

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2023**

No. 66

Introduced by Council Members Brooks-Powers, Louis, Joseph, Hanif, Restler, Abreu, Cabán, Richardson Jordan, Won, Schulman, Farías, Ossé, Hudson, Narcisse, Rivera, Avilés, Sanchez and Mealy (in conjunction with the Manhattan Borough President).

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to new daylighting measures

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-175.8 to read as follows:

§ 19-175.8 Daylighting program. a. Definitions. As used in this section, the following terms have the following meanings:

Daylighting. The term “daylighting” means street design elements for enhancing visibility of cross traffic and pedestrians for motorists approaching an intersection.

Daylighting barrier. The term “daylighting barrier” means a physical object that prevents vehicles from occupying the portion of a city street where daylighting has been implemented pursuant to this section, but that does not obstruct visibility for motorists, pedestrians, and cyclists, such as planters or bicycle corrals.

High priority intersection. The term “high priority intersection” means an intersection designated by the commissioner based on a consideration of factors, including but not limited to the number of serious vehicular crashes occurring at such intersection each year.

Serious vehicular crash. The term “serious vehicular crash” means any collision between a motor vehicle and a pedestrian, cyclist, motorist or any other person that results in significant injury to or the death of any person.

Significant injury. The term “significant injury” means any injury categorized as an “A” injury by the New York state department of motor vehicles, or any injury which requires hospitalization, or any other injury as determined by the department.

b. No later than May 1, 2024, the department shall complete a study of the safety benefits provided by daylighting and post such study on the department’s website. Such study shall include, but need not be limited to:

1. An assessment of the types of intersections where the implementation of daylighting or daylighting barriers is most effective at enhancing safety; and

2. A description of the factors that should be considered to determine whether daylighting or daylighting barriers should be implemented at an intersection, including but not limited to whether an intersection is a high priority intersection.

c. Beginning January 1, 2025, each year the department shall implement daylighting at a minimum of 100 intersections where daylighting is not already implemented. Such intersections shall be determined by the department based on a consideration of the factors described pursuant to paragraph 2 of subdivision b of this section.

d. Whenever the commissioner determines it is feasible and will meaningfully contribute to the safety of motorists, pedestrians, or cyclists, in addition to daylighting an intersection, the department shall install daylighting barriers within that portion of the street where daylighting has been implemented in order to prevent vehicles from occupying the space.

e. Notwithstanding subdivision c of this section, the commissioner shall not be required to install daylighting at any intersection where such installation would, in the commissioner's judgement, endanger the safety of motorists, pedestrians, or cyclists, or otherwise not be in the public interest based on a consideration of the factors described pursuant to paragraph 2 of subdivision b of this section.

f. The commissioner may cease the implementation of daylighting as provided in subdivision c of this section on or after January 1, 2030, provided that the commissioner determines that such implementation would not meaningfully contribute to the safety of motorists, pedestrians, or cyclists. The department shall inform the speaker of the council in writing of such determination and the reasons therefore; provided, however, that the commissioner may continue to install daylighting at any intersection after such determination, at the commissioner's discretion.

g. No later than February 1, 2026, and annually thereafter, the commissioner shall submit to the mayor and the speaker of the council, and post on the department's website, a report on the implementation of daylighting during the prior year pursuant to this section. Such report shall include, but need not be limited to:

1. Every intersection, disaggregated by borough and council district, at which the department implemented daylighting during the prior year; and

2. Every intersection, disaggregated by borough, at which the department discontinued or removed daylighting during the prior year, and an explanation describing the reason for such discontinuance or removal.

h. The report required by subdivision g of this section may be submitted as part of the update required to be submitted pursuant to paragraph 2 of subdivision d of section 19-199.1 of this code,

provided that such report shall not be required following a determination to cease the implementation of daylighting pursuant to subdivision f of this section.

§ 2. This local law takes effect immediately.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on April 27, 2023 and returned unsigned by the Mayor on May 30, 2023.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 66 of 2023, Council Int. No. 854-A of 2022) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter

STEPHEN LOUIS, Acting Corporation Counsel.