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2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. CAHILL -- read once and referred to the Committee on Transportation

AN ACT to amend the transportation law, in relation to providing special-use permits for certain commercial or oversized vehicles on certain special parkways

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

1 Section 1. Subdivision 5 of section 71 of the transportation law, as
2 added by chapter 370 of the laws of 1979, is amended and a new subdivi-
3 sion 8 is added to read as follows:
4 5. To limit or prohibit travel by types or classes of commercial vehi-
5 cles as may be required due to roadway design or safety considerations
6 EXCEPT AS PROVIDED IN SUBDIVISION EIGHT OF THIS SECTION, and to estab-
7 lish speed limits and standards of travel safety on all such special
8 parkways designated by this article.
9 8. NOTWITHSTANDING ANY LAW, RULES, OR REGULATIONS TO THE CONTRARY, THE
10 COMMISSIONER SHALL PROMULGATE RULES AND REGULATIONS NECESSARY TO IMPE-
11 MENT A SPECIAL-USE PERMIT FOR CERTAIN COMMERCIAL OR OVERSIZED VEHICLES
12 PERMITTING THE USE OF CERTAIN SPECIAL PARKWAYS INCLUDING, BUT NOT LIMIT-
13 ED TO, AMBULATORY VETERINARIANS USE OF THE TACONIC STATE PARKWAY.
14 (A) THE OWNER OF SUCH COMMERCIAL OR OVERSIZED VEHICLE MAY FILE WITH
15 THE COMMISSIONER OR ANY AGENT OF THE COMMISSIONER AN APPLICATION FOR
16 ISSUANCE OF SPECIAL-USE PERMIT FOR SUCH VEHICLE. THE APPLICATION SHALL
17 BE MADE ON A FORM FURNISHED BY THE COMMISSIONER FOR SUCH PURPOSE AND
18 SHALL CONTAIN SUCH INFORMATION AS THE COMMISSIONER SHALL REQUIRE. IF
19 SATISFIED THAT THE VEHICLE IS TO BE OPERATED AS PROVIDED IN THIS
20 SECTION, THE COMMISSIONER SHALL UPON PAYMENT OF A FEE OF TEN DOLLARS
21 ASSIGN TO SUCH VEHICLE A DISTINCTIVE NUMBER AND ISSUE AND DELIVER TO THE
22 APPLICANT A SPECIAL-USE PERMIT, IN SUCH FORM AS THE COMMISSIONER SHALL
23 PRESCRIBE, INDICATING WHERE TO DISPLAY SUCH PERMIT IN SUCH VEHICLE, THE

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

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1 EXTENT TO WHICH THE VEHICLE COVERED BY SUCH PERMIT MAY BE OPERATED ON
2 THE SPECIAL PARKWAYS, AND SUCH VEHICLE MAY BE OPERATED ONLY AS SO INDI-
3 CATED.

4 (B) IF A SPECIAL-USE PERMIT IS ISSUED BY A COUNTY CLERK, ACTING AS
5 AGENT OF THE COMMISSIONER, SUCH COUNTY CLERK SHALL BE ENTITLED TO THE
6 SUM OF THIRTY-FIVE CENTS FOR EACH SPECIAL-USE PERMIT ISSUED, WHICH SUM
7 SHALL BE DEDUCTED BEFORE REMITTING THE FEE FOR SUCH SPECIAL-USE PERMIT
8 TO THE COMMISSIONER.

9 S 2. This act shall take effect on the one hundred twentieth day after
10 it shall have become a law; provided, however, that effective immediate-
11 ly, the addition, amendment and/or repeal of any rule or regulation
12 necessary for the implementation of this act on its effective date are
13 authorized and directed to be made and completed on or before such
14 effective date.