

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:

1 Section 1. The transportation law is amended by adding a new section
2 14-o to read as follows:

3 § 14-o. Bicycle and pedestrian planning assistance program. 1. Program
4 established. There is hereby established within the department a "bicy-
5 cle and pedestrian planning assistance program". The purposes of the
6 program shall be to provide county and municipal governments with plan-
7 ning assistance for locally driven projects and activities that lead to
8 bicycle and pedestrian friendly infrastructure.

9 2. Application to program. (a) The commissioner shall create a compet-
10 itive application process under which county and municipal governments
11 may apply for assistance under the program. The commissioner shall
12 develop evaluation methods for approval or denial of county and municip-
13 al governments that have applied to the program for assistance, in
14 accordance with the criteria under paragraph (b) of this subdivision.

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

19 (i) sincere interest exists in the local community within such county
20 or municipality in improving bicycle and pedestrian friendly infrastruc-
21 ture;

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

26 (iii) if such application is approved, planning efforts will be
27 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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1 limited to, senior citizens, children and/or people with disabilities;
2 and/or

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

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

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

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

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

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

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

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

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

32 (vi) Sidewalk inventories;

33 (vii) Walkability audits;

34 (viii) Inventories or audits of bicycle compatible roadways and desig-
35 nated bicycle facilities;

36 (ix) Bicycle suitability mapping;

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

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

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

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

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

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

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

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

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

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