

7242

2015-2016 Regular Sessions

I N   A S S E M B L Y

April 29, 2015

---

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

AN ACT to amend the canal law, in relation to maintaining bridges in a manner to not impede commerce, transportation of students, or agriculture

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

1     Section 1. Section 62 of the canal law, as amended by chapter 335 of  
2 the laws of 2001, is amended to read as follows:  
3     S 62. Maintenance by state of certain bridges over the canal system.  
4 All highway or pedestrian, lift or movable bridges over the canal system  
5 other than highway bridges connecting parts of a state highway hereto-  
6 fore constructed as a part of the barge canal improvement shall be  
7 reconstructed, improved, maintained and repaired at the expense of the  
8 state, [if in the opinion of the commissioner of transportation, the  
9 public convenience requires such bridges to be maintained where no  
10 alternate crossing has been provided] IN A MANNER SO AS NOT TO IMPEDE  
11 COMMERCE, TRANSPORTATION OF STUDENTS, OR AGRICULTURE. In the event the  
12 commissioner of transportation determines that any such bridge is no  
13 longer required for the convenience of the public, he shall have power  
14 to close, remove or relocate such bridge, PROVIDED AT LEAST ONE PUBLIC  
15 HEARING SHALL BE CONDUCTED IN THE COMMUNITY OR COMMUNITIES WHERE THE  
16 BRIDGE TO BE CLOSED OR REMOVED IS LOCATED. The commissioner of trans-  
17 portation shall have the supervision and direction of such recon-  
18 struction, improvement, maintenance, repair, closing, removing or relo-  
19 cation. All bridges over the canal system other than lift, movable,  
20 pedestrian or state highway bridges heretofore constructed as part of  
21 the barge canal improvement shall be reconstructed, improved, maintained  
22 and repaired at the expense of the state under the supervision and  
23 direction of the commissioner of transportation, if, in his opinion, the  
24 public convenience requires that each such bridge shall be continued as

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

LBD08235-01-5

1 a bridge for highway traffic. In the event the commissioner of transpor-  
2 tation is requested by any municipality to reconstruct or improve any  
3 such bridge, he is hereby empowered to do so, provided, however, that  
4 prior to such reconstruction or improvement the municipality enters into  
5 a written agreement that such bridge thereafter shall become a part of  
6 the highway system or systems which it may connect and the maintenance,  
7 repair, improvement, replacement or closing of any such bridge shall be  
8 governed by the provisions of the highway law, except that any such  
9 bridges situate in a city shall be maintained, repaired, improved,  
10 replaced or closed in the same manner and subject to the provisions of  
11 any special law which may apply or to the same provisions of law as  
12 apply to other streets and bridges in such city or in the case of such  
13 bridges situate in a village, such bridges shall be maintained,  
14 repaired, improved, replaced or closed in the same manner and subject to  
15 the same provisions of law as apply to other streets and bridges in such  
16 village. Any bridge over the New York state canal system or abandoned  
17 part thereof which joins parts of a state highway shall be under the  
18 jurisdiction of the commissioner of transportation and deemed to be part  
19 of the state highway system and such bridges shall be constructed,  
20 reconstructed, improved, maintained, repaired, closed or relocated  
21 pursuant to the provisions of the highway law and the cost of such work  
22 shall be paid from moneys available for construction, reconstruction,  
23 improvement, maintenance or repair of state highways.

24 S 2. This act shall take effect immediately.