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 T H E C O U N C I L

REPORT OF THE GOVERNMENTAL AFFAIRS DIVISION

JEFF BAKER, LEGISLATIVE DIRECTOR

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COMMITTEE ON STATE AND FEDERAL LEGISLATION

#### Hon. Andrew Cohen, Chair

 June 13, 2019

 **By: Council Member Cohen**

**Preconsidered SLR 5: S.1925-B (Krueger)**

 **A.6777-B (Rozic)**

**TITLE:** 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.

**BACKGROUND:**

 In 2008, the New York City Department of Transportation (“NYC DOT”) and the Metropolitan Transit Authority collaborated on a bus rapid transit program known as Select Bus Service (“SBS”). SBS routes are outfitted with a number of special features that have resulted in bus speed increases as high as 30%, and ridership increases of about 10%. The use of bus lane enforcement cameras along SBS has helped the program succeed. Current state law limits the use of bus lane enforcement cameras to just 16 bus routes in the city. NYC DOT has installed additional bus lanes beyond the designated 16, but lacks the ability to enforce them with cameras, limiting their effectiveness.

This legislation will remove the cap on automated enforcement cameras for bus lanes in New York City. This bill removes the time restrictions on when the cameras can operate and reduces the maximum penalty to $50 for a violating a bus lane restriction on any SBS route that is captured by the enforcement cameras. The bill establishes a graduated fine schedule for repeat offenders captured on camera. The owners of the cars captured by the enforcement cameras will be liable for the fines.

**PROPOSED LEGISLATION:**

 Section one of the legislation amends 1111-c of the Vehicle and Traffic law to remove the cap on the number of routes that the NYC DOT may designate under the “bus rapid transit program,” and along which the DOT may install bus lanes cameras. This section also removes time restrictions on when cameras operate. Section one lowers the maximum monetary penalty for the bus lane camera program to $50 and creates a graduate fine schedule for repeat offenders. This section also directs revenue from mobile bus lane cameras mounted on buses to the New York City Transportation Assistance Fund.

 Section two amends chapter 59 of the laws of 2010 to extend the sunset provision on the authorization of bus lane enforcement cameras to September 20, 2025.

Section three is the effective date.

**FISCAL IMPLICATIONS:**

See Council Finance Division fiscal impact statement.

**EFFECTIVE DATE:**

Immediately.