

STATE OF NEW YORK

3267

2021-2022 Regular Sessions

IN ASSEMBLY

January 22, 2021

Introduced by M. of A. WALSH, BLANKENBUSH, MORINELLO, HAWLEY, SALKA, J. M. GIGLIO, SAYEGH, TAGUE -- Multi-Sponsored by -- M. of A. DeSTEFANO, MANKTELOW, SMULLEN -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to speed limits on state highways

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

1 Section 1. Subdivision (a) of section 1620 of the vehicle and traffic
2 law, as amended by chapter 563 of the laws of 2002, is amended to read
3 as follows:
4 (a) The department of transportation with respect to state highways
5 maintained by the state outside of cities having a population in excess
6 of one million, and highways on Indian reservations, may by order, rule
7 or regulation establish higher or lower maximum speed limits at which
8 vehicles may proceed on or along such highways than the fifty-five miles
9 per hour statutory maximum speed limit. Such maximum speed limit may be
10 established pursuant to an engineering and/or traffic investigation
11 authorized or performed by the department of transportation or the muni-
12 cipality within which the section of state highway subject to such maxi-
13 mum speed limit is located. No such maximum speed limit shall be estab-
14 lished at less than twenty-five miles per hour, except that school speed
15 limits may be established at not less than fifteen miles per hour, for a
16 distance not to exceed one thousand three hundred twenty feet, on a
17 highway passing a school building, entrance or exit of a school abutting
18 on the highway. Absence of signs installed pursuant to this section
19 shall be presumptive evidence that the department of transportation has
20 not established a higher maximum speed limit than the fifty-five miles
21 per hour statutory limit.

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

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1 § 2. Subdivision (a) of section 1624 of the vehicle and traffic law,
2 as amended by chapter 420 of the laws of 1968, is amended to read as
3 follows:

4 (a) On any state highway maintained by the state within any city,
5 village or suburban town governed pursuant to article three-A of the
6 town law, the department of transportation may designate any such state
7 highway or section of such highway on which any such city, village or
8 suburban town shall not by local law, ordinance, order, rule or regu-
9 lation establish any maximum speed limits at which vehicles may proceed
10 on or along such state highway. Such designation shall be pursuant to
11 an engineering and/or traffic investigation authorized or performed by
12 the department of transportation or the city, village or suburban town
13 within which such state highway or section of state highway is located
14 and shall be made by an order in writing of [~~the~~] such department [~~of~~
15 ~~transportation~~] and served by mail on the mayor or supervisor or a
16 member of the governing board of such city, village or suburban town ten
17 days before the same shall take effect. At the expiration of ten days
18 after service of such order upon any city, village or suburban town the
19 speed of any vehicle upon such state highway or section of such highway
20 shall not be subject to any such maximum speed limit established by such
21 city, village or suburban town.

22 § 3. This act shall take effect on the first of October next succeed-
23 ing the date on which it shall have become a law.