of this act on its effective date are authorized and directed to  
44 be made and completed on or before such effective date.