

STATE OF NEW YORK

4010--A

2021-2022 Regular Sessions

IN ASSEMBLY

February 1, 2021

Introduced by M. of A. THIELE, BYRNES, GRIFFIN -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the transportation law, in relation to requiring the department of transportation to annually prepare and submit to the legislature certain highway pavement and bridge condition reports

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

1 Section 1. Section 14 of the transportation law is amended by adding a
2 new subdivision 36 to read as follows:

3 36. To prepare and submit reports on highway pavement and bridge
4 conditions, capital program letting and implementation, capital program
5 accomplishments, and non-MTA downstate suburban and upstate transit
6 capital programs. The commissioner shall be responsible for issuing the
7 following reports in a searchable electronic format accessible to users
8 to the governor, temporary president of the senate, speaker of the
9 assembly, the chair of the senate transportation committee, the chair of
10 the assembly transportation committee, the chair of the senate finance
11 committee and the chair of the assembly ways and means committee:

12 (a) On or before January first, two thousand twenty-two and by January
13 first of each year thereafter, a report for each forthcoming state
14 fiscal year detailing the department's on-state system capital projects,
15 as defined in subdivision two-a of section two of the state finance law,
16 planned for the forthcoming fiscal year including projects receiving
17 funds pursuant to New York works. Such report shall include projects
18 expected to be advertised for public bid in the respective state fiscal
19 year, including estimated letting dates by department region. The report
20 shall also include a project description, proposed month of letting,
21 project identification number, and project cost estimates. Such report
22 shall present project letting details by department region, within
23 region by funding source, within funding source by capital program cate-
24 gory (pavement preservation, pavement reconstruction, bridge preserva-
25 tion, bridge rehabilitation or replacement, safety, mobility, and

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

LBD03335-05-1

1 other), and within capital program category by project phase (scoping,
2 preliminary engineering, right-of-way, final design and construction).
3 After completion of each quarter, the department shall issue a report,
4 including the actual letting dates and contract amounts for each project
5 accompanied by the same information. The report shall also compare
6 changes in planned construction lettings with actual project lettings,
7 changes in project costs of more than twenty-five percent for projects
8 exceeding fifteen million dollars and the contributing factors for such
9 project cost changes, and changes in project letting schedules of more
10 than twelve months and contributing factors for such changes in letting
11 schedules, and the estimated number of jobs created by each project.

12 (b) On or before July fifteenth, two thousand twenty-two and by July
13 fifteenth of each year thereafter, an accomplishment report for the
14 prior state fiscal year detailing the amount of funding obligated for
15 major capital program categories including: pavement preservation, pave-
16 ment reconstruction, bridge preservation, bridge rehabilitation or
17 replacement, safety, and mobility. Such capital report shall present
18 details by department region, within region by funding source, within
19 funding source by capital program category and within capital program
20 category by project phase, including by scoping, preliminary engineer-
21 ing, right-of-way, final design and construction phase.

22 (c) On or before July fifteenth, two thousand twenty-two and by July
23 fifteenth of each year thereafter, a highway pavement and bridge condi-
24 tion report that details conditions of state highway pavement by depart-
25 ment region and statewide condition goals for pavement, the condition of
26 state and locally owned bridges by county and the statewide condition
27 goals for bridge conditions, as well as the respective goals for each of
28 these classes for the previous three years.

29 (d) (i) On or before July fifteenth, two thousand twenty-two and by
30 July fifteenth of each year thereafter, a report detailing the allo-
31 cation and disbursement for the prior state fiscal year of capital funds
32 appropriated for public transportation providers within the metropolitan
33 commuter transportation district that exclude the metropolitan transpor-
34 tation authority and its subsidiaries, and for public transportation
35 providers outside the metropolitan commuter transportation district. The
36 report on capital fund use shall indicate the amount of capital funds
37 allocated and disbursed to each respective transportation provider by
38 capital element, including, but not limited to: rolling stock and buses,
39 passenger stations, track, line equipment, line structures, signals and
40 communications, power equipment, emergency power equipment and
41 substations, shops, yards, maintenance facilities, depots and terminals,
42 service vehicles, security systems, electrification extensions, and
43 unspecified, miscellaneous and emergency.

44 (ii) On or before July fifteenth, two thousand twenty-two and by July
45 fifteenth of every fifth year thereafter, the department shall conduct a
46 needs assessment for each public transportation provider that includes
47 but is not limited to: vehicle age and condition, facility and equipment
48 state of good repair, and consistency with federal and state system
49 safety plans. For purposes of this subparagraph, the term "public trans-
50 portation provider" shall mean those public transportation systems
51 receiving capital funds from the state, and the term "public transporta-
52 tion system" shall have the same meaning as such term is defined in
53 subdivision one of section eighteen-a of this article.

54 § 2. This act shall take effect immediately.