

# 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:

- 1 Section 1. Short title. This act shall be known and may be cited as  
2 "Sammy's law".  
3 § 2. Paragraphs 26 and 27 of subdivision (a) of section 1642 of the  
4 vehicle and traffic law, paragraph 26 as added and paragraph 27 as  
5 amended by chapter 248 of the laws of 2014, are amended to read as  
6 follows:  
7 26. (a) With respect to highways (which term for the purposes of this  
8 paragraph shall include private roads open to public motor vehicle traf-  
9 fic) in such city, other than state highways maintained by the state on  
10 which the department of transportation shall have established higher or  
11 lower speed limits than the statutory fifty-five miles per hour speed  
12 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.

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1 which the department of transportation shall have designated that such  
2 city shall not establish any maximum speed limit as provided in section  
3 sixteen hundred twenty-four of this title, subject to the limitations  
4 imposed by section sixteen hundred eighty-four of this title, establish-  
5 ment of maximum speed limits at which vehicles may proceed within such  
6 city or within designated areas of such city higher or lower than the  
7 fifty-five miles per hour maximum statutory limit. [~~No~~] Except for high-  
8 ways that consist of three or more through travel lanes in the same  
9 direction, no such speed limit applicable throughout such city or within  
10 designated areas of such city shall be established at less than [~~twen-~~  
11 ~~ty-five~~] twenty miles per hour, [~~except~~] provided that this exception  
12 shall not apply in a county with a population of no less than one  
13 million six hundred ninety-four thousand and no more than one million  
14 six hundred ninety-five thousand as of the two thousand twenty decennial  
15 census, and provided, further, that school speed limits may be estab-  
16 lished at no less than fifteen miles per hour pursuant to the provisions  
17 of section sixteen hundred forty-three of this article.

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

26 27. (a) Establishment of maximum speed limits below [~~twenty-five~~]  
27 twenty miles per hour at which motor vehicles may proceed on or along  
28 designated highways within such city for the explicit purpose of imple-  
29 menting traffic calming measures as such term is defined herein;  
30 provided, however, that no speed limit shall be set below [~~fifteen~~] ten  
31 miles per hour nor shall such speed limit be established where the traf-  
32 fic calming measure to be implemented consists solely of a traffic  
33 control sign. Establishment of such a speed limit shall, where applica-  
34 ble, be in compliance with the provisions of sections sixteen hundred  
35 twenty-four and sixteen hundred eighty-four of this [~~chapter~~] title.  
36 Nothing contained herein shall be deemed to alter or affect the estab-  
37 lishment of school speed limits pursuant to the provisions of section  
38 sixteen hundred forty-three of this article. For the purposes of this  
39 paragraph, "traffic calming measures" shall mean any physical engineer-  
40 ing measure or measures that reduce the negative effects of motor vehi-  
41 cle use, alter driver behavior and improve conditions for non-motorized  
42 street users such as pedestrians and bicyclists.

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

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

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

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

5 (iv) a comparison of the aggregate type, number, and severity of acci-  
6 dents reported on streets on which street calming measures and lower  
7 speed limits were implemented in the year preceding the implementation  
8 of such measures and policies and the year following the implementation  
9 of such measures and policies, to the extent this information is main-  
10 tained by any agency of the state or the city.

11 § 3. 1. For the purpose of informing and educating persons who operate  
12 motor vehicles in this state:

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

20 (b) Any municipality authorized to issue appearance tickets by mail  
21 where a jurisdiction has installed a photo speed monitoring system  
22 pursuant to the vehicle and traffic law may, during the six-month period  
23 beginning on the effective date of this act, issue written warnings to  
24 persons who are in violation of the maximum speed limits lowered by  
25 section two of this act, and who are traveling at a speed of less than  
26 15 miles per hour over such maximum speed limits.

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

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

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

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

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

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