

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:

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

3 § 67. Memorial marker program. 1. Within available resources, the
4 department is authorized and directed to establish a memorial marker
5 program to commemorate those who have died as a result of a vehicle
6 related crash on the state highway system and to increase public aware-
7 ness regarding highway safety. In establishing such program, the depart-
8 ment shall:

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

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

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

23 3. Requests for memorial markers shall be made by application to the
24 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.

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1 that friends making such requests shall be required to submit authori-
2 zation from the deceased's immediate family. Requests for memorial mark-
3 ers shall be made in a manner and form to be determined by the depart-
4 ment.

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

8 5. The department is authorized to coordinate with the New York State
9 thruway authority or any successor entity as necessary for the implemen-
10 tation of this section.

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