

# 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:

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 office of parks, recreation and historic preservation, or for  
8 purposes of this act, the "office", shall create a plan for a comprehen-  
9 sive statewide system of non-motorized multi-use trails consisting of a  
10 network of non-motorized primary corridors linked to and enhanced by  
11 regional and local non-motorized multi-use trails. The draft plan shall  
12 be completed one year after this act becomes a law. The office shall  
13 consult concurrently with representatives from the department of envi-  
14 ronmental conservation, the department of health and the department of  
15 transportation to create such plan. A representative of each agency  
16 shall be appointed by the commissioner of their respective agency. The  
17 office shall meet with the representatives of such agencies at least  
18 quarterly. There shall be a sixty-day public comment period on such  
19 draft plan and there shall be at least one public hearing on the draft  
20 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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1 be completed and adopted one hundred eighty days after submission of the  
2 draft plan. The plan shall be updated no less than every five years.

3 Such plan shall include five major components:

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

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

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

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

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

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

38 § 2. This act shall take effect immediately.