STATE OF NEW YORK

7266--A

2023-2024 Regular Sessions

IN ASSEMBLY

May 16, 2023

Introduced by M. of A. L. ROSENTHAL, SIMONE, SIMON, CARROLL, SEAWRIGHT, BURDICK, GALLAGHER, PAULIN, GONZALEZ-ROJAS, DINOWITZ, EPSTEIN, GLICK, HEVESI, DAVILA, FORREST, THIELE, FAHY, McDONOUGH, BURGOS, SILLITTI, JACKSON, MITAYNES, MAMDANI, KIM, J. A. GIGLIO, DE LOS SANTOS, CRUZ, GALLAHAN, ARDILA, RAGA, ZACCARO, ANDERSON, SHIMSKY, REYES, SHRESTHA, ALVAREZ, LEE, BORES, BICHOTTE HERMELYN, CUNNINGHAM, GIBBS, TAYLOR, TAPIA, SEPTIMO, RAJKUMAR, CHANDLER-WATERMAN, K. BROWN, STIRPE, STECK, RAMOS, MAHER, TAGUE, KELLES, BENEDETTO, LAVINE, RIVERA, CURRAN, SLATER, ANGELINO, DiPIETRO, STERN, JACOBSON, CHANG, GUNTHER, SANTABARBARA, RA, CLARK, OTIS, WOERNER, PRETLOW, McMAHON, BURKE, COLTON -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- 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 establishing speed limits in cities with populations in excess of one million people

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

Section 1. Short title. This act shall be known and may be cited as "Sammy's law".

§ 2. Paragraphs 26 and 27 of subdivision (a) of section 1642 of the vehicle and traffic law, paragraph 26 as added and paragraph 27 as amended by chapter 248 of the laws of 2014, are amended to read as follows:

26. (a) With respect to highways (which term for the purposes of this paragraph shall include private roads open to public motor vehicle traffic) in such city, other than state highways maintained by the state on which the department of transportation shall have established higher or lower speed limits than the statutory fifty-five miles per hour speed limit as provided in section sixteen hundred twenty of this title, or on

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

LBD02070-24-4

which the department of transportation shall have designated that such city shall not establish any maximum speed limit as provided in section sixteen hundred twenty-four of this title, subject to the limitations imposed by section sixteen hundred eighty-four of this title, establishment of maximum speed limits at which vehicles may proceed within such city or within designated areas of such city higher or lower than the fifty-five miles per hour maximum statutory limit. [~~No~~] **Except for highways that consist of three or more through travel lanes in the same direction, no** such speed limit applicable throughout such city or within designated areas of such city shall be established at less than [~~twenty-five~~] **twenty** miles per hour, [~~except~~] **provided that this exception shall not apply in a county with a population of no less than one million six hundred ninety-four thousand and no more than one million six hundred ninety-five thousand as of the two thousand twenty decennial census, and provided, further,** that school speed limits may be established at no less than fifteen miles per hour pursuant to the provisions of section sixteen hundred forty-three of this article.

(b) A city shall not lower **or raise** a speed limit [~~by more than five miles per hour~~] pursuant to this paragraph unless such city provides written notice and an opportunity to comment to the community board or community boards established pursuant to section twenty-eight hundred of the New York city charter with jurisdiction over the area in which the lower **or higher** speed limit shall apply. Such notice may be provided by electronic mail and shall be provided sixty days prior to the establishment of such lower **or higher** speed limit.

27. (a) Establishment of maximum speed limits below [~~twenty-five~~] **twenty** miles per hour at which motor vehicles may proceed on or along designated highways within such city for the explicit purpose of implementing traffic calming measures as such term is defined herein; provided, however, that no speed limit shall be set below [~~fifteen~~] **ten** miles per hour nor shall such speed limit be established where the traffic calming measure to be implemented consists solely of a traffic control sign. Establishment of such a speed limit shall, where applicable, be in compliance with the provisions of sections sixteen hundred twenty-four and sixteen hundred eighty-four of this [~~chapter~~] **title**. Nothing contained herein shall be deemed to alter or affect the establishment of school speed limits pursuant to the provisions of section sixteen hundred forty-three of this article. For the purposes of this paragraph, "traffic calming measures" shall mean any physical engineering measure or measures that reduce the negative effects of motor vehicle use, alter driver behavior and improve conditions for non-motorized street users such as pedestrians and bicyclists.

(b) Any city establishing maximum speed limits below [~~twenty-five~~] **twenty** miles per hour pursuant to clause (i) of this subparagraph shall submit a report to the governor, the temporary president of the senate and the speaker of the assembly on or before March first, two thousand fifteen and biannually thereafter on the results of using traffic calming measures and speed limits lower than [~~twenty-five~~] **twenty** miles per hour as authorized by this paragraph. This report shall also be made available to the public by such city on its website. Such report shall include, but not be limited to the following:

(i) a description of the designated highways where traffic calming measures and a lower speed limit were established [~~and~~]**;**

(ii) a description of the specific traffic calming measures used and the maximum speed limit established [~~and~~]**;**

(iii) an explanation of the reasons for setting lower speed limits, how those lower speed limits comply with engineering standards, and how they will ensure that motor vehicles can operate at safe speeds in a manner that optimizes all road users' safety and convenience; and

(iv) a comparison of the aggregate type, number, and severity of accidents reported on streets on which street calming measures and lower speed limits were implemented in the year preceding the implementation of such measures and policies and the year following the implementation of such measures and policies, to the extent this information is maintained by any agency of the state or the city.

§ 3. 1. For the purpose of informing and educating persons who operate motor vehicles in this state:

(a) Any law enforcement official authorized to issue appearance tickets pursuant to the vehicle and traffic law may, during the six-month period beginning on the effective date of this act, stop motor vehicles and issue verbal warnings to persons who are in violation of the maximum speed limits lowered by section two of this act, and who are traveling at a speed of less than fifteen miles per hour over such maximum speed limits.

(b) Any municipality authorized to issue appearance tickets by mail where a jurisdiction has installed a photo speed monitoring system pursuant to the vehicle and traffic law may, during the six-month period beginning on the effective date of this act, issue written warnings to persons who are in violation of the maximum speed limits lowered by section two of this act, and who are traveling at a speed of less than 15 miles per hour over such maximum speed limits.

2. The department of transportation for the city of New York shall implement an education campaign which shall, at a minimum:

(a) Alert drivers to the passage of this act;

(b) Educate drivers of the dangers of speeding, including the known increases of fatalities and serious injuries in crashes involving a vehicle traveling over 20 miles per hour; and

(c) Educate drivers of the dangers of crashes involving pedestrians.

3. The department of transportation for the city of New York shall install additional signage around school zones that notifies drivers of the speed limit.

§ 4. This act shall take effect on the sixtieth day after it shall have become a law.