

STATE OF NEW YORK

9731

IN ASSEMBLY

May 20, 2014

Introduced by 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 -- Multi-Sponsored by -- M. of A. 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. 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.

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

22 27. (a) Establishment of maximum speed limits below twenty-five miles
23 per hour at which motor vehicles may proceed on or along designated

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

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1 highways within such city for the explicit purpose of implementing traf-
2 fic calming measures as such term is defined herein; provided, however,
3 that no speed limit shall be set below fifteen miles per hour nor shall
4 such speed limit be established where the traffic calming measure to be
5 implemented consists solely of a traffic control sign and provided,
6 further, that if such city has made a written determination that the
7 implementation of traffic calming measures as such term is defined here-
8 in is not feasible on a particular designated highway, speed limits at
9 which motor vehicles may proceed on or along such designated highway
10 within such city may be established and posted at not less than twenty
11 miles per hour. Establishment of such a speed limit shall, where appli-
12 cable, be in compliance with the provisions of sections sixteen hundred
13 twenty-four and sixteen hundred eighty-four of this chapter. Nothing
14 contained herein shall be deemed to alter or affect the establishment of
15 school speed limits pursuant to the provisions of section sixteen
16 hundred forty-three of this article. For the purposes of this paragraph,
17 "traffic calming measures" shall mean any physical engineering measure
18 or measures that reduce the negative effects of motor vehicle use, alter
19 driver behavior and improve conditions for non-motorized street users
20 such as pedestrians and bicyclists.

21 (b) Any city establishing maximum speed limits below twenty-five miles
22 per hour pursuant to clause (i) of this subparagraph shall submit a
23 report to the governor, the temporary president of the senate and the
24 speaker of the assembly on or before March first, two thousand [~~two~~]
25 fifteen and biannually thereafter on the results of using traffic calm-
26 ing measures and speed limits lower than twenty-five miles per hour as
27 authorized by this paragraph. Such report shall include, but not be
28 limited to the following:

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

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

33 § 3. This act shall take effect on the ninetieth day after it shall
34 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: A9731

SPONSOR: O'Donnell (MS)

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

SUMMARY OF PROVISIONS:

This bill amends section 1642 of the New York State Vehicle and Traffic Law (VTL) to allow the City of New York to establish a 25 mile per hour (mph) citywide speed limit.

The bill also amends section 1642 of the VTL to authorize the City to establish a 20 mph speed limit on certain streets where traffic calming measures are not feasible, provided that the city makes a written determination that such measures are not feasible.

REASONS FOR SUPPORT:

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 citywide default 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. 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.

All in all, whether at 25 mph on a citywide basis or at 20 mph on a limited basis, reducing speed limits within the City is an absolute necessity to realizing the goal of the Mayor's Vision Zero initiative -- zero traffic fatalities in the City of New York.
