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

4663

2009-2010 Regular Sessions

I N A S S E M B L Y

February 5, 2009

Introduced by M. of A. SCHIMEL, FIELDS -- Multi-Sponsored by -- M. of A. EDDINGTON, WEISENBERG -- read once and referred 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 Transportation 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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 3 of section 14-f of the transportation law is amended by adding a new paragraph (c) to read as follows:

(C) NOTWITHSTANDING ANY OTHER PROVISIONS OF LAW TO THE CONTRARY, ALL RAILROADS TRANSPORTING HAZARDOUS MATERIALS THROUGH THE COUNTIES OF NASSAU AND SUFFOLK SHALL, AT LEAST TWENTY-FOUR HOURS PRIOR TO COMMENCING ANY SUCH TRANSPORT, NOTIFY THE METROPOLITAN TRANSPORTATION AUTHORITY, ALL LOCAL GOVERNMENTS AND MUNICIPALITIES, AND LAW ENFORCEMENT AND FIRST RESPONDER PERSONNEL LOCATED WITHIN A QUARTER MILE OF THE RAILROAD TRACKS ON WHICH THE HAZARDOUS MATERIAL IS BEING TRANSPORTED OF THE IMPENDING TRANSPORT. SUCH NOTIFICATION SHALL BE GIVEN IN SUCH FORM AND MANNER AS PRESCRIBED BY THE DEPARTMENT.

(I) FOR THE PURPOSES OF THIS PARAGRAPH, THE TERM "RAILROAD" SHALL MEAN A PRIVATE OR PUBLIC RAILROAD OPERATING IN THE COUNTIES OF NASSAU AND SUFFOLK CARRYING EITHER FREIGHT OR FREIGHT AND PASSENGERS INCLUDING, BUT NOT LIMITED TO, THOSE OPERATED BY THE AUTHORITY AND ITS SUBSIDIARIES, THE LONG ISLAND RAIL ROAD, THE METRO-NORTH RAILROAD, THE STATEN ISLAND RAPID TRANSIT OPERATING AUTHORITY, THE NEW YORK CITY TRANSIT AUTHORITY, ANY OTHER PUBLIC AUTHORITY OR LOCAL GOVERNMENT, OR ANY PRIVATE RAILROAD ENTITY OPERATING ON TRACKS OF THE LONG ISLAND RAIL ROAD.

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

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(II) THE PROVISIONS OF THIS PARAGRAPH SHALL NOT APPLY IN THE CASE OF AN EMERGENCY AS DESIGNATED BY THE DEPARTMENT.

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