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

10819--B

I N A S S E M B L Y

April 23, 2010

Introduced by M. of A. HEVESI, MARKEY, RAIA, M. MILLER, NOLAN -- read once and referred to the Committee on Corporations, Authorities and Commissions -- reported and referred to the Committee on Ways and Means -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to contracts for the transportation of putrescible and non-putrescible waste by rail

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 1265-b to read as follows:

S 1265-B. CONTRACTS FOR TRANSPORTATION OF PUTRESCIBLE AND NON-PUTRESCIBLE WASTE. ANY CONTRACT, INCLUDING BUT NOT LIMITED TO ANY JOINT SERVICE ARRANGEMENT, OPERATING AGREEMENT, LEASE OR PERMIT THE AUTHORITY ENTERS INTO WITH ANY INDIVIDUAL, FIRM OR CORPORATION ENGAGED IN THE TRANSPORTATION OF PUTRESCIBLE OR NON-PUTRESCIBLE WASTE BY RAIL SHALL INCLUDE A PROVISION STATING THAT:

1. PUTRESCIBLE WASTE TRANSPORTED BY RAIL SHALL BE COVERED WITH SEALING HARD LIDS IN A MANNER NOT INCONSISTENT WITH FEDERAL RAILROAD ADMINISTRATION REGULATIONS; AND

2. NON-PUTRESCIBLE WASTE TRANSPORTED BY RAIL SHALL BE SECURELY FASTENED WITH HARD TARPING OVER THE LOAD WHICH SHALL NOT EXCEED THE HEIGHT OF THE SIDE OF THE RAIL CONTAINER, IN A MANNER NOT INCONSISTENT WITH FEDERAL RAILROAD ADMINISTRATION REGULATIONS.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

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