# STATE OF NEW YORK

7807--A

Cal. No. 1135

2023-2024 Regular Sessions

# IN SENATE

December 13, 2023

Introduced by Sen. SERRANO -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Cultural Affairs, Tourism, Parks and Recreation in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the parks, recreation and historic preservation law, in relation to establishing standards for trail closures on the Empire state trail

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

Section 1. The parks, recreation and historic preservation law is amended by adding a new section 3.27 to read as follows:

**§ 3.27 Empire state trail. 1. Definitions. For the purposes of this section, the following terms shall have the following meanings:**

**(a) "Empire state trail" shall mean the Empire state trail network, including the Hudson river valley greenway, Erie canalway trail, and Champlain valley trail, marked with signage and identified on the office's website, as well as any future corridors to be included in the Empire state trail network; and**

**(b) "Multi-use trail" shall mean a trail established pursuant to section 11-0329 of the environmental conservation law by the department of environmental conservation or established by an affiliate or subsidiary of the department, or a county, city, town, village, or private entity for recreation and transportation use by pedestrians, bicyclists, and/or others utilizing non-motorized transport.**

**2. Trail closures. (a) The owner of any segment of non-motorized multi-use trail designated as a portion of the Empire state trail shall ensure that such segment of trail remains open when practicable for use by pedestrians, persons operating a bicycle, skating or gliding on**

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

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in-line skates, or other trail users as allowed by state, local law, or regulation.

(b) If any segment of the Empire state trail requires closure due to construction or to ensure public safety, it shall be the responsibility of the public or private landowner to notify the commissioner or the commissioner's designee of such closure. The commissioner or the commissioner's designee shall, upon receiving notice pursuant to this section, coordinate with the owner to plan a detour route and to prominently post signage along such route for the duration of the closure. The department shall provide all necessary signage.

(c) The commissioner or their designee shall, upon receiving notice pursuant to this section, ensure such trail closure and planned detour route is posted on the office's website.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.