

# STATE OF NEW YORK

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5035--A

2019-2020 Regular Sessions

## IN ASSEMBLY

February 6, 2019

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Introduced by M. of A. FAHY, McDONALD, ENGLEBRIGHT, STECK, BURKE --  
Multi-Sponsored by -- M. of A. GRIFFIN -- read once and referred to  
the Committee on Economic Development -- committee discharged, bill  
amended, ordered reprinted as amended and recommitted to said commit-  
tee

AN ACT to require the empire state development corporation to create a  
plan regarding non-motorized multi-use trails

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

1 Section 1. (a) For the purposes of this act, the term "non-motorized  
2 multi-use trail" shall mean an off-street linear facility for recreation  
3 and transportation, paved or unpaved, designated to serve multiple types  
4 of non-motorized users, including, but not limited to, bicyclists,  
5 pedestrians, in-line skaters, joggers, cross-country skiers or equestri-  
6 ans.  
7 (b) The empire state development corporation shall create a plan for a  
8 comprehensive statewide system of non-motorized multi-use trails  
9 consisting of a network of non-motorized primary corridors linked to and  
10 enhanced by regional and local non-motorized multi-use trails. The draft  
11 plan shall be completed one year after this act becomes a law. The  
12 empire state development corporation shall consult concurrently with  
13 representatives from the office of parks, recreation and historic pres-  
14 ervation, the department of environmental conservation, the department  
15 of health and the department of transportation to create such plan. A  
16 representative of each agency shall be appointed by the commissioner of  
17 their respective agency. The empire state development corporation shall  
18 meet with the representatives of such agencies at least quarterly.  
19 There shall be a sixty-day public comment period on such draft plan and  
20 there shall be at least one public hearing on the draft plan during such  
21 sixty-day public comment period. The final plan shall be completed and  
22 adopted one hundred eighty days after submission of the draft plan. The

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

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1 plan shall be updated no less than every five years. Such plan shall  
2 include five major components:

3 (i) A vision for a statewide network of non-motorized primary corri-  
4 dors linked to and enhanced by regional and local non-motorized multi-  
5 use trails, which will include trail uses to be addressed in the plan;  
6 goals for geographic distribution; goals for universal accessibility;  
7 and general goals for new trail acquisition and development.

8 (ii) A Geographic Information System (GIS) inventory of existing non-  
9 motorized multi-use trails across the state, as well as planned non-mo-  
10 torized multi-use trails, or undeveloped corridors under consideration  
11 for future non-motorized multi-use trails.

12 (iii) Identification of new non-motorized multi-use trail opportu-  
13 nities including, but not limited to, transportation (rail, canal, trol-  
14 ley) corridors - existing, abandoned or under consideration to be aban-  
15 doned; under-utilized or closed roads; utility corridors and natural  
16 corridors such as waterways and waterfronts.

17 (iv) A comprehensive set of non-motorized multi-use trail recommenda-  
18 tions, including but not limited to acquisition and development priori-  
19 ties; guidelines for design and maintenance of different "tier" (prima-  
20 ry, regional, local) non-motorized multi-use trails; guidelines for  
21 wayfinding, marketing and interpretive signs and informational  
22 resources, such as statewide and regional maps of existing non-motorized  
23 multi-use trails, to promote the use of such trails and their coordi-  
24 nation with other tourism opportunities in New York state.

25 (v) Recommendations for funding the acquisition, construction, mainte-  
26 nance, and promotion of non-motorized multi-use trails as well as imple-  
27 mentation.

28 (c) The office of parks, recreation and historic preservation, the  
29 department of environmental conservation, the department of health, the  
30 department of transportation and any other state agencies, departments,  
31 public authorities or programs with relevant expertise or resources  
32 shall provide the empire state development corporation with such facili-  
33 ties, assistance, and data as will enable the empire state development  
34 corporation to carry out its powers and duties. The empire state devel-  
35 opment corporation will have primary responsibility for implementation  
36 of the plan created pursuant to the provisions of this act, provided the  
37 costs of implementation have been appropriated or identified by the  
38 chairperson of the empire state development corporation.

39 § 2. This act shall take effect immediately.