STATE OF NEW YORK

4010

2025-2026 Regular Sessions

IN ASSEMBLY

January 30, 2025

Introduced by M. of A. MAGNARELLI -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to increasing the number of photo speed violation monitoring systems in a highway construction or maintenance work area; and to amend chapter 421 of the laws of 2021 amending the vehicle and traffic law and the general municipal law relating to certain notices of liability, in relation to making such provisions permanent

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

Section 1. Paragraphs 1 and 2 of subdivision (a) of section 1180-e of the vehicle and traffic law, as amended by chapter 421 of the laws of 2021, are 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 [~~twenty~~] **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

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

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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 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. Notwithstanding any other provision of law, after holding a public hearing in accordance with the public officers law and subsequent approval of the establishment of a demonstration program in accordance with this section by a majority of the members of the entire board of the thruway authority, the chair of the thruway authority 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 the thruway (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 chair to install photo speed violation monitoring systems within no more than [~~ten~~] twenty highway construction or maintenance work areas located on the thruway 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 chair, in consultation with the superintendent of the division of state police, shall determine the location of the highway construction or maintenance work areas located on the thruway 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 chair 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 thruway exit ramp.

§ 2. Section 16 of chapter 421 of the laws of 2021 amending the vehicle and traffic law and the general municipal law relating to certain notices of liability, is amended to read as follows:

§ 16. This act shall take effect on the thirtieth day after it shall have become a law; [~~provided, however, that sections twelve, thirteen, fourteen and fifteen of this act shall expire and be deemed repealed 5~~

~~years after such effective date when upon such date the provisions of such sections shall be deemed repealed;~~] provided that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date[~~; and provided further, that:~~

~~(a) the amendments to the opening paragraph and paragraph (c) of subdivision 1 of section 1809 of the vehicle and traffic law made by section eight of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section eight-a of this act shall take effect;~~

~~(b) the amendments to the opening paragraph and paragraph (c) of subdivision 1 of section 1809 of the vehicle and traffic law made by section eight-a of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section eight-b of this act shall take effect;~~

~~(c) the amendments to subdivision 1 of section 1809 of the vehicle and traffic law made by section eight-b of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section eight-c of this act shall take effect;~~

~~(d) the amendments to subdivision 1 of section 1809 of the vehicle and traffic law made by section eight-c of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section eight-d of this act shall take effect;~~

~~(e) the amendments to subdivision 1 of section 1809 of the vehicle and traffic law made by section eight-d of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section eight-e of this act shall take effect;~~

~~(f) the amendments to subdivision 1 of section 1809 of the vehicle and traffic law made by section eight-e of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section eight-f of this act shall take effect;~~

~~(g) the amendments to subdivision 1 of section 1809 of the vehicle and traffic law made by section eight-f of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section eight-g of this act shall take effect; and~~

~~(h) the amendments to subdivision 1 of section 1809 of the vehicle and traffic law made by section eight-g of this act shall not affect the expiration of such section and shall be deemed to expire therewith, when upon such date the provisions of section eight-h of this act shall take effect~~].

§ 3. This act shall take effect immediately.