

STATE OF NEW YORK

5503

2021-2022 Regular Sessions

IN SENATE

March 9, 2021

Introduced by Sen. O'MARA -- 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 the interagency coordinating committee on rural public transportation; and to amend the social services law, in relation to the transportation of eligible persons residing in a rural area

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

1 Section 1. Section 73-d of the transportation law, as amended by chap-
2 ter 562 of the laws of 1987 and subdivision 1 as amended by chapter 672
3 of the laws of 2019, is amended to read as follows:

4 § 73-d. Interagency coordinating committee on rural public transporta-
5 tion. 1. There is hereby created a committee to be known as the "intera-
6 gency coordinating committee on rural public transportation", to be
7 comprised of nineteen members. The commissioner or his or her designee
8 shall serve as chairperson. Twelve of such members shall be the follow-
9 ing or his or her duly designated representative: the director of the
10 office for the aging; the commissioner of education; the commissioner of
11 labor; the commissioner of health; the commissioner of the office of
12 mental health; the commissioner of the office of alcoholism and
13 substance abuse services; the commissioner of the office for people with
14 developmental disabilities; the commissioner of [~~social services, state~~
15 ~~advocate for the disabled~~] the office for temporary and disability
16 assistance; the executive director of the New York state justice center
17 for the protection of people with special needs; the secretary of state;
18 the commissioner of agriculture and markets[~~, the director of the office~~
19 ~~of rural affairs~~] and the [~~director of the division for youth~~] commis-
20 sioner of the office of children and family services. Six additional
21 members, [~~all~~] five of whom shall be transportation providers or consum-
22 ers representing rural counties and one shall be a representative of a
23 labor union affiliated with public transportation systems receiving

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

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1 public transportation systems operating assistance account funds, shall
2 be appointed to serve a term of three years as follows: two by the
3 ~~[president pro-tempore]~~ temporary president of the senate, two by the
4 speaker of the assembly, one by the minority leader of the senate, and
5 one by the minority leader of the assembly. Efforts shall be made to
6 provide a broad representation of consumers and providers of transporta-
7 tion services in rural counties when making such appointments. ~~[Members~~
8 ~~of the committee shall receive no salary.]~~ The six members appointed by
9 the legislature, as well as the commissioner or his or her designee,
10 shall be the voting members. The balance of the committee will serve in
11 an advisory or consulting capacity. The committee shall keep a record of
12 its official actions.

13 The commissioner shall cause the department to provide staff assist-
14 ance necessary for the efficient and effective operation of the commit-
15 tee.

16 2. The committee shall~~[+]~~ meet at least once every three months and
17 shall report to the governor, the temporary president of the senate and
18 the speaker of the assembly annually, beginning October first, two thou-
19 sand twenty-two. The annual report shall:

20 a. identify existing rural transportation systems and provide data on
21 ridership, revenue, and financial challenges for each system;

22 b. identify rural populations currently utilizing public transporta-
23 tion, as well as populations in need of public transportation without
24 access, and discuss recommendations for maintaining and expanding
25 services;

26 c. include a breakdown by county of cost savings, modes of transporta-
27 tion provided to Medicaid patients, and rates of utilization of public
28 transportation by Medicaid patients;

29 d. identify programs and the annual amounts and sources of funds from
30 such programs that are eligible to be used to support a coordinated
31 public transportation service, and the annual amounts and sources of
32 such funds that are actually used for client transportation or for
33 transportation of persons in connection with agency-affiliated programs
34 or services; such data shall be provided on a county basis;

35 ~~[b. identify restrictions on existing programs that inhibit funds from~~
36 ~~such programs being used to pay for a coordinated public transportation~~
37 ~~service in rural counties;~~

38 ~~e-]~~ e. recommend changes in state or local laws or regulations that
39 would improve the coordination of funds, facilities, vehicles or equip-
40 ment and other resources used for transportation at the local level;

41 ~~[d-]~~ f. upon request, compile and forward to the commissioner any data
42 or other information required by this section.

43 3. A majority of the whole number of voting members of the committee
44 shall constitute a quorum for the transaction of the committee's busi-
45 ness. The committee shall have the power to act by a majority vote of
46 the voting members. Committee members shall hold office until their
47 successors have been appointed and have qualified. The selection of
48 successors to fill a vacancy shall be made in the same manner in which
49 the retiring committee members shall have been selected. Members of the
50 committee shall receive no salary or other compensation, but shall be
51 entitled to their actual and necessary expenses, including traveling
52 expenses incurred in the discharge of their duties.

53 § 2. The opening paragraph of subdivision 4 of section 365-h of the
54 social services law, as separately amended by section 50 of part B and
55 section 24 of part D of chapter 57 of the laws of 2015, is designated
56 paragraph (a) and a new paragraph (b) is added to read as follows:

1 (b) Where the commissioner of health elects to assume such responsi-
2 bility from a local social services district authorized transportation
3 for an eligible person, whose originating location exists within a coun-
4 ty defined as a rural area pursuant to subdivision seven of section four
5 hundred eighty-one of the executive law, shall be assigned to an exist-
6 ing public transportation system, as defined in subdivision one of
7 section eighteen-b of the transportation law, if that system provides an
8 appropriate, available and least expensive mode of transportation. A
9 county defined as a rural area pursuant to subdivision seven of section
10 four hundred eighty-one of the executive law may opt out of such
11 election by the commissioner of health by notifying such commissioner in
12 writing.

13 § 3. Paragraph (b) of subdivision 4 of section 365-h of the social
14 services law, as added by section 2 of part LL of chapter 56 of the laws
15 of 2020, is relettered paragraph (c) and a new paragraph (b) is added to
16 read as follows:

17 (b) Where the commissioner of health elects to assume such responsi-
18 bility from a local social services district authorized transportation
19 for an eligible person, whose originating location exists within a coun-
20 ty defined as a rural area pursuant to subdivision seven of section four
21 hundred eighty-one of the executive law, shall be assigned to an exist-
22 ing public transportation system, as defined in subdivision one of
23 section eighteen-b of the transportation law, if that system provides an
24 appropriate, available and least expensive mode of transportation. A
25 county defined as a rural area pursuant to subdivision seven of section
26 four hundred eighty-one of the executive law may opt out of such
27 election by the commissioner of health by notifying such commissioner in
28 writing.

29 § 4. This act shall take effect immediately; provided, however, that
30 sections two and three of this act shall take effect on the thirtieth
31 day after it shall have become a law; provided, however, that if section
32 2 of part LL of chapter 56 of the laws of 2020 shall not have taken
33 effect on or before such date then section three of this act shall take
34 effect on the same date and in the same manner as such chapter of the
35 laws of 2020 takes effect; and provided further that the amendments to
36 subdivision 4 of section 365-h of the social services law, made by
37 sections two and three of this act, shall not affect the expiration and
38 repeal of such section pursuant to subdivision (a) of section 40 of part
39 B of chapter 109 of the laws of 2010, as amended, and shall expire and
40 be deemed repealed therewith.