

STATE OF NEW YORK

6119

2023-2024 Regular Sessions

IN ASSEMBLY

April 3, 2023

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

AN ACT to amend the vehicle and traffic law, in relation to yellow
signals at traffic intersections

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

1 Section 1. Paragraphs 1 and 2 of subdivision (b) of section 1111 of
2 the vehicle and traffic law, as amended by chapter 356 of the laws of
3 1971, are amended to read as follows:

4 1. Traffic, except pedestrians, facing a steady circular yellow signal
5 may enter the intersection; however, said traffic is thereby warned that
6 the related green movement is being terminated or that a red indication
7 will be exhibited [~~immediately~~] a minimum of four seconds thereafter.

8 2. Traffic, except pedestrians, facing a steady yellow arrow signal
9 may cautiously enter the intersection only to complete the movement
10 indicated by such arrow or make such other movement as is permitted by
11 other indications shown at the same time; however, said traffic is
12 thereby warned that the related green arrow movement is being terminated
13 or that a red indication will be exhibited [~~immediately~~] a minimum of
14 four seconds thereafter.

15 § 2. Subdivision (c) of section 1681 of the vehicle and traffic law,
16 as amended by chapter 689 of the laws of 1985, the opening paragraph as
17 amended by chapter 560 of the laws of 2006, is amended to read as
18 follows:

19 (c) 1. Except as otherwise provided the cost of providing, erecting,
20 maintaining and removing traffic-control devices ordered by the depart-
21 ment of transportation shall be paid from any moneys available for the
22 maintenance, repair or reconstruction of state highways upon vouchers
23 approved by the department of transportation. However, the work of
24 providing, erecting and removing such traffic-control devices may be
25 performed by contract in the same manner as provided for state highways

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

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1 in article three of the highway law, or, by the use of department of
2 transportation forces and equipment and all materials purchased there-
3 for, or by a combination of such methods, and the cost of such work may
4 be paid from such moneys available for the construction of state high-
5 ways. Except as herein provided, nothing shall be paid from such moneys
6 for providing, erecting or maintaining traffic-control signals or flash-
7 ing signals used in connection with regulating traffic upon a highway
8 under the jurisdiction of the department of transportation at entrances
9 to private property, and nothing shall be paid from such moneys for
10 maintaining traffic-control signals or flashing signals used in
11 connection with regulating traffic upon a highway under the jurisdiction
12 of the department of transportation at entrances to schools. Upon deter-
13 mination by the department of transportation of the need for such a
14 signal, the department of transportation may permit any person, firm,
15 association, corporation or public body to provide and erect such signal
16 in accordance with standards and specifications established by the
17 department of transportation. The department of transportation may
18 require that some or all of the control equipment used in the signal
19 construction be supplied by the state to ensure equipment quality and
20 compatibility with state practices and the cost of such furnished equip-
21 ment shall be reimbursed to the state by the party receiving permission
22 to provide and erect the signal.

23 2. All signals erected on or after the first day of April, nineteen
24 hundred eighty-six with permission of the department of transportation
25 and in accordance with the standards and specifications established by
26 the department of transportation shall be maintained by the state. The
27 party which erected such signals shall pay the state an annual fee to be
28 determined by the commissioner of transportation. Such fees shall cover
29 the cost of normal signal maintenance, but shall not include the cost of
30 electrical energy or major modifications or replacements which shall
31 remain the responsibility of the party which erected the signal. The
32 department of transportation may, in its discretion, agree to assume the
33 same maintenance responsibility for signals erected with the permission
34 of the department of transportation prior to the first day of April,
35 nineteen hundred eighty-six, if the department of transportation deter-
36 mines that such signal substantially meets established standards and is
37 in a satisfactory state of repair. The party which erected such signals
38 shall also pay the state an annual fee which shall be calculated in the
39 same manner as fees for signals erected on or after the first day of
40 April, nineteen hundred eighty-six. The department of transportation
41 shall further ensure that all traffic-control signals in its jurisdic-
42 tion shall be examined and certified to be accurate every two years.

43 3. No such traffic signal or flashing signal erected with permission
44 of the department of transportation shall be removed except with the
45 written consent of the department of transportation.

46 4. The department of transportation shall have the right to revoke its
47 permission to provide, erect or maintain such a signal and shall have
48 the right to require that the signal be removed without a hearing or
49 necessity of showing cause.

50 § 3. Section 1682 of the vehicle and traffic law, as amended by chap-
51 ter 979 of the laws of 1962, is amended to read as follows:

52 § 1682. Local traffic-control devices. Local authorities in their
53 respective jurisdiction shall: (a) place and maintain such traffic-con-
54 trol devices, conforming to the state manual and specifications, as they
55 may deem necessary to indicate and carry out the provisions of this
56 chapter or local traffic ordinances, orders, rules or regulations or to

1 regulate, warn, or guide traffic, except that a city having a population
2 in excess of one million shall conform to the state manual and specifi-
3 cations only insofar as such local authority in its discretion deems
4 practicable; and (b) ensure that all traffic-control signals are exam-
5 ined and certified to be accurate every two years.

6 § 4. This act shall take effect immediately.