

# STATE OF NEW YORK

1509

2021-2022 Regular Sessions

## IN SENATE

January 12, 2021

Introduced by Sens. MAY, O'MARA -- 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 the interagency coordinating committee on rural public transportation; and to amend the social services law, in relation to the transportation of eligible persons residing in a rural area

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

1 Section 1. Section 73-d of the transportation law, as amended by chap-  
2 ter 562 of the laws of 1987, subdivision 1 as amended by chapter 672 of  
3 the laws of 2019, is amended to read as follows:

4 § 73-d. Interagency coordinating committee on rural public transporta-  
5 tion. 1. There is hereby created a committee to be known as the "inter-  
6 agency coordinating committee on rural public transportation", to be  
7 comprised of nineteen members. The commissioner or his or her designee  
8 shall serve as chairperson. Twelve of such members shall be the follow-  
9 ing or his or her duly designated representative: the director of the  
10 office for the aging; the commissioner of education; the commissioner of  
11 labor; the commissioner of health; the commissioner of the office of  
12 mental health; the commissioner of the office of addiction services and  
13 supports; the commissioner of the office for people with developmental  
14 disabilities; the commissioner of [~~social services; state advocate for~~  
15 ~~the disabled~~] the office for temporary and disability assistance; the  
16 executive director of the New York state justice center for the  
17 protection of people with special needs; secretary of state; the commis-  
18 sioner of agriculture and markets[~~; the director of the office of rural~~  
19 ~~affairs~~] and the [~~director of the division for youth~~] commissioner of  
20 the office of children and family services. Six additional members,  
21 [~~all~~] five of whom shall be transportation providers or consumers  
22 representing rural counties and one shall be a representative of a labor  
23 union affiliated with rural public transportation systems receiving

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

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1 public transportation systems operating assistance account funds, shall  
2 be appointed to serve a term of three years as follows: two by the  
3 temporary president [~~pro-tempore~~] of the senate, two by the speaker of  
4 the assembly, one by the minority leader of the senate, and one by the  
5 minority leader of the assembly. Efforts shall be made to provide a  
6 broad representation of consumers and providers of transportation  
7 services in rural counties when making such appointments. [~~Members of~~  
8 ~~the committee shall receive no salary.~~] The six members appointed by the  
9 legislature, as well as the commissioner or his or her designee, shall  
10 be the voting members. The balance of the committee will serve in an  
11 advisory or consulting capacity. The committee shall keep a record of  
12 its official actions.

13 The commissioner shall cause the department to provide staff assist-  
14 ance necessary for the efficient and effective operation of the commit-  
15 tee.

16 2. The committee shall<sup>[+]</sup>, for a two-year period beginning no later  
17 than one year after the effective date of the chapter of the laws of two  
18 thousand nineteen that amended this section, meet at least once every  
19 three months and at least once every four months thereafter, and shall  
20 annually report to the governor, the temporary president of the senate  
21 and the speaker of the assembly. The annual report shall:

22 a. identify existing rural transportation systems and provide data on  
23 ridership, revenue, and financial challenges for each system;

24 b. identify rural populations currently utilizing public transporta-  
25 tion, as well as populations in need of public transportation without  
26 access, and discuss recommendations for maintaining, coordinating and  
27 expanding services;

28 c. include a breakdown by county of cost savings, modes of transporta-  
29 tion provided to Medicaid patients, and rates of utilization of public  
30 transportation by Medicaid patients;

31 d. identify programs and the annual amounts and sources of funds from  
32 such programs that are eligible to be used to support a coordinated  
33 public transportation service, and the annual amounts and sources of  
34 such funds that are actually used for client transportation or for  
35 transportation of persons in connection with agency-affiliated programs  
36 or services; such data shall be provided on a county basis;

37 [~~b-~~] e. identify restrictions on existing programs that inhibit funds  
38 from such programs being used to pay for a coordinated public transpor-  
39 tation service in rural counties;

40 [~~e-~~] f. recommend changes in state or local laws or regulations that  
41 would improve the coordination of funds, facilities, vehicles or equip-  
42 ment and other resources used for transportation at the local level;

43 [~~d-~~] g. upon request, compile and forward to the commissioner any data  
44 or other information required by this section.

45 3. A majority of the whole number of voting members of the committee  
46 shall constitute a quorum for the transaction of the committee's busi-  
47 ness. The committee shall have the power to act by a majority vote of  
48 the voting members. Committee members shall hold office until their  
49 successors have been appointed and have qualified. The selection of  
50 successors to fill a vacancy shall be made in the same manner in which  
51 the retiring committee members shall have been selected. Members of the  
52 committee shall receive no salary or other compensation, but shall be  
53 entitled to their actual and necessary expenses, including traveling  
54 expenses incurred in the discharge of their duties.

55 § 2. Subdivision 4 of section 365-h of the social services law is  
56 amended by adding a new paragraph (c) to read as follows:

1 (c) Where the commissioner of health elects to assume such responsi-  
2 bility from a local social services district authorized transportation  
3 for an eligible person, whose originating location exists within a coun-  
4 ty defined as a rural area pursuant to subdivision seven of section four  
5 hundred eighty-one of the executive law, shall be assigned to an exist-  
6 ing public transportation system, as defined in subdivision one of  
7 section eighteen-b of the transportation law, if that system provides an  
8 appropriate, available and least expensive mode of transportation.

9 § 3. This act shall take effect immediately; provided, however, that  
10 section two of this act shall take effect on the same date and in the  
11 same manner as section 2 of part LL of chapter 56 of the laws of 2020,  
12 takes effect; and provided, further, that the amendments to subdivision  
13 4 of section 365-h of the social services law, made by section two of  
14 this act, shall not affect the expiration and repeal of such section,  
15 and shall expire and be deemed repealed therewith.