STATE OF NEW YORK

1416--A

2023-2024 Regular Sessions

IN ASSEMBLY

January 17, 2023

Introduced by M. of A. EPSTEIN -- read once and referred to the Committee on Transportation -- 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 authorizing a five mile per hour speed limit for open streets in cities having a population in excess of one million

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

Section 1. Subparagraph (a) of paragraph 27 of subdivision (a) of section 1642 of the vehicle and traffic law, as amended by chapter 248 of the laws of 2014, is amended to read as follows:

(a) Establishment of maximum speed limits below twenty-five 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 **or for the explicit purpose of implementing an open street**; provided, however, that no speed limit shall be set below fifteen 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**, and provided, further, that no speed limit shall be set below five miles per hour on an open street**. 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~~] **article**. 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**, and "open street" shall mean a street or segment of a street designated by the New York city department of transportation as**

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

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such pursuant to section 19-107.1 of the administrative code of the city of New York, on which motor vehicle access is controlled by barriers and signage or other traffic calming measures, and on which priority is given to pedestrians, individuals using bicycles, and other non-vehicular street users.

§ 2. This act shall take effect on the ninetieth day after it shall have become a 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.