STATE OF NEW YORK

1174

2023-2024 Regular Sessions

IN SENATE

January 10, 2023

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT in relation to authorizing the town board of the town of Lewisboro, county of Westchester to establish certain speed limits

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

Section 1. 1. Notwithstanding the provisions of section 1622 of the vehicle and traffic law, in lieu of making a request of the department of transportation pursuant to such section, the town board of the town of Lewisboro in the county of Westchester, with respect to town highways which have been functionally classified by the department of transportation as rural major and minor collector roads on official functional classification maps approved by the federal highway administration pursuant to part 470.105 of title 23 of the code of federal regulations, as amended from time to time, and which are outside of cities and villages, may by local law, ordinance, order, rule or regulation establish maximum speed limits at which vehicles may proceed on or along designated town highways lower than 30 miles per hour. No such limit shall be established at less than 25 miles per hour, except that school speed limits may be established at not less than 15 miles per hour, for a distance not to exceed 1320 feet, on a highway passing a school building, entrance or exit of a school abutting on the highway. The minor and major collector roads designated pursuant to this act are:

(a) the entire length of Bouton Road and Main Street from Bouton Road to the border with the state of Connecticut;

(b) the entire length of Oscaleta Road; and

(c) the entire length of Spring Hill Lane to its intersection with West Lane and continuing on that road to the border with the state of Connecticut.

2. No such speed limits shall be established except in accordance with the engineering considerations and factors for speed limits set forth in

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

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the New York state manual and specifications for a uniform system of traffic control devices as such manual and specifications may be amended from time to time, certified by a licensed professional engineer who specializes in traffic operations.

3. For the purposes of this section, the term "New York state manual and specifications for a uniform system of traffic control devices" shall mean the national manual of uniform traffic control devices promulgated by the federal highway administration pursuant to subpart (f) of part 655 of title 23 of the code of federal regulations and the New York state supplement adopted by the commissioner of transportation pursuant to section sixteen hundred eighty of the vehicle and traffic law, and the term "town highways" shall have the same meaning as such term is defined by subdivision 5 of section 3 of the highway law.

4. Nothing contained in this act shall be deemed to alter the authority of the department of transportation to establish maximum speed limits at the request of the town board of the town of Lewisboro in the county of Westchester, with respect to all town highways within such town outside of cities and villages pursuant to subdivision one of this section, provided that no maximum speed limits have been established by such town board pursuant to this act on any town highway functionally classified as a rural major or minor collector road within such town.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the department of transportation is authorized to promulgate such rules and regulations as are necessary for the implementation of this act on its effective date.