

STATE OF NEW YORK

4045

2025-2026 Regular Sessions

IN SENATE

January 31, 2025

Introduced by Sens. GOUNARDES, COONEY, GIANARIS, GONZALEZ, HOYLMAN-SIGAL, KRUEGER, MARTINEZ, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to requiring the installation of intelligent speed assistance devices for repeated violation of maximum speed limits

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

1 Section 1. The vehicle and traffic law is amended by adding a new
2 section 119-c to read as follows:

3 § 119-c. Intelligent speed assistance device. A device, also referred
4 to as a "speed limiter", which is installed in a motor vehicle and
5 utilizes technology to cap the speed of a motor vehicle at five miles
6 per hour more than the speed limit in a specific zone. The technology
7 shall allow for slight acceleration past the speed limit, if necessary,
8 based on traffic conditions.

9 § 2. Subdivision (h) of section 1180 of the vehicle and traffic law is
10 amended by adding a new paragraph 6 to read as follows:

11 6. (i) Upon a conviction for any violation or set of violations of
12 subdivision (b), (c), (d), (f) or (g) of this section which results in
13 an accumulation of eleven or more points on the driving record of any
14 person for violations that occurred during the preceding twenty-four
15 month period, the court shall, in addition to any other fines, imprison-
16 ment, conditional discharge or license suspension or revocation, mandate
17 that the person have installed an intelligent speed assistance device,
18 otherwise known as a speed limiter, in any motor vehicle owned or oper-
19 ated by such person for a minimum period of twelve months or for any
20 period of license suspension or revocation, whichever is later.

21 (ii) Where a person who has accumulated eleven points on their driving
22 record as a result of any violation or set of violations of subdivision
23 (b), (c), (d), (f), or (g) of this section in the preceding twenty-four

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

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1 month period does not appear in court, the commissioner shall send a
2 written notice, by first class mail to the address of such person on
3 file with the department or at the current address provided by the
4 United States postal service, that such person is required to have
5 installed an intelligent speed assistance device, otherwise known as a
6 speed limiter, in any motor vehicle owned or operated by such person for
7 a minimum period of twelve months or for any period of license suspen-
8 sion or revocation, whichever is later. The person shall provide proof
9 of installation as outlined in subparagraph (viii) of this paragraph.
10 If the person fails to provide such proof of installation, the commis-
11 sioner may suspend their license, modify an existing order of suspen-
12 sion, or may order the revocation of their license or driving privi-
13 leges.

14 (iii) Upon the finding of owner liability for failure of an operator
15 to comply with certain posted maximum speed limits through a photo speed
16 violation monitoring system, where such person has received six or more
17 notices of liability; or the finding of owner liability for failure of
18 an operator to comply with traffic-control indications through use of a
19 traffic-control signal photo violation-monitoring device, where such
20 person has received six or more notices of liability, during the preced-
21 ing twelve-month period, the commissioner shall send a written
22 notice, by first class mail to the address of such person on file with
23 the department or at the current address provided by the United States
24 postal service, that such person is required to have installed an intel-
25 ligent speed assistance device, otherwise known as a speed limiter, in
26 any motor vehicle owned or operated by such person for a minimum period
27 of twelve months. The New York city department of finance and any other
28 local authorities collecting information related to notices of liability
29 for failure of an operator to comply with certain posted maximum speed
30 limits through a photo speed violation-monitoring system or failure of
31 an operator to comply with traffic-control indications through use of a
32 traffic-control signal photo violation-monitoring device shall regularly
33 provide the commissioner with any and all information, data, or documen-
34 tation which the commissioner deems necessary to identify and notify
35 persons who have received sufficient notices of liability to require the
36 installation of an intelligent speed assistance device.

37 (iv) A person who is required to install a speed limiter under this
38 paragraph shall request removal of the device from the department upon
39 the end of their mandated period of use of the speed limiter. Upon
40 receiving this request, the commissioner may require such person to
41 complete a written driving test and a road test administered pursuant to
42 subdivision four of section five hundred two of this chapter prior to
43 having the intelligent speed assistance device removed. The commissioner
44 may deny the request to remove the device based upon the individual's
45 performance on the written driving test, the road test, or as a result
46 of their driving record during the period of speed limiter use.

47 (v) The cost of installing and maintaining a speed limiter shall be
48 borne by the person subject to such condition unless the court or the
49 commissioner determines such person is financially unable to afford such
50 cost whereupon such cost may be imposed pursuant to a payment plan or
51 waived. At the end of the required installation period a speed limiter
52 device shall be returned to a qualified service provider, as established
53 by subparagraph (vii) of this paragraph. If deemed to be in working
54 order after being returned to a qualified service center, the device may
55 be installed on any other motor vehicle required to have a speed limiter
56 installed.

1 (vi) The commissioner shall create a list of approved intelligent
2 speed assistance devices. Approved intelligent speed assistance devices
3 must be capable of accurately detecting speed limits across road and
4 weather conditions, and the commissioner may promulgate any rules and
5 regulations necessary to further ensure that devices operate reliably.

6 (vii) The commissioner shall create a list of service providers which
7 are qualified to install, service, inspect, and remove approved intelli-
8 gent speed assistance devices. This list may include any
9 installation/service providers, as defined in 9 NYCRR 358.3, which are
10 approved for the installation, servicing, and removal of ignition inter-
11 lock devices installed pursuant to section eleven hundred ninety-eight
12 of this title.

13 (viii) Proof of installation of a speed limiter required under subpar-
14 agraph (i) of this paragraph shall occur within ten days of the court
15 order. If a person ordered to have a speed limiter device installed
16 under subparagraph (ii) or (iii) of this paragraph is unable to finan-
17 cially afford the cost of the speed limiter, they may request in writ-
18 ing, within ten days of receiving the notification from the commission-
19 er, a payment plan or to have payment for the device waived. Proof of
20 installation of a speed limiter required under this paragraph shall
21 occur within ten days of receiving a written notice of a determination
22 from the commissioner as to whether such person will be granted a
23 payment plan or have payment for the device waived. Within thirty days
24 after the initial installation of an intelligent speed assistance
25 device, the device shall be inspected by a qualified service center to
26 ensure the device is properly calibrated and installed.

27 The device shall subsequently be inspected every sixty days to deter-
28 mine continued compliance. The commissioner may determine the manner in
29 which they are informed by qualified service centers that inspections
30 have occurred and that devices are properly installed and maintained.

31 (ix) A violation of any provision of this paragraph, or a finding that
32 any person has assisted a driver to violate this paragraph, shall be a
33 class A misdemeanor punishable by up to one year in jail.

34 (x) (A) The commissioner shall submit a report every twenty-four
35 months to the governor and the legislature with the following informa-
36 tion about the speed limiter program under this paragraph:

37 (1) Number of individuals actively required to have speed limiters
38 installed in motor vehicles they own or operate.

39 (2) Number of motor vehicles required to have speed limiters
40 installed.

41 (3) Number of fee waivers approved to waive the entire fee for
42 installing a speed limiter.

43 (4) Number of individuals put on a payment plan for their speed limi-
44 ter.

45 (B) As available to the commissioner, they shall also include the
46 following information about the speed limiter program under this para-
47 graph:

48 (1) Number of speeding tickets issued to individuals with speed limi-
49 ters installed.

50 (2) Number of other traffic law infractions committed by individuals
51 with speed limiters installed, organized by category or type of traffic
52 violation.

53 (3) Number of reported accidents involving individuals with speed
54 limiters installed.

55 (4) Number of known individuals who have not complied with the
56 provisions of this paragraph, separated by three categories: not

1 initially installing a device as required, removing the device before a
2 follow-up inspection, and being cited for not having a device properly
3 installed during a traffic stop.

4 (C) Such report shall also be made publicly available on the depart-
5 ment of transportation and department of motor vehicles websites.

6 (xi) The commissioner may promulgate any rules and regulations neces-
7 sary to implement the provisions of this paragraph.

8 § 3. This act shall take effect on the sixtieth day after it shall
9 have become a law; provided, however, that subparagraph (iii) of para-
10 graph 6 of subdivision (h) of section 1180 of the vehicle and traffic
11 law, as added by section two of this act, shall take effect one year
12 after such effective date.