STATE OF NEW YORK

5060--A

Cal. No. 639

2021-2022 Regular Sessions

IN SENATE

February 22, 2021

Introduced by Sens. KENNEDY, PALUMBO -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the vehicle and traffic law, in relation to permitting signs, placards or other displays to provide notice that school bus photo violation monitoring systems are in use; and providing for the repeal of such provisions upon the expiration thereof

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

Section 1. Section 375 of the vehicle and traffic law is amended by adding a new subdivision 21-j to read as follows:

21-j. (a) Every school bus which is owned and operated by a school district or which is privately owned and operated for compensation under contract with such district may be equipped with signs, placards or other displays giving notice to approaching motor vehicle operators that school bus photo violation monitoring systems are in use, provided that such school district has entered an agreement pursuant to section twenty-two of chapter one hundred forty-five of the laws of two thousand nineteen with a county, city, town or village which has established a demonstration program pursuant to section eleven hundred seventy-four-a of this chapter imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with section eleven hundred seventy-four of this chapter. Such signs, placards or other displays shall comply with the rules and regulations promulgated by the commissioner pursuant to paragraph (b) of this subdivision.

(b) The commissioner shall promulgate rules and regulations for the content, size and placement on school buses of a sign, placard or other

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

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display, as authorized pursuant to paragraph (a) of this subdivision, giving notice to approaching motor vehicle operators that school bus photo violation monitoring systems are in use.

§ 2. Severability. If any clause, sentence, subdivision, paragraph, section or part of this act be adjudged by any court of competent jurisdiction to be invalid, or if any federal agency determines in writing that this act would render New York state ineligible for the receipt of federal funds, such judgment or written determination shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, subdivision, paragraph, section or part thereof directly involved in the controversy in which such judgment or written determination shall have been rendered.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law and shall expire and be deemed repealed on the same date and in the same manner as chapter 145 of the laws of 2019; provided, further, that this act shall expire and be deemed repealed if any federal agency determines in writing that this act would render New York state ineligible for the receipt of federal funds or any court of competent jurisdiction finally determines that this act would render New York state out of compliance with federal law or regulation; provided further, that the commissioner of transportation or commissioner of motor vehicles shall notify the legislative bill drafting commission upon the occurrence of the provisions of this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers 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 effective date.