

715

2009-2010 Regular Sessions

I N S E N A T E

January 14, 2009

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

AN ACT to amend the transportation law, in relation to requiring all
railroads transporting hazardous materials through the counties of
Nassau and Suffolk to give advance notice to the Metropolitan Trans-
portation Authority, local governments and municipalities, and law
enforcement and first responder personnel located within a quarter
mile of the railroad tracks

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

1 Section 1. Subdivision 3 of section 14-f of the transportation law is
2 amended by adding a new paragraph (c) to read as follows:
3 (C) NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW TO THE CONTRARY, ALL
4 RAILROADS TRANSPORTING HAZARDOUS MATERIALS THROUGH THE COUNTIES OF
5 NASSAU AND SUFFOLK SHALL, AT LEAST TWENTY-FOUR HOURS PRIOR TO COMMENCING
6 ANY SUCH TRANSPORT, NOTIFY THE METROPOLITAN TRANSPORTATION AUTHORITY,
7 ALL LOCAL GOVERNMENTS AND MUNICIPALITIES, AND LAW ENFORCEMENT AND FIRST
8 RESPONDER PERSONNEL LOCATED WITHIN A QUARTER MILE OF THE RAILROAD TRACKS
9 ON WHICH THE HAZARDOUS MATERIAL IS BEING TRANSPORTED OF THE IMPENDING
10 TRANSPORT. SUCH NOTIFICATION SHALL BE GIVEN IN SUCH FORM AND MANNER AS
11 PRESCRIBED BY THE DEPARTMENT.
12 (I) FOR THE PURPOSES OF THIS PARAGRAPH, THE TERM "RAILROAD" SHALL MEAN
13 A PRIVATE OR PUBLIC RAILROAD OPERATING IN THE COUNTIES OF NASSAU AND
14 SUFFOLK CARRYING EITHER FREIGHT OR FREIGHT AND PASSENGERS INCLUDING, BUT
15 NOT LIMITED TO, THOSE OPERATED BY THE AUTHORITY AND ITS SUBSIDIARIES,
16 THE LONG ISLAND RAIL ROAD, THE METRO-NORTH RAILROAD, THE STATEN ISLAND
17 RAPID TRANSIT OPERATING AUTHORITY, THE NEW YORK CITY TRANSIT AUTHORITY,
18 ANY OTHER PUBLIC AUTHORITY OR LOCAL GOVERNMENT, OR ANY PRIVATE RAILROAD
19 ENTITY OPERATING ON TRACKS OF THE LONG ISLAND RAIL ROAD.
20 (II) THE PROVISIONS OF THIS PARAGRAPH SHALL NOT APPLY IN THE CASE OF
21 AN EMERGENCY AS DESIGNATED BY THE DEPARTMENT.
22 S 2. This act shall take effect on the thirtieth day after it shall
23 have become a law.

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

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