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

3636

2009-2010 Regular Sessions

I N A S S E M B L Y

January 27, 2009

Introduced by M. of A. GLICK, NOLAN, DINOWITZ, TOWNS, ESPAILLAT -- Multi-Sponsored by -- M. of A. ABBATE, CLARK, COLTON, COOK, CYMBROWITZ, DESTITO, DIAZ, GALEF, GIANARIS, GOTTFRIED, GREENE, JACOBS, JOHN, McENENY, MILLMAN, SCHIMMINGER, WEINSTEIN -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to converting certain vehicles of the metropolitan transportation authority to alternative fuel vehicles

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 1269-e to read as follows:

S 1269-E. SUBMISSION OF LONG-RANGE STRATEGIC PLAN TO CONVERT EXISTING DIESEL BUS FLEET TO ALTERNATIVE FUEL VEHICLES. 1. THE AUTHORITY SHALL FORMULATE AND ANNUALLY UPDATE A LONG-RANGE STRATEGIC PLAN DEVISED TO CONVERT THE EXISTING DIESEL BUS FLEET TO AN ALTERNATIVE FUEL VEHICLE FLEET. SUCH LONG-RANGE STRATEGIC PLAN SHALL BE DEVELOPED FOR THE PURPOSES OF PROMOTING IMPROVED AIR QUALITY, PROVIDING SAFE AND EFFICIENT PUBLIC TRANSPORTATION AT A REASONABLE COST TO RIDERS, ADVANCING ENVIRONMENTAL EQUITY, SUPPORTING STATEWIDE TRANSIT INDUSTRIES, AND ADOPTING ALTERNATIVE FUELS AS A COMPARABLE ENERGY SOURCE FOR SURFACE TRANSPORTATION. THE AUTHORITY SHALL ALSO MAKE ANY NECESSARY REVISIONS TO SUCH PLAN AS DEEMED APPROPRIATE.

2. THE AUTHORITY SHALL SUBMIT SUCH A PLAN TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY ON OR BEFORE JANUARY FIRST, TWO THOUSAND ELEVEN, AND THEREAFTER SHALL SUBMIT ANNUAL UPDATES AND APPROPRIATE REVISIONS OF SUCH PLAN TO THE AFOREMENTIONED RECIPIENTS. SUCH A PLAN SHALL INCLUDE BUT NOT BE LIMITED TO:

A. A DETAILED STRATEGY OUTLINING THE GOALS AND OBJECTIVES OF CONVERTING THE TRANSIT AUTHORITY'S EXISTING DIESEL BUS FLEET TO ALTERNATIVE FUEL VEHICLES;

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

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B. A DETAILED STATUS AND INVENTORY OF THE AUTHORITY'S EXISTING BUS FLEET INCLUDING FLEET AGE, LIKELY REPLACEMENT SCHEDULES, NUMBERS OF VEHICLES, YEARS OF SERVICE PER VEHICLE, AND COSTS;

C. A SCHEDULE OF PROJECTED BUS REPLACEMENTS AND PURCHASES;

D. THE FINANCIAL RESOURCES NECESSARY TO ACHIEVE THE GOALS AND OBJECTIVES OF THE LONG-RANGE PLAN;

E. ANTICIPATED INFRASTRUCTURE NEEDS SUCH AS NUMBERS AND LOCATIONS OF FUELING STATIONS, APPROPRIATE MAINTENANCE NEEDS, AND SAFETY CONSIDERATIONS; AND

F. ANY OTHER INFORMATION THE AUTHORITY DEEMS NECESSARY AND APPROPRIATE.

3. IN FORMULATING SUCH A PLAN, AND ANY ANNUAL UPDATES AND REVISIONS TO SUCH PLAN, THE AUTHORITY:

A. SHALL CONDUCT AN APPROPRIATE NUMBER OF HEARINGS SO AS TO ALLOW FOR ADEQUATE PUBLIC PARTICIPATION AND DISCUSSION;

B. MAY CONSULT WITH AND COOPERATE WITH (I) OFFICIALS OF DEPARTMENTS, AGENCIES, OR PUBLIC CORPORATIONS OF THE STATE HAVING DUTIES AND RESPONSIBILITIES CONCERNING PUBLIC TRANSPORTATION, ENVIRONMENTAL QUALITY, ENVIRONMENTAL EQUITY, TRANSIT INDUSTRIES, AND/OR ENERGY POLICY;

(II) OFFICIALS AND REPRESENTATIVES OF THE FEDERAL GOVERNMENT, OF NEIGHBORING STATES AND OF INTERSTATE AGENCIES ON PROBLEMS, REMEDIES AND SOLUTIONS NECESSARY TO EFFECTUATE THE GOALS AND OBJECTIVES OF THE PLAN; AND

(III) PERSONS, ORGANIZATIONS AND GROUPS UTILIZING, SERVED BY, INTERESTED IN OR CONCERNED WITH PUBLIC TRANSPORTATION, ENVIRONMENTAL QUALITY, ENVIRONMENTAL EQUITY, TRANSIT INDUSTRIES AND/OR ENERGY POLICY;

C. MAY REQUEST AND RECEIVE FROM ANY DEPARTMENT, DIVISION, BOARD, BUREAU, COMMISSION, PUBLIC AUTHORITY, OR OTHER AGENCY OF THE STATE OR ANY POLITICAL SUBDIVISION THEREOF OR ANY PUBLIC AUTHORITY SUCH ASSISTANCE AND DATA AS MAY BE NECESSARY TO ENABLE THE AUTHORITY TO CARRY OUT ITS RESPONSIBILITIES UNDER THIS SECTION.

4. EACH ANNUAL UPDATE OF THE PLAN SHALL INCLUDE A STATUS REPORT SUMMARIZING THE EXTENT TO WHICH THE PLANNED GOALS AND OBJECTIVES OF THE PLAN DEVELOPED FOR THE PREVIOUS YEAR WERE ACHIEVED, THE CAUSES OF ANY FAILURE TO ACHIEVE PROJECTED GOALS AND OBJECTIVES, AND CORRECTIVE MEASURES THE AUTHORITY INTENDS TO TAKE TO AVOID NON-ACHIEVEMENT OF GOALS AND OBJECTIVES SET FOR THE NEXT UPCOMING YEAR AND SUBSEQUENT YEARS.

5. THE AUTHORITY SHALL TAKE INTO CONSIDERATION ANY PETITION FROM LOCAL OFFICIALS FOR IMPROVED IMPLEMENTATION OF SUCH PLAN AND SHALL CONSULT WITH APPROPRIATE LOCAL OFFICIALS AND ORGANIZATIONS IN ITS PREPARATION, ANNUAL UPDATES AND PERIODIC REVISIONS TO THE LONG-RANGE STRATEGIC PLAN.

S 2. This act shall take effect on the first of October next succeeding the date on which it shall have become a law.