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

7

Third Extraordinary Session

I N S E N A T E

December 3, 2010

Introduced by COMMITTEE ON RULES -- (at request of the Governor) -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the public authorities law and the highway law, in relation to renaming the Brooklyn Battery tunnel the Hugh L. Carey tunnel

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

Section 1. Legislative findings and intent. The legislature hereby recognizes Hugh L. Carey, by naming after him the Brooklyn Battery Tunnel, as a tribute befitting his historic contribution to the state of New York. Hugh L. Carey served the people of New York state as a member of the United States House of Representatives for fourteen years, and as the fifty-first Governor of New York state for twelve years. He served as Governor during a time of great challenge for New York state, and significantly advanced the state's fiscal well-being and economic development. He brought the city of New York back from the brink of bankruptcy, and was instrumental in the development of the South Street Seaport, Battery Park City and the Jacob Javits Convention Center. He greatly improved the services provided to the mentally ill and developmentally disabled, by entering into the Willowbrook consent decree and through other initiatives. Hugh L. Carey served with distinction as a member of the New York National Guard in Europe during the Second World War, receiving the Combat Infantryman Badge, the Bronze Star and the Croix de Guerre, and leaving active duty with the rank of colonel. His decades of service to this state and nation fully merit the honor bestowed upon him by this bill.

S 2. Paragraph (g) of subdivision 9 of section 553 of the public authorities law, as amended by chapter 954 of the laws of 1946, is amended to read as follows:

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

LBD12327-02-0

(g) a vehicular tunnel or tunnels under construction, known as [Brooklyn Battery] HUGH L. CAREY tunnel, under the East river from the southerly end of the borough of Manhattan to the general vicinity of Hamilton avenue in the borough of Brooklyn, together with such incidental tunnels and such other structures, appurtenances, facilities and approaches as shall be necessary or convenient; and

S 3. Paragraph (j) of subdivision 9 of section 553 of the public authorities law, as amended by chapter 854 of the laws of 1948, is amended to read as follows:

(j) Bus stations or terminals or automobile parking garages at or in the vicinity of the Columbus circle in the borough of Manhattan and of the Manhattan plazas of the Queens Midtown and [Brooklyn Battery] HUGH L. CAREY tunnels. Any such project may, subject to zoning restrictions, include space and facilities for any or all of the following: public recreation, business, trade and other exhibitions, sporting and athletic events, public meetings, conventions and all kinds of assemblages, and in order to obtain additional revenues, space and facilities for business and commercial purposes. Whenever the authority deems it to be in the public interest, the authority may lease any such project or any part or parts thereof or contract for the management and operation thereof or of any part or parts thereof. Any such lease or contract may be for a period of not exceeding ten years, or, if any of the revenues therefrom are or are to be pledged to secure bonds then such lease or contract may be for a period extending not later by more than one year than the last maturity of such bonds.

S 4. Subdivision 3 of section 563 of the public authorities law, as amended by chapter 806 of the laws of 1955, is amended to read as follows:

3. The state of New York does pledge to and agree with the holders of any bonds that no tunnel, bridge, parkway, causeway, street, road, highway or other connection for vehicular traffic, which will be competitive with the Queens Midtown tunnel or the [Brooklyn Battery] HUGH L. CAREY tunnel or the Brooklyn Richmond tunnel or the Narrows bridge will be constructed; provided that a tunnel, bridge, parkway, causeway, street, road, highway or other connection for vehicular traffic shall be considered as competitive if it shall form a connection for vehicular traffic over, under or across the East river south of Queensboro bridge, or, if it shall form a connection for vehicular traffic between the boroughs of Manhattan, Brooklyn or Richmond over, under or across New York bay. The covenant herein contained restricting competitive traffic connections with any project or projects shall be only for the benefit of the holders of bonds secured in whole or in part by the pledge of the revenues of such project or projects and subject to and in accordance with all contract provisions with respect to any bonds outstanding on January first, nineteen hundred fifty-five and the rights of the holders of such bonds, the covenant herein contained shall not be deemed to prevent the construction of any bridge or tunnel exclusively for railway rapid transit purposes.

S 5. Section 569-b of the public authorities law, as amended by chapter 543 of the laws of 1960, is amended to read as follows:

S 569-b. Restrictions on signs and billboards. 1. No outdoor advertising sign or device which refers to any subject other than the business actually conducted on the premises or to sale or rental of such premises and no such outdoor advertising sign or device exceeding ten feet in height above the sidewalk adjacent to the property on which such sign or device is located, shall be erected, reconstructed, painted, or

repainted, after the applicable date hereinafter specified in this section, within five hundred feet of the Whitestone bridge project, the Throgs Neck bridge project, the Narrows bridge project or the [Brooklyn-Battery] HUGH L. CAREY tunnel project or the approaches and connections of such projects, if within view thereof.

2. In the case of the Whitestone bridge project, the applicable date shall be April three, nineteen hundred thirty-nine, except that with respect to reconstruction, painting or repainting of any such sign or device within view of such bridge project, the applicable date shall be the effective date of this subdivision two.

3. In the case of the Throgs Neck bridge project, the Narrows bridge project and the [Brooklyn-Battery] HUGH L. CAREY tunnel project, the applicable date shall be the effective date of this subdivision three.

4. A violation of any of the provisions of this section may be restrained at the suit of the authority.

S 6. The paragraph relating to interstate route connection 518 of section 340-a of the highway law, as amended by chapter 780 of the laws of 1975, is amended to read as follows:

Interstate Route Connection 518. West Side highway from Brooklyn-Queens expressway via [Brooklyn Battery] HUGH L. CAREY tunnel to the Lincoln tunnel, including a connection from the Lincoln tunnel to West Seventy-second street. In no event shall traffic by any type of motor vehicle used for commercial purposes, such as the transportation of goods, wares and merchandise including trailers and semi-trailers, and tractors when used in combination with trailers and semi-trailers, and motor coaches carrying passengers except taxicabs be permitted on this route north of Fifty-ninth street, and such commercial traffic shall exit from or enter on this route no further north than the connections or ramps to this route at Fifty-seventh street.

S 7. Section 349-f of the highway law, as amended by chapter 453 of the laws of 2008, is amended to read as follows:

S 349-f. New York city routes. The following existing or proposed main routes or thoroughfares, are designated herein, as aforesaid, viz.:

New England thruway from the Westchester county line to Bruckner expressway; Bruckner expressway from New England thruway to Robert F. Kennedy bridge approach; Hutchinson river parkway from the Westchester county line to the Bronx-Whitestone bridge approach; Bronx river parkway from the Westchester county line to Bruckner expressway; Henry Hudson parkway from the Westchester county line to Miller highway excepting the Henry Hudson bridge, provided that no portion of this route from West Seventy-second street to the Cross Bronx expressway shall be constructed or reconstructed so as to encroach in any way on or over any land mapped or used for park purposes except for such temporary encroachment of no more than ten feet in width from seventy-third street to seventy-sixth street as may be essential during and for the purpose of reconstruction or repair of the existing roadway following which there shall be full restoration of park land; Major Deegan expressway from the Robert F. Kennedy bridge to Central Park avenue at the Westchester county line together with a connection to Broadway and along Broadway to Manhattan college parkway; Cross Bronx expressway from George Washington bridge approach to Throgs Neck bridge; Throgs Neck expressway from Bruckner expressway to Throgs Neck bridge; Arthur V. Sheridan expressway from Cross-Bronx expressway to Bruckner expressway; Mosholu parkway from Henry Hudson parkway to Bronx river parkway; Bronx and Pelham parkway from Bronx river parkway to New England thruway; Boston road from Bronx and Pelham parkway to New England thruway; Miller highway from Henry

Hudson parkway to the [Brooklyn Battery] HUGH L. CAREY tunnel; and from [Brooklyn Battery] HUGH L. CAREY tunnel to Brooklyn-Queens expressway; Franklin D. Roosevelt drive from the [Brooklyn Battery] HUGH L. CAREY tunnel to Robert F. Kennedy bridge approach; Harlem river drive from Robert F. Kennedy bridge approach to George Washington bridge approach; Belt parkway including Gowanus parkway to Third avenue and Sixtieth street, Leif Erikson drive to Knapp street, Shore parkway, Belt parkway, Southern parkway and Cross Island parkway from [Brooklyn Battery] HUGH L. CAREY tunnel to Bronx-Whitestone bridge approach; Nassau expressway from Southern parkway to the Nassau county line; Brooklyn-Queens expressway from Gowanus expressway to Grand Central parkway; Prospect expressway from Gowanus expressway to Ocean parkway; Ocean parkway from Prospect expressway to Shore parkway; Interborough parkway from Grand Central Parkway to Belt parkway; Gowanus expressway from the Verrazano-Narrows bridge to Third avenue at Gowanus parkway; Third Avenue from Gowanus expressway to Hamilton avenue; Hamilton Avenue from Third Avenue to [Brooklyn Battery] HUGH L. CAREY tunnel; Queens boulevard from Queensborough bridge approach to Van Wyck expressway; Van Wyck expressway from Whitestone expressway, including a connection to Grand Central parkway, to John F. Kennedy international airport; Woodhaven boulevard from Queens boulevard to Cross Bay parkway bridge northerly approach; Cross Bay parkway from Cross Bay bridge southerly approach to Short Front parkway; Shore Front parkway from Cross Bay parkway generally along the shore line of the Atlantic ocean to the Nassau expressway at the Nassau county line; Queens-Midtown expressway from Queens-Midtown tunnel approach to Queens Boulevard; Horace Harding expressway from Queens Boulevard to the Nassau county line; a connection between Brooklyn-Queens expressway and Northern boulevard in the vicinity of Grand Central parkway; Grand Central parkway from Robert F. Kennedy bridge approach to Nassau county line; Whitestone expressway from Bronx-Whitestone bridge approach to Van Wyck expressway and continuing to Grand Central parkway; Clearview expressway from Throgs Neck bridge to Nassau expressway; Richmond parkway from Staten Island expressway to Outerbridge crossing approach; Staten Island expressway from Goethals bridge to the Verrazano-Narrows bridge with a connection to Bayonne bridge; Willowbrook parkway from Staten Island expressway to Great Kills park; West Shore expressway from Staten Island expressway to Outerbridge crossing; Shore Front drive northerly from the terminus of West Shore expressway at Staten Island expressway, thence generally along the shore lines of Kill Van Kull, the Narrows, Lower New York bay and Raritan bay to the approach to Outerbridge crossing.

S 8. Terms occurring in laws, regulations, contracts and other documents. Whenever Brooklyn Battery tunnel is referred to or designated in any law, regulation, contract or document, such reference or designation shall be deemed to refer to Hugh L. Carey tunnel, and no such laws, regulations, contracts or other documents shall be thereby impaired in any way.

S 9. The New York state department of transportation, the New York city department of transportation and the Triborough bridge and tunnel authority shall provide for the installation and maintenance of adequate signage in conformance with section two of this act within such time and in such manner as they shall deem appropriate.

S 10. This act shall take effect immediately.