

# STATE OF NEW YORK

9495

## IN ASSEMBLY

March 14, 2024

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

AN ACT to amend the vehicle and traffic law, in relation to speed limits along state highways

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 "local control for speed limits."

3 § 2. Section 1643 of the vehicle and traffic law, as amended by chap-  
4 ter 496 of the laws of 2022, is amended to read as follows:

5 § 1643. Speed limits on highways in cities and villages. 1. The  
6 legislative body of any city or village with respect to highways (which  
7 term for the purposes of this section shall include private roads open  
8 to public motor vehicle traffic) in such city or village, other than  
9 state highways maintained by the state on which the department of trans-  
10 portation shall have established higher or lower speed limits than the  
11 statutory fifty-five miles per hour speed limit as provided in section  
12 sixteen hundred twenty of this title, or on which the department of  
13 transportation shall have designated that such city or village shall not  
14 establish any maximum speed limit as provided in section sixteen hundred  
15 twenty-four of this title, subject to the limitations imposed by section  
16 sixteen hundred eighty-four of this title may by local law, ordinance,  
17 order, rule or regulation establish maximum speed limits at which vehi-  
18 cles may proceed within such city or village, within designated areas of  
19 such city or village or on or along designated highways within such city  
20 or village higher or lower than the fifty-five miles per hour maximum  
21 statutory limit. No such speed limit applicable throughout such city or  
22 village or within designated areas of such city or village shall be  
23 established at less than twenty-five miles per hour; except that in the  
24 city of Long Beach, in the county of Nassau, speed limits may be estab-  
25 lished at not less than fifteen miles per hour on any portion of the  
26 following highways in such city: Cleveland avenue, Harding avenue, Mitc-  
27 hell avenue, Belmont avenue, Atlantic avenue, Coolidge avenue, Wilson  
28 avenue and Taft avenue. No such speed limit applicable on or along

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

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1 designated highways within such city or village shall be established at  
2 less than twenty-five miles per hour, except that school speed limits  
3 may be established at not less than fifteen miles per hour, for a  
4 distance not to exceed one thousand three hundred twenty feet, on a  
5 highway passing a school building, entrance or exit of a school abutting  
6 on the highway and except that within the cities of Buffalo and Roches-  
7 ter speed limits may be established at not less than fifteen miles per  
8 hour for any portion of a highway within a city park. No speed limits  
9 shall be established pursuant to the provisions of this section except  
10 in accordance with the engineering considerations and factors for speed  
11 limits set forth in the manual and specifications for a uniform system  
12 of traffic control devices maintained by the commissioner of transporta-  
13 tion pursuant to section sixteen hundred eighty of this title, as such  
14 manual and specifications may be amended from time to time, certified by  
15 a licensed professional engineer who specializes in traffic operations.

16 2. (a) Notwithstanding the provisions of subdivision one of this  
17 section, the legislative body of any city or village with a population  
18 of less than one million may by local law, ordinance, order, rule or  
19 regulation establish maximum speed limits at which vehicles may proceed  
20 within such city or village, along state highways within such city or  
21 village lower than the fifty-five miles per hour maximum statutory  
22 limit, but not less than twenty-five miles per hour, upon demonstration  
23 that a portion of such state highway is particularly dangerous.

24 (b) Criteria that cities and villages shall use to demonstrate that a  
25 portion of a state highway is particularly dangerous shall include, but  
26 not be limited to:

27 (i) the history of accidents;

28 (ii) the prevalence of pedestrians;

29 (iii) proximity to educational institutions;

30 (iv) proximity to senior homes;

31 (v) proximity to warehouses; and

32 (vi) other similar factors, as deemed appropriate by the commissioner.

33 (c) A city or village that adjusts a speed limit along a state highway  
34 pursuant to this subdivision by more than five miles per hour shall  
35 provide written notice to the public and provide an opportunity for  
36 public comment at least sixty days prior to the change in speed limit  
37 along such state highway.

38 § 3. Section 1662-a of the vehicle and traffic law, as amended by  
39 chapter 496 of the laws of 2022, is amended to read as follows:

40 § 1662-a. Speed limits in certain towns. 1. The town board of any  
41 suburban town governed pursuant to article three-A of the town law and  
42 the town board of any other town having a population exceeding fifty  
43 thousand, with respect to highways (which term for the purposes of this  
44 section shall include private roads open to public motor vehicle traf-  
45 fic) in such towns outside any village, other than state highways main-  
46 tained by the state on which the department of transportation shall have  
47 established higher or lower speed limits than the statutory fifty-five  
48 miles per hour speed limit as provided in section sixteen hundred twenty  
49 of this title, or on which the department of transportation shall have  
50 designated that such towns shall not establish any maximum speed limit  
51 as provided in section sixteen hundred twenty-four of this title,  
52 subject to the limitations imposed by section sixteen hundred eighty-  
53 four of this title may by local law, ordinance, order, rule or regu-  
54 lation establish maximum speed limits at which vehicles may proceed  
55 within such towns, within designated areas of such towns or on or along  
56 designated highways within such towns lower than the fifty-five miles

1 per hour maximum statutory limit. No such speed limit applicable  
2 throughout such towns or within designated areas of such towns shall be  
3 established at less than twenty-five miles per hour, except that in the  
4 town of Hempstead speed limits may be established at not less than  
5 fifteen miles per hour on any portion of a highway in the community  
6 known as Point Lookout and on all or any portion of the following high-  
7 ways in the community known as Lido Beach: Ocean Boulevard, Allevard  
8 Street, Bath Street, Buxton Street, Cheltenham Street, Pinehurst Street,  
9 Harrogate Street, Matlock Street, Nantwick Street, Biarritz Street,  
10 Royat Street, Luchon Street, Woodhail Street, Leamington Street, Sarato-  
11 ga Street, Kensington Street, and Prescott Street; provided, however,  
12 that no such speed limit in such town may be established unless a major-  
13 ity of the residents of each such community file a petition with the  
14 town board of such town requesting such speed limit. No such speed limit  
15 applicable on or along designated highways within such towns shall be  
16 established at less than twenty-five miles per hour, except that school  
17 speed limits may be established at not less than fifteen miles per hour,  
18 for a distance not to exceed one thousand three hundred twenty feet, on  
19 a highway passing a school building, entrance or exit of a school abut-  
20 ting on the highway, and except further that in the town of Hempstead  
21 speed limits may be established at not less than fifteen miles per hour  
22 on any portion of a highway in the communities known as Point Lookout  
23 and Lido Beach; provided, however, that no such speed limit in such town  
24 may be established unless a majority of the residents of each such  
25 community file a petition with the town board of such town requesting  
26 such speed limit. No speed limits shall be established pursuant to the  
27 provisions of this section except in accordance with the engineering  
28 considerations and factors for speed limits set forth in the manual and  
29 specifications for a uniform system of traffic control devices main-  
30 tained by the commissioner of transportation pursuant to section sixteen  
31 hundred eighty of this title, as such manual and specifications may be  
32 amended from time to time, certified by a licensed professional engineer  
33 who specializes in traffic operations.

34 2. (a) Notwithstanding the provisions of subdivision one of this  
35 section, the legislative body of any town may by local law, ordinance,  
36 order, rule or regulation establish maximum speed limits at which vehi-  
37 cles may proceed within such town, along state highways within such town  
38 lower than the fifty-five miles per hour maximum statutory limit, but  
39 not less than twenty-five miles per hour, upon demonstration that a  
40 portion of such state highway is particularly dangerous.

41 (b) Criteria that towns shall use to demonstrate that a portion of a  
42 state highway is particularly dangerous shall include, but not be limit-  
43 ed to:

44 (i) the history of accidents;

45 (ii) the prevalence of pedestrians;

46 (iii) proximity to educational institutions;

47 (iv) proximity to senior homes;

48 (v) proximity to warehouses; and

49 (vi) other similar factors, as deemed appropriate by the commissioner.

50 (c) A town that adjusts a speed limit along a state highway pursuant  
51 to this subdivision by more than five miles per hour shall provide writ-  
52 ten notice to the public and provide an opportunity for public comment  
53 at least sixty days prior to the change in speed limit along such state  
54 highway.

55 § 4. This act shall take effect immediately.