

STATE OF NEW YORK

6096

2017-2018 Regular Sessions

IN SENATE

May 11, 2017

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

AN ACT to direct the department of transportation to study and report on the removal and use of "X Lite" guardrails and rail caps

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

1 Section one. The department of transportation, in consultation with
2 the appropriate municipal government entity responsible for the place-
3 ment of guardrails on municipal roads in each county within the state,
4 shall conduct a study to identify the usage and location of any "X Lite"
5 guardrail or rail cap which was removed from such department's approved
6 product list in May, 2017, as well as any other guardrail or rail cap of
7 similar design and/or materials as determined by the commissioner of
8 transportation.

9 The study shall provide the following determinations:

10 (a) a review and reporting of the location of such guardrails current-
11 ly in use on local roads and highways throughout the state; and

12 (b) a determination of the estimated cost of removal and replacement
13 of such identified guardrails or rail caps with a guardrail or rail cap
14 approved by the department of transportation which is determined to be
15 appropriate for use in such locality.

16 § 2. On or before January 1, 2018, the commissioner of transportation
17 shall submit a written report to the governor, temporary president of
18 the senate and speaker of the assembly of the findings and recommenda-
19 tions of the study conducted pursuant to section one of this act and a
20 draft plan for the removal and replacement of such devices.

21 § 3. This act shall take effect immediately.

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

LBD11651-01-7