STATE OF NEW YORK

5035--B

2019-2020 Regular Sessions

IN ASSEMBLY

February 6, 2019

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 committee -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to require the office of parks, recreation and historic preservation to create a plan regarding non-motorized multi-use trails

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

Section 1. (a) For the purposes of this act, the term "non-motorized multi-use trail" shall mean an off-street linear facility for recreation and transportation, paved or unpaved, designated to serve multiple types of non-motorized users, including, but not limited to, bicyclists, pedestrians, in-line skaters, joggers, cross-country skiers or equestrians.

(b) The office of parks, recreation and historic preservation, or for purposes of this act, the "office", shall create a plan for a comprehensive statewide system of non-motorized multi-use trails consisting of a network of non-motorized primary corridors linked to and enhanced by regional and local non-motorized multi-use trails. The draft plan shall be completed one year after this act becomes a law. The office shall consult concurrently with representatives from the department of environmental conservation, the department of health and the department of transportation to create such plan. A representative of each agency shall be appointed by the commissioner of their respective agency. The office shall meet with the representatives of such agencies at least quarterly. There shall be a sixty-day public comment period on such draft plan and there shall be at least one public hearing on the draft plan during such sixty-day public comment period. The final plan shall

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

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be completed and adopted one hundred eighty days after submission of the draft plan. The plan shall be updated no less than every five years. Such plan shall include five major components:

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

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

(iii) Identification of new non-motorized multi-use trail opportunities including, but not limited to, transportation (rail, canal, trolley) corridors - existing, abandoned or under consideration to be abandoned; under-utilized or closed roads; utility corridors and natural corridors such as waterways and waterfronts.

(iv) A comprehensive set of non-motorized multi-use trail recommendations, including but not limited to acquisition and development priorities; guidelines for design and maintenance of different "tier" (primary, regional, local) non-motorized multi-use trails; guidelines for wayfinding, marketing and interpretive signs and informational resources, such as statewide and regional maps of existing non-motorized multi-use trails, to promote the use of such trails and their coordination with other tourism opportunities in New York state.

(v) Recommendations for funding the acquisition, construction, maintenance, and promotion of non-motorized multi-use trails as well as implementation.

(c) The department of environmental conservation, the department of health, the department of transportation and any other state agencies, departments, public authorities or programs with relevant expertise or resources shall provide the office with such facilities, assistance, and data as will enable the office to carry out its powers and duties. The office will have primary responsibility for implementation of the plan created pursuant to the provisions of this act, provided the costs of implementation have been appropriated or identified by the commissioner of the office.

§ 2. This act shall take effect immediately.