STATE OF NEW YORK

8882

IN SENATE

January 13, 2026

Introduced by Sen. COONEY -- 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 permitting the use of photo speed violation monitoring systems in highway construction or maintenance work areas on all state highways

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

Section 1. Paragraph 1 of subdivision (a) of section 1180-e of the vehicle and traffic law, as amended by section 1 of part Q of chapter 58 of the laws of 2025, is amended to read as follows:

1. Notwithstanding any other provision of law, the commissioner of transportation is hereby authorized to establish a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with posted maximum speed limits in a highway construction or maintenance work area [~~**located on a controlled-access highway**~~] (i) when highway construction or maintenance work is occurring and a work area speed limit is in effect as provided in paragraph two of subdivision (d) or subdivision (f) of section eleven hundred eighty of this article or (ii) when highway construction or maintenance work is occurring and other speed limits are in effect as provided in subdivision (b) or (g) or paragraph one of subdivision (d) of section eleven hundred eighty of this article. Such demonstration program shall empower the commissioner to install photo speed violation monitoring systems within no more than forty highway construction or maintenance work areas [~~**located on controlled-access highways**~~] and to operate such systems within such work areas (iii) when highway construction or maintenance work is occurring and a work area speed limit is in effect as provided in paragraph two of subdivision (d) or subdivision (f) of section eleven hundred eighty of this article or (iv) when highway construction or maintenance work is occurring and other speed limits are in effect as provided in subdivision (b) or (g) or paragraph one of subdivision (d) of section eleven hundred eighty of this article. The commissioner, in consultation with the superintendent of the division of state police, shall determine the location of the highway construction or maintenance

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

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work areas [~~located on a controlled-access highway~~] in which to install and operate photo speed violation monitoring systems. In selecting a highway construction or maintenance work area in which to install and operate a photo speed violation monitoring system, the commissioner shall consider criteria including, but not limited to, the speed data, crash history, and roadway geometry applicable to such highway construction or maintenance work area. A photo speed violation monitoring system shall not be installed or operated on a controlled-access highway exit ramp.

§ 2. Subdivision (b) of section 1180-e of the vehicle and traffic law, as amended by section 2 of part Q of chapter 58 of the laws of 2025, is amended to read as follows:

(b) If the commissioner or chair of the thruway authority, Triborough bridge and tunnel authority, or bridge authority establishes a demonstration program pursuant to subdivision (a) of this section, the owner of a vehicle shall be liable for a penalty imposed pursuant to this section if such vehicle was used or operated with the permission of the owner, express or implied, within a highway construction or maintenance work area located on a [~~controlled-access~~] highway, the thruway, Triborough bridge and tunnel authority facilities or bridge authority facilities, as applicable in violation of paragraph two of subdivision (d) or subdivision (f), or when other speed limits are in effect in violation of subdivision (b) or (g) or paragraph one of subdivision (d), of section eleven hundred eighty of this article, such vehicle was traveling at a speed of more than ten miles per hour above the posted speed limit in effect within such highway construction or maintenance work area, and such violation is evidenced by information obtained from a photo speed violation monitoring system; provided however that no owner of a vehicle shall be liable for a penalty imposed pursuant to this section where the operator of such vehicle has been convicted of the underlying violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this article.

§ 3. Paragraph 9 of subdivision (c) of section 1180-e of the vehicle and traffic law, as amended by section 2 of part Q of chapter 58 of the laws of 2025, is amended to read as follows:

9. "photo speed violation monitoring system" shall mean a vehicle sensor installed to work in conjunction with a speed measuring device which automatically produces two or more photographs, two or more microphotographs, a videotape or other recorded images of each vehicle at the time it is used or operated in a highway construction or maintenance work area located on a [~~controlled-access~~] highway, the thruway, Triborough bridge and tunnel authority facility or bridge authority facility in violation of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of this article in accordance with the provisions of this section;

§ 4. Paragraphs 2, 4 and 6 of subdivision (m) of section 1180-e of the vehicle and traffic law, as amended by section 2 of part Q of chapter 58 of the laws of 2025, are amended to read as follows:

2. the aggregate number, type and severity of crashes, fatalities, injuries and property damage reported within all highway construction or maintenance work areas on [~~controlled-access~~] highways, the thruway, Triborough bridge and tunnel authority facilities or bridge authority facilities, as applicable, to the extent the information is maintained by the commissioner, the chair of the thruway authority, Triborough bridge and tunnel authority, or bridge authority, or the department of motor vehicles of this state;

4. the number of violations recorded within all highway construction or maintenance work areas on [~~controlled access~~] highways, the thruway, Triborough bridge and tunnel authority facilities or bridge authority facilities, in the aggregate on a daily, weekly and monthly basis to the extent the information is maintained by the commissioner, the chair of the thruway authority, Triborough bridge and tunnel authority, or bridge authority, or the department of motor vehicles of this state;

6. to the extent the information is maintained by the commissioner, the chair of the thruway authority, Triborough bridge and tunnel authority, or bridge authority, or the department of motor vehicles of this state, the number of violations recorded within all highway construction or maintenance work areas on [~~controlled access~~] highways, the thruway, Triborough bridge and tunnel authority facilities or bridge authority facilities, that were:

(i) more than ten but not more than twenty miles per hour over the posted speed limit;

(ii) more than twenty but not more than thirty miles per hour over the posted speed limit;

(iii) more than thirty but not more than forty miles per hour over the posted speed limit; and

(iv) more than forty miles per hour over the posted speed limit;

§ 5. This act shall take effect immediately; provided, however, that the amendments to section 1180-e of the vehicle and traffic law made by sections one, two, three and four of this act shall not affect the repeal of such section and shall be deemed repealed therewith.