

# 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:

1 Section 1. Legislative intent. The legislature finds that the planting  
2 of pollinator friendly plant species in medians along the highways of  
3 this state is consistent with the state goal of beautifying the land-  
4 scape along such highways. Therefore, it is the intent of the legisla-  
5 ture to encourage the use of pollinator friendly plant species by the  
6 state and its political subdivisions in designing, developing and main-  
7 taining such medians whenever safe and feasible.

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

10 § 19-a. Pollinator friendly plant species; medians. 1. For purposes of  
11 this section the following terms shall have the following meanings:

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

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

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

23 3. The commissioner shall develop policies and procedures for mowing  
24 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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1 safety for motor vehicle operators, cyclists, and pedestrians, reduce  
2 the amount of area within a highway median that is mowed.

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

8 5. A political subdivision may, with the approval of the commissioner,  
9 designate portions of medians within its boundary for voluntary beauti-  
10 fication by volunteer groups, businesses, organizations, and individ-  
11 uals. Such voluntary beautification shall be consistent with the poli-  
12 cies and procedures developed by the commissioner and the use of  
13 pollinator friendly plant species set forth in this section.

14 § 3. This act shall take effect on the one hundred twentieth day after  
15 it shall have become a law. Effective immediately, the addition, amend-  
16 ment and/or repeal of any rule or regulation necessary for the implemen-  
17 tation of this act on its effective date are authorized to be made and  
18 completed on or before such date.