

STATE OF NEW YORK

8274--A

2023-2024 Regular Sessions

IN ASSEMBLY

November 27, 2023

Introduced by M. of A. FAHY, THIELE, SEAWRIGHT, LUNSFORD, LUCAS, SHIMSKY, McDONALD, SIMON, TAPIA -- Multi-Sponsored by -- M. of A. COOK -- read once and referred to the Committee on Tourism, Parks, Arts and Sports Development -- recommitted to the Committee on Tourism, Parks, Arts and Sports Development in accordance with Assembly Rule 3, sec. 2 -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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

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

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1 by pedestrians, persons operating a bicycle, skating or gliding on
2 in-line skates, or other trail users as allowed by state, local law, or
3 regulation.

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

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

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