



Legislation Text

File #: Res 0268-2018, **Version:** *

Res. No. 268

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, (1) S.6046/A.7798, which would authorize the expanded use of speed cameras in New York City, (2) legislation that would provide for the escalation of penalties and consequences for multiple violations issued by red light and speed cameras and (3) legislation that would require physicians to report medical conditions or incidents that indicate a driver is at high risk of suddenly losing consciousness or vehicle control.

By Council Members Ampry-Samuel, Brannan, Chin and Levine

Whereas, According to the Vision Zero Year Four Report, in 2017, 214 people, including 101 pedestrians, were killed in traffic crashes in New York City; and

Whereas, Many of these crashes could be prevented by stronger state laws; and

Whereas, As one recent tragic example, on March 5, 2018, four-year-old Abigail Blumenstein and one-year-old Joshua Lew were killed in a crash in Park Slope, Brooklyn, by a driver who ran a red light, who claimed to have suffered a seizure at the time of the crash and whose car already had been issued four violations by red light cameras and four violations by speed cameras, with no serious consequences; and

Whereas, In order to ensure the safety of all pedestrians and road users, it is necessary that the New York State Legislature make a number of changes to New York State law, some of which have already been proposed in pending bills and others of which must still be introduced; and

Whereas, To begin with the first proposal, under New York State's Vehicle and Traffic Law (VTL), speed cameras may only be installed in school zones and may only be used during, and one hour before and after, the school day and during, or 30 minutes before and after, student activities at the school; and

Whereas, The VTL currently authorizes the use of speed cameras in only 140 out of more than 2,300 school zones in New York City and limits the definition of school zones to only those streets abutting a school

building, exit or entrance; and

Whereas, At the locations and times they are authorized to be used, speed cameras have been shown to reduce speeding in school zones by 63%; and

Whereas, A.7798, introduced by Assembly Member Deborah Glick and pending in the New York State Assembly, and companion bill S.6046, introduced by State Senator Jose Peralta and pending in the New York State Senate, seek to amend the VTL by authorizing the installation of speed cameras in an additional 150 school zones and by more broadly defining school zones to include streets within a quarter mile of schools; and

Whereas, The passage of A.7798 and companion bill S.6046 would therefore take one important step toward improving safety throughout the city; and

Whereas, A second major obstacle to eliminating traffic fatalities on New York City streets is the lenient penalty scheme for violations issued by a red light or speed camera mandated by New York State law; and

Whereas, Under the VTL, the penalty for any violation issued to a vehicle by a red light or speed camera is limited to \$50, regardless of the number of prior violations, the DMV may not use such violations to assess points to a driver's license and insurers may not use such violations to set rates; and

Whereas, This penalty structure is insufficient, because it is too low to serve as an effective deterrent and may not be used to identify and deter dangerous drivers; and

Whereas, Therefore, the State should provide for the escalation of penalties and consequences for multiple violations issued by red light or speed cameras such that for the third violation it would impose a penalty of \$150, for the fourth violation a penalty of \$250, for the fifth violation a penalty of \$300 and information sent to the car's insurer and for the sixth violation a penalty of \$350 and suspension of the car's registration; and

Whereas, A third serious problem is that drivers can lose control of their vehicles due to medical conditions, leading to serious injury or death; and

Whereas, In addition to the Park Slope crash, in recent years such incidents include, on March 20, 2015,

two pedestrians killed in Grand Concourse by a taxi driver who had stopped taking his epilepsy medication, on October 31, 2015, three pedestrians killed in Morris Park by a driver who was epileptic and not taking his prescribed medication and on January 9, 2017, a pedestrian killed in East Flatbush by a driver whose leg allegedly stiffened and became locked on the gas pedal due to a medical condition; and

Whereas, Identifying drivers who have medical conditions with a high risk of interfering with their ability to drive safely would help protect city residents; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, (1) S.6046/A.7798, which would authorize the expanded use of speed cameras in New York City, (2) legislation that would provide for the escalation of penalties and consequences for multiple violations issued by red light and speed cameras and (3) legislation that would require physicians to report medical conditions or incidents that indicate a driver is at high risk of suddenly losing consciousness or vehicle control.

LS #6166, 6167, 6168
3/28/18
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