New York City Department of Transportation

Notice of Adoption

Notice of Adoption of Traffic Rules related to pedestrian control signals.

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN the Commissioner of Transportation by Sections 1043 and 2903 of the New York City Charter and in accordance with Section 19-195 of the Administrative Code of the City of New York and the requirements of Section 1043 of the New York City Charter, that the Department of Transportation hereby amends subdivision (b) of Section 4-01, subdivisions (a) and (c) of Section 4-03, and subdivision (a) of Section 4-04 of Chapter 4 ("Traffic Rules and Regulations") of Title 34 of the Rules of the City of New York.

These rules were first published on November 29, 2016, and a public hearing was held on December 29, 2016.

Statement of Basis and Purpose of Adopted Rule

The Commissioner of the New York City Department of Transportation (DOT) is authorized to make rules regarding pedestrian traffic in the City pursuant to Section 2903(a) of the New York City Charter.

Local Law 115 of 2016 amended the New York City Administrative Code by adding a new Section 19-195 regarding pedestrian control signals.

Based on the provisions of Section 19-195, this rule:

- Adds a new definition for the term "pedestrian countdown display" to Section 4-01(b) of Title 34.

- Conforms the provisions in Sections 4-03(a)(2)(ii) and 4-03(c) of Title 34, regarding traffic and pedestrian control signals and pedestrian right of way, to the newly enacted Local Law 115 of 2016.

- Corrects an internal cross-reference within Section 4-04(a) of Title 34.

In 2014, Mayor de Blasio launched the Vision Zero action plan – an ambitious plan to reduce traffic fatalities in New York City. Vision Zero accepts no traffic fatality as inevitable. Vision Zero allows government agencies, industry groups, key transportation stakeholders and the public to understand traffic crashes as the result of a series of actions that can be changed or prevented through enforcement, education and design. The Mayor has signed several local laws to implement Vision Zero. Each law mandates specific requirements for one or more of the agencies involved in directly implementing Vision Zero. This adopted rule supports the goals of Vision Zero.

New material is underlined.
[Deleted material is in brackets.]

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Adopted Rules

§ 1.   Subdivision (b) of section 4-01 of title 34 of the rules of the city of New York is amended by adding a new definition of "pedestrian countdown display" in alphabetical order to read as follows:

Pedestrian countdown display. A "pedestrian countdown display" shall mean any automated digital reading used in a crosswalk that displays, at the beginning of the flashing upraised hand signal, the number of seconds remaining until the termination of such signal.

§ 2.   Subparagraph (ii) of paragraph (2) of subdivision (a) of section 4-03 of title 34 of the rules of the city of New York is amended to read as follows:

(ii) Pedestrians facing such signal are [thereby warned] advised that there [is] may be insufficient time to cross the roadway[, and shall not enter or cross the roadway]. Pedestrians already in the roadway [shall] must proceed to the nearest safety island or sidewalk in the direction of such signal.

§ 3.   Subdivision (c) of section 4-03 of title 34 of the rules of the city of New York is amended to read as follows:

(c) Pedestrian control signals. Whenever pedestrian control signals are in operation, [exhibiting the words "WALK" and "DON'T WALK" successively, the international green or red hand symbols, figures] showing symbols of a walking person, upraised hand, or upraised hand with a pedestrian countdown display, or any other internationally recognized representation concerning the movement of pedestrians, such signals shall indicate as follows:
(1) [WALK, green hand symbol or green] Steady walking [figure] person. Pedestrians facing such signal may proceed across the roadway in the direction of [the] such signal [in any crosswalk. Vehicular], and other traffic [shall] must yield the right of way to such pedestrians.
(2) Flashing [DON'T WALK, red] upraised hand [symbol] or [red standing figure] flashing upraised hand with pedestrian countdown display. Pedestrians facing such signal are [warned] advised that there [is] may be insufficient time to cross the roadway [and no pedestrian shall enter or cross the roadway]. Pedestrians already in the roadway [shall] must proceed to the nearest safety island or sidewalk in the direction of such signal. [Vehicular] Other traffic [shall] must yield the right of way to [such] pedestrians proceeding across the roadway within the crosswalk towards such signal for as long as such signal remains flashing.
(3) Steady [DON'T WALK red] upraised hand [symbol or red standing figure. Pedestrians facing such signal shall not enter or cross the roadway]. No pedestrians shall start to cross the roadway in the direction of such signal; provided, however that any pedestrians who have partially completed their crossing on a steady walking person signal or any flashing upraised

hand signal must proceed to the nearest sidewalk or safety island in the direction of such signal while such steady upraised hand signal is showing.

§ 4. Subdivision (a) of section 4-04 of title 34 of the rules of the city of New York is amended to read as follows:

(a) Pedestrians subject to traffic rules, except as otherwise provided herein. Pedestrians shall be subject to traffic control signals and pedestrian control signals as provided in §§4-03(a) and [4-03(b)] 4-03(c) of these rules and to the lawful orders and directions of any law enforcement officer, but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in this section.