

STATE OF NEW YORK

8895

2019-2020 Regular Sessions

IN ASSEMBLY

December 30, 2019

Introduced by M. of A. ROZIC, MAGNARELLI, ABBATE, BLAKE, CRESPO, CUSICK, LAWRENCE, OTIS, LIFTON, PAULIN, SIMON, QUART, RYAN, SEAWRIGHT, MOSLEY, SCHIMMINGER, LUPARDO, HUNTER, TAYLOR, PALMESANO, CROUCH, FINCH, JACOBSON, NORRIS, BUCHWALD, BYRNE -- read once and referred to the Committee on Transportation

AN ACT to amend the highway law, in relation to the rate paid by the state to a city for maintenance and repair of highways

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

1 Section 1. The opening paragraph of subdivision 5-a of section 340-b
2 of the highway law, as amended by chapter 30 of the laws of 1987, is
3 amended to read as follows:

4 The commissioner of transportation and the city of New York, acting
5 through the mayor or other administrative head thereof, pursuant to a
6 resolution of the governing body of such city, are authorized to enter
7 into a written agreement for the maintenance and repair, under the
8 supervision and subject to the approval of the commissioner of transportation, of any state interstate highway or portion thereof, exclusive of
9 service roads and pavement on intersecting street bridges, which is
10 within the boundaries of such city and which is now or which shall here-
11 after be designated in section three hundred forty-a of this [~~chapter~~
12 article] and which has been constructed or which shall have been
13 constructed as authorized by section three hundred forty-a of this
14 [~~chapter~~] article. Such agreement may provide that the state shall pay
15 annually to such city a sum to be computed at the rate of (a) not more
16 than [~~eighty-five~~] one dollar and eighty-seven cents per square yard of
17 the pavement area that is included in the state highway system according
18 to the provisions of this section, and (b) an additional [~~ten~~] twenty
19 cents per square yard of such pavement area where such pavement area is
20 located on any elevated bridge, such rate shall be increased in each
21 year of the agreement by the percentage change in the consumer price
22

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

LBD01121-04-9

1 index for all urban consumers (CPI-U), New York-Northern New Jersey-Long
2 Island, NY-NJ-CT-PA, as published by the United States department of
3 labor bureau of labor statistics, over the prior five years.

4 § 2. The opening paragraph of subdivision 7 of section 349-c of the
5 highway law, as amended by chapter 30 of the laws of 1987, is amended to
6 read as follows:

7 The commissioner of transportation and any city named in this article,
8 acting through the mayor or other administrative head thereof, pursuant
9 to a resolution of the governing body of such city except the city of
10 New York, are authorized to enter into a written agreement for the main-
11 tenance and repair, under the supervision and subject to the approval of
12 the commissioner, of any public street, main route or thoroughfare or
13 portion thereof, exclusive of service roads and pavement on intersecting
14 street bridges, which is within the boundaries of such city and which is
15 now or which shall hereafter be designated in this article and which has
16 been constructed or which shall have been constructed as authorized by
17 ~~[articles]~~ this article and article four ~~[and twelve-B]~~ of this chapter
18 and with grants made available by the federal government pursuant to the
19 federal aid highway act of nineteen hundred forty-four, being public law
20 five hundred twenty-one of the seventy-eighth congress, chapter six
21 hundred twenty-six, second session, as approved on the twentieth day of
22 December, nineteen hundred forty-four. Such agreement may provide that
23 the state shall pay annually to such city a sum to be computed at the
24 rate of (a) not more than ~~[eighty-five]~~ one dollar and eighty-seven
25 cents per square yard of the pavement area that is included in the state
26 highway system according to the provisions of this section, and (b) an
27 additional ~~[ten]~~ twenty cents per square yard of such pavement area
28 where such pavement area is located on any elevated bridge, such rate
29 shall be increased in each year of the agreement by the percentage
30 change in the consumer price index for all urban consumers (CPI-U), New
31 York-Northern New Jersey-Long Island, NY-NJ-CT-PA, as published by the
32 United States department of labor bureau of labor statistics, over the
33 prior five years.

34 § 3. This act shall take effect on the first of April next succeeding
35 the date on which it shall have become a law.