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

323

2011-2012 Regular Sessions

I N  A S S E M B L Y

(PREFILED)

January 5, 2011

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

AN ACT to amend the transportation law, in relation to providing special-use permits for certain commercial or oversized vehicles on certain special parkways

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

Section 1. Subdivision 5 of section 71 of the transportation law, as added by chapter 370 of the laws of 1979, is amended and a new subdivision 8 is added to read as follows:

5. To limit or prohibit travel by types or classes of commercial vehicles as may be required due to roadway design or safety considerations EXCEPT AS PROVIDED IN SUBDIVISION EIGHT OF THIS SECTION, and to establish speed limits and standards of travel safety on all such special parkways designated by this article.

8. NOTWITHSTANDING ANY LAW, RULES, OR REGULATIONS TO THE CONTRARY, THE COMMISSIONER SHALL PROMULGATE RULES AND REGULATIONS NECESSARY TO IMPLEMENT A SPECIAL-USE PERMIT FOR CERTAIN COMMERCIAL OR OVERSIZED VEHICLES PERMITTING THE USE OF CERTAIN SPECIAL PARKWAYS INCLUDING, BUT NOT LIMITED TO, AMBULATORY VETERINARIANS USE OF THE TACONIC STATE PARKWAY.

(A) THE OWNER OF SUCH COMMERCIAL OR OVERSIZED VEHICLE MAY FILE WITH THE COMMISSIONER OR ANY AGENT OF THE COMMISSIONER AN APPLICATION FOR ISSUANCE OF SPECIAL-USE PERMIT FOR SUCH VEHICLE. THE APPLICATION SHALL BE MADE ON A FORM FURNISHED BY THE COMMISSIONER FOR SUCH PURPOSE AND SHALL CONTAIN SUCH INFORMATION AS THE COMMISSIONER SHALL REQUIRE. IF SATISFIED THAT THE VEHICLE IS TO BE OPERATED AS PROVIDED IN THIS SECTION, THE COMMISSIONER SHALL UPON PAYMENT OF A FEE OF TEN DOLLARS ASSIGN TO SUCH VEHICLE A DISTINCTIVE NUMBER AND ISSUE AND DELIVER TO THE APPLICANT A SPECIAL-USE PERMIT, IN SUCH FORM AS THE COMMISSIONER SHALL PRESCRIBE, INDICATING WHERE TO DISPLAY SUCH PERMIT IN SUCH VEHICLE, THE

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

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EXTENT TO WHICH THE VEHICLE COVERED BY SUCH PERMIT MAY BE OPERATED ON THE SPECIAL PARKWAYS, AND SUCH VEHICLE MAY BE OPERATED ONLY AS SO INDICATED.

(B) IF A SPECIAL-USE PERMIT IS ISSUED BY A COUNTY CLERK, ACTING AS AGENT OF THE COMMISSIONER, SUCH COUNTY CLERK SHALL BE ENTITLED TO THE SUM OF THIRTY-FIVE CENTS FOR EACH SPECIAL-USE PERMIT ISSUED, WHICH SUM SHALL BE DEDUCTED BEFORE REMITTING THE FEE FOR SUCH SPECIAL-USE PERMIT TO THE COMMISSIONER.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.