

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, MONTESANO, PALMESANO, RA, RAIA, WALSH, LAWRENCE, M. L. MILLER, BRABENEC -- Multi-Sponsored by -- M. of A. ABBATE, COOK, ENGLEBRIGHT, GLICK, HEVESI, 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.