



# State of New York

## Executive Chamber

No. 188

### EXECUTIVE ORDER

#### **PROTECTING SCHOOL CHILDREN FROM SPEEDING VEHICLES IN SCHOOL ZONES WITHIN THE CITY OF NEW YORK**

**WHEREAS**, in 2013 I signed into law Chapter 189 of the Laws of 2013, codified at N.Y. Vehicle and Traffic Law § 1180-b, to develop a system to advance school zone highway safety by use of camera technology to record and enforce speeding violations;

**WHEREAS**, in 2014, I signed into law an amendment to the above-referenced law authorizing the deployment of speed cameras in 140 school zones throughout the City of New York;

**WHEREAS**, it has been found that the daily rate of violations issued for excessive speeding in school zones at the typical camera declined by over 60 percent, from 104 in the camera's first month to 35 in the camera's most recent month with repeat violators only 19 percent of those ticketed;

**WHEREAS**, additionally it has been found that crashes and fatalities declined after the speed cameras were installed with total crashes down 15 percent, from 2,870 to 2,442, injury crashes down 17 percent, from 2,182 to 1,873, and fatalities reduced by 55 percent, from 18 to 8;

**WHEREAS**, section 15 of Chapter 189 of the Laws of 2013 (Establishing the Speed Camera Program) provided that N.Y. Vehicle and Traffic Law §1180-b would be statutorily repealed on August 30, 2018 and section 12 of Chapter 43 of the Laws of 2014 (expanding the New York City Speed Camera Program) was statutorily repealed on July 25, 2018;

**WHEREAS**, in June 2018, the New York State Senate adjourned the 2018 legislative session without having acted to extend the aforementioned laws, thus ending a program that has demonstratively and successfully protected school children, families and educators through the use of camera technology to record and enforce speeding violations in school zones;

**WHEREAS**, it is unacceptable to place school children at risk of serious physical harm and death in the very same places where they are to be educated, cared for, and protected, and that such school children have the right to safely access schools for the purposes of education and enrichment;

**WHEREAS**, based upon the foregoing, the New York State Police and the New York State Department of Transportation believe that the termination of New York City's speed camera program results in an eminent disaster emergency that places at risk the health and safety of school children, parents, educators, school employees and volunteers within the City of New York, as well as other pedestrians, and will result in a needless increase in pedestrian fatalities and serious injuries;

**WHEREAS**, next week New York City schools open and will see a dramatic increase in the number of children and pedestrians in their zones; and

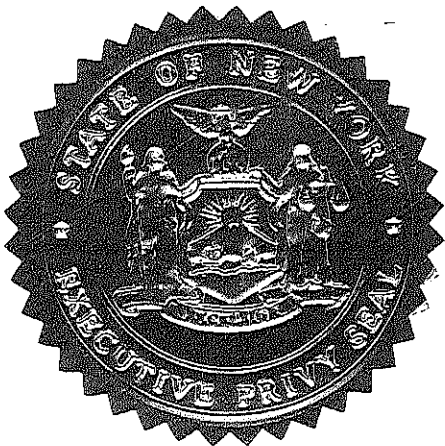
**WHEREAS**, the Mayor of New York and City Council are taking actions evidencing the local government's belief that children are in imminent danger and that a public safety emergency exist;

**NOW, THEREFORE, I, ANDREW M. CUOMO**, Governor of the State of New York, by virtue of the authority vested in me by the Constitution and Laws of the State of New York, do hereby find that a disaster emergency is occurring. Therefore, pursuant to the authority vested in me by the Constitution of the State of New York and Executive Law Section 28, I hereby declare a State Disaster Emergency effective this date within the territorial boundaries of the Counties of New York, Kings, Queens, Bronx and Richmond; and,

**FURTHER**, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend specific provisions of any statute, local law, ordinance, orders, rules or regulations, or parts thereof, of any agency during a State disaster emergency, if compliance with such provisions would prevent, hinder or delay action necessary to cope with the disaster, I hereby temporarily suspend from the date of this Executive Order until further notice, any provision prohibiting the camera-based speed enforcement program for school zones developed pursuant to N.Y. Vehicle and Traffic Law § 1180-b, the following:

- A. such portions of section 15 of Chapter 189 of the Laws of 2013 that relate to the expiration of such act and the repeal of section 1180-b of the Vehicle and Traffic Law; and
- B. such portions of section 12 of Chapter 43 of the Laws of 2014 that relate to the expiration and repeal of paragraph 1 of subdivision (a) of section 1180-b of the Vehicle and Traffic Law; and,

**FURTHER**, by virtue of the authority vested in me by the Constitution and the Laws of the State on New York, do hereby direct New York State Department of Motor Vehicles to provide support, to the extent authorized by law, to the City of New York in effectuating the purposes of this Executive Order so that this program can take effect before the commencement of the 2018 school year.



G I V E N under my hand and the Privy Seal of the  
State in the City of Albany this twenty  
seventh day of August in the year two  
thousand eighteen.

A handwritten signature in black ink, appearing to read "Andrew M. Cuomo".

BY THE GOVERNOR

A handwritten signature in black ink, appearing to read "M. C." followed by a long horizontal flourish.

Secretary to the Governor