STATE OF NEW YORK

8275

2021-2022 Regular Sessions

IN ASSEMBLY

August 25, 2021

Introduced by M. of A. KELLES -- read once and referred to the Committee on Transportation

AN ACT to amend the highway law, in relation to the use of pollinator friendly plant species in medians along the highways of the state

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

Section 1. Legislative intent. The legislature finds that the planting of pollinator friendly plant species in medians along the highways of this state is consistent with the state goal of beautifying the landscape along such highways. Therefore, it is the intent of the legislature to encourage the use of pollinator friendly plant species by the state and its political subdivisions in designing, developing and maintaining such medians whenever safe and feasible.

§ 2. The highway law is amended by adding a new section 19-a to read as follows:

§ 19-a. Pollinator friendly plant species; medians. 1. For purposes of this section the following terms shall have the following meanings:

a. "pollinator friendly plant species" shall mean plants native to the state, composed of a variety of nectar and pollen-rich flowers with a wide range and variety of shapes, sizes, and colors that blossom at various times throughout the year. The term "pollinator friendly plant species" shall not include modern plant hybrids; and

b. "political subdivision" shall mean a county, town, city or village of the state.

2. The commissioner shall, in cooperation with the department of environmental conservation, develop policies and procedures to encourage, train and assist the state and political subdivisions to use pollinator friendly plant species in medians along highways.

3. The commissioner shall develop policies and procedures for mowing highways that will, wherever feasible and consistent with standards of

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

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safety for motor vehicle operators, cyclists, and pedestrians, reduce the amount of area within a highway median that is mowed.

4. The commissioner shall develop policies and procedures for the adopt-a-highway program to allow volunteer groups, businesses, organizations, and individuals to voluntarily adopt medians and redevelop and rehabilitate them into medians populated by pollinator friendly plant species.

5. A political subdivision may, with the approval of the commissioner, designate portions of medians within its boundary for voluntary beautification by volunteer groups, businesses, organizations, and individuals. Such voluntary beautification shall be consistent with the policies and procedures developed by the commissioner and the use of pollinator friendly plant species set forth in this section.

§ 3. This act shall take effect on the one hundred twentieth day after it shall have become a law. 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 to be made and completed on or before such date.