STATE OF NEW YORK

1549--A

Cal. No. 148

2019-2020 Regular Sessions

IN SENATE

January 15, 2019

Introduced by Sens. KENNEDY, ADDABBO, BROOKS, GOUNARDES, SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the highway law, in relation to enabling safe access to public roads for all users by utilizing complete street design principles

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

Section 1. Subdivision (a) of section 331 of the highway law, as added by chapter 398 of the laws of 2011, is amended to read as follows:

(a) For all state, county and local transportation projects that are undertaken by the department or receive both federal and state funding and are subject to department of transportation oversight, the department or agency with jurisdiction over such projects shall consider the convenient access and mobility on the road network by all users of all ages, including motorists, pedestrians, bicyclists, and public transportation users through the use of complete street design features in the planning, design, construction, reconstruction and rehabilitation, [~~but not including resurfacing, maintenance, or pavement recycling of such projects~~] **resurfacing, maintenance and pavement recycling of such projects**.

§ 2. Paragraph (iii) of subdivision (c) of section 331 of the highway law, as added by chapter 398 of the laws of 2011, is amended to read as follows:

(iii) demonstrated lack of need as determined by factors, including, but not limited to, land use, current and projected traffic volumes, including population density, or [~~demonstrates~~] **demonstrated** lack of community support; or

§ 3. This act shall take effect immediately, provided that it shall not apply to transportation projects undertaken or approved prior to the date on which this act shall have become a law.

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

LBD02108-03-9