STATE OF NEW YORK

1672

2023-2024 Regular Sessions

IN SENATE

January 13, 2023

Introduced by Sens. ADDABBO, COMRIE, MYRIE, RAMOS -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the highway law, in relation to providing notice to school districts and nonpublic schools located in a city with a population of one million or more of certain construction projects

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

Section 1. Section 102 of the highway law is amended by adding a new subdivision 19 to read as follows:

19. a. Furnish written notice to a school district or a nonpublic school located in a city with a population of one million or more fourteen days prior to the commencement of a construction project undertaken within a three hundred foot radius of any building of such school district or nonpublic school that is used for student instruction. No written notice shall be required pursuant to this subdivision when the commencement of a construction project is in response to an emergency.

b. (i) The term "construction" as used in this subdivision means the erection, building, or substantial acquisition, alteration, reconstruction, improvement, extension or modification, including public utility improvements, of a highway, sidewalk or appurtenance thereof.

(ii) The term "emergency" as used in this subdivision means a situation involving danger to life, safety or property which requires immediate action, is essential to efficient operation or the adequate provision of service by a municipality, school district, nonpublic school or the state, and is a direct consequence of an accident or other unforeseen circumstance.

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

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

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