STATE OF NEW YORK

5457

2023-2024 Regular Sessions

IN ASSEMBLY

March 10, 2023

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

AN ACT to amend the vehicle and traffic law, in relation to authorizing local school districts and municipalities to determine and establish school speed limits

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

Section 1. Subdivision (a) of section 1620 of the vehicle and traffic law, as amended by chapter 563 of the laws of 2002, is amended to read as follows:

(a) The department of transportation with respect to state highways maintained by the state outside of cities having a population in excess of one million, and highways on Indian reservations, may by order, rule or regulation establish higher or lower maximum speed limits at which vehicles may proceed on or along such highways than the fifty-five miles per hour statutory maximum speed limit. No such maximum speed limit shall be established at less than twenty-five miles per hour, except that school speed limits may be established at not less than fifteen miles per hour, for a distance not to exceed one thousand three hundred twenty feet, on a highway passing a school building, entrance or exit of a school abutting on the highway. **The local school district and municipality within which a school is located shall determine and establish the maximum speed at which vehicles may proceed on a highway located in a school zone.** Absence of signs installed pursuant to this section shall be presumptive evidence that the department of transportation has not established a higher maximum speed limit than the fifty-five miles per hour statutory limit.

§ 2. Subdivision 1 of section 1622 of the vehicle and traffic law, as amended by chapter 563 of the laws of 2002, is amended to read as follows:

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

LBD08888-01-3

1. Establish maximum speed limits at which vehicles may proceed on or along such highways higher or lower than the fifty-five miles per hour statutory maximum speed limit. No such limit shall be established at less than twenty-five miles per hour, except that school speed limits may be established at not less than fifteen miles per hour, for a distance not to exceed one thousand three hundred twenty feet, on a highway passing a school building, entrance or exit of a school abutting on the highway. **The local school district and municipality within which a school is located shall determine and establish the maximum speed at which vehicles may proceed on a highway located in a school zone.**

§ 3. This act shall take effect immediately.