STATE OF NEW YORK

4330

2023-2024 Regular Sessions

IN SENATE

February 7, 2023

Introduced by Sen. SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Cities 1

AN ACT to amend the administrative code of the city of New York, in relation to notification and hearings for proposed construction or removal of bicycle lanes or racks

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

Section 1. The administrative code of the city of New York is amended by adding a new section 19-159.7 to read as follows:

§ 19-159.7 Notification of bicycle lane or rack construction or removal. a. Definitions. As used in this section, the following terms shall have the following meanings:

1. "Affected council member" means the council member or members whose districts would contain a proposed bicycle lane or bicycle rack that is to be constructed or removed.

2. "Affected community board" means a community board or boards whose districts would contain a proposed bicycle lane or bicycle rack that is to be constructed or removed.

3. "Bicycle lane" means a portion of the roadway that has been marked off or separated for the preferential or exclusive use of bicycles.

4. "Bicycle rack" means a fixed-in-place stand, solidly anchored to the ground or other fixed object, which allows a bicycle to lean against it in an upright position with both wheels on a level surface.

b. When the department intends to construct or remove a bicycle lane or bicycle rack, the department shall provide notice through electronic and written means to the affected council member of the affected council district, the state senator of the affected senate district, the member of the assembly of the affected assembly district and the district manager of the affected community board prior to the construction or removal of such lane or rack. Such notice shall be provided at least

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

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ninety days before the department constructs or removes such lane or rack.

c. The department shall present its plan at a public hearing held by an affected community board within forty-five days of the department sending the notice required under subdivision b of this section. If changes are made to such plan, it shall present the plan again at a public hearing within forty-five days. The community shall be allowed to provide input on such plans and the department shall not construct or remove a bicycle lane or bicycle rack until forty-five days after the final public hearing.

d. The department shall consider comments from any public hearings and may incorporate changes, where appropriate, into its bicycle lane or bicycle rack plan or cancel plans for construction or removal of such lane or rack if it determines that such lane or rack would be inappropriate.

§ 2. This act shall take effect immediately.