STATE OF NEW YORK

7802--A

2025-2026 Regular Sessions

IN SENATE

May 9, 2025

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to owner liability for failure of operator to comply with certain posted maximum speed limits in the town of Yorktown, Westchester county; and to amend the general municipal law, in relation to making technical corrections

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

Section 1. This act shall be known and may be cited as "Jake's Law".

§ 2. Paragraph 1 of subdivision (a) of section 1180-e of the vehicle and traffic law, as amended by section 1 of part G of chapter 58 of the laws of 2026, is amended to read as follows:

1. **(a)** 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 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 highways and to operate such systems within such work areas (iii) when highway

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

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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 work areas located on a 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 highway exit ramp.

(b) Provided that, in addition to the highways that the commissioner is authorized to operate the program on pursuant to subparagraph (a) of this paragraph, the commissioner of transportation is hereby authorized and empowered to impose monetary liability on the owner of a vehicle for failure of an operator thereof to comply with maximum posted speed limits in a highway construction or maintenance work area located on a highway in the town of Yorktown in Westchester county (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, upon approval in writing obtained by the commissioner from the town, provided that the town may at any time rescind or modify such approval.

§ 3. Section 371-a of the general municipal law, as amended by section 10 of part N of chapter 58 of the laws of 2025, is amended to read as follows:

§ 371-a. Additional jurisdiction and procedure related to the adjudication of certain notices of liability. A traffic violations bureau established pursuant to subdivision one and a traffic and parking violations agency established pursuant to subdivision two of section three hundred seventy-one of this article may be authorized to adjudicate, in accordance with the provisions of this article, the liability of owners: (a) for violations of subdivision (d) of section eleven hundred eleven of the vehicle and traffic law imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic-control indications through the installation and operation of traffic-control signal photo violation-monitoring systems, in accordance with article twenty-four of the vehicle and traffic law; or (b) for violations of section eleven hundred seventy-four of the vehicle and traffic law when meeting a school bus marked and equipped as provided in subdivisions twenty and twenty-one-c of section three hundred seventy-five of the vehicle and traffic law imposed pursuant to a local law or ordinance imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with school bus red visual signals through the installation and operation of school bus photo violation monitoring systems, in accordance with article twenty-nine of the vehicle and traf-

fic law; or (c) for violations of subdivision (b), (d), (f) or (g) of section eleven hundred eighty of the vehicle and traffic law imposed pursuant to a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such posted maximum speed limits within a [~~highway~~] construction or maintenance work area through the installation and operation of photo speed violation monitoring systems, in accordance with article thirty of this chapter; or (d) for violations of section three hundred eighty-five of the vehicle and traffic law and the rules of the applicable covered agency or covered authority as such terms are defined in article ten of the vehicle and traffic law in relation to gross vehicle weight and/or axle weight violations imposed pursuant to a weigh in motion demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with such gross vehicle weight and/or axle weight restrictions through the installation and operation of weigh in motion violation monitoring systems, in accordance with article ten of the vehicle and traffic law.

§ 4. The town of Yorktown and the commissioner of transportation are hereby authorized and empowered to install signage giving advance notice to motor vehicle operators of the presence of photo speed violation monitoring systems operated pursuant to a demonstration program authorized by article thirty of the vehicle and traffic law, in conformance with standards established in the manual on uniform traffic control devices maintained by the commissioner of transportation pursuant to section sixteen hundred eighty of the vehicle and traffic law. The town of Yorktown is additionally authorized to design and implement a public information campaign before photo speed violation monitoring systems authorized pursuant to the provisions of section eleven hundred eighty-e of the vehicle and traffic law, as amended by section two of this act, go into operation, to notify and educate motor vehicle operators about such demonstration program.

§ 5. This act shall take effect on the ninetieth day after it shall have become a law; provided that the amendments to section 1180-e of the vehicle and traffic law made by section two of this act shall not affect the repeal of such section and shall be deemed repealed therewith.