

STATE OF NEW YORK

3882

2021-2022 Regular Sessions

IN SENATE

February 1, 2021

Introduced by Sens. KENNEDY, KAPLAN -- 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 maintain a website or webpage where
users may report defects on state highways and bridges

The People of the State of New York, represented in Senate and Assem-
bly, 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. (a) The department shall maintain a toll-free twenty-four hour
4 defect-reporting hotline and shall develop and make available a website,
5 or develop and make available a page on its website:

6 (i) providing an opportunity for website users to report defects on
7 state highways and bridges, as well as any other arteries within the
8 department's jurisdiction; and

9 (ii) providing a web mapping service application displaying the
10 locations of the reported defects and any departmental actions respond-
11 ing to and remedying the reported defects. Mapping service applications
12 shall include any additional information the department deems necessary.

13 (b) The website shall (i) make provision for each defect reporter to
14 provide his or her name, as well as an electronic mail address or tele-
15 phone number at which the reporter can be contacted by the department
16 with updates on the defect reported, though anonymous reporting shall
17 also be permitted;

18 (ii) track and preserve defects reported in list and map format; and

19 (iii) provide an option for reporting of region- and highway-wide
20 defects as well as specific defects along more particularized locations,
21 including, without limitation, mile markers.

22 (c) The listing and map shall be updated no less than once every five
23 days to reflect any defects reported and repairs made. Defects and

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

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1 repairs reported shall be preserved for a minimum of three hundred
2 sixty-five days from the time of reporting or repair.

3 (d) The department may collect and report such additional information
4 and issues with respect to highway and bridge conditions and defects as
5 it deems necessary.

6 (e) The department shall also enable persons to report defects located
7 on the state thruway system on this interactive website and application,
8 and is authorized and directed to coordinate with the thruway authority
9 in creating or modifying the interactive website and application to
10 share, or enable the thruway authority to receive, reports of defects in
11 locations for which it is responsible no more than twenty-four hours
12 after the defect is reported. The department is authorized to provide
13 the thruway authority with joint access to maintain and monitor the
14 interactive website and application, and may enter into a cost-sharing
15 arrangement with the authority.

16 (f) To the extent practicable, the department shall communicate
17 defects reported to its interactive website and application on county
18 roads and town highways to the local official responsible for such road
19 or highway. The commissioner shall discuss any difficulties she or he
20 encounters in implementing this paragraph during the joint legislative
21 budget hearing convened pursuant to article VII of the state constitu-
22 tion and section thirty-one of the legislative law, beginning no later
23 than the hearing to be scheduled in calendar year two thousand twenty-
24 two.

25 (g) Nothing in this authorization shall preclude the department from
26 permitting defects unrelated to the road and highway network from being
27 reported to this website or application.

28 (h) Identifying information for the defect reporter shall be exempt
29 from the provisions of section eighty-seven of the public officers law,
30 and shall not be shared by the department or thruway authority or any
31 entity with whom the department or authority contracts in implementing
32 this legislation.

33 § 2. This act shall take effect on the one hundred twentieth day after
34 it shall have become a law. Effective immediately, the addition, amend-
35 ment and/or repeal of any rule or regulation necessary for the implemen-
36 tation of this act on its effective date are authorized to be made and
37 completed on or before such effective date.