

STATE OF NEW YORK

5741

2017-2018 Regular Sessions

IN ASSEMBLY

February 15, 2017

Introduced by M. of A. ROZIC, ABBATE, BLAKE, BRINDISI, CRESPO, CROUCH, CUSICK, HOOPER, LAWRENCE, LIFTON, MAYER, MAGNARELLI, OTIS, PAULIN, QUART, RYAN, SEAWRIGHT, SCHIMMINGER, SIMON, SKARTADOS, SKOUFIS -- read once and referred to the Committee on Transportation

AN ACT to amend the highway law, in relation to the rate paid by the state to a city for maintenance and repair of highways

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

1 Section 1. The first undesignated paragraph of subdivision 5-a of
2 section 340-b of the highway law, as amended by chapter 30 of the laws
3 of 1987, is amended to read as follows:

4 The commissioner of transportation and the city of New York, acting
5 through the mayor or other administrative head thereof, pursuant to a
6 resolution of the governing body of such city, are authorized to enter
7 into a written agreement for the maintenance and repair, under the
8 supervision and subject to the approval of the commissioner of transpor-
9 tation, of any state interstate highway or portion thereof, exclusive of
10 service roads and pavement on intersecting street bridges, which is
11 within the boundaries of such city and which is now or which shall here-
12 after be designated in section three hundred forty-a of this chapter and
13 which has been constructed or which shall have been constructed as
14 authorized by section three hundred forty-a of this chapter. Such agree-
15 ment may provide that the state shall pay annually to such city a sum to
16 be computed at the rate of (a) not more than [~~eighty-five~~] one dollar
17 and seventy-seven cents per square yard of the pavement area that is
18 included in the state highway system according to the provisions of this
19 section, and (b) an additional [~~ten~~] twenty cents per square yard of
20 such pavement area where such pavement area is located on any elevated
21 bridge, such rate shall be increased in each year of the agreement by
22 the percentage change in the consumer price index for all urban consum-
23 ers (CPI-U), New York-Northern New Jersey-Long Island, NY-NJ-CT-PA, as

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

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1 published by the United States department of labor bureau of labor
2 statistics, over the prior five years.

3 § 2. The first undesignated paragraph of subdivision 7 of section
4 349-c of the highway law, as amended by chapter 30 of the laws of 1987,
5 is amended to read as follows:

6 The commissioner of transportation and any city named in this article,
7 acting through the mayor or other administrative head thereof, pursuant
8 to a resolution of the governing body of such city except the city of
9 New York, are authorized to enter into a written agreement for the main-
10 tenance and repair, under the supervision and subject to the approval of
11 the commissioner, of any public street, main route or thoroughfare or
12 portion thereof, exclusive of service roads and pavement on intersecting
13 street bridges, which is within the boundaries of such city and which is
14 now or which shall hereafter be designated in this article and which has
15 been constructed or which shall have been constructed as authorized by
16 ~~[articles]~~ this article and article four ~~[and twelve-B]~~ of this chapter
17 and with grants made available by the federal government pursuant to the
18 federal aid highway act of nineteen hundred forty-four, being public law
19 five hundred twenty-one of the seventy-eighth congress, chapter six
20 hundred twenty-six, second session, as approved on the twentieth day of
21 December, nineteen hundred forty-four. Such agreement may provide that
22 the state shall pay annually to such city a sum to be computed at the
23 rate of (a) not more than ~~[eighty-five]~~ one dollar and seventy-seven
24 cents per square yard of the pavement area that is included in the state
25 highway system according to the provisions of this section, and (b) an
26 additional ~~[ten]~~ twenty cents per square yard of such pavement area
27 where such pavement area is located on any elevated bridge, such rate
28 shall be increased in each year of the agreement by the percentage
29 change in the consumer price index for all urban consumers (CPI-U), New
30 York-Northern New Jersey-Long Island, NY-NJ-CT-PA, as published by the
31 United States department of labor bureau of labor statistics, over the
32 prior five years.

33 § 3. This act shall take effect on the first of April next succeeding
34 the date on which it shall have become a law.