

STATE OF NEW YORK

7969

IN SENATE

March 14, 2018

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

AN ACT to amend the transportation law, in relation to establishing the hyperloop and high speed rail commission

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

1 Section 1. The transportation law is amended by adding a new article
2 23 to read as follows:

ARTICLE 23

HYPERLOOP AND HIGH SPEED RAIL COMMISSION

5 Section 490. Hyperloop and high speed rail commission.

6 491. Powers and duties of the commission.

7 492. Reporting.

8 493. Assistance of other agencies.

9 § 490. Hyperloop and high speed rail commission. 1. There is hereby
10 established in the department a commission, to be known as the hyperloop
11 and high speed rail commission.

12 2. Such commission shall consist of the president of the Metro-North
13 Railroad and eleven other members to be appointed as follows: three
14 shall be appointed by the governor; two shall be appointed by the major-
15 ity leader of the senate and two by the minority leader of the senate;
16 and two shall be appointed by the speaker of the assembly and two by the
17 minority leader of the assembly.

18 3. The commission members shall be appointed within thirty days after
19 the effective date of this article and shall meet publicly at least
20 quarterly.

21 § 491. Powers and duties of the commission. The commission shall have
22 the following powers and duties:

23 1. assess and study the benefits and implications, including financial
24 implications, of creating a hyperloop and high speed rail system within
25 New York state;

26 2. plan and advise the department on future improvements to the
27 state's rail systems that are necessary to implement a hyperloop and
28 high speed rail service in the state, including making recommendations

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

LBD14116-03-8

1 for the best governmental structure to design, build, operate, maintain
2 and finance a hyperloop and high speed rail system;

3 3. evaluate all available hyperloop and high speed rail technologies,
4 systems and operators, and make recommendations on an appropriate hyper-
5 loop and high speed rail system;

6 4. research options, in coordination with the department, with respect
7 to agreements with private entities necessary to permit hyperloop and
8 high speed trains, including but not limited to agreements relating to
9 track improvements and agreements to operate a hyperloop and high speed
10 rail system, and to provide the department with recommendations on the
11 form any such agreement should take;

12 5. advise and work with the department on making application for any
13 additional funding that may be available for the development and opera-
14 tion of a hyperloop and high speed rail system in the state, provided,
15 however, that no such funding that requires a state match of funds may
16 be sought except on approval of the governor and the director of the
17 division of the budget; and

18 6. to issue requests for information from all companies that operate
19 hyperloop and high speed rails around the world including, but not
20 limited to, companies in Japan, China, South Korea and Germany, and to
21 collect and present a comprehensive outline of potential companies that
22 could operate a hyperloop and high speed rail system in the state.

23 § 492. Reporting. The commission shall make a report with its findings
24 to the governor and the legislature within two years of the effective
25 date of this article and annually thereafter. Upon the transmission of
26 the report to the governor and the legislature, the commissioner shall
27 within thirty days determine whether the commission shall continue in
28 operation, or whether it shall be changed in some manner, or whether it
29 shall be dissolved and shall report his or her findings and recommenda-
30 tions to the governor and the legislature.

31 § 493. Assistance of other agencies. To effectuate the purposes of
32 this article, the commission may request and shall receive from any
33 department, division, board, bureau, commission or other agency or
34 authority of the state such assistance, information and data as will
35 enable the commission to properly carry out its powers and duties as
36 described in section four hundred ninety one of this article. Such
37 assistance shall not waive or impair the terms of an existing agreement
38 negotiated between the relevant employer and employee organization nor
39 limit any obligation to bargain terms and conditions of employment
40 pursuant to article fourteen of the civil service law.

41 § 2. This act shall take effect immediately.