STATE OF NEW YORK

4880

2019-2020 Regular Sessions

IN ASSEMBLY

February 5, 2019

Introduced by M. of A. ROZIC, ABINANTI, BARRETT, BLAKE, BRONSON, BUCHWALD, DenDEKKER, FAHY, GOTTFRIED, HUNTER, JOYNER, LIFTON, LUPARDO, MAGNARELLI, M. G. MILLER, MOSLEY, OTIS, RYAN, SANTABARBARA, SEAWRIGHT, SCHIMMINGER, SIMON, STECK, STIRPE, ZEBROWSKI, DE LA ROSA, D'URSO, CAHILL, ORTIZ, WALLACE, DICKENS, VANEL, PHEFFER AMATO, WRIGHT, BARNWELL, PICHARDO, CUSICK, GALEF, QUART, RICHARDSON, NIOU, KIM, BICHOTTE, O'DONNELL, LAVINE, JEAN-PIERRE, DAVILA, COLTON, WOERNER, BRAUNSTEIN, LENTOL, L. ROSENTHAL, WILLIAMS, CARROLL, DINOWITZ, SIMOTAS, PAULIN, PERRY, RODRIGUEZ, JAFFEE, JONES, WEPRIN, ARROYO, EPSTEIN, BARRON, CYMBROWITZ, PEOPLES-STOKES, SOLAGES, BYRNE, FRIEND, McDONOUGH, MONTESANO, PALMESANO, RA, RAIA, WALSH, LAWRENCE, M. L. MILLER, BRABENEC -- Multi-Sponsored by -- M. of A. ABBATE, COOK, ENGLEBRIGHT, GLICK, HEVESI, HYNDMAN, NOLAN, STEC, THIELE -- read once and referred to the Committee on Transportation

AN ACT to amend the transportation law, in relation to a state transportation plan

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

Section 1. Section 15 of the transportation law, subdivision 2 as amended by chapter 524 of the laws of 2005 and subdivision 3 as amended by chapter 1064 of the laws of 1969, is amended to read as follows:

§ 15. Comprehensive statewide master plan for transportation. 1. The department shall formulate [~~and from time to time revise~~] a long-range comprehensive statewide master plan for the balanced development and coordination of adequate, safe and efficient commuter and general transportation facilities and services in the state at reasonable cost to the people, including, but not limited to, **state and local** highways, **bridges,** rapid transit, **freight and passenger** railroad, omnibus, marine**, bicycle, pedestrian** and other mass transportation facilities and services, and **public use** aviation and airport facilities and services[~~,~~] whether publicly or privately owned, developed, operated or maintained.

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

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Such plan shall include a minimum twenty-year forecast period at the time of adoption, assess long-range needs spanning such period, include a forecast of highway pavement and bridge conditions, and take into consideration:

a. the most recent twenty-year transportation plan adopted by each metropolitan planning organization within the state pursuant to subpart C of part 450 of title 23 of the code of federal regulations; and

b. the most recent long-range statewide transportation plan and statewide transportation improvement program developed by the state pursuant to subpart B of part 450 of title 23 of the code of federal regulations.

2. The department shall submit such plan to the governor, the temporary president of the senate, the speaker of the assembly and to the department of state on or before September first, [~~nineteen hundred sixty-eight, and thereafter shall submit appropriate revisions of such plan~~] two thousand nineteen. The department shall review and update such plan at least every five years to extend the forecast period to at least twenty years, provided that the department may revise such plan at any other time without extending such forecast period. The department shall submit all such revised and updated plans to the governor, the temporary president of the senate, the speaker of the assembly and to the department of state [~~from time to~~] at the time [~~as~~] such revisions are made. The department of state shall review such plan and such revisions and shall submit a report thereon, together with such recommendations as it may deem appropriate, to the governor, the temporary president of the senate and the speaker of the assembly. Such plan and such revisions shall become effective upon approval by the governor [~~and~~]~~,~~ shall serve thereafter as a guide to the public and publicly assisted development of transportation facilities and services in the state, and the department shall maintain hard copies of the most recent version of such plan and revisions thereto on file as a public document in the office of the commissioner and at each regional office of the department.

3. In formulating such plan and any such revisions, the department:

a. shall conduct [~~one or more~~] at least one public [~~hearings~~] hearing in each department region;

b. may consult with and cooperate with (i) officials of departments and agencies of the state having duties and responsibilities concerning transportation;

(ii) officials and representatives of public corporations as defined in [~~article one, section three of the general corporation~~] section sixty-five of the general construction law;

(iii) officials and representatives of the federal government, of neighboring states and of interstate agencies on problems affecting transportation in this state;

(iv) officials and representatives of carriers and transportation facilities and systems in the state; and

(v) persons, organizations and groups utilizing, served by, interested in or concerned with transportation facilities and systems in the state;

c. may request and receive from any department, division, board, bureau, commission or other agency of the state or any political subdivision thereof or any public authority such assistance and data as may be necessary to enable the department to carry out its responsibilities under this section; and

d. may make use of and incorporate in the department's plan, any recognized long-range regional plan for transportation, survey or report developed by any public or private agency.

4. The department shall maintain on its public website the proposed and adopted long-range comprehensive statewide master plan and all proposed and adopted revisions thereto, and shall provide a means on such website for the public to submit comments thereon to the department.

§ 2. Subdivision 13 of section 14 of the transportation law, as added by chapter 420 of the laws of 1968, is amended to read as follows:

13. To report from time to time to the governor and make an annual report to the governor and the legislature which shall include its recommendations. **Additionally, the commissioner shall submit a report to the governor, the temporary president of the senate, and the speaker of the assembly, beginning September first, two thousand nineteen and semi-annually thereafter, including a list of those capital projects in the department's capital program that have experienced major schedule changes or major cost changes in letting schedule or construction cost, including projects that were eliminated and projects that were added, since the adoption of the most recent state budget. For each project the report shall include the project identification number and description, original and revised letting dates, and a detailed explanation of why the changes occurred. For the purposes of this subdivision, the term "major schedule changes" is defined as a twelve-month or more delay in the letting date of a project, and the term "major cost changes" is defined as one of the following as applicable: a greater than fifty percent change for projects less than one million dollars, a greater than fifty percent change for projects less than fifteen million dollars, and a greater than twenty-five percent change for projects in excess of fifteen million dollars.**

§ 3. This act shall take effect immediately.