

# STATE OF NEW YORK

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1442--B

2021-2022 Regular Sessions

## IN ASSEMBLY

January 11, 2021

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Introduced by M. of A. CARROLL, ANDERSON, JACKSON -- read once and referred to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to enacting the metropolitan transportation authority open data act

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

1 Section 1. This act shall be known and may be cited as the "metropol-  
2 itan transportation authority open data act".

3 § 2. Legislative findings. The legislature finds that the release of  
4 data, in a format that is easily accessible, understandable and usable  
5 by the public, can increase civic engagement with government. In addi-  
6 tion, in an authority providing a public service and operating an enter-  
7 prise as vast as that of the Metropolitan Transportation Authority,  
8 transparency in data is in the public's best interest. It is the intent  
9 of the legislature that the authority and its subsidiaries release as  
10 much data as is feasible in open formats, so that the public can access  
11 that data, analyze it, and engage with the authority with suggestions  
12 and solutions to improve its operations.

13 § 3. The public authorities law is amended by adding a new section  
14 1279-i to read as follows:

15 § 1279-i. Open data reporting. 1. The metropolitan transportation  
16 authority and its subsidiaries and affiliates, including the New York  
17 city transit authority and the Triborough bridge and tunnel authority,  
18 shall fully comply with the provisions of Executive Order 95 of 2013,  
19 "Using Technology to Promote Transparency, Improve Government Perform-  
20 ance and Enhance Citizen Engagement," and shall provide the New York

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

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1 state office of information technology services and legislature all data  
2 as defined in this section.

3 2. For the purposes of this section, the following terms shall have  
4 the following meanings:

5 (a) "open data website" shall mean the website data.ny.gov or such  
6 other successor website maintained by, or on behalf of, the state, as  
7 deemed appropriate by the New York state office of information technolo-  
8 gy services under Executive Order 95 of 2013, or any successor agency or  
9 order;

10 (b) "data" shall mean final versions of statistical or factual infor-  
11 mation that (i) are in alphanumeric form reflected in a list, table,  
12 graph, chart or other non-narrative form, that can be digitally trans-  
13 mitted or processed; (ii) are regularly created or maintained by or on  
14 behalf of the metropolitan transportation authority, its subsidiaries  
15 and affiliates and are controlled by such entities; and (iii) record a  
16 measurement, transaction or determination related to the mission of the  
17 metropolitan transportation authority, its subsidiaries and affiliates.  
18 The term "data" shall not include image files, such as designs, draw-  
19 ings, photos or scanned copies of original documents; provided, however,  
20 that the term "data" shall include statistical or factual information  
21 about image files and geographic information system data;

22 (c) "data set" shall mean a named collection of related records main-  
23 tained on a storage device, with the collection containing data organ-  
24 ized or formatted in a specific or prescribed way, often in tabular  
25 form; and

26 (d) "publishable MTA data" shall mean data that is collected by the  
27 metropolitan transportation authority, its subsidiaries and affiliates  
28 where the authority, subsidiary or affiliate is permitted, required or  
29 able to make the data available to the public, consistent with any and  
30 all applicable laws, rules, regulations, ordinances, resolutions, poli-  
31 cies or other restrictions, requirements or rights associated with the  
32 publishable MTA data, including but not limited to contractual or other  
33 legal orders, restrictions or requirements. Data shall not be publisha-  
34 ble MTA data if making such data available on the open data website  
35 would violate statute or regulation, including, but not limited to,  
36 disclosures that would constitute an unwarranted invasion of personal  
37 privacy, endanger the public health, safety or welfare, hinder the oper-  
38 ation of government, including criminal and civil investigations, or  
39 impose an undue financial, operational or administrative burden on the  
40 authority or its subsidiaries or affiliates.

41 3. As required by Executive Order 95 of 2013, the metropolitan trans-  
42 portation authority shall designate a data coordinator, who shall:

43 (a) have authority equivalent to that of a deputy commissioner or the  
44 head of a division or department;

45 (b) have knowledge of data and resources in use by the entity; and

46 (c) be responsible for the compliance of the authority, its subsid-  
47 aries and affiliates with the order.

48 4. The authority and its subsidiaries and affiliates shall make their  
49 publishable MTA data available on its website and the open data website  
50 as follows:

51 (a) The authority shall create a catalogue of publishable MTA data  
52 within one hundred eighty days of the effective date of this section;

53 (b) The metropolitan transportation authority shall within one hundred  
54 eighty days of the effective date of this section, submit to the legis-  
55 lature and publish on its shared internet website a schedule for making

1 its publishable MTA data publicly available. Such schedule shall provide  
2 for updating the data catalogue as appropriate; and

3 (c) The metropolitan transportation authority shall create schedules  
4 for publishing all publishable MTA data within three years of the effec-  
5 tive date of this section.

6 5. The metropolitan transportation authority, its subsidiaries and  
7 affiliates shall not be prevented from publishing data in advance of the  
8 dates set in their schedules.

9 § 4. This act shall take effect immediately.