

# STATE OF NEW YORK

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199

2021-2022 Regular Sessions

## IN SENATE

(Prefiled)

January 6, 2021

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Introduced by Sens. KAPLAN, KENNEDY, GAUGHRAN, KAMINSKY, MAY -- 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 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 June first, two thousand twenty-one and by June first  
13 of each year thereafter, a report for each forthcoming state fiscal year  
14 detailing the department's on-state system capital projects and off-  
15 state system local capital projects, as defined in subdivision two-a of  
16 section two of the state finance law, planned for the forthcoming fiscal  
17 year including projects receiving funds pursuant to New York works. Such  
18 report shall include projects expected to be advertised for public bid  
19 in the respective state fiscal year, including estimated letting dates  
20 by department region. The report shall also include a project  
21 description, proposed month of letting, project identification number,  
22 and project cost estimates. Such report shall present project letting

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

LBD03335-01-1

1 details by department region, within region by funding source, within  
2 funding source by capital program category (pavement preservation, pave-  
3 ment reconstruction, bridge preservation, bridge rehabilitation or  
4 replacement, safety, mobility, and other), and within capital program  
5 category by project phase (scoping, preliminary engineering, right-of-  
6 way, final design and construction). After completion of each quarter,  
7 the department shall issue a report, including the actual letting dates  
8 and contract amounts for each project accompanied by the same informa-  
9 tion. The report shall also compare changes in planned construction  
10 lettings with actual project lettings, changes in project costs of more  
11 than twenty-five percent for projects exceeding fifteen million dollars  
12 and the contributing factors for such project cost changes, changes in  
13 project letting schedules of more than twelve months and contributing  
14 factors for such changes in letting schedules, and the estimated number  
15 of jobs created by each project.

16 (b) On or before June first, two thousand twenty-one and by June first  
17 of each year thereafter, an accomplishment report for the prior state  
18 fiscal year detailing the amount of funding obligated for major capital  
19 program categories including: pavement preservation, pavement recon-  
20 struction, bridge preservation, bridge rehabilitation or replacement,  
21 safety, and mobility. Such capital report shall present details by  
22 department region, within region by funding source, within funding  
23 source by capital program category and within capital program category  
24 by project phase, including by scoping, preliminary engineering, right-  
25 of-way, final design and construction phase.

26 (c) On or before June first, two thousand twenty-one and by June first  
27 of each year thereafter, a highway pavement and bridge condition report  
28 that details conditions of state highway pavement by department region  
29 and statewide condition goals for pavement, the condition of state and  
30 locally owned bridges by county and the statewide condition goals for  
31 bridge conditions, as well as the respective goals for each of these  
32 classes for the previous three years.

33 (d) On or before June first, two thousand twenty-one and by June first  
34 of each year thereafter, a report detailing the allocation and disburse-  
35 ment for the prior state fiscal year of funds appropriated for public  
36 transportation providers within the metropolitan commuter transportation  
37 district that exclude the metropolitan transportation authority and its  
38 subsidiaries, and for public transportation providers outside the metro-  
39 politan commuter transportation district. The report on fund use shall  
40 indicate the amount of funds allocated and disbursed to each respective  
41 transportation provider by capital element, including, but not limited  
42 to: rolling stock and buses, passenger stations, track, line equipment,  
43 line structures, signals and communications, power equipment, emergency  
44 power equipment and substations, shops, yards, maintenance facilities,  
45 depots and terminals, service vehicles, security systems, electrifica-  
46 tion extensions, and unspecified, miscellaneous and emergency. Further,  
47 the department shall conduct a needs assessment for each public trans-  
48 portation provider that includes but is not limited to: vehicle age and  
49 condition, facility and equipment state of good repair, consistency with  
50 federal and state system safety plans, and availability of federal and  
51 local resources to complete a project.

52 § 2. This act shall take effect immediately.