

# STATE OF NEW YORK

5428

2025-2026 Regular Sessions

## IN SENATE

February 21, 2025

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

AN ACT to amend the highway law, in relation to authorizing park-and-ride development as construction or improvement by the department of transportation partly at municipal expense

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

1 Section 1. Subdivision 1 of section 80-b of the highway law, as  
2 amended by chapter 3 of the laws of 2023, is amended to read as follows:  
3 1. In connection with the undertaking of any project for which the  
4 commissioner is authorized to use moneys of the federal government  
5 pursuant to the provisions of subdivision thirty-four-a of section ten  
6 and section eighty of this chapter to assure the effective discharge of  
7 state responsibilities with respect to regional transportation needs, on  
8 highways, roads, streets, bicycle paths [~~or~~], pedestrian paths, or park-  
9 and-ride developments that are not on the state highway system, the  
10 commissioner shall submit such project to the governing body or bodies  
11 of the affected municipality or municipalities together with estimates  
12 of costs thereof. If such project includes a municipal project, as that  
13 term is defined in accordance with article thirteen of the transporta-  
14 tion law, the state share of such municipal project shall also be  
15 included. If such project includes a project affecting a highway, road,  
16 street, bicycle path [~~or~~], pedestrian path, or park-and-ride develop-  
17 ments not on the state highway system, the state share shall be equal to  
18 eighty percent of the difference between the total project cost and the  
19 federal assistance, provided, however, the commissioner may increase the  
20 state share to an amount equal to one hundred percent of the difference  
21 between the total project cost and the federal assistance where [~~he or~~  
22 ~~she~~] such commissioner determines that the need for the project results  
23 substantially from actions undertaken pursuant to section ten of this  
24 chapter. No such project shall proceed without the approval of the

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

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1 governing body of a municipality. Such governing body may request the  
2 commissioner to undertake the provision of such project. If the commis-  
3 sioner agrees to such undertaking [~~he or she~~] **they** shall notify the  
4 local governing body which shall appropriate sufficient moneys to pay  
5 the estimated amount of the municipal share. Such moneys shall be depos-  
6 ited with the state comptroller who is authorized to receive and accept  
7 the same for the purposes of such project, subject to the draft or  
8 requisition of the commissioner. When the work of such project has been  
9 completed, the commissioner shall render to the governing body of such  
10 municipality an itemized statement showing in full (a) the amount of  
11 money that has been deposited by such municipality with the state comp-  
12 troller as hereinbefore provided, and (b) all disbursements made pursu-  
13 ant to this section for such project. Any surplus moneys shall be paid  
14 to such municipality on the warrant of the comptroller on vouchers  
15 therefor approved by the commissioner. When the work of such project has  
16 been completed and it is determined by the commissioner that the amount  
17 of the cost to be borne by the municipality is in excess of the amount  
18 deposited by such municipality with the state comptroller, the commis-  
19 sioner shall then notify the municipality of the deficiency of funds.  
20 The municipality shall then within ninety days of the receipt of such  
21 notice, pay such amount to the state comptroller. For purposes of this  
22 section, the term "municipality" shall include a city, county, town,  
23 village or two or more of the foregoing acting jointly.  
24 § 2. This act shall take effect immediately.