

STATE OF NEW YORK

6777--B

2019-2020 Regular Sessions

IN ASSEMBLY

March 20, 2019

Introduced by M. of A. ROZIC, EPSTEIN, ORTIZ, REYES, SIMON, GOTTFRIED, GLICK, DE LA ROSA, SEAWRIGHT, DINOWITZ, QUART, MOSLEY, FERNANDEZ, DenDEKKER, COLTON, CARROLL, GRIFFIN, STECK -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to removing caps on automated enforcement cameras for bus lanes in the city of New York and creating a graduated schedule of fines for repeat offenders and to amend part II of chapter 59 of the laws of 2010, amending the vehicle and traffic law and the public officers law relating to establishing a bus rapid transit demonstration program to restrict the use of bus lanes by means of bus lane photo devices, in relation to the effectiveness thereof

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

- 1 Section 1. Paragraph 4 of subdivision (a), paragraph 5 of subdivision
2 (c) and subdivisions (e) and (m) of section 1111-c of the vehicle and
3 traffic law, as amended and subdivision (m) as added by section 6 of
4 part NNN of chapter 59 of the laws of 2018, are amended to read as
5 follows:
6 4. Within the city of New York, such bus lane photo devices [shall]
7 may only be operated on designated bus lanes [within the bus rapid tran-
8 sit program and only from 6:00 a.m. to 10:00 p.m.]. Warning notices of
9 violation be issued during the first sixty days that bus lane photo
10 devices are operated on each route in the bus rapid transit program that
11 is established after June fifteenth, two thousand fifteen.
12 5. "bus rapid transit program" shall mean [up to ten] routes desig-
13 nated by the New York city department of transportation in consultation
14 with the applicable mass transit agency, in addition to the Bus Rapid

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

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1 Transit Phase I plan routes, that operate on designated bus lanes and
2 that may include upgraded signage, enhanced road markings, minimum bus
3 stop spacing, off-board fare payment, traffic signal priority for buses,
4 and any other enhancement that increases bus speed or reliability.

5 (e) An owner liable for a violation of a bus lane restriction imposed
6 on any route within a bus rapid transit program shall be liable for
7 monetary penalties in accordance with a schedule of fines and penalties
8 promulgated by the parking violations bureau of the city of New York;
9 provided, however, that the monetary penalty for violating a bus lane
10 restriction shall not exceed [one hundred fifteen] fifty dollars, one
11 hundred dollars for a second offense within a twelve-month period, one
12 hundred fifty dollars for a third offense within a twelve-month period,
13 two hundred dollars for a fourth offense within a twelve-month period,
14 and two hundred fifty dollars for each subsequent offense within a
15 twelve-month period; provided, further, that an owner shall be liable
16 for an additional penalty not to exceed twenty-five dollars for each
17 violation for the failure to respond to a notice of liability within the
18 prescribed time period.

19 (m) Any revenue from fines and penalties collected pursuant to this
20 section from any mobile bus lane photo devices [that were authorized to
21 be installed pursuant to a chapter of the laws of two thousand eighteen
22 that added this subdivision], not including any revenue shared with the
23 city of New York pursuant to agreement shall be remitted by the city of
24 New York to the applicable mass transit agency on a quarterly basis to
25 be deposited in the general transportation account of the New York city
26 transportation assistance fund established pursuant to section twelve
27 hundred seventy-i of the public authorities law.

28 § 2. The opening paragraph of section 14 of part II of chapter 59 of
29 the laws of 2010, amending the vehicle and traffic law and the public
30 officers law relating to establishing a bus rapid transit demonstration
31 program to restrict the use of bus lanes by means of bus lane photo
32 devices, as amended by chapter 239 of the laws of 2015, is amended to
33 read as follows:

34 This act shall take effect on the ninetieth day after it shall have
35 become a law and shall expire [10] 15 years after such effective date
36 when upon such date the provisions of this act shall be deemed repealed;
37 and provided that any rules and regulations related to this act shall be
38 promulgated on or before such effective date, provided that:

39 § 3. This act shall take effect immediately; provided that the amend-
40 ments to section 1111-c of the vehicle and traffic law made by section
41 one of this act shall not affect the repeal of such section and shall be
42 deemed repealed therewith. Effective immediately, the addition, amend-
43 ment and/or repeal of any rule or regulation necessary for the implemen-
44 tation of this act on its effective date are authorized and directed to
45 be made and completed on or before such effective date.