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MEMORANDUM OF SUPPORT

BILL: A.8832-A (Magnarelli) / S.5223-A (Kennedy)

SUBJECT: Work Zone Safety – Speed Violation Monitoring Demonstration Program

DATE: July 15, 2020

The Associated General Contractors of New York State, (AGC NYS) the leading statewide trade association representing union and open shop construction companies supports A.8832-A (Magnarelli) / S.5223-A (Kennedy) which amends the vehicle and traffic law and the public officers law, in relation to establishing a demonstration program implementing speed violation monitoring systems in work zones by means of photo devices.

Workplace safety is of the utmost importance for members of AGC NYS because construction is an inherently hazardous business, and federal, state, and local safety laws were enacted to protect employers, workers, and the public. AGC NYS supported the Work Zone Safety Act of 2005, which was designed to enhance driver education, increase the accountability of drivers, and create a more sensible work zone for travel. In New York State, fines are doubled for speeding in a work zone and in accordance with the Work Zone Safety Act of 2005, convictions of two or more speeding violations in a work zone could result in the suspension of an individual's driver license.

AGC NYS commends the collaboration of the New York State Police and Department of Transportation for the continuation of "Operation Hardhat," a joint effort to crack down on work zone violations and highlight the importance of safe driving through active construction and maintenance work zones on state highways. In a statement, State Department of Transportation Commissioner Marie Therese Dominguez said, "Establishing and maintaining a highway work zone helps keep both our workers and the traveling public safe. As our Department's field staff and the State Police face increasing dangers from distracted drivers as they work on our state highways, this is an excellent opportunity to collaborate and raise awareness."

Despite the Work Zone Safety Act of 2005 and "Operation Hardhat", work zone intrusions by motorists are a significant problem to the health and safety of the men and women rebuilding New York's roads and bridges. Last year, the New York State Department of Transportation recorded a total of 521 crashes in road construction zones and 67 intrusions into maintenance zones, resulting in 50 injuries and two fatalities.

AGC NYS commends and concurs with the sponsors that worker safety is of paramount importance, especially as the State continues to invest in rebuilding our roads and bridges. The speed violation monitoring program will determine whether automatic enforcement mechanisms work in the context of work zones, whether stronger enforcement produces better outcomes for injury and fatalities, and whether money can be saved by reducing the labor costs associated with manual enforcement.

Therefore, AGC NYS supports A.8832-A (Magnarelli) / S.5223-A (Kennedy) and urges the Legislature to approve this bill.