

# STATE OF NEW YORK

9807

## IN ASSEMBLY

February 13, 2020

Introduced by M. of A. RA -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to the board submitting a recommendation regarding the central business district toll amounts to the legislature and recommending a privacy risk plan

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

1 Section 1. Subdivisions 2 and 3 of section 553-k of the public author-  
2 ities law, as added by section 8 of subpart A of part ZZZ of chapter 59  
3 of the laws of 2019, are amended to read as follows:

4 2. The board shall make a recommendation regarding the central busi-  
5 ness district toll amounts to be established pursuant to article forty-  
6 four-C of the vehicle and traffic law, which shall include a variable-  
7 pricing structure, no [~~sooner~~] later than [~~November~~] October fifteenth,  
8 two thousand twenty [~~and no later than December thirty first, two thou-~~  
9 ~~sand twenty, or no later than thirty days before a central business~~  
10 ~~district tolling program is initiated, whichever is later~~]. Such recom-  
11 mendation shall be submitted to the legislature for approval. The  
12 legislature shall vote on such recommendation by January thirty-first,  
13 two thousand twenty-one. The authority shall only be permitted to estab-  
14 lish central business toll district amounts if approved by the legisla-  
15 ture. If approved by the legislature, such recommendation shall be  
16 submitted to the board of the Triborough bridge and tunnel authority for  
17 consideration before the Triborough bridge and tunnel authority board  
18 may approve central business district toll amounts that may be estab-  
19 lished and adopted.

20 3. For purposes of recommending a central business district toll or  
21 tolls in addition to the goal of reducing traffic within the central  
22 business district, the board shall, at minimum, ensure that annual  
23 revenues and fees collected under such program, less costs of such  
24 program, provide for revenues into the central business district tolling  
25 capital lockbox fund, established pursuant to section five hundred  
26 fifty-three-j of this [~~chapter~~] title, necessary to fund fifteen billion  
27 dollars for capital projects for the 2020 to 2024 capital program, and

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

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1 any additional revenues above that amount to be available for any  
2 successor program. The board shall consider for purposes of its recom-  
3 mendations, factors including but not limited to, traffic patterns,  
4 traffic mitigation measures, operating costs, public impact, public  
5 safety, hardships, vehicle type, discounts for motorcycles, peak and  
6 off-peak rates and environmental impacts, including but not limited to  
7 air quality and emissions trends. The board shall recommend a plan for  
8 credits, discounts, and/or exemptions for tolls paid on bridges and  
9 crossings which shall be informed by a traffic study associated with the  
10 impact of any such credits, discounts and/or exemptions on the recom-  
11 mended toll. The board shall recommend a plan for credits, discounts,  
12 and/or exemptions for for-hire vehicles defined, and subject to a  
13 surcharge imposed by, article twenty-nine-C of the tax law for a for-  
14 hire transportation trip based on factors including, but not limited to,  
15 initial market entry costs associated with licensing and regulation,  
16 comparative contribution to congestion in the central business district,  
17 and general industry impact. The board shall recommend a privacy risk  
18 plan in relation to the collection, processing, transfer and disclosure  
19 of personal data, including, but not limited to, historical or real-time  
20 geolocation data, under such a program and require that use, disclosure  
21 or access to an individual's personal data shall require affirmative,  
22 express consent of the individual. The board shall produce a detailed  
23 report that provides information regarding the board's review and analy-  
24 sis for purposes of establishing its recommendations, including but not  
25 limited to, all of the considerations referred to in this subdivision.  
26 The board shall not recommend a toll that provides for charging passen-  
27 ger vehicles registered pursuant to subdivision six of section four  
28 hundred one of the vehicle and traffic law more than once per day.  
29 § 2. This act shall take effect immediately.