STATE OF NEW YORK

3384

2023-2024 Regular Sessions

IN SENATE

January 31, 2023

Introduced by Sen. KENNEDY -- 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 authorizing and directing the department of transportation to establish a memorial marker program

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

Section 1. The highway law is amended by adding a new section 67 to read as follows:

§ 67. Memorial marker program. 1. Within available resources, the department is authorized and directed to establish a memorial marker program to commemorate those who have died as a result of a vehicle related crash on the state highway system and to increase public awareness regarding highway safety. In establishing such program, the department shall:

(a) make memorial markers available to the immediate family and friends of persons who died as a result of a vehicle related accident along the state highway system;

(b) provide for the design, construction, installation and maintenance of memorial markers.

2. Memorial markers shall be placed along the right of way of the state highway system at a location proximate to the location where the fatal vehicle related accident occurred, provided that such memorial markers may be placed away from the exact location where such fatality occurred due to restricted space, safety concerns, property owner complaints or other constraints. The department shall establish the length of time such memorial markers are to remain at the site and shall reserve the right to have memorial markers removed for construction or other maintenance purposes.

3. Requests for memorial markers shall be made by application to the department by the immediate family or friends of the deceased, provided

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

LBD07145-01-3

that friends making such requests shall be required to submit authorization from the deceased's immediate family. Requests for memorial markers shall be made in a manner and form to be determined by the department.

4. For purposes of this section, upon written approval by the department and the New York State thruway authority, "state highway system" may additionally include state thruways as defined in this chapter.

5. The department is authorized to coordinate with the New York State thruway authority or any successor entity as necessary for the implementation of this section.

§ 2. This act shall take effect on the first of April next succeeding the date on which it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such date.