

STATE OF NEW YORK

3750

2009-2010 Regular Sessions

IN SENATE

March 30, 2009

Introduced by Sens. DILAN, STAVISKY -- read twice and ordered printed,
and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law and the administrative code of the city of New York, in relation to certain traffic-control indications; to amend chapter 746 of the laws of 1988 amending the vehicle and traffic law, the general municipal law and the public officers law, relating to the civil liability of vehicle owners for traffic control signal violations, in relation to extending the effectiveness thereof; and to amend local law number 46 of the city of New York for the year 1989 amending the administrative code of the city of New York relating to civil liability of vehicle owners for traffic control signal violations, in relation to extending the effectiveness thereof

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

1 Section 1. Paragraph 1 of subdivision (a) of section 1111-a of the
2 vehicle and traffic law, as amended by chapter 658 of the laws of 2006,
3 is amended to read as follows:

4 1. Notwithstanding any other provision of law, each city with a popu-
5 lation of one million or more is hereby authorized and empowered to
6 adopt and amend a local law or ordinance establishing a demonstration
7 program imposing monetary liability on the owner of a vehicle for fail-
8 ure of an operator thereof to comply with traffic-control indications in
9 such city in accordance with the provisions of this section. Such demon-
10 stration program shall empower a city to install and operate traffic-
11 control signal photo violation-monitoring devices at no more than one
12 hundred fifty intersections within such city at any one time.

13 § 2. Paragraph 1 of subdivision (a) of section 19-210 of the adminis-
14 trative code of the city of New York, as amended by chapter 658 of the
15 laws of 2006, is amended to read as follows:

16 1. Notwithstanding any other provision of law, the parking violations
17 bureau is hereby authorized and empowered to establish a demonstration

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

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1 program imposing monetary liability on the owner of a vehicle for fail-
2 ure of an operator thereof to comply with traffic-control indications in
3 accordance with the provisions of this section. The department of trans-
4 portation, for purposes of implementation of such program, shall be
5 authorized to install and operate traffic-control signal photo viola-
6 tion-monitoring devices at no more than one hundred fifty intersections
7 at any one time.

8 § 3. Section 17 of chapter 746 of the laws of 1988 amending the vehi-
9 cle and traffic law, the general municipal law and the public officers
10 law, relating to the civil liability of vehicle owners for traffic
11 control signal violations, as amended by chapter 667 of the laws of
12 2004, is amended to read as follows:

13 § 17. This act shall take effect on the thirtieth day after it shall
14 have become a law and shall remain in full force and effect until Decem-
15 ber 1, [~~2009~~] 2014 when upon such date the amendments and provisions
16 made by this act shall be deemed repealed; provided, however, any such
17 local laws as may be enacted pursuant to this act shall remain in full
18 force and effect only until the expiration on December 1, [~~2009~~] 2014.

19 § 4. Section 2 of local law number 46 of the city of New York for the
20 year 1989 amending the administrative code of the city of New York
21 relating to civil liability of vehicle owners for traffic control signal
22 violations, as amended by chapter 667 of the laws of 2004, is amended to
23 read as follows:

24 § 2. This local law shall take effect immediately and shall expire on
25 December 1, [~~2009~~] 2014.

26 § 5. This act shall take effect immediately, provided, however, that
27 the amendments to paragraph 1 of subdivision (a) of section 1111-a of
28 the vehicle and traffic law made by section one of this act shall not
29 affect the repeal of such paragraph and shall be deemed to be repealed
30 therewith; provided, further, that the amendments to paragraph 1 of
31 subdivision (a) of section 19-210 of the administrative code of the city
32 of New York made by section two of this act shall not affect the expira-
33 tion of such paragraph and shall be deemed to expire therewith.

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

BILL NUMBER: S3750

SPONSOR: DILAN

TITLE OF BILL:

An act to amend the vehicle and traffic law and the administrative code of the city of New York, in relation to certain traffic-control indications; to amend chapter 746 of the laws of 1988 amending the vehicle and traffic law, the general municipal law and the public officers law, relating to the civil liability of vehicle owners for traffic control signal violations, in relation to extending the effectiveness thereof; and to amend local law number 46 of the city of New York for the year 1989 amending the administrative code of the city of New York relating to civil liability of vehicle owners for traffic control signal violations, in relation to extending the effectiveness thereof

PURPOSE:

This bill authorizes New York City to increase the number of red light cameras they can utilize by fifty.

SUMMARY OF PROVISIONS:

Section 1: Increases the amount of "red light cameras" New York City is authorized to use by an additional fifty cameras.

EXISTING LAW:

New York City is currently authorized to have 100 red light cameras.

JUSTIFICATION:

In 1988 the New York State legislature enacted legislation that allowed New York city to establish a demonstration program to install photo monitoring devices to record vehicles going through red light signals at traffic intersections. "Red Light Camera Programs" have proven to be an effective traffic safety measure that prevent injuries and the loss of life due to accidents caused by red light running.

Since its inception in December of 1993, hundreds of thousands of vehicles, including buses and taxicabs, have been caught going through red lights by the traffic control monitoring devices in New York city. In calendar year 2005 alone, 306,117 violations or Notices of Liability ("NOLs") were issued to violators.

A large number of traffic accidents resulting in bodily injury and death to motorists, passengers, pedestrians and bicyclists are due to the failure of motorists to obey traffic control signals located at intersections. "Right angle" and pedestrian accidents attributed to red light running are among the leading causes of traffic fatalities. By reducing the number of vehicles running red lights, the likelihood of "right angle" and pedestrian type accidents is reduced. The extended use of

these devices has been shown to dramatically reduce the number of violations at the intersections being monitored.

New York City's Red Light Camera Program has proven to be a viable instrument in enhancing safety for motorists, passengers, pedestrians and bicyclists. It has proven to be an effective traffic safety initiative whose success has been recognized by the State Legislature and the New York City Council in their repeated authorizations to extend the initial demonstration program. This legislation would seek to expand the current program in New York city to allow an additional fifty cameras.

PRIOR LEGISLATIVE HISTORY:

S.5357B - Chapter 658 of 2006

S.2472-A of 2003-04 and S.6727 of 2001-02.

LOCAL FISCAL IMPLICATIONS:

This bill will allow increase revenue for New York City through the placement of additional cameras at intersections throughout the city.

EFFECTIVE DATE:

This act shall take effect immediately and sunset on December 1, 2014.

STATE OF NEW YORK

7328

2009-2010 Regular Sessions

IN ASSEMBLY

March 30, 2009

Introduced by M. of A. SILVER -- Multi-Sponsored by -- M. of A. BENEDETTO, BENJAMIN, BING, CLARK, CYMBROWITZ, GIANARIS, GLICK, GOTTFRIED, MARKEY, MAYERSOHN, MILLMAN, PHEFFER, ROBINSON, TOWNS -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law and the administrative code of the city of New York, in relation to certain traffic-control indications; to amend chapter 746 of the laws of 1988 amending the vehicle and traffic law, the general municipal law and the public officers law, relating to the civil liability of vehicle owners for traffic control signal violations, in relation to extending the effectiveness thereof; and to amend local law number 46 of the city of New York for the year 1989 amending the administrative code of the city of New York relating to civil liability of vehicle owners for traffic control signal violations, in relation to extending the effectiveness thereof

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

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2 vehicle and traffic law, as amended by chapter 658 of the laws of 2006,
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5 lation of one million or more is hereby authorized and empowered to
6 adopt and amend a local law or ordinance establishing a demonstration
7 program imposing monetary liability on the owner of a vehicle for fail-
8 ure of an operator thereof to comply with traffic-control indications in
9 such city in accordance with the provisions of this section. Such demon-
10 stration program shall empower a city to install and operate traffic-
11 control signal photo violation-monitoring devices at no more than one
12 hundred fifty intersections within such city at any one time.
13 § 2. Paragraph 1 of subdivision (a) of section 19-210 of the adminis-
14 trative code of the city of New York, as amended by chapter 658 of the
15 laws of 2006, is amended to read as follows:

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1 1. Notwithstanding any other provision of law, the parking violations
2 bureau is hereby authorized and empowered to establish a demonstration
3 program imposing monetary liability on the owner of a vehicle for fail-
4 ure of an operator thereof to comply with traffic-control indications in
5 accordance with the provisions of this section. The department of trans-
6 portation, for purposes of implementation of such program, shall be
7 authorized to install and operate traffic-control signal photo viola-
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33 subdivision (a) of section 19-210 of the administrative code of the city
34 of New York made by section two of this act shall not affect the expira-
35 tion of such paragraph and shall be deemed to expire therewith.

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

BILL NUMBER: A7328

SPONSOR: Silver (MS)

TITLE OF BILL: An act to amend the vehicle and traffic law and the administrative code of the city of New York, in relation to certain traffic-control indications; to amend chapter 746 of the laws of 1988 amending the vehicle and traffic law, the general municipal law and the public officers law, relating to the civil liability of vehicle owners for traffic control signal violations, in relation to extending the effectiveness thereof; and to amend local law number 46 of the city of New York for the year 1989 amending the administrative code of the city of New York relating to civil liability of vehicle owners for traffic control signal violations, in relation to extending the effectiveness thereof

PURPOSE OR GENERAL IDEA OF BILL: To expand and extend the Red Light Camera Program in the City of New York, thereby enhancing traffic and public safety.

SUMMARY OF SPECIFIC PROVISIONS: The bill would authorize the installation and operation of traffic control-signal photo violation-monitoring devices at an additional fifty intersections within the City of New York, thereby raising the total to one hundred fifty intersections. The bill also would extend the statutory authorization for the City to establish this demonstration program for an additional five years, to December 1, 2014.

JUSTIFICATION: Since the inception of New York City's Red Light Camera Program the City has cited, through the use of photo violation-monitoring devices, over four million vehicles for failing to obey red traffic signals. According to the NYC Department of Transportation, nearly 950,000 notices of liability ("NOLs") were issued to violators in 2007 alone, which included passenger vehicles, buses and taxicabs. City DOT statistics indicate that red light violations have declined by 40% - 60% at intersections where cameras have been installed. Traffic experts state that nearly half of all urban crashes occur at intersections and of these, more than half occur at traffic signals. The authorization provided by this bill will further enhance vehicle occupant, bicyclist and pedestrian safety at intersections within the City by reducing red light running and the concomitant risk of motor vehicle crashes.

PRIOR LEGISLATIVE HISTORY: Similar legislation:

Chapter 658 of the Laws of 2006 - increased the total number of intersections from 50 to 100, added provisions related to photo content, owner liability and defense if signals malfunctioning, amended reporting requirements, and made technical amendments.

Chapter 667 of the Laws of 2004 - extended program authorization to 12/1/09.

Chapter 503 of the Laws of 1999 - extended program authorization to 12/1/04, with report due 3/1/04.

Chapter 651 of the Laws of 1995 - increased the total number of intersections from 25 to 50, and extended program authorization to 12/1/99.

Chapter 582 of the Laws of 1993 - extended program authorization to 12/1/96.

FISCAL IMPLICATIONS: Undetermined.

EFFECTIVE DATE: Immediate.
