

STATE OF NEW YORK

3185

2019-2020 Regular Sessions

IN SENATE

February 4, 2019

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the transportation law, in relation to establishing the hyperloop and high speed rail commission

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

1 Section 1. The transportation law is amended by adding a new article
2 23 to read as follows:

ARTICLE 23

HYPERLOOP AND HIGH SPEED RAIL COMMISSION

3 Section 490. Hyperloop and high speed rail commission.

4 491. Powers and duties of the commission.

5 492. Reporting.

6 493. Assistance of other agencies.

7 § 490. Hyperloop and high speed rail commission. 1. There is hereby
8 established in the department a commission, to be known as the hyperloop
9 and high speed rail commission.

10 2. Such commission shall consist of the president of the Metro-North
11 Railroad and eleven other members to be appointed as follows: three
12 shall be appointed by the governor; two shall be appointed by the major-
13 ity leader of the senate and two by the minority leader of the senate;
14 and two shall be appointed by the speaker of the assembly and two by the
15 minority leader of the assembly.

16 3. The commission members shall be appointed within thirty days after
17 the effective date of this article and shall meet publicly at least
18 quarterly.

19 § 491. Powers and duties of the commission. The commission shall have
20 the following powers and duties:

21 1. assess and study the benefits and implications, including financial
22 implications, of creating a hyperloop and high speed rail system within
23 New York state;
24
25

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

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1 2. plan and advise the department on future improvements to the
2 state's rail systems that are necessary to implement a hyperloop and
3 high speed rail service in the state, including making recommendations
4 for the best governmental structure to design, build, operate, maintain
5 and finance a hyperloop and high speed rail system;

6 3. evaluate all available hyperloop and high speed rail technologies,
7 systems and operators, and make recommendations on an appropriate hyper-
8 loop and high speed rail system;

9 4. research options, in coordination with the department, with respect
10 to agreements with private entities necessary to permit hyperloop and
11 high speed trains, including but not limited to agreements relating to
12 track improvements and agreements to operate a hyperloop and high speed
13 rail system, and to provide the department with recommendations on the
14 form any such agreement should take;

15 5. advise and work with the department on making application for any
16 additional funding that may be available for the development and opera-
17 tion of a hyperloop and high speed rail system in the state, provided,
18 however, that no such funding that requires a state match of funds may
19 be sought except on approval of the governor and the director of the
20 division of the budget; and

21 6. to issue requests for information from all companies that operate
22 hyperloop and high speed rails around the world including, but not
23 limited to, companies in Japan, China, South Korea and Germany, and to
24 collect and present a comprehensive outline of potential companies that
25 could operate a hyperloop and high speed rail system in the state.

26 § 492. Reporting. The commission shall make a report with its findings
27 to the governor and the legislature within two years of the effective
28 date of this article and annually thereafter. Upon the transmission of
29 the report to the governor and the legislature, the commissioner shall
30 within thirty days determine whether the commission shall continue in
31 operation, or whether it shall be changed in some manner, or whether it
32 shall be dissolved and shall report his or her findings and recommenda-
33 tions to the governor and the legislature.

34 § 493. Assistance of other agencies. To effectuate the purposes of
35 this article, the commission may request and shall receive from any
36 department, division, board, bureau, commission or other agency or
37 authority of the state such assistance, information and data as will
38 enable the commission to properly carry out its powers and duties as
39 described in section four hundred ninety one of this article. Such
40 assistance shall not waive or impair the terms of an existing agreement
41 negotiated between the relevant employer and employee organization nor
42 limit any obligation to bargain terms and conditions of employment
43 pursuant to article fourteen of the civil service law.

44 § 2. This act shall take effect immediately.