



Legislation Text

---

**File #:** Int 1216-2018, **Version:** \*

---

Int. No. 1216

By Council Members Borelli, Cornegy, Koslowitz and Ulrich

A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York City police department to study and report on outdoor train crashes involving pedestrians

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-177 to read as follows:

§ 14-177 Outdoor train crash study and report. a. Definitions. As used in this section, the following terms have the following meanings:

Crash. The term “crash” means any collision between an outdoor train and a pedestrian.

Highway-rail at-grade crossing. The term “highway-rail at-grade crossing” means any motor vehicle or pedestrian crossing point over outdoor train tracks.

Outdoor train. The term “outdoor train” means any subway train while it travels above-ground and any above-ground commuter train that operates within the city.

Passenger area. The term “passenger area” means any designated area in which a person may wait to board a train or wait for a train to pass.

Train platform. The term “train platform” means any above-ground subway or above-ground commuter train platform used for people to wait to board a train.

b. By December 1, 2019, and annually thereafter, the department shall conduct and submit to the speaker of the council and post on the department’s website a comprehensive study on all outdoor train crashes involving a pedestrian for the previous 12 months. In completing such study, the department shall analyze the

conditions and factors associated with each such crash and identify common factors among the crashes, if any.

Such study shall focus on the circumstances surrounding outdoor train crashes with pedestrians, disaggregated by type of train, and include, but need not be limited to, the following:

1. The date and time of each crash;
2. The site where such crash occurred;
3. The cause of such crash, categorized as a suicide, an attempted suicide, a homicide, or other;
4. Whether any injuries or fatalities occurred as a result of the crash and, if so, which injuries occurred;
5. How the crash occurred and whether such pedestrian was at a highway-rail at-grade crossing, a passenger area, a train platform, or unlawfully present on the train tracks at the time of the crash;
6. The age and gender of each such pedestrian;
7. Any pedestrian safety measures in place at the time of such crash; and
8. Any plans or recommendations for improving pedestrian safety at the site of such crash.

Following completion of each such study, the commissioner shall determine whether any additional studies are necessary in order to improve safety practices for outdoor trains operating in the city and shall report such determination to the speaker of the council in writing within 30 days after completion of such study.

§ 2. This local law takes effect 120 days after it becomes law.

JEF  
LS #8428  
11/5/2018