

# STATE OF NEW YORK

7892

## IN SENATE

June 16, 2014

Introduced by Sen. KLEIN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the vehicle and traffic law, in relation to speed limits

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

1 Section 1. Paragraph 26 of subdivision (a) of section 1642 of the  
2 vehicle and traffic law is renumbered paragraph 27 and a new paragraph  
3 26 is added to read as follows:

4 26. (a) With respect to highways (which term for the purposes of this  
5 paragraph shall include private roads open to public motor vehicle traf-  
6 fic) in such city, other than state highways maintained by the state on  
7 which the department of transportation shall have established higher or  
8 lower speed limits than the statutory fifty-five miles per hour speed  
9 limit as provided in section sixteen hundred twenty of this title, or on  
10 which the department of transportation shall have designated that such  
11 city shall not establish any maximum speed limit as provided in section  
12 sixteen hundred twenty-four of this title, subject to the limitations  
13 imposed by section sixteen hundred eighty-four of this title, establish-  
14 ment of maximum speed limits at which vehicles may proceed within such  
15 city or within designated areas of such city higher or lower than the  
16 fifty-five miles per hour maximum statutory limit. No such speed limit  
17 applicable throughout such city or within designated areas of such city  
18 shall be established at less than twenty-five miles per hour, except  
19 that school speed limits may be established at no less than fifteen  
20 miles per hour pursuant to the provisions of section sixteen hundred  
21 forty-three of this article.

22 (b) A city shall not lower a speed limit by more than five miles per  
23 hour pursuant to this paragraph unless such city provides written notice  
24 and an opportunity to comment to the community board or community boards  
25 established pursuant to section twenty-eight hundred of the New York  
26 city charter with jurisdiction over the area in which the lower speed  
27 limit shall apply. Such notice may be provided by electronic mail and  
28 shall be provided sixty days prior to the establishment of such lower  
29 speed limit.

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

LBD15573-03-4



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§ 2. Paragraph 27 of subdivision (a) of section 1642 of the vehicle and traffic law, as added by chapter 499 of the laws of 1999 and as renumbered by section one of this act, is amended to read as follows:

27. (a) Establishment of maximum speed limits below twenty-five 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 fifteen 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 chapter. 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-five 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 [two] fifteen and biannually thereafter on the results of using traffic calming measures and speed limits lower than twenty-five 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 and

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

(iii) 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.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law.



**NEW YORK STATE SENATE  
INTRODUCER'S MEMORANDUM IN SUPPORT  
submitted in accordance with Senate Rule VI. Sec 1**

**BILL NUMBER:** S7892

**SPONSOR:** KLEIN

**TITLE OF BILL:** An act to amend the vehicle and traffic law, in relation to speed limits

**PURPOSE:** This legislation would allow a city with over one million residents to establish speed limits of 25 MPH after a period of public comment,.

**SUMMARY OF PROVISIONS:**

Section 1 amends section 1642 of the Vehicle and Traffic Law to give a city over one million residents the ability to set a speed limit of 25 MPH on streets that are not part of the State highway system. The city must provide local community boards with the opportunity to comment.

Section 2 amends section 1642 of the vehicle and traffic law to establish that starting in 2015 and then biannually thereafter the City must produce a public report to the Governor, the leaders of the Legislature which it would post online reporting on what street calming measures and lower speed limits were implemented and the effects these measures have had on the number and severity of accidents on those streets.

Section 3 establishes an effective date of 90 days.

**JUSTIFICATION:** Mayor de Blasio recently released a detailed report outlining the City's "Vision Zero" action plan, which calls for the implementation of several traffic safety initiatives to reduce preventable pedestrian and motorist fatalities. This report highlights an unfortunate reality - each year in New York City over 250 people are killed and nearly 4,000 are seriously injured in traffic crashes. Crashes often have multiple contributing factors including speeding, driver inattention, and failure to yield to pedestrians.

A multi-faceted approach is needed to address these dangerous driving habits, especially excessive speeding. That is why the City has committed to pursuing several safety enhancements such as rapidly implementing engineering improvements at intersections, increasing speed enforcement on arterial streets and establishing new neighborhood slow zones. While these actions represent meaningful progress, the City needs additional tools that are impactful enough to significantly reduce the number of serious injuries and fatalities on City streets. One particularly powerful tool is the ability to establish a 25 mph speed limit in the City, which can be the catalyst in curbing dangerous driver behavior.

Studies have shown that lowering the speed limit, even by five mph, can have a serious impact in reducing the number of traffic-related injuries and deaths. Traveling at lower speeds can greatly reduce crashes because

both motorists and other street users have more time to see each other and react safely to avoid potential accidents. And, if a crash does occur, the severity of injuries is greatly reduced at lower speeds.

To illustrate this point, one needs to consider the following facts: if a pedestrian is hit at 40 mph there is about a 7 in 10 chance of being killed. At 35 mph, there is a 5 in 10 chance of being killed. At 30 mph, there is a 1 in 5 chance of being killed. If the speed limit were lowered to 25 mph, the chance of an accident resulting in death drops significantly to 1 in 10. Another benefit to having a speed limit of 25 mph is the marked improvement in vehicle stopping distance. At 25 mph, stopping distance is improved by 45 feet (23%), which will allow many crashes to be avoided altogether.

City streets must meet the demands of vehicles, buses, cyclists and pedestrians simultaneously. Being able to lower the speed limit to 25 mph would help ensure a harmonious relationship among all who traverse City streets and greatly increase the City's ability to keep everyone safe. In order to ensure this harmonious relation, this legislation would also give community boards a say when the city chooses to lower speed limits by more than 5 miles per hour by establishing a public comment period. Establishing a requirement for community board involvement would enable communities to have a say about such an important policy change in the City's transportation policy. Only by building consensus at the community level can we assure the long term effectiveness of these policies.

Where an even lower speed limit is warranted, on streets where traffic calming measures are not feasible, the City can improve this relationship even further by establishing a 20 mph speed limit. The City will have to report biannually to the Executive, the Legislature, and the public on the effects of these measures on accidents around the City.

LEGISLATIVE HISTORY: This is a new bill

FISCAL IMPLICATIONS: None to the state

EFFECTIVE DATE: This act shall take effect on the ninetieth day after it shall have become a law.

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# STATE OF NEW YORK

10144

## IN ASSEMBLY

June 17, 2014

Introduced by COMMITTEE ON RULES -- (at request of M. of A. O'Donnell, Silver, Mosley, Jacobs, Ortiz, Rosa, Davila, Simotas, Gottfried, Robinson, Millman, Dinowitz, Otis, Quart, Weprin, Kavanagh, Sepulveda, Pichardo, Wright, Scarborough, Clark, DenDekker, Benedetto, Miller, Heastie, Simanowitz, Glick, Weinstein, Markey, Cymbrowitz, Rosenthal, Crespo, Moya, Rodriguez, Hevesi, Arroyo, Cook, Farrell, Jaffee, Lentol, Perry, Rivera, Rozic, Steck) -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to speed limits

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

1 Section 1. Paragraph 26 of subdivision (a) of section 1642 of the  
2 vehicle and traffic law is renumbered paragraph 27 and a new paragraph  
3 26 is added to read as follows:

4 26. (a) With respect to highways (which term for the purposes of this  
5 paragraph shall include private roads open to public motor vehicle traf-  
6 fic) in such city, other than state highways maintained by the state on  
7 which the department of transportation shall have established higher or  
8 lower speed limits than the statutory fifty-five miles per hour speed  
9 limit as provided in section sixteen hundred twenty of this title, or on  
10 which the department of transportation shall have designated that such  
11 city shall not establish any maximum speed limit as provided in section  
12 sixteen hundred twenty-four of this title, subject to the limitations  
13 imposed by section sixteen hundred eighty-four of this title, establish-  
14 ment of maximum speed limits at which vehicles may proceed within such  
15 city or within designated areas of such city higher or lower than the  
16 fifty-five miles per hour maximum statutory limit. No such speed limit  
17 applicable throughout such city or within designated areas of such city  
18 shall be established at less than twenty-five miles per hour, except  
19 that school speed limits may be established at no less than fifteen  
20 miles per hour pursuant to the provisions of section sixteen hundred  
21 forty-three of this article.

22 (b) A city shall not lower a speed limit by more than five miles per  
23 hour pursuant to this paragraph unless such city provides written notice

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

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1 and an opportunity to comment to the community board or community boards  
2 established pursuant to section twenty-eight hundred of the New York  
3 city charter with jurisdiction over the area in which the lower speed  
4 limit shall apply. Such notice may be provided by electronic mail and  
5 shall be provided sixty days prior to the establishment of such lower  
6 speed limit.

7 § 2. Paragraph 27 of subdivision (a) of section 1642 of the vehicle  
8 and traffic law, as added by chapter 499 of the laws of 1999 and as  
9 renumbered by section one of this act, is amended to read as follows:

10 27. (a) Establishment of maximum speed limits below twenty-five miles  
11 per hour at which motor vehicles may proceed on or along designated  
12 highways within such city for the explicit purpose of implementing traf-  
13 fic calming measures as such term is defined herein; provided, however,  
14 that no speed limit shall be set below fifteen miles per hour nor shall  
15 such speed limit be established where the traffic calming measure to be  
16 implemented consists solely of a traffic control sign. Establishment of  
17 such a speed limit shall, where applicable, be in compliance with the  
18 provisions of sections sixteen hundred twenty-four and sixteen hundred  
19 eighty-four of this chapter. Nothing contained herein shall be deemed to  
20 alter or affect the establishment of school speed limits pursuant to the  
21 provisions of section sixteen hundred forty-three of this article. For  
22 the purposes of this paragraph, "traffic calming measures" shall mean  
23 any physical engineering measure or measures that reduce the negative  
24 effects of motor vehicle use, alter driver behavior and improve condi-  
25 tions for non-motorized street users such as pedestrians and bicyclists.

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

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

37 (ii) a description of the specific traffic calming measures used and  
38 the maximum speed limit established[.] and

39 (iii) a comparison of the aggregate type, number, and severity of  
40 accidents reported on streets on which street calming measures and lower  
41 speed limits were implemented in the year preceding the implementation  
42 of such measures and policies and the year following the implementation  
43 of such measures and policies, to the extent this information is main-  
44 tained by any agency of the state or the city.

45 § 3. This act shall take effect on the ninetieth day after it shall  
46 have become a law.



**NEW YORK STATE ASSEMBLY  
MEMORANDUM IN SUPPORT OF LEGISLATION  
submitted in accordance with Assembly Rule III, Sec 1(f)**

**BILL NUMBER:** A10144

**SPONSOR:** Rules (O'Donnell)

**TITLE OF BILL:** An act to amend the vehicle and traffic law, in relation to speed limits

**PURPOSE OR GENERAL IDEA OF BILL:**

To improve pedestrian, bicyclist and motor vehicle occupant safety by authorizing the City of New York to establish a 25 mile per hour city-wide speed limit.

**SUMMARY OF SPECIFIC PROVISIONS:**

Section one renumbers paragraph 26 of subdivision (a) of § 1642 of the Vehicle and Traffic Law (VTL) as paragraph 27, and adds a new paragraph 26 to authorize cities having a population of one million or more to establish speed limits at which vehicles may proceed within such city or within designated areas of such city no lower than 25 miles per hour (mph), provided that the city must give written notice to the community board(s) with jurisdiction over the area in which the lower speed limit would apply, and an opportunity to comment, if the reduction exceeds five mph.

Section two amends paragraph 27 of subdivision (a) of § 1642 of the VTL to require biannual reporting by the city, beginning in 2015, on the results of using traffic calming measures and speed limits lower than 25 mph as authorized under current law, and to include in such report a comparison of accidents reported on such streets both before and after implementation of such measures and speed limits.

**JUSTIFICATION:**

In New York City in 2013, nearly as many people died in traffic accidents as were murdered. The speed at which a motorist is driving correlates strongly with the likelihood that an accident with a pedestrian will be fatal. Early numbers from this year demonstrated the critical need for this legislation. When an earlier version of this bill was first introduced in mid-January 2014, there had been seven pedestrian fatalities in NYC from traffic accidents involving motor vehicles over the course of just 14 days. On one day alone, on Manhattan's Upper West Side, there were two such fatalities - one child and one senior citizen, both crossing streets in crosswalks. This bill, by reducing the speed limit on city streets, will protect all of New York City's pedestrians.

The critical need for this legislation is further supported by Mayor de Blasio's recently released report outlining the City's "Vision Zero" action plan, which highlights the unfortunate reality that each year in New York City over 250 people are killed and nearly 4,000 are seriously

injured in traffic crashes. Crashes often have multiple contributing factors including speeding, driver inattention, and failure to yield to pedestrians. The Vision Zero plan therefore calls for the implementation of several traffic safety initiatives to reduce preventable pedestrian and motorist fatalities.

A multi-faceted approach is needed to address these dangerous driving habits, especially excessive speeding, and a key element is reducing the speed limit, which requires legislative action. Although the City has committed to pursuing several safety enhancements such as implementing engineering improvements at intersections, increasing speed enforcement on arterial streets and establishing new neighborhood slow zones, it also needs additional tools. One particularly powerful tool is the ability to establish a 25 mph speed limit in the City.

Studies have shown that lowering the speed limit, even by five mph, can have a serious impact in reducing the number of traffic-related injuries and deaths. Traveling at lower speeds can greatly reduce crashes because both motorists and other street users have more time to see each other and react safely to avoid potential accidents. And, if a crash does occur, the severity of injuries is greatly reduced at lower speeds. At 30 mph, the lowest default speed limit permitted by current law, there is a 1 in 5 chance of being killed. If the speed limit were lowered to 25 mph, the chance of an accident resulting in death drops significantly to 1 in 10. Another benefit to having a speed limit of 25 mph is the marked improvement in vehicle stopping distance. At 25 mph, stopping distance is improved by 45 feet (23%), which will allow many crashes to be avoided altogether.

PRIOR LEGISLATIVE HISTORY:

New bill.

FISCAL IMPLICATIONS:

None.

EFFECTIVE DATE:

This act shall take effect on the ninetieth day after it shall have become a law.

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