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

3959

2009-2010 Regular Sessions

I N S E N A T E

April 7, 2009

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

AN ACT to amend the public authorities law, in relation to requiring the New York state thruway authority to reimburse municipalities, volunteer fire companies or volunteer ambulance companies for certain expenses

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

Section 1. Section 360 of the public authorities law, as amended by chapter 766 of the laws of 1992, is amended to read as follows:

S 360. Operation and maintenance. 1. Operation and maintenance by the authority of any thruway section or connection or any part thereof or of a highway connection, the New York state canal system of which it has assumed jurisdiction shall be performed (a) by the use of authority forces and equipment at the expense of the authority or by agreement at the expense of the state or other parties; (b) by contract with municipalities or independent contractors; (c) at the request of the authority, by the commissioner and his subordinates in the department of transportation as agents for, and at the expense of the authority, or (d) by a combination of such methods.

2. THE AUTHORITY SHALL, FURTHER, BE RESPONSIBLE FOR REIMBURSEMENT TO A MUNICIPALITY, VOLUNTEER FIRE COMPANY OR VOLUNTEER AMBULANCE COMPANY FOR POLICE, FIRE OR OTHER EMERGENCY SERVICES RENDERED BY ANY SUCH MUNICIPALITY, VOLUNTEER FIRE COMPANY OR VOLUNTEER AMBULANCE COMPANY AS A RESULT OF AN ACCIDENT OR INCIDENT ON SUCH THRUWAY, WHERE THE COST TO THE SUBJECT MUNICIPALITY, VOLUNTEER FIRE COMPANY OR VOLUNTEER AMBULANCE COMPANY FOR PROVISION OF SERVICES AS A RESULT OF THE ACCIDENT OR INCIDENT IS IN EXCESS OF TWO HUNDRED FIFTY DOLLARS. FOR THE PURPOSES HEREOF, THE VALUE OF SERVICES FOR A PARTICULAR ACCIDENT OR INCIDENT SHALL BE ESTABLISHED BY THE SUBJECT MUNICIPALITY, VOLUNTEER FIRE COMPANY OR VOLUNTEER AMBULANCE COMPANY, BY CONSIDERATION OF SALARIES, BENEFITS AND

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

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TIME OF PERSONNEL ASSIGNED TOGETHER WITH PRO RATA EXPENSES OF PRODUCTS, VEHICLES AND EQUIPMENT UTILIZED. STATEMENTS OF QUALIFYING CLAIMS SHALL BE SUBMITTED BY THE MUNICIPALITY, VOLUNTEER FIRE COMPANY OR VOLUNTEER AMBULANCE COMPANY TO THE AUTHORITY WITHIN NINETY DAYS OF THE OCCURRENCE OF THE INCIDENT OR ACCIDENT.

S 2. This act shall take effect immediately.