

# STATE OF NEW YORK

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8052--A

## IN SENATE

March 22, 2018

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Introduced by Sens. KAVANAGH, DILAN -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law and the vehicle and traffics law, in relation to mitigating the closure of the L subway line in the city of New York; and providing for the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Legislative intent. The L subway line is of vital impor-  
2 tance to commuters, the local community, and businesses within the  
3 service area of the line. Hundreds of thousands of New Yorkers ride the  
4 line on a daily basis, and such ridership volume is essential to the  
5 economic vitality of nearby businesses. Officials from the metropolitan  
6 transportation authority (MTA) have indicated that portions of the L  
7 subway line will be temporarily closed for repair work beginning in  
8 April of 2019. The closure is anticipated to last fifteen months and  
9 affect all L subway line stations west of, and including, the Bedford  
10 Avenue and 1st Avenue Station. The temporary closure of the L subway  
11 line will cause individual and economic hardships for those who rely on  
12 the line for transportation and economic opportunities. Currently,  
13 there is no statutory requirement that would mandate the MTA to develop  
14 a plan to address the impacts of such a closure, allow for public feed-  
15 back, and provide the plan to the community. It is the intent of the  
16 legislature that there be a legal requirement for the MTA to consider  
17 and address all of the impacts of such a significant closure and provide  
18 a plan to the public in a timely manner. Such plan shall require the MTA  
19 to address timelines involved with the proposed closure, transportation  
20 alternatives to accommodate diverted riders, transportation facility  
21 improvements and expansion, the authority to utilize bus lane cameras to  
22 facilitate alternative forms of transportation, and provide for public  
23 input throughout the planning process and the L subway line closure.  
24 Public notice and involvement throughout the process is essential so

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

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1 that everyday riders are able to adjust their commuting habits and busi-  
2 nesses are able to adapt to such a change as a result of the closure.  
3 The legislature hereby finds and declares that the L subway line closure  
4 and its impacts are a significant concern. The legislature further finds  
5 and declares that the MTA shall be required to have a plan, prior to the  
6 L subway line closure, that would mitigate the effects of, and accommo-  
7 date those affected by, the closure. Finally, the legislature finds and  
8 declares that such plan shall provide for public input and be provided  
9 to the community.

10 § 2. The public authorities law is amended by adding a new section  
11 1279-e to read as follows:

12 § 1279-e. L subway line closure mitigation plan. 1. The authority, in  
13 consultation with the New York city department of transportation, the  
14 New York city economic development corporation, the permanent citizens  
15 advisory committee to the authority and any other entity the authority  
16 deems relevant, shall develop a plan to mitigate the individual and  
17 economic hardships due to the L subway line closure. Such plan shall  
18 include but not be limited to the following:

19 (a) an anticipated timeline for the L subway line closure, including  
20 the anticipated start time and date for the closure and the anticipated  
21 end time and date for the closure;

22 (b) an analysis of the anticipated increase in ridership on alterna-  
23 tive routes, including but not limited to, alternative bus routes,  
24 alternative subway routes and all other forms of alternative transporta-  
25 tion utilized to accommodate diverted L-riders as a result of the L  
26 subway line closure;

27 (c) identification of the specific corridors and related transporta-  
28 tion modes that will be impacted and disrupted by the L subway line  
29 closure;

30 (d) identification of the specific impacts and disruptions caused by  
31 the L subway line closure at alternative routes, corridors and related  
32 transportation modes to accommodate diverted L-riders;

33 (e) identification of specific mitigation measures to lessen the iden-  
34 tified and anticipated impacts and disruptions at alternative routes,  
35 corridors and related transportation modes;

36 (f) identification of surface and subway transportation improvements  
37 and restrictions to prepare for the disruption and impacts of the L  
38 subway line closure;

39 (g) a determination of the timing and scope of each individual  
40 improvement and restriction to surface and subway transportation;

41 (h) commencement, advertisement and publication of public hearings  
42 before, during and after the closure of the L subway line;

43 (i) an extensive community outreach process before, during and after  
44 the L subway line closure;

45 (j) additional station turnstile, stair and control area capacity and  
46 service at the numerous stations on the alternative subway lines to  
47 accommodate diverted L-riders as a result of the L subway line closure;

48 (k) additional L-alternative subway line service and capacity on week-  
49 ends and overnights;

50 (l) shuttle bus service to accommodate diverted L-riders as a result  
51 of the L subway line closure in the L subway line closure area;

52 (m) free transfers for ferry, bus and subway lines to accommodate  
53 diverted passengers as a result of the L subway line closure;

54 (n) increased ferry capacity and service connecting Brooklyn and  
55 Manhattan to accommodate diverted L-riders as a result of the L subway  
56 line closure;

1 (o) increased bus service and capacity to accommodate diverted L-rid-  
2 ers as a result of the L subway line closure within the L subway line  
3 closure area;

4 (p) increased subway service and capacity on L alternative route  
5 subway lines to accommodate diverted L-riders as a result of the L  
6 subway line closure;

7 (q) identification of subway station improvements at L-alternative  
8 route subway lines to accommodate diverted L-riders as a result of the L  
9 subway line closure;

10 (r) fare parity between ferry, bus and subway lines for diverted  
11 L-riders as a result of the L subway line closure;

12 (s) contract incentives and penalties for the contractors to encourage  
13 the completion of the L subway line closure project within fifteen  
14 months;

15 (t) the implementation of bus lanes in order to move buses quickly and  
16 not add to congestion and to accommodate diverted L-riders as a result  
17 of the L subway line closure;

18 (u) the implementation of high occupancy vehicle(HOV) lane  
19 restrictions in order to move high occupancy vehicles quickly and not  
20 add to congestion and to accommodate diverted L-riders as a result of  
21 the L subway line closure;

22 (v) the identification of appropriate placement of HOV lanes through-  
23 out the impacted area to accommodate diverted L-riders as a result of  
24 the L subway line closure;

25 (w) determination and evaluation enforcement measures of HOV lanes;

26 (x) the periodic review of the effectiveness of HOV lanes;

27 (y) analysis of the impact of the Williamsburg Bridge restrictions on  
28 the other East River crossings;

29 (z) mitigation of an outsized shift of diverted L-riders to for-hire  
30 vehicles that could lead to massive congestion at East River crossings;

31 (aa) development of robust plans for bicycle use to accommodate  
32 diverted L-riders as a result of the L subway line closure;

33 (bb) expanded access to pedestrians, bus riders and cyclists along  
34 L-alternative route transportation corridors to ensure quick and effi-  
35 cient movement for diverted L-riders as a result of the L subway line  
36 closure;

37 (cc) rush hour restrictions to assist buses in traveling along L-al-  
38 ternative transportation routes to accommodate diverted L-riders as a  
39 result of the L subway line closure;

40 (dd) bus lanes to assist buses in traveling along L-alternative trans-  
41 portation routes to accommodate diverted L-riders as a result of the L  
42 subway line closure;

43 (ee) select bus service to assist buses in traveling along L-alterna-  
44 tive transportation routes to accommodate diverted L-riders as a result  
45 of the L subway line closure;

46 (ff) upgrading of select bus service to assist buses traveling along  
47 L-alternative transportation routes to accommodate diverted L-riders as  
48 a result of the L subway line closure;

49 (gg) temporary bus bulbs to assist buses traveling along L-alternative  
50 transportation routes to accommodate diverted L-riders as a result of  
51 the L subway line closure;

52 (hh) offset bus lines to assist buses traveling along L-alternative  
53 transportation routes to accommodate diverted L-riders as a result of  
54 the L subway line closure;

1 (ii) sidewalk expansion along the L-alternative transportation routes  
2 to accommodate diverted L-riders as a result of the L subway line  
3 closure;

4 (jj) new pedestrian space along the L-alternative transportation  
5 routes to accommodate diverted L-riders as a result of the L subway line  
6 closure;

7 (kk) an analysis and determination of the impact on daily cycling  
8 volume along the L-alternative transportation routes to accommodate  
9 diverted L-riders as a result of the L subway line closure;

10 (ll) two-way protected crosstown bike lane to accommodate diverted  
11 L-riders as a result of the L subway line closure;

12 (mm) pedestrianized street features along the L-alternative transpor-  
13 tation routes to accommodate diverted L-riders as a result of the L  
14 subway line closure;

15 (nn) new bike parking hubs along the L-alternative transportation  
16 routes to accommodate diverted L-riders as a result of the L subway line  
17 closure;

18 (oo) new ferry routes along the L-alternative transportation routes to  
19 accommodate diverted L-riders as a result of the L subway line closure;

20 (pp) increased services and capacity for community bicycle-sharing  
21 programs to accommodate diverted L-riders as a result of the L subway  
22 line closure;

23 (qq) identification and implementation of the placement of additional  
24 crosswalks along the L-alternative transportation routes to accommodate  
25 diverted L-riders as a result of the L subway line closure;

26 (rr) additional bicycle parking along the L-alternative transportation  
27 routes to accommodate diverted L-riders as a result of the L subway line  
28 closure; and

29 (ss) the periodic briefing of elected officials on the status of the  
30 subway line closure before, during and after the closure.

31 2. In developing the plan referenced in subdivision one of this  
32 section, the authority shall consider but not be limited to the follow-  
33 ing actions and measures for inclusion in said plan:

34 (a) discounted advertising on all authority advertising mediums within  
35 the L subway line closure area;

36 (b) signage within the L subway line closure area in the vicinity of  
37 above-ground work sites which state that nearby businesses are open;

38 (c) the commissioning of public art to be installed within the L  
39 subway line closure area for the purpose of drawing visitors to neigh-  
40 borhoods in the L subway line closure area;

41 (d) a free or reduced fare shuttle bus service for diverted passengers  
42 in the L subway line closure area;

43 (e) methods to encourage the patronage of businesses within the L  
44 subway line closure area;

45 (f) in consultation with the urban development corporation, providing  
46 financial assistance to businesses within the L subway line closure  
47 area, including grants and rental and utility assistance; and

48 (g) in consultation with the New York city economic development corpo-  
49 ration, identifying state owned property in Manhattan which may be used  
50 as temporary showrooms for businesses within the L subway line project  
51 area.

52 3. For purposes of this section "L subway line closure area" shall  
53 mean an area approved by the board of the authority that is adjacent to  
54 or affected by the temporary closure of portions of the L subway line  
55 for repairs.

1 4. The L subway line closure mitigation plan required pursuant to this  
2 section shall, no later than sixty days before the commencement of the L  
3 subway line closure, be submitted to the governor, the temporary presi-  
4 dent of the senate and the speaker of the assembly, be posted on the  
5 authority's website and also be made readily available to the public.

6 5. The authority shall not charge a fare or fee for any shuttle bus  
7 service to accommodate diverted L-riders as a result of the L subway  
8 line closure in the L subway line closure area.

9 § 3. Paragraph 5 of subdivision (c) of section 1111-c of the vehicle  
10 and traffic law, as amended by section 6 of part NNN of chapter 59 of  
11 the laws of 2018, is amended to read as follows:

12 5. "bus rapid transit program" shall mean up to ten routes designated  
13 by the New York city department of transportation in consultation with  
14 the applicable mass transit agency, a route designated by the New York  
15 city department of transportation on Grand Street, Delancey Street and  
16 the Williamsburg Bridge from the Grand Street station to the Delancey  
17 Street station, and a route designated by the New York city department  
18 of transportation on Fourteenth Street between Third and Ninth Avenues  
19 eastbound and Third and Eighth Avenues westbound, in addition to the Bus  
20 Rapid Transit Phase I plan routes, that operate on designated bus lanes  
21 and that may include upgraded signage, enhanced road markings, minimum  
22 bus stop spacing, off-board fare payment, traffic signal priority for  
23 buses, and any other enhancement that increases bus speed or reliabil-  
24 ity.

25 § 4. This act shall take effect immediately and shall expire and be  
26 deemed repealed September 1, 2020; provided, however, that the amend-  
27 ments to paragraph 5 of subdivision (c) of section 1111-c of the vehicle  
28 and traffic law, made by section three of this act, shall not affect the  
29 repeal of such section and shall be deemed repealed therewith.