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

4220

2009-2010 Regular Sessions

I N A S S E M B L Y

February 2, 2009

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

AN ACT in relation to creating the New York bridge weight limit study commission

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

Section 1. New York bridge weight limit study commission. 1. A temporary commission on bridge weight limits is hereby created to examine, evaluate, and make recommendations concerning weight limits on bridges throughout New York State. Specifically the commission shall examine at least the following:

(a) The economic impact of weight limits by regions in the state;

(b) The public health and safety issues implicated by these weight limits;

(c) The engineering basis for these weight limit decisions; and

(d) The administrative basis for these weight limit decisions.

2. The commission shall consist of 13 members, to be appointed as follows: 7 members to be appointed by the governor; of which there must be at least one representative from each of the following: the New York state department of transportation, the thruway authority, the bridge authority, the metropolitan transportation authority and a person not affiliated with a state agency, public authority, or public benefit corporation who has knowledge of the trucking industry and transportation policy; 2 members to be appointed by the temporary president of the senate; 2 members to be appointed by the speaker of the assembly; 1 member to be appointed by the minority leader of the senate; 1 member to be appointed by the minority leader of the assembly.

3. All persons appointed to the commission shall have extensive experience in the field of transportation policy.

4. The initial meeting of the commission shall be conducted not later than 90 days after the appointment of the last member of the commission.

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

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The first act of the commission shall be to select by consensus a chairperson.

5. A majority of the members shall constitute a quorum to conduct business, but the commission may establish a lesser quorum for conducting hearings scheduled by the commission. Each member shall have 1 vote and the vote of each member shall be accorded the same weight. The commission may establish, by majority vote, any other rules for the conduct of the commission's business, insofar as such rules are not inconsistent with this section or other applicable law.

6. The members of the commission shall receive no compensation for their services, but shall be allowed their actual and necessary expenses incurred in the performance of their duties. To the maximum extent feasible, the commission shall be entitled to request and receive and shall utilize and be provided with such facilities, resources, and data of any court, department, division, board, bureau, commission, or agency of the state or any political subdivision thereof as it deems necessary or desirable to carry out properly its powers and duties.

7. The commission shall submit its findings and recommendations in a report to the governor, the temporary president of the senate, and the speaker of the assembly not later than 1 year after it first convenes.

S 2. This act shall take effect immediately.