STATE OF NEW YORK

6959

2021-2022 Regular Sessions

IN ASSEMBLY

April 14, 2021

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

AN ACT to amend the highway law, in relation to establishing a highway safety corridor on the Southern State Parkway located in Long Island and to making conforming changes

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

Section 1. Article 13 of the highway law is redesignated article 15 and sections 350, 351, 351-a, 352, 353 and 354 are renumbered sections 400, 401, 402, 403, 404 and 405.

§ 2. The highway law is amended by adding a new article 13 to read as follows:

ARTICLE 13

HIGHWAY SAFETY CORRIDORS

Section 375. Purpose and application.
375-a. Definitions.
375-b. Traffic and engineering investigation.
375-c. Traffic signs.

§ 375. Purpose and application. 1. This article is enacted to improve safety in a targeted high crash location designated as a highway safety corridor where motorists are exposed to increased levels of enforcement and increased penalties for moving violations relating to unsafe driving behavior.

2. The signs specified in this article are in addition to the traffic-control devices required by department regulations and apply to public highways within this state.

§ 375-a. Definitions. As used in this article, "Southern State Parkway highway safety corridor" or "corridor" means the portion of the Southern State Parkway determined by a traffic study to be targeted for the application of signs, increased levels of enforcement and increased

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

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penalties specifically for the purpose of eliminating or reducing unsafe driver behaviors that are known to result in crashes and fatalities.

§ 375-b. Traffic and engineering investigation. The corridor shall be designated as a highway safety corridor in which increased penalties will apply for violations relating to the duty of a driver under the vehicle and traffic law if the following conditions are satisfied:

1. A crash analysis of candidate locations indicates that, for the preceding five years, crashes related to targeted driving behaviors exceeds thresholds for the number of crashes or the rate of crashes for homogeneous roadways as determined by the department.

2. The corridor meets the geometric requirements needed to allow for safe patrolling by law enforcement officers as well as a safe area to stop violators for the issuance of a traffic citation or warning.

3. The corridor has adequate space for the installation of the traffic signs specified in this article.

4. There is a written commitment from the local and state law enforcement agencies responsible for highway patrol along the corridor to provide visible, sustained enforcement activity within the limits of the marked corridor.

§ 375-c. Traffic signs. Traffic signs shall be installed as follows:

1. A sign reading "SAFETY CORRIDOR-FINES DOUBLED NEXT XX MILES" shall be installed as close as practical to the beginning of the Southern State Parkway highway safety corridor and after each interchange along the corridor; and

2. A sign reading "END FINES DOUBLED CORRIDOR" shall be installed immediately at the end of each highway safety corridor.

§ 3. Section 401 of the highway law, as renumbered by section 1 of this act, is amended to read as follows:

§ 401. Saving clause. The repeal of a law, as specified in section [~~three hundred and fifty-three~~] four hundred four of this article shall not affect or impair any contract, or any act done, or right accruing, accrued or acquired or any penalty, forfeiture, or punishment incurred prior to the time when this chapter or any section thereof takes effect, under or by virtue of the laws so repealed, but the same may be asserted, enforced, prosecuted, or inflicted, as fully and to the same extent, as if such laws had not been repealed.

§ 4. Section 402 of the highway law, as renumbered by section 1 of this act, is amended to read as follows:

§ 402. Effect of amendments to and repeals of provisions of the former highway law. 1. An act of the legislature of the year nineteen hundred thirty-six which, in form, amends or repeals or purports to amend or repeal any provision or provisions of the former highway law shall be legally effective notwithstanding the repeal of such former highway law by section [~~three hundred fifty-three~~] four hundred four of this article, and shall be construed as an amendment or repeal, as the case may be, of the corresponding provision or provisions of this chapter irrespective of whether such provision or provisions are contained in this chapter in one or more than one article, section, subdivision or other part thereof and such corresponding provision or provisions shall be deemed amended, modified, changed or repealed as though the same had been expressly and in terms so amended or repealed.

2. An act of the legislature of the year nineteen hundred thirty-six which adds or purports to add a new article, section, subdivision or other provision of law to the former highway law shall be legally effective notwithstanding the repeal of such former highway law by section [~~three hundred fifty-three~~] four hundred four of this article and shall

be construed as having been added to this chapter and shall be given full effect according to its context as if the same had been added expressly and in terms to this chapter and shall be deemed to have been inserted in this chapter in juxtaposition to and as modifying the effect of the corresponding provision or provisions of this chapter.

3. The repeal of such former highway law by section [~~three hundred fifty-three~~] four hundred four of this article shall not be construed to impair or affect the validity of any act of the legislature of the year nineteen hundred thirty-six relating to highways, roads or bridges because of any reference to or dependency on such former law but such act shall be construed in connection with this chapter as though in terms and in effect such act referred to or dependent upon this chapter.

§ 5. This act shall take effect on the one hundred eightieth 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.