STATE OF NEW YORK

8301

2023-2024 Regular Sessions

IN ASSEMBLY

November 27, 2023

Introduced by M. of A. FAHY -- read once and referred to the Committee on Tourism, Parks, Arts and Sports Development

AN ACT to amend the parks, recreation and historic preservation law, in relation to directing the office of parks, recreation and historic preservation to promulgate uniform design standards for all trails under its jurisdiction

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

Section 1. Subdivision 7-a of section 3.09 of the parks, recreation and historic preservation law, as added by chapter 999 of the laws of 1973, is amended to read as follows:

7-a. **(a)** Promulgate a comprehensive plan for the establishment of a state-wide trails system. For the purposes of this subdivision "trails" shall include footpaths, bike ways, snowmobile trails, horse trails, cross country ski trails, roads and other rights-of-way suitable for hiking, strolling, cycling, horseback riding, skiing and other means of motorized and non-motorized travel for recreational purposes and shall include combinations and systems of trails, including connecting and side trails, and trails leading to scenic and recreational areas. The commissioner, with the approval of the director of the budget, may, within the appropriations made available by the legislature, purchase such abandoned railroad rights-of-way as can be used in the comprehensive plan, and make improvements where necessary, in order to make them suitable and available for use as trails.

(b) Promulgate rules and regulations establishing design standards identifying best practices for, including but not limited to, trail design specifications, road crossing treatments, bicycle and pedestrian facilities.

(c) Be empowered to deny new trail applications under the jurisdiction of the office, for failing to conform with the standards established under paragraph (a) of this subdivision and state the reasons for such

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

LBD13555-02-3

denial to be enumerated with a written justification which shall be posted publicly online.

(d) Be empowered to deny applications for the expansion or modification of trails under the jurisdiction of the office, for failing to conform with the standards established under paragraph (a) of this subdivision and state the reasons for such denial to be enumerated with a written justification which shall be posted publicly online.

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