§ 1642. Additional traffic regulations in cities having a population in excess of one million. (a) In addition to the other powers granted by this article, the legislative body of any city having a population in excess of one million, may by local law, ordinance, order, rule, regulation or health code provision prohibit, restrict or regulate traffic on or pedestrian use of any highway (which term, for the purposes of this section, shall include any private road open to public motor vehicle traffic) in such city. The provisions of section sixteen hundred shall be applicable to such local laws, ordinances, orders, rules, regulations, and health code provisions, provided, however, that such local laws, ordinances, orders, rules, regulations and health code provisions shall supersede the provisions of this chapter where inconsistent or in conflict with respect to the following enumerated subjects:

1. Weights and dimensions of vehicles.

2. Parking, standing, stopping and backing of vehicles.

3. The prohibition or regulation of the use of any highway by particular vehicles or classes or types thereof or devices moved by human power.

4. Charging of tolls, taxes, fees, licenses or permits for the use of the highway or any of its parts, where the imposition thereof is authorized by law.

5. Establishment of minimum speed limits at which vehicles may proceed on or along such highways.

6. Operation of authorized emergency vehicles.

7. Control of persons and equipment engaged in work on the highway.

8. Hitchhiking and commercial activities.

9. Use of medial strips and dividing malls or sections and use of

shoulders of the highway.

10. Right of way of vehicles and pedestrians.

11. Use of the highway by pedestrians, equestrians and animals.

12. Turning of vehicles.

13. Regulation of the direction of the movement of traffic and the use of traffic lanes.

14. Regulation of the use of horns, lights and other required equipment of vehicles.

15. Towing and pushing of vehicles, including, but not limited to, the establishment of minimum insurance levels for and the licensing and regulation of persons engaged in the business of towing, and the fixing of maximum charges to be made by such persons for the towing and storage of disabled vehicles.

16. Objects projecting or hanging outside or on the top of vehicles.

17. Entering and driving off the highway, its roadways, medial strips, dividing malls and shoulders.

18. The prohibition or regulation of speed contests, races, exhibitions of speed, processions or parades.

19. Littering the highway.

20. Vehicles illegally parked, stopped or standing, or vehicles involved in accidents, including, but not limited to, the removal and storage of such vehicles, the fixing of reasonable charges, to be paid by the owner, operator or person entitled to possession, for such removal and storage and for other expenses incurred in connection therewith, the creation of liens on such vehicles for such charges and expenses, the enforcement of such liens, the determination of ownership

or right to possession of such vehicles, the time before such vehicles are deemed abandoned vehicles pursuant to section twelve hundred twenty-four of this chapter, and the disposition of the proceeds of sales held pursuant to said section.

21. Transportation of combustibles, chemicals, explosives, inflammables, or other dangerous substances, articles, compounds or mixtures, including, but not limited to, dangerous articles, as defined in section three hundred eighty of this chapter.

22. Traffic signal legend applicable to pedestrians and use of arrows.

23. Prohibit, restrict or regulate the operation of limited use vehicles on any street or highway.

24. Prohibition of the operation of motorcycles during the period between nine post meridian through eight ante meridian along designated streets or parts of streets on which the properties fronting thereon are zoned for residential uses. Provided that notice of such prohibition shall be given by the posting of suitable signs at the entrance to each such street or part thereof and that no such prohibition shall apply to a motorcycle being operated thereon for the purpose or as a direct incident of law enforcement; crime prevention; detection; prevention or relief of any condition which may threaten the health, safety or welfare of persons or property; or direct travel to or from employment.

25. Parking, standing and stopping of vehicles registered pursuant to section four hundred four-a of this chapter or those possessing a special vehicle identification parking permit issued in accordance with section one thousand two hundred three-a of this chapter.

26. (a) With respect to highways (which term for the purposes of this paragraph shall include private roads open to public motor vehicle traffic) in such city, other than state highways maintained by the state on which the department of transportation shall have established higher or lower speed limits than the statutory fifty-five miles per hour speed limit as provided in section sixteen hundred twenty of this title, or on

which the department of transportation shall have designated that such city shall not establish any maximum speed limit as provided in section sixteen hundred twenty-four of this title, subject to the limitations imposed by section sixteen hundred eighty-four of this title, establishment of maximum speed limits at which vehicles may proceed within such city or within designated areas of such city higher or lower than the fifty-five miles per hour maximum statutory limit. No such speed limit applicable throughout such city or within designated areas of such city shall be established at less than twenty miles per hour, except that (i) school speed limits may be established at no less than fifteen miles per hour pursuant to the provisions of section sixteen hundred forty-three of this article, and (ii) on portions of highways that consist of three or more vehicular travel lanes in the same direction outside of New York county, speed limits shall be established at no less than twenty-five miles per hour.

(b) A city shall not lower or raise a speed limit pursuant to this paragraph unless such city provides written notice and an opportunity to comment to the community board or community boards established pursuant to section twenty-eight hundred of the New York city charter with jurisdiction over the area in which the lower or higher speed limit shall apply. Such notice may be provided by electronic mail and shall be provided sixty days prior to the establishment of such lower or higher speed limit and a community board may issue an advisory opinion prior to the raising or lowering of such speed limit. Notwithstanding any inconsistent provision of this subdivision, a speed limit applicable throughout such city shall only be lowered or raised pursuant to a local law.

27. (a) Establishment of maximum speed limits below twenty miles per hour at which motor vehicles may proceed on or along designated highways within such city for the explicit purpose of implementing traffic calming measures as such term is defined herein; provided, however, that no speed limit shall be set below ten miles per hour nor shall such speed limit be established where the traffic calming measure to be implemented consists solely of a traffic control sign. Establishment of such a speed limit shall, where applicable, be in compliance with the provisions of sections sixteen hundred twenty-four and sixteen hundred

eighty-four of this title. Nothing contained herein shall be deemed to alter or affect the establishment of school speed limits pursuant to the provisions of section sixteen hundred forty-three of this article. For the purposes of this paragraph, "traffic calming measures" shall mean any physical engineering measure or measures that reduce the negative effects of motor vehicle use, alter driver behavior and improve conditions for non-motorized street users such as pedestrians and bicyclists.

(b) Any city establishing maximum speed limits below twenty miles per hour pursuant to clause (i) of this subparagraph shall submit a report to the governor, the temporary president of the senate and the speaker of the assembly on or before March first, two thousand fifteen and biannually thereafter on the results of using traffic calming measures and speed limits lower than twenty miles per hour as authorized by this paragraph. This report shall also be made available to the public by such city on its website. Such report shall include, but not be limited to the following:

(i) a description of the designated highways where traffic calming measures and a lower speed limit were established;

(ii) a description of the specific traffic calming measures used and the maximum speed limit established;

(iii) an explanation of the reasons for setting lower speed limits, how those lower speed limits comply with engineering standards, and how they will ensure that motor vehicles can operate at safe speeds in a manner that optimizes all road users' safety and convenience; and

(iv) a comparison of the aggregate type, number, and severity of accidents reported on streets on which street calming measures and lower speed limits were implemented in the year preceding the implementation of such measures and policies and the year following the implementation of such measures and policies, to the extent this information is maintained by any agency of the state or the city.

(b) The police commissioner of any such city may, in any emergency, suspend within such city or any part thereof, for a period of forty-eight hours, any provision of title seven of this chapter or any local law, ordinance, order, rule or regulation adopted pursuant to this article. In the event of any such suspension, the police commissioner shall forthwith give notice thereof to the official, board or agency of

such city having jurisdiction to promulgate traffic regulations in relation to any place affected by such suspension.