

# STATE OF NEW YORK

9874

## IN ASSEMBLY

February 20, 2020

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, LAVINE, JEAN-PIERRE, QUART, RICHARDSON, NIOU, KIM, BICHOTTE, O'DONNELL, DAVILA, COLTON, WOERNER, LENTOL, L. ROSENTHAL, D. ROSENTHAL, WILLIAMS, CARROLL, DINOWITZ, SIMOTAS, PAULIN, PERRY, RODRIGUEZ, JAFFEE, JONES, WEPRIN, ARROYO, EPSTEIN, BARRON, CYMBROWITZ, PEOPLES-STOKES, SOLAGES, McMAHON, BYRNE, FRIEND, REYES, CRUZ, McDONOUGH, MONTESANO, PALMESANO, RA, WALSH, LAWRENCE, M. L. MILLER, BRABENEC, EICHENSTEIN, JACOBSON, GRIFFIN -- 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 trans-  
8 portation facilities and services in the state at reasonable cost to the  
9 people, including, but not limited to, state highways[~~7~~] and bridges  
10 under the jurisdiction of the commissioner, bicycle and pedestrian  
11 facilities on such state highways and bridges, rapid transit, freight  
12 and passenger railroad, omnibus, marine and other mass transportation  
13 facilities and services, excluding rapid transit, railroad, omnibus,  
14 marine and other mass transportation facilities and services under the  
15 jurisdiction of either the metropolitan transportation authority as

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

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1 defined in section two hundred nineteen-c of this chapter or a bi-state  
2 public benefit corporation, and public use aviation and airport facili-  
3 ties and services[7] whether publicly or privately owned, developed,  
4 operated or maintained, excluding airports operated by a bi-state public  
5 benefit corporation. Such plan shall include a minimum twenty-year  
6 forecast period at the time of adoption, assess long-range needs span-  
7 ning such period, include a forecast of pavement and bridge conditions  
8 of state highways and bridges under the jurisdiction of the commission-  
9 er, and take into consideration:

10 a. the most recent twenty-year transportation plan adopted by each  
11 metropolitan planning organization within the state pursuant to subpart  
12 C of part 450 of title 23 of the code of federal regulations; and

13 b. the most recent long-range statewide transportation plan and state-  
14 wide transportation improvement program developed by the state pursuant  
15 to subpart B of part 450 of title 23 of the code of federal regulations.

16 2. The department shall submit such plan to the governor, the tempo-  
17 rary president of the senate, the speaker of the assembly and to the  
18 department of state on or before September first, [~~nineteen hundred~~  
19 ~~sixty-eight, and thereafter shall submit appropriate revisions of such~~  
20 ~~plan~~] two thousand twenty-one. The department shall review and update  
21 such plan at least every five years to extend the forecast period to at  
22 least twenty years, provided that the department may revise such plan at  
23 any other time without extending such forecast period. The department  
24 shall submit all such revised and updated plans to the governor, the  
25 temporary president of the senate, the speaker of the assembly and to  
26 the department of state [~~from time to~~] at the time [~~as~~] such revisions  
27 are made. The department of state shall review such plan and such  
28 revisions and shall submit a report thereon, together with such recom-  
29 mendations as it may deem appropriate, to the governor, the temporary  
30 president of the senate and the speaker of the assembly. Such plan and  
31 such revisions shall become effective upon approval by the governor  
32 [~~and~~], shall serve thereafter as a guide to the public and publicly  
33 assisted development of transportation facilities and services in the  
34 state, and the department shall maintain hard copies of the most recent  
35 version of such plan and revisions thereto on file as a public document  
36 in the office of the commissioner and at each regional office of the  
37 department.

38 3. In formulating such plan and any such revisions, the department:

39 a. shall conduct [~~one or more~~] at least one public [~~hearings~~] hearing  
40 in each department region;

41 b. may consult with and cooperate with (i) officials of departments  
42 and agencies of the state having duties and responsibilities concerning  
43 transportation;

44 (ii) officials and representatives of public corporations as defined  
45 in [~~article one, section three of the general corporation~~] section  
46 sixty-five of the general construction law;

47 (iii) officials and representatives of the federal government, of  
48 neighboring states and of interstate agencies on problems affecting  
49 transportation in this state;

50 (iv) officials and representatives of carriers and transportation  
51 facilities and systems in the state; and

52 (v) persons, organizations and groups utilizing, served by, interested  
53 in or concerned with transportation facilities and systems in the state;

54 c. may request and receive from any department, division, board,  
55 bureau, commission or other agency of the state or any political subdi-  
56 vision thereof or any public authority such assistance and data as may

1 be necessary to enable the department to carry out its responsibilities  
2 under this section; and

3 d. may make use of and incorporate in the department's plan, any  
4 recognized long-range regional plan for transportation, survey or report  
5 developed by any public or private agency.

6 4. The department shall maintain on its public website the proposed  
7 and adopted long-range comprehensive statewide master plan and all  
8 proposed and adopted revisions thereto, and shall provide a means on  
9 such website for the public to submit comments thereon to the depart-  
10 ment.

11 § 2. Subdivision 13 of section 14 of the transportation law, as added  
12 by chapter 420 of the laws of 1968, is amended to read as follows:

13 13. To report from time to time to the governor and make an annual  
14 report to the governor and the legislature which shall include its  
15 recommendations. Additionally, the commissioner shall submit a report to  
16 the governor, the temporary president of the senate, and the speaker of  
17 the assembly, beginning September first, two thousand twenty-one and  
18 semi annually thereafter, including a list of those capital projects in  
19 the department's capital program that have experienced major schedule  
20 changes or major cost changes in letting schedule or construction cost,  
21 including projects that were eliminated and projects that were added,  
22 since the adoption of the most recent state budget. For each project the  
23 report shall include the project identification number and description,  
24 original and revised letting dates, and a detailed explanation of why  
25 the changes occurred. For the purposes of this subdivision, the term  
26 "major schedule changes" is defined as a twelve-month or more delay in  
27 the letting date of a project, and the term "major cost changes" is  
28 defined as one of the following as applicable: a greater than fifty  
29 percent change for projects fifteen million dollars or less, and a  
30 greater than twenty-five percent change for projects in excess of  
31 fifteen million dollars.

32 § 3. This act shall take effect immediately.