

715

2009-2010 Regular Sessions

I N   S E N A T E

January 14, 2009

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Introduced by Sen. C. JOHNSON -- read twice and ordered printed, and  
when printed to be committed to the Committee on Transportation

AN ACT to amend the transportation law, in relation to requiring all  
railroads transporting hazardous materials through the counties of  
Nassau and Suffolk to give advance notice to the Metropolitan Trans-  
portation Authority, local governments and municipalities, and law  
enforcement and first responder personnel located within a quarter  
mile of the railroad tracks

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivision 3 of section 14-f of the transportation law is  
2     amended by adding a new paragraph (c) to read as follows:  
3     (C) NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW TO THE CONTRARY, ALL  
4     RAILROADS TRANSPORTING HAZARDOUS MATERIALS THROUGH THE COUNTIES OF  
5     NASSAU AND SUFFOLK SHALL, AT LEAST TWENTY-FOUR HOURS PRIOR TO COMMENCING  
6     ANY SUCH TRANSPORT, NOTIFY THE METROPOLITAN TRANSPORTATION AUTHORITY,  
7     ALL LOCAL GOVERNMENTS AND MUNICIPALITIES, AND LAW ENFORCEMENT AND FIRST  
8     RESPONDER PERSONNEL LOCATED WITHIN A QUARTER MILE OF THE RAILROAD TRACKS  
9     ON WHICH THE HAZARDOUS MATERIAL IS BEING TRANSPORTED OF THE IMPENDING  
10    TRANSPORT. SUCH NOTIFICATION SHALL BE GIVEN IN SUCH FORM AND MANNER AS  
11    PRESCRIBED BY THE DEPARTMENT.  
12    (I) FOR THE PURPOSES OF THIS PARAGRAPH, THE TERM "RAILROAD" SHALL MEAN  
13    A PRIVATE OR PUBLIC RAILROAD OPERATING IN THE COUNTIES OF NASSAU AND  
14    SUFFOLK CARRYING EITHER FREIGHT OR FREIGHT AND PASSENGERS INCLUDING, BUT  
15    NOT LIMITED TO, THOSE OPERATED BY THE AUTHORITY AND ITS SUBSIDIARIES,  
16    THE LONG ISLAND RAIL ROAD, THE METRO-NORTH RAILROAD, THE STATEN ISLAND  
17    RAPID TRANSIT OPERATING AUTHORITY, THE NEW YORK CITY TRANSIT AUTHORITY,  
18    ANY OTHER PUBLIC AUTHORITY OR LOCAL GOVERNMENT, OR ANY PRIVATE RAILROAD  
19    ENTITY OPERATING ON TRACKS OF THE LONG ISLAND RAIL ROAD.  
20    (II) THE PROVISIONS OF THIS PARAGRAPH SHALL NOT APPLY IN THE CASE OF  
21    AN EMERGENCY AS DESIGNATED BY THE DEPARTMENT.  
22    S 2. This act shall take effect on the thirtieth day after it shall  
23    have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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