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

2206

2009-2010 Regular Sessions

I N S E N A T E

February 13, 2009

Introduced by Sen. YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the highway law, in relation to providing state reimbursement for a portion of the expenses of retrofitting municipal construction and road equipment to prevent rollovers

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

Section 1. The highway law is amended by adding a new section 318 to read as follows:

S 318. MUNICIPAL EQUIPMENT ROLLOVER PREVENTION; STATE REIMBURSEMENT. 1. THE DEPARTMENT OF STATE, ACTING BY AND THROUGH ITS DIVISION OF LOCAL GOVERNMENT, SHALL ESTABLISH A PROGRAM WHICH PROVIDES COUNTIES, CITIES, TOWNS AND VILLAGES WITH REIMBURSEMENT FOR SEVENTY-FIVE PERCENT OF THE COSTS AND EXPENSES, INCLUDING PROGRAM AND ADMINISTRATIVE EXPENSES, INCURRED IN THE PURCHASE AND INSTALLATION OF PARTS AND EQUIPMENT WHICH PREVENT THE ROLLOVER OF ANY CONSTRUCTION, EXCAVATION OR ROAD EQUIPMENT OWNED AND OPERATED BY SUCH MUNICIPALITY.

2. THE SECRETARY OF STATE IS AUTHORIZED TO PROMULGATE ANY RULES AND REGULATIONS NECESSARY TO IMPLEMENT THE PROVISIONS OF THIS SECTION, INCLUDING DETERMINING WHICH CONSTRUCTION, EXCAVATION AND ROAD EQUIPMENT SHALL BE ELIGIBLE FOR REIMBURSEMENT.

3. ONLY EQUIPMENT OWNED AND OPERATED BY A MUNICIPALITY PRIOR TO THE EFFECTIVE DATE OF THIS SECTION SHALL BE ELIGIBLE FOR REIMBURSEMENT PURSUANT TO THIS SECTION.

S 2. This act shall take effect on the first of January next succeeding the date on which 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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