STATE OF NEW YORK

5568

2025-2026 Regular Sessions

IN SENATE

February 25, 2025

Introduced by Sen. FAHY -- 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 enacting "Alexander John Smullen Traffic Safety Memorial Law"

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

Section 1. Short title. This act shall be known and may be cited as the "Alexander John Smullen Traffic Safety Memorial Law".

§ 2. The highway law is amended by adding a new section 24 to read as follows:

§ 24. Memorial sign program for collision victims. 1. The commissioner shall establish and administer a memorial sign program to publicly memorialize the victims of fatal vehicle collisions.

2. As used in this section, "victim" means a person killed in a highway collision.

3. A sign designed and posted under this section shall include:

(a) the phrase "Please Don't Drink and Drive", "Please Don't Drive Impaired", "Please Don't Text and Drive", "Please Don't Speed", "Please Buckle Up", "Please Drive Sober", "Please Drive Safely", "Please Ride Safely", "Please Watch for Bicyclists", "Please Watch for Motorcycles", "Please Watch for Pedestrians", "Reckless Driving Costs Lives", "Seat Belts Save Lives", "Slow Down for Workers", or "Stay Alert Drive Safe";

(b) the phrase "In Memory Of" and the name of one or more victims in accordance with the rules promulgated by the department; and

(c) the date of the collision that resulted in the victim's death.

4. The sign may include the names of more than one victim so long as the total length of the names does not exceed one line of text.

5. A person may request that a sign be posted under this section by:

(a) making an application to the department on a form prescribed by the department; and

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

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(b) submitting a fee to the department in an amount determined by the department to help defray the costs of posting the memorial sign.

6. If the application meets the department's requirements and the applicant pays the memorial sign fee, the department shall erect a sign. A sign posted under this section may remain posted for two years. At the end of the two-year period the department may release the sign to the applicant. The department is not required to release a sign that has been damaged.

7. A sign posted under this section that is damaged shall be removed by the department. Except as provided in subdivision eight of this section, the department may post a new sign if it has been less than two years from the posting of the original sign and a person:

(a) submits a written request to the department to replace the sign; and

(b) submits a replacement fee in the amount provided under paragraph (b) of subdivision five of this section.

8. During the two-year posting period the department shall replace a sign posted under this section that is damaged because of the department's negligence.

9. The commissioner shall promulgate such rules and regulations as may be necessary to effectuate the provisions of this section.

10. All signs posted pursuant to this section shall comply with all applicable federal law and regulations.

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