

STATE OF NEW YORK

9718

IN SENATE

May 22, 2024

Introduced by Sen. RYAN -- 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 enabling safe access to public roads for all users by utilizing complete street design principles

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

1 Section 1. Subdivision (a) of section 331 of the highway law, as added
2 by chapter 398 of the laws of 2011, is amended to read as follows:

3 (a) For all state, county and local transportation projects that are
4 undertaken by the department or receive both federal and state funding
5 and are subject to department of transportation oversight, the depart-
6 ment or agency with jurisdiction over such projects shall consider the
7 convenient access and mobility on the road network by all users of all
8 ages, including motorists, pedestrians, bicyclists, and public transpor-
9 tation users through the use of complete street design features (i) in
10 the planning, design, construction, reconstruction and rehabilitation[
11 ~~but not including resurfacing, maintenance, or pavement recycling~~]
12 such projects; and (ii) in the resurfacing, maintenance and pavement
13 recycling of such projects if the service life of such resurfacing,
14 maintenance or pavement recycling project is at least ten years.

15 § 2. Paragraph (iii) of subdivision (c) of section 331 of the highway
16 law, as added by chapter 398 of the laws of 2011, is amended to read as
17 follows:

18 (iii) demonstrated lack of need as determined by factors, including,
19 but not limited to, land use, current and projected traffic volumes,
20 including population density, or [~~demonstrates~~] demonstrated lack of
21 community support; or

22 § 3. This act shall take effect on the one hundred eightieth day after
23 it shall have become a law, provided that it shall not apply to trans-
24 portation projects undertaken or approved prior to the date on which
25 this act shall have become a law. Effective immediately, the addition,
26 amendment and/or repeal of any rule or regulation necessary for the
27 implementation of this act on its effective date are authorized to be
28 made and completed on or before such effective date.

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

LBD01687-03-4