

STATE OF NEW YORK

10636

IN ASSEMBLY

July 6, 2022

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Fahy) --
read once and referred to the Committee on Transportation

AN ACT to amend the highway law, in relation to authorizing park-and-
ride development as construction or improvement by the department of
transportation partly at municipal expense

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

1 Section 1. Subdivision 1 of section 80-b of the highway law, as
2 amended by section 3 of part A of chapter 57 of the laws of 2014, is
3 amended to read as follows:
4 1. In connection with the undertaking of any project for which the
5 commissioner is authorized to use moneys of the federal government
6 pursuant to the provisions of subdivision thirty-four-a of section ten
7 and section eighty of this chapter to assure the effective discharge of
8 state responsibilities with respect to regional transportation needs, on
9 highways, roads, streets, bicycle paths [~~ex~~], pedestrian paths, or park-
10 and-ride development that are not on the state highway system, the
11 commissioner shall submit such project to the governing body or bodies
12 of the affected municipality or municipalities together with estimates
13 of costs thereof. If such project includes a municipal project, as that
14 term is defined in accordance with article thirteen of the transporta-
15 tion law, the state share of such municipal project shall also be
16 included. If such project includes a project affecting a highway, road,
17 street, bicycle path [~~ex~~], pedestrian path, or park-and-ride development
18 not on the state highway system, the state share shall be equal to
19 eighty percent of the difference between the total project cost and the
20 federal assistance, provided, however, the commissioner may increase the
21 state share to an amount equal to one hundred percent of the difference
22 between the total project cost and the federal assistance where he
23 determines that the need for the project results substantially from
24 actions undertaken pursuant to section ten of this chapter. No such
25 project shall proceed without the approval of the governing body of a
26 municipality. Such governing body may request the commissioner to under-
27 take the provision of such project. If the commissioner agrees to such

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

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1 undertaking he shall notify the local governing body which shall appro-
2 priate sufficient moneys to pay the estimated amount of the municipal
3 share. Such moneys shall be deposited with the state comptroller who is
4 authorized to receive and accept the same for the purposes of such
5 project, subject to the draft or requisition of the commissioner. When
6 the work of such project has been completed, the commissioner shall
7 render to the governing body of such municipality an itemized statement
8 showing in full (a) the amount of money that has been deposited by such
9 municipality with the state comptroller as hereinbefore provided, and
10 (b) all disbursements made pursuant to this section for such project.
11 Any surplus moneys shall be paid to such municipality on the warrant of
12 the comptroller on vouchers therefor approved by the commissioner. When
13 the work of such project has been completed and it is determined by the
14 commissioner that the amount of the cost to be borne by the municipality
15 is in excess of the amount deposited by such municipality with the state
16 comptroller, the commissioner shall then notify the municipality of the
17 deficiency of funds. The municipality shall then within ninety days of
18 the receipt of such notice, pay such amount to the state comptroller.
19 For purposes of this section, the term "municipality" shall include a
20 city, county, town, village or two or more of the foregoing acting
21 jointly.

22 § 2. This act shall take effect immediately.