STATE OF NEW YORK

9362

IN ASSEMBLY

February 23, 2022

Introduced by M. of A. EICHENSTEIN -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to requiring the MTA to post a schedule of station closings

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

Section 1. Subdivision 5 of section 1205 of the public authorities law, as amended by chapter 224 of the laws of 2019, is amended to read as follows:

5. (a) Any complete or partial closing of a passenger station within the city of New York, or any means of public access to such facility, except for purposes of repair or renovation or in case of emergency shall be accomplished only if approved by resolution of the authority adopted by not less than a majority of the whole number of members of the authority then in office, and only after a public hearing. Such hearing shall be held not less than thirty days after notice of such proposed closing has been given to, and comments solicited from, the community board [~~as established pursuant to section eighty-four of the New York city charter~~] whose area of jurisdiction includes the station proposed to be closed or otherwise affected.

(b) In the case of a planned complete closure of a passenger station for purposes of repair or renovation, where such station will be out of service for [~~sixty days~~] twenty-four hours or longer the MTA board shall adopt a policy, within ninety days of the effective date of the chapter of the laws of two thousand [~~nineteen~~] twenty-two which amended this subdivision, that will ensure adequate communication of such work to impacted stakeholders where such passenger station is located including but not limited to: elected representatives, senate and assembly representatives, and community boards at least [~~forty-five days~~] sixty days prior to such closure. Such policy shall require the authority to notify the local, state, and federal elected official or officials and affected community board or boards whose district contains a passenger station subject to a planned complete closure or is contiguous to a district that contains a passenger station subject to a planned complete closure

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

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located on the same line of service as the passenger station subject to closure in writing. Such written notice shall provide such board or boards with an option to request a presentation from the authority regarding such planned complete closure. Upon request from such board or boards the authority shall, at a date convenient to such board or boards prior to such closure, present information regarding such closure and related service alternatives and also allow for public comment. The policy shall also require that the authority provide notice to the public at least thirty days prior to such closure by: (i) posting notice in the passenger stations that are scheduled for closure; and (ii) posting notice on the authority's website and social media accounts; providing information about the planned complete closure, service alternatives, and directions on how the public can provide comment to the authority regarding such closure. **The authority shall be required to hold a public hearing after the filing of the scheduled closings but prior to such closing date. Public hearings required by this subdivision shall be held at one or more locations conveniently accessible to the persons who would be affected by such closure.** This subdivision shall not apply to emergency station closures resulting from unforeseen circumstances where such closure is necessary to ensure public health, safety and welfare**; provided however, that for any emergency or unforeseen closures the authority shall provide the notice required by this subdivision within two business days after such closure**.

§ 2. This act shall take effect immediately and shall apply to any station closings that occur no sooner than seven months after such effective date.