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:

Section 1. Paragraph 4 of subdivision (a), paragraph 5 of subdivision (c) and subdivisions (e) and (m) of section 1111-c of the vehicle and traffic law, as amended and subdivision (m) as added by section 6 of part NNN of chapter 59 of the laws of 2018, are amended to read as follows:

4. Within the city of New York, such bus lane photo devices [~~shall~~] may only be operated on designated bus lanes [~~within the bus rapid transit program and only from 6:00 a.m. to 10:00 p.m.~~]. Warning notices of violation be issued during the first sixty days that bus lane photo devices are operated on each route in the bus rapid transit program that is established after June fifteenth, two thousand fifteen.

5. "bus rapid transit program" shall mean [~~up to ten~~] routes designated by the New York city department of transportation in consultation with the applicable mass transit agency, in addition to the Bus Rapid 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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that may include upgraded signage, enhanced road markings, minimum bus stop spacing, off-board fare payment, traffic signal priority for buses, and any other enhancement that increases bus speed or reliability.

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

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

§ 2. The opening paragraph of section 14 of 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, as amended by chapter 239 of the laws of 2015, is amended to read as follows:

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

§ 3. This act shall take effect immediately; provided that the amendments to section 1111-c of the vehicle and traffic law made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.