STATE OF NEW YORK

9307

IN SENATE

February 27, 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 obedience to certain signals

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

Section 1. Subdivision (a) of section 1170 of the vehicle and traffic law, as amended by chapter 501 of the laws of 2016, is amended to read as follows:

(a) Whenever any person driving a vehicle approaches a railroad grade crossing under any of the circumstances stated in this section, the driver of such vehicle shall stop not less than fifteen feet from the nearest rail of such railroad, and shall not proceed until [~~he~~] **they** can do so safely. The foregoing requirements shall apply when:

1. An audible or clearly visible electric or mechanical signal device gives warning of the immediate approach of a railroad train **or other on-track equipment**;

2. A crossing gate is lowered or when a human [~~flagman~~] **flag person** gives or continues to give a signal of the approach or passage of a railroad train **or other on-track equipment**;

3. A railroad train approaching within approximately one thousand five hundred feet of the highway crossing emits a signal audible from such distance and such railroad train, by reason of its speed or nearness to such crossing, is an immediate hazard; or

4. An approaching railroad train **or other on-track equipment** is plainly visible and is in hazardous proximity to such crossing.

[~~5.~~] **(a-1)** Every person convicted of a violation of [~~this~~] subdivision **(a) of this section** shall for a first conviction thereof be punished by a fine of not more than one hundred fifty dollars or by imprisonment for not more than fifteen days or by both such fine and imprisonment; for a conviction of a second violation, both of which were committed within a period of eighteen months, such person shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than forty-five days or by both such fine and imprisonment; upon a conviction

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

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of a third or subsequent violation, all of which were committed within a period of eighteen months, such person shall be punished by a fine of not more than seven hundred fifty dollars or by imprisonment for not more than ninety days or by both such fine and imprisonment.

§ 2. This act shall take effect immediately.