

STATE OF NEW YORK

6366

2025-2026 Regular Sessions

IN ASSEMBLY

March 4, 2025

Introduced by M. of A. PALMESANO, BARCLAY, RA, BLANKENBUSH, BRABENEC, DeSTEFANO, DiPIETRO, FRIEND, MANKTELOW, McDONOUGH, MILLER, MORINELLO, REILLY, SMULLEN, TAGUE, WALSH -- read once and referred to the Committee on Ways and Means

AN ACT to amend the state finance law, in relation to establishing the dedicated highway and bridge trust fund reform act

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "dedicated highway and bridge trust fund reform act".

3 § 2. Paragraph a of subdivision 5 of section 89-b of the state finance
4 law, as amended by section 10 of part C of chapter 57 of the laws of
5 2014, is amended to read as follows:

6 a. Moneys in the dedicated highway and bridge trust fund shall,
7 following appropriation by the legislature, be utilized for: recon-
8 struction, replacement, reconditioning, restoration, rehabilitation and
9 preservation of state, county, town, city and village roads, highways,
10 parkways, and bridges thereon, to restore such facilities to their
11 intended functions; construction, reconstruction, enhancement and
12 improvement of state, county, town, city, and village roads, highways,
13 parkways, and bridges thereon, to address current and projected capacity
14 problems including costs for traffic mitigation activities; aviation
15 projects authorized pursuant to section fourteen-j of the transportation
16 law and for payments to the general debt service fund of amounts equal
17 to amounts required for service contract payments related to aviation
18 projects as provided and authorized by section three hundred eighty-six
19 of the public authorities law; programs to assist small and minority and
20 women-owned firms engaged in transportation construction and recon-
21 struction projects, including a revolving fund for working capital
22 loans, and a bonding guarantee assistance program in accordance with
23 provisions of this chapter; matching federal grants or apportionments to

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

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1 the state for highway, parkway and bridge capital projects; the acquisition of real property and interests therein required or expected to be
2 required in connection with such projects; preventive maintenance activities necessary to ensure that highways, parkways and bridges meet or
3 exceed their optimum useful life; ~~[expenses of control of snow and ice on state highways by the department of transportation including but not~~
4 ~~limited to personal services, nonpersonal services and fringe benefits,~~
5 ~~payment of emergency aid for control of snow and ice in municipalities pursuant to section fifty-five of the highway law, expenses of control~~
6 ~~of snow and ice on state highways by municipalities pursuant to section twelve of the highway law, and for expenses of arterial maintenance~~
7 ~~agreements with cities pursuant to section three hundred forty-nine of the highway law; personal services, nonpersonal services, and fringe~~
8 ~~benefit costs of the department of transportation for bus safety inspection activities, rail safety inspection activities, and truck~~
9 ~~safety inspection activities; costs of the department of motor vehicles, including but not limited to personal and nonpersonal services;]~~ costs
10 of engineering and administrative services of the department of transportation, including but not limited to fringe benefits; the contract
11 services provided by private firms in accordance with section fourteen of the transportation law; personal services and nonpersonal services,
12 for activities including but not limited to the preparation of designs, plans, specifications and estimates; construction management and supervision activities; costs of appraisals, surveys, testing and environmental impact statements for transportation projects; expenses in
13 connection with buildings, equipment, materials and facilities used or useful in connection with the maintenance, operation, and repair of
14 highways, parkways and bridges thereon; and project costs for: construction, reconstruction, improvement, reconditioning and preservation of rail freight facilities and intercity rail passenger facilities
15 and equipment; construction, reconstruction, improvement, reconditioning and preservation of state, municipal and privately owned ports;
16 construction, reconstruction, improvement, reconditioning and preservation of municipal airports; privately owned airports and aviation capital facilities, excluding airports operated by the state or operated by
17 a bi-state municipal corporate instrumentality for which federal funding is not available provided the project is consistent with an approved
18 airport layout plan; and construction, reconstruction, enhancement, improvement, replacement, reconditioning, restoration, rehabilitation and preservation of state, county, town, city and village roads, highways, parkways and bridges; and construction, reconstruction, improvement, reconditioning and preservation of fixed ferry facilities of
19 municipal and privately owned ferry lines for transportation purposes, and the payment of debt service required on any bonds, notes or other obligations and related expenses for highway, parkway, bridge and
20 project costs for: construction, reconstruction, improvement, reconditioning and preservation of rail freight facilities and intercity rail passenger facilities and equipment; construction, reconstruction, improvement, reconditioning and preservation of state, municipal and
21 privately owned ports; construction, reconstruction, improvement, reconditioning and preservation of municipal airports; privately owned airports and aviation capital facilities, excluding airports operated by
22 the state or operated by a bi-state municipal corporate instrumentality for which federal funding is not available provided the project is consistent with an approved airport layout plan; construction, reconstruction, enhancement, improvement, replacement, reconditioning, resto-

1 ration, rehabilitation and preservation of state, county, town, city and
2 village roads, highways, parkways and bridges; and construction, recon-
3 struction, improvement, reconditioning and preservation of fixed ferry
4 facilities of municipal and privately owned ferry lines for transporta-
5 tion purposes, purposes authorized on or after the effective date of
6 this section. Beginning with disbursements made on and after the first
7 day of April, nineteen hundred ninety-three, moneys in such fund shall
8 be available to pay such costs or expenses made pursuant to appropri-
9 ations or reappropriations made during the state fiscal year which began
10 on the first of April, nineteen hundred ninety-two. Beginning the first
11 day of April, nineteen hundred ninety-three, moneys in such fund shall
12 also be used for transfers to the general debt service fund and the
13 revenue bond tax fund of amounts equal to that respectively required for
14 service contract and financing agreement payments as provided and
15 authorized by section three hundred eighty of the public authorities
16 law, section eleven of chapter three hundred twenty-nine of the laws of
17 nineteen hundred ninety-one, as amended, and sections sixty-eight-c and
18 sixty-nine-o of this chapter.

19 § 3. Paragraph a of subdivision 5 of section 89-b of the state finance
20 law, as amended by section 52 of part JJJ of chapter 59 of the laws of
21 2021, is amended to read as follows:

22 a. Moneys in the dedicated highway and bridge trust fund shall,
23 following appropriation by the legislature, be utilized for: recon-
24 struction, replacement, reconditioning, restoration, rehabilitation and
25 preservation of state, county, town, city and village roads, highways,
26 parkways, and bridges thereon, to restore such facilities to their
27 intended functions; construction, reconstruction, enhancement and
28 improvement of state, county, town, city, and village roads, highways,
29 parkways, and bridges thereon, to address current and projected capacity
30 problems including costs for traffic mitigation activities; aviation
31 projects authorized pursuant to section fourteen-j of the transportation
32 law and for payments to the general debt service fund of amounts equal
33 to amounts required for service contract payments related to aviation
34 projects as provided and authorized by section three hundred eighty-six
35 of the public authorities law; programs to assist small and minority and
36 women-owned firms engaged in transportation construction and recon-
37 struction projects, including a revolving fund for working capital
38 loans, and a bonding guarantee assistance program in accordance with
39 provisions of this chapter; matching federal grants or apportionments to
40 the state for highway, parkway and bridge capital projects; the acquisi-
41 tion of real property and interests therein required or expected to be
42 required in connection with such projects; preventive maintenance activ-
43 ities necessary to ensure that highways, parkways and bridges meet or
44 exceed their optimum useful life; ~~expenses of control of snow and ice~~
45 ~~on state highways by the department of transportation including but not~~
46 ~~limited to personal services, nonpersonal services and fringe benefits,~~
47 ~~payment of emergency aid for control of snow and ice in municipalities~~
48 ~~pursuant to section fifty five of the highway law, expenses of control~~
49 ~~of snow and ice on state highways by municipalities pursuant to section~~
50 ~~twelve of the highway law, and for expenses of arterial maintenance~~
51 ~~agreements with cities pursuant to section three hundred forty nine of~~
52 ~~the highway law; personal services, nonpersonal services, and fringe~~
53 ~~benefit costs of the department of transportation for bus safety~~
54 ~~inspection activities, rail safety inspection activities, and truck~~
55 ~~safety inspection activities; costs of the department of motor vehicles,~~
56 ~~including but not limited to personal and nonpersonal services;] costs~~

1 of engineering and administrative services of the department of trans-
2 portation, including but not limited to fringe benefits; the contract
3 services provided by private firms in accordance with section fourteen
4 of the transportation law; personal services and nonpersonal services,
5 for activities including but not limited to the preparation of designs,
6 plans, specifications and estimates; construction management and super-
7 vision activities; costs of appraisals, surveys, testing and environ-
8 mental impact statements for transportation projects; expenses in
9 connection with buildings, equipment, materials and facilities used or
10 useful in connection with the maintenance, operation, and repair of
11 highways, parkways and bridges thereon; and project costs for:
12 construction, reconstruction, improvement, reconditioning and preserva-
13 tion of rail freight facilities and intercity rail passenger facilities
14 and equipment; construction, reconstruction, improvement, reconditioning
15 and preservation of state, municipal and privately owned ports;
16 construction, reconstruction, improvement, reconditioning and preserva-
17 tion of municipal airports; privately owned airports and aviation capi-
18 tal facilities, excluding airports operated by the state or operated by
19 a bi-state municipal corporate instrumentality for which federal funding
20 is not available provided the project is consistent with an approved
21 airport layout plan; and construction, reconstruction, enhancement,
22 improvement, replacement, reconditioning, restoration, rehabilitation
23 and preservation of state, county, town, city and village roads, high-
24 ways, parkways and bridges; and construction, reconstruction, improve-
25 ment, reconditioning and preservation of fixed ferry facilities of
26 municipal and privately owned ferry lines for transportation purposes,
27 and the payment of debt service required on any bonds, notes or other
28 obligations and related expenses for highway, parkway, bridge and
29 project costs for: construction, reconstruction, improvement, recondi-
30 tioning and preservation of rail freight facilities and intercity rail
31 passenger facilities and equipment; construction, reconstruction,
32 improvement, reconditioning and preservation of state, municipal and
33 privately owned ports; construction, reconstruction, improvement, recondi-
34 tioning and preservation of municipal airports; privately owned
35 airports and aviation capital facilities, excluding airports operated by
36 the state or operated by a bi-state municipal corporate instrumentality
37 for which federal funding is not available provided the project is
38 consistent with an approved airport layout plan; construction, recon-
39 struction, enhancement, improvement, replacement, reconditioning, resto-
40 ration, rehabilitation and preservation of state, county, town, city and
41 village roads, highways, parkways and bridges; and construction, recon-
42 struction, improvement, reconditioning and preservation of fixed ferry
43 facilities of municipal and privately owned ferry lines for transporta-
44 tion purposes, purposes authorized on or after the effective date of
45 this section. Beginning with disbursements made on and after the first
46 day of April, nineteen hundred ninety-three, moneys in such fund shall
47 be available to pay such costs or expenses made pursuant to appropri-
48 ations or reappropriations made during the state fiscal year which began
49 on the first of April, nineteen hundred ninety-two. Beginning the first
50 day of April, nineteen hundred ninety-three, moneys in such fund shall
51 also be used for transfers to the general debt service fund and the
52 general fund of amounts equal to that respectively required for service
53 contract and financing agreement payments as provided and authorized by
54 section three hundred eighty of the public authorities law, section
55 eleven of chapter three hundred twenty-nine of the laws of nineteen

1 hundred ninety-one, as amended, and sections sixty-eight-c and sixty-
2 nine-o of this chapter.
3 § 4. This act shall take effect immediately; provided, however, that
4 the amendments to paragraph a of subdivision 5 of section 89-b of the
5 state finance law made by section two of this act shall be subject to
6 the expiration and reversion of such paragraph pursuant to section 2 of
7 part B of chapter 84 of the laws of 2002, as amended, when upon such
8 date the provisions of section three of this act shall take effect.