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

6308

2009-2010 Regular Sessions

I N A S S E M B L Y

March 2, 2009

Introduced by M. of A. GORDON, REILLY -- Multi-Sponsored by -- M. of A. BOYLAND, O'DONNELL, J. RIVERA, TOWNS -- read once and referred to the Committee on Transportation

AN ACT to amend the public authorities law, in relation to short distance commuter passes for the Berkshire section of the Governor Thomas E. Dewey thruway

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

Section 1. The opening paragraph of section 378 of the public authorities law is designated subdivision 1 and a new subdivision 2 is added to read as follows:

2. (A) THE AUTHORITY IS HEREBY AUTHORIZED AND DIRECTED TO ISSUE ANNUAL SHORT DISTANCE COMMUTER PERMITS WHICH SHALL PROVIDE FOR TRAVEL AT NO CHARGE BETWEEN INTERCHANGES IN PERMIT AREAS. FOR PURPOSES OF THIS SUBDIVISION, THE TERM "PERMIT AREA" SHALL MEAN THE FOLLOWING SET OF INTERCHANGES: THE EXITS OR ENTRANCES DESIGNATED B-1, B-2 AND B-3 OF THE BERKSHIRE SECTION OF THE THRUWAY. SUCH PERMITS SHALL BE VALID ONLY FOR TRAVEL WITHIN THE PERMIT AREA. THE AUTHORITY MAY RESTRICT THE USE OF SUCH PERMIT TO PEAK COMMUTER HOURS.

(B) IF, UPON THE COMPLETION OF AN AUDIT CONDUCTED BY A CERTIFIED PUBLIC ACCOUNTANT SELECTED BY THE AUTHORITY, THE AUTHORITY CAN DEMONSTRATE THAT THE ISSUANCE OF PERMITS AS AUTHORIZED IN PARAGRAPH (A) OF THIS SUBDIVISION FOR USE DURING PEAK COMMUTER HOURS CAUSES A SIGNIFICANT LOSS OF REVENUE TO THE AUTHORITY, THE AUTHORITY IS AUTHORIZED, PURSUANT TO A RESOLUTION OF THE BOARD, TO OFFER SUCH PERMITS AT A DISCOUNT OF THE CASH COST PER MILE; PROVIDED, HOWEVER, THAT, PRIOR TO SUCH BOARD RESOLUTION, THE AUTHORITY SHALL HOLD AT LEAST ONE PUBLIC HEARING IN THE PERMIT AREA, AT A TIME AND LOCATION WHICH WILL, TO THE EXTENT PRACTICABLE, MAXIMIZE THE PARTICIPATION OF THE GENERAL PUBLIC.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law, provided, however that the thruway authority shall promulgate any rules and regulations necessary for the implementation of this act on or before such effective date.

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

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