

# 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:

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

### ARTICLE 23

#### HYPERLOOP AND HIGH SPEED RAIL COMMISSION

Section 490. Hyperloop and high speed rail commission.

491. Powers and duties of the commission.

492. Reporting.

493. Assistance of other agencies.

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

2. Such commission shall consist of the president of the Metro-North Railroad and eleven other members to be appointed as follows: three shall be appointed by the governor; two shall be appointed by the majority leader of the senate and two by the minority leader of the senate; and two shall be appointed by the speaker of the assembly and two by the minority leader of the assembly.

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

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

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

2. plan and advise the department on future improvements to the state's rail systems that are necessary to implement a hyperloop and 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.