S T A T E O F N E W Y O R K

5968

2009-2010 Regular Sessions

I N A S S E M B L Y

February 23, 2009

Introduced by M. of A. TITONE, TOBACCO -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to acquiring a traffic impact statement and public hearing for certain construction projects of the Triborough Bridge and Tunnel Authority

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

Section 1. The public authorities law is amended by adding a new section 559-a to read as follows:

S 559-A. TRAFFIC IMPACT STATEMENT AND PUBLIC HEARING. 1. NOTWITHSTANDING ANY OTHER LAW, RULE OR REGULATION TO THE CONTRARY, WHEN THE AUTHORITY PLANS TO COMPLETE A CONSTRUCTION OR RENOVATION PROJECT THAT SHALL COST AT LEAST FIVE MILLION DOLLARS AND SHALL TAKE AT LEAST THIRTY DAYS TO SUBSTANTIALLY COMPLETE, THE AUTHORITY SHALL ISSUE A TRAFFIC IMPACT STATEMENT, AND HOLD A PUBLIC HEARING IN COMMUNITIES WHICH WILL BE IMPACTED BY THE PROJECT. BEFORE SUCH PUBLIC HEARING IS HELD, THE AUTHORITY SHALL PUBLISH ALL TRAFFIC MITIGATION ALTERNATIVES AND THE POSITIVE OR ADVERSE IMPACT SUCH ALTERNATIVES WILL HAVE ON POTENTIAL DELAYS OF SUCH CONSTRUCTION PROJECT.

2. THE PUBLIC HEARING REQUIRED BY SUBDIVISION ONE OF THIS SECTION SHALL:

(A) PROVIDE FOR A PUBLIC COMMENT SESSION;

(B) BE HELD NO LESS THAN THIRTY DAYS BEFORE THE CONSTRUCTION OR RENOVATION PROJECT IS PUT OUT TO BID; AND

(C) SHALL BE HELD BEFORE THE TRAFFIC IMPACT STATEMENT IS ISSUED.

3. THE AUTHORITY SHALL NOT HAVE TO COMPLY WITH THE REQUIREMENTS OF SUBDIVISION ONE OF THIS SECTION WHEN, IN THE OPINION OF THE AUTHORITY, AN EMERGENCY EXISTS THAT REQUIRES AN IMMEDIATE CONSTRUCTION OR RENOVATION PROJECT OR THERE IS AN IMMINENT THREAT TO PUBLIC SAFETY.

S 2. This act shall take effect on the ninetieth day after it shall have become a law; provided, that, the chairman of the metropolitan transportation authority is immediately authorized and directed to promulgate, amend and/or repeal any rules and regulations necessary to implement the provisions of this act on its effective date.

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

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