

STATE OF NEW YORK

4145

2017-2018 Regular Sessions

IN SENATE

February 3, 2017

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

AN ACT to amend the public authorities law, in relation to requiring legislative approval of increases in fees, rentals and charges for the use of the thruway system

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 8 of section 354 of the public authorities law,
2 as amended by section 2 of part TT of chapter 54 of the laws of 2016, is
3 amended and a new subdivision 8-a is added to read as follows:

4 8. Subject to agreements with noteholders or bondholders and legisla-
5 tive approval pursuant to subdivision eight-a of this section, to fix
6 and collect such fees, rentals and charges for the use of the thruway or
7 any part thereof necessary or convenient, with an adequate margin of
8 safety, to produce sufficient revenue to meet the expense of maintenance
9 and operation and to fulfill the terms of any agreements made with the
10 holders of its notes or bonds, and to establish the rights and privi-
11 leges granted upon payment thereof; provided, however, that tolls may
12 only be imposed for the passage through locks and lift bridges by
13 vessels which are propelled in whole or in part by mechanical power; and
14 provided further that no tolls shall be imposed or collected prior to
15 the first day of April, nineteen hundred ninety-three.

16 8-a. The authority shall submit a written report to the legislature at
17 least one hundred eighty days prior to the date when any proposed
18 increase in fees, rentals and charges for the use of the thruway system
19 is scheduled to take effect. Such report shall include justification for
20 the proposed increase, and information setting forth the current finan-
21 cial condition of the authority. The legislature may require any addi-
22 tional data or information that it deems necessary in such report. If
23 the legislature, or the appropriate committees thereof, upon review of
24 the report submitted to it by the authority, finds that the proposed

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

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1 increases are not convenient or necessary to produce sufficient revenue
2 to meet the expense of maintenance and operation of infrastructure
3 existing prior to any proposed increase then no proposed increase shall
4 take effect until approved by a majority vote of each house of the
5 legislature. Provided, however, that legislative approval shall not be
6 required to fix and collect such fees, rentals and charges for the use
7 of the thruway system or any part thereof, to produce sufficient revenue
8 to fulfill the terms of any agreements, formed prior to the effective
9 date of this subdivision, with the holders of its notes or bonds.

10 § 2. Severability. If any clause, sentence, paragraph, section or part
11 of this act shall be adjudged by any court of competent jurisdiction to
12 be invalid, such judgment shall not affect, impair or invalidate the
13 remainder thereof, but shall be confined in its operation to the clause,
14 sentence, paragraph, section or part thereof directly involved in the
15 controversy in which such judgment shall have been rendered.

16 § 3. This act shall take effect immediately.