

# 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, MONTES-ANO, PALMESANO, RA, RAIA, WALSH, LAWRENCE, M. L. MILLER, BRABENEC -- Multi-Sponsored by -- M. of A. ABBATE, COOK, ENGLEBRIGHT, GLICK, HEVE-SI, 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:

1 Section 1. Section 15 of the transportation law, subdivision 2 as  
2 amended by chapter 524 of the laws of 2005 and subdivision 3 as amended  
3 by chapter 1064 of the laws of 1969, is amended to read as follows:  
4 § 15. Comprehensive statewide master plan for transportation. 1. The  
5 department shall formulate [~~and from time to time revise~~] a long-range  
6 comprehensive statewide master plan for the balanced development and  
7 coordination of adequate, safe and efficient commuter and general transportation facilities and services in the state at reasonable cost to the  
8 people, including, but not limited to, state and local highways, bridges, rapid transit, freight and passenger railroad, omnibus, marine,  
10 bicycle, pedestrian and other mass transportation facilities and  
11 services, and public use aviation and airport facilities and services[~~7~~]  
12 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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1 Such plan shall include a minimum twenty-year forecast period at the  
2 time of adoption, assess long-range needs spanning such period, include  
3 a forecast of highway pavement and bridge conditions, and take into  
4 consideration:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

28     § 3. This act shall take effect immediately.