

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:

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

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

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

15 (A) PROVIDE FOR A PUBLIC COMMENT SESSION;

16 (B) BE HELD NO LESS THAN THIRTY DAYS BEFORE THE CONSTRUCTION OR RENO-
17 VATION PROJECT IS PUT OUT TO BID; AND

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

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

23 S 2. This act shall take effect on the ninetieth day after it shall
24 have become a law; provided, that, the chairman of the metropolitan
25 transportation authority is immediately authorized and directed to
26 promulgate, amend and/or repeal any rules and regulations necessary to
27 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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