STATE OF NEW YORK

7870

IN SENATE

January 3, 2024

Introduced by Sen. MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the transportation law, in relation to establishing a bicycle and pedestrian planning assistance program

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

Section 1. The transportation law is amended by adding a new section 14-o to read as follows:

§ 14-o. Bicycle and pedestrian planning assistance program. 1. Program established. There is hereby established within the department a "bicycle and pedestrian planning assistance program". The purposes of the program shall be to provide county and municipal governments with planning assistance for locally driven projects and activities that lead to bicycle and pedestrian friendly infrastructure.

2. Application to program. (a) The commissioner shall create a competitive application process under which county and municipal governments may apply for assistance under the program. The commissioner shall develop evaluation methods for approval or denial of county and municipal governments that have applied to the program for assistance, in accordance with the criteria under paragraph (b) of this subdivision.

(b) In order for a county or municipal government's application for assistance to be approved under paragraph (a) of this subdivision, such county or municipal government's application shall include evidence that:

(i) sincere interest exists in the local community within such county or municipality in improving bicycle and pedestrian friendly infrastructure;

(ii) safety issues exist within such county or municipality due to a significant need for improved bicycle and pedestrian friendly infrastructure, and that such safety issues can be addressed if assistance is provided under the program;

(iii) if such application is approved, planning efforts will be directed towards the needs of special populations including, but not

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

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limited to, senior citizens, children and/or people with disabilities; and/or

(iv) such county or municipal government has an existing complete streets policy under section three hundred thirty-one of the highway law, or an existing commitment to adopting such a policy.

(c) To the extent practicable, at least thirty-five percent of applications approved pursuant to this subdivision shall be for projects in disadvantaged communities, or that the county or municipal government demonstrates will provide a beneficial impact to one or more disadvantaged communities.

3. Assistance under program. (a) All planning efforts for improved bicycle and pedestrian friendly infrastructure under the program shall be locally driven, including the commitment of personnel and/or financial resources by the county or municipal government, public outreach, and participation by local officials and citizens.

(b) The program shall provide support to county and municipal governments approved under subdivision two of this section, at no cost, for the following planning activities to improve bicycle and pedestrian friendly infrastructure, including, but not limited to:

(i) Evaluation of bicycle and/or pedestrian safety issues and the development of potential solutions;

(ii) Comprehensive bicycle and/or pedestrian plans or circulation elements;

(iii) Bicycle and/or pedestrian circulation studies focusing on key corridors or activity centers in the county or municipality, including, but not limited to schools, parks, shopping centers, transit stations, employment centers, and other community facilities;

(iv) Planning location or feasibility assessments for shared-use paths, including rail trails and rail with trails;

(v) Complete streets policy development and implementation plans under section three hundred thirty-one of the highway law;

(vi) Sidewalk inventories;

(vii) Walkability audits;

(viii) Inventories or audits of bicycle compatible roadways and designated bicycle facilities;

(ix) Bicycle suitability mapping;

(x) Deficiency analyses, in terms of bicycle and/or pedestrian travel along selected routes to schools, transit facilities, downtown areas, and other frequently commuted routes, along with recommendations for mitigating such deficiencies;

(xi) Residential neighborhood or downtown traffic calming; and/or

(xii) Safe routes to school travel projects under subdivision thirty-five of section fourteen of this article.

4. Funding. The commissioner shall, subject to legislative approval, appropriate any funds necessary for the administration of the program from those received by the state under the federal department of transportation's congestion mitigation and air quality improvement program.

5. Rules and regulations. The commissioner shall be authorized to promulgate any rules and/or regulations necessary for the implementation of the provisions of this section.

6. Definitions. For the purposes of this section, the following terms shall have the following meanings:

(a) "Disadvantaged communities" means communities that bear burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise

high-concentrations of low- and moderate-income households, as identified pursuant to section 75-0111 of the environmental conservation law.

(b) "Program" means the bicycle and pedestrian planning assistance program established pursuant to subdivision one of this section.

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