Int. No. 958

By Council Members Brooks-Powers, Narcisse, Schulman, Louis and Won

A Local Law in relation to establishing in non-overlapping geographical areas a pilot program for installing boom barriers and a pilot program for installing diagonal traffic diverters

Be it enacted by the Council as follows:

Section 1. Definitions. As used in this local law, the following terms have the following meanings:

Authorized emergency vehicle. The term "authorized emergency vehicle" has the same meaning as set forth in section 101 of the vehicle and traffic law.

Boom barrier. The term "boom barrier" means a manual or automatic gate that regulates the entry and exit of pedestrians and motor vehicles onto roadways by means of a long arm that pivots at a controlled point.

City. The term "city" means the city of New York.

Commissioner. The term "commissioner" means the commissioner of transportation.

Delivery vehicle. The term "delivery vehicle" means a motor vehicle, including but not limited to a delivery truck, delivery van, and passenger vehicle, that is used by a distributor to transport goods to a vendor or individual purchaser, arriving at or departing from a last-mile facility.

Department. The term "department" means the department of transportation.

Diagonal traffic diverter. The term "diagonal traffic diverter" means a physical barrier placed diagonally across a four-way intersection, creating two unconnected intersections whereby traffic approaching the intersection is restricted to one receiving roadway.

Last-mile facility. The term "last-mile facility" means a warehouse, storage facility, or other location that receives goods as part of a delivery supply chain, and from which such goods are delivered to their final

destination. The term does not include retail businesses where the majority of the premises are used for the on-site sale of goods to final retail consumers.

Motor vehicle. The term "motor vehicle" has the same meaning as set forth in section 125 of the vehicle and traffic law.

Sanitation vehicle. The term "sanitation vehicle" means a vehicle used by the department of sanitation for street cleaning purposes or for the collection of solid waste or recyclable materials, as such terms are defined in section 24-163.2 of the administrative code of the city of New York.

§ 2. Boom barrier pilot program. a. Establishment. No later than 6 months after the effective date of this local law, the commissioner shall establish a pilot program to install at least 1 new boom barrier in 1 neighborhood tabulation area designated by the commissioner in each borough of the city. The commissioner shall not designate neighborhood tabulation areas under this subdivision that overlap with any neighborhood tabulation area designated by the commissioner under subdivision a of section three of this local law. Such pilot program shall have a duration of 2 years.

b. Solicitation of input. In making the determination of the location within the designated neighborhood tabulation area for installation of each boom barrier, the commissioner shall solicit input from:

1. Individuals residing in the city who represent institutions, organizations, corporations, or associations that are organized or operated primarily for transportation planning purposes; and

2. The community board or community boards with jurisdiction over the designated neighborhood tabulation area.

c. Access. The commissioner shall design and maintain the boom barriers in a manner that allows for access, entry, exit, and passage by, at minimum:

1. Authorized emergency vehicles;

2. Delivery vehicles;

3. Sanitation vehicles; and

4. Motor vehicles belonging to individuals whose residences are obstructed by or adjacent to such boom barriers.

d. Discretion. The commissioner may decline to install any boom barrier that is otherwise required by this section if such installation would, in the commissioner's judgment, endanger the safety of motorists, pedestrians, or cyclists, or not be consistent with the department's guidelines regarding the installation of traffic calming devices established under subdivision b of section 19-183 of the administrative code of the city of New York or with any other relevant departmental guidelines.

e. Study. The commissioner shall conduct a study regarding the pilot program established under subdivision a of this section and develop recommendations regarding the maintenance of the installed boom barriers and the installation of additional boom barriers. Through such study, the commissioner shall analyze the impact of the pilot program on the following, with respect to each neighborhood tabulation area where a boom barrier was installed:

1. The total number of vehicular crashes;

2. The total number of injuries sustained in vehicular crashes;

3. Noise caused by motor vehicles and pedestrians;

4. Vehicular traffic patterns;

5. Traffic congestion; and

6. Emissions from motor vehicles.

f. Report. No later than 6 months after the conclusion of the pilot program established under subdivision a of this section, the commissioner shall submit to the mayor and the speaker of the council and shall post conspicuously on the department's website a report regarding such pilot program. Such report shall include, at minimum, the following information concerning such pilot program:

1. The findings of, and recommendations developed through, the study required under subdivision e of this section;

2. The total number of boom barriers installed; and

3. The location of each boom barrier.

§ 3. Diagonal traffic diverter pilot program. a. Establishment. No later than 6 months after the effective date of this local law, the commissioner shall establish a pilot program to install at least 1 new diagonal traffic diverter in 1 neighborhood tabulation area designated by the commissioner in each borough of the city. The commissioner shall not designate neighborhood tabulation areas that overlap with any neighborhood tabulation area designated by the commissioner under subdivision a of section two of this local law. Such pilot program shall have a duration of 2 years.

b. Solicitation of input. In making the determination of the location within the designated neighborhood tabulation area for installation of each diagonal traffic diverter, the commissioner shall solicit input from:

1. Individuals residing in the city who represent institutions, organizations, corporations, or associations that are organized or operated primarily for transportation planning purposes; and

2. The community board or community boards with jurisdiction over each designated neighborhood tabulation area.

c. Access. The commissioner shall design and maintain the diagonal traffic diverters in a manner that allows for access, entry, exit, and passage by, at minimum:

1. Authorized emergency vehicles;

2. Delivery vehicles;

3. Sanitation vehicles; and

4. Motor vehicles belonging to individuals whose residences are obstructed by or adjacent to such diagonal traffic diverters.

d. Discretion. The commissioner may decline to install any diagonal traffic diverter that is otherwise required by this section if such installation would, in the commissioner's judgment, endanger the safety of motorists, pedestrians, or cyclists, or not be consistent with the department's guidelines regarding the

installation of traffic calming devices established under subdivision b of section 19-183 of the administrative code of the city of New York or with any other relevant departmental guidelines.

e. Study. The commissioner shall conduct a study regarding the pilot program established under subdivision a of this section and develop recommendations regarding the maintenance of the installed diagonal traffic diverters and the installation of additional diagonal traffic diverters. Through such study, the commissioner shall analyze the impact of the pilot program on the following, with respect to each neighborhood tabulation area where a diagonal traffic diverter was installed:

1. The total number of vehicular crashes;

2. The total number of injuries sustained in vehicular crashes;

3. Noise caused by motor vehicles and pedestrians;

4. Vehicular traffic patterns;

5. Traffic congestion; and

6. Emissions from motor vehicles.

f. Report. No later than 6 months after the conclusion of the pilot program established under subdivision a of this section, the commissioner shall submit to the mayor and the speaker of the council and shall post conspicuously on the department's website a report regarding such pilot program. Such report shall include, at minimum, the following information concerning such pilot program:

1. The findings of, and recommendations developed through, the study required under subdivision e of this section;

2. The total number of diagonal traffic diverters installed; and

3. The location of each diagonal traffic diverter.

§ 4. This local law takes effect immediately.

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