STATE OF NEW YORK

5602--A

2021-2022 Regular Sessions

IN SENATE

March 12, 2021

Introduced by Sens. GOUNARDES, BIAGGI, CLEARE, GIANARIS, HOYLMAN, JACKSON, KAVANAGH, KRUEGER, MYRIE, PERSAUD, RAMOS, RIVERA, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- 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 photo speed violation monitoring systems in school speed zones in the city of New York; and to amend chapter 189 of the laws of 2013, amending the vehicle and traffic law and the public officers law relating to establishing in a city with a population of one million or more a demonstration program implementing speed violation monitoring systems in school speed zones by means of 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. Paragraphs 1 and 2 of subdivision (a) of section 1180-b of the vehicle and traffic law, as amended by chapter 30 of the laws of 2019, are amended to read as follows:

1. Notwithstanding any other provision of law, the city of New York is hereby authorized to establish a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with posted maximum speed limits in a school speed zone within such city [~~(i)~~] when a school speed limit is in effect as provided in paragraphs one and two of subdivision (c) of section eleven hundred eighty of this article, or [~~(ii)~~] when other speed limits are in effect as provided in subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this article [~~weekdays between the hours of six o'clock A.M. and ten o'clock P.M~~]. Such demonstration program shall empower the city of New York to install photo speed violation monitoring

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

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systems within no more than seven hundred fifty school speed zones within such city at any one time and to operate such systems within such zones [~~(iii)~~] when a school speed limit is in effect as provided in paragraphs one and two of subdivision (c) of section eleven hundred eighty of this article, or [~~(iv)~~] when other speed limits are in effect as provided in subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this article [~~weekdays between the hours of six o'clock A.M. and ten o'clock P.M~~]. In selecting a school speed zone in which to install and operate a photo speed violation monitoring system, the city of New York shall consider criteria including, but not limited to, the speed data, crash history, and the roadway geometry applicable to such school speed zone. Such city shall prioritize the placement of photo speed violation monitoring systems in school speed zones based upon speed data or the crash history of a school speed zone. A photo speed violation monitoring system shall not be installed or operated on a controlled-access highway exit ramp or within three hundred feet along a highway that continues from the end of a controlled-access highway exit ramp.

2. No photo speed violation monitoring system shall be used in a school speed zone unless (i) on the day it is to be used it has successfully passed a self-test of its functions; and (ii) it has undergone an annual calibration check performed pursuant to paragraph four of this subdivision. The city shall install signs giving notice to approaching motor vehicle operators that a photo speed violation monitoring system is in use, in conformance with standards established in the MUTCD, **provided that the city shall install signage giving written notice bearing the words "speed photo enforced" or substantially similar language to approaching motor vehicle operators when installing a photo speed violation monitoring system and shall modify existing signage to reflect such written notice in the regular course of maintenance**.

§ 2. The opening paragraph of section 15 of chapter 189 of the laws of 2013, amending the vehicle and traffic law and the public officers law relating to establishing in a city with a population of one million or more a demonstration program implementing speed violation monitoring systems in school speed zones by means of photo devices, as amended by chapter 30 of the laws of 2019, is amended to read as follows:

This act shall take effect on the thirtieth day after it shall have become a law and shall expire and be deemed repealed July 1, [~~2022~~] **2025**; and provided further that any rules necessary for the implementation of this act on its effective date shall be promulgated on or before such effective date, provided that:

§ 3. This act shall take effect on the sixtieth day after it shall have become a law; provided that the amendments to section 1180-b of the vehicle and traffic law made by section one of this act shall not affect the expiration of such section and shall expire and be deemed repealed therewith.