

# STATE OF NEW YORK

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4079--A

2021-2022 Regular Sessions

## IN SENATE

February 2, 2021

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Introduced by Sens. HINCHEY, GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, in relation to directing the New York state thruway authority to establish a farm E-Z Pass which grants discounted tolls for certain motor vehicles used by persons engaged in agricultural production

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

1 Section 1. The public authorities law is amended by adding a new  
2 section 378-b to read as follows:

3 § 378-b. Farm E-Z Pass. 1. The authority shall establish and issue  
4 electronic toll collection devices to provide a discount on tolls for  
5 motor vehicles that are owned and operated by a farm or farmer and are  
6 used exclusively for the transportation of qualifying agricultural  
7 products, and the farm or farmer would benefit from a toll collection  
8 discount due to financial hardship. Qualifying agricultural products  
9 include those consisting of crops, livestock and livestock products, as  
10 defined in subdivision two of section three hundred one of the  
11 agriculture and markets law. For the purposes of this section, motor  
12 vehicles may include passenger cars, vans, pickups, buses, single-unit  
13 trucks, single-trailer trucks having two or more axles, or any other  
14 vehicle the authority deems to be of equivalent size and purpose to  
15 qualify for the program. The use of such electronic toll collection  
16 devices shall provide a discount on the toll otherwise imposed for the  
17 use of the thruway system, or any portion thereof, by the motor vehicle  
18 to which the device is affixed. Each motor vehicle approved for the  
19 farm E-Z Pass grant shall be charged at a discounted rate as described  
20 in subdivision two of this section through the license plate of the

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

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1 motor vehicles provided during the initial application process.  
2 Discounts shall be awarded to farms or farmers experiencing financial  
3 hardship based on a tiered system standard which shall be in effect  
4 within one year from the effective date of this section. Applicants  
5 shall reapply annually.

6 2. The authority, in consultation with the department of agriculture  
7 and markets, shall review the size of each farm applicant and determine  
8 whether such applicant is experiencing financial hardship. The authori-  
9 ty, in consultation with the department of agriculture and markets,  
10 shall make size and hardship determinations by reviewing each farm  
11 applicant's annual sales, costs, and revenue, the number of crops, live-  
12 stock, and/or livestock products needed to transport, and the amount of  
13 overall production. The tiers shall be determined as follows:

14 (a) First-tier: Micro farms shall be limited to one small-sized motor  
15 vehicle and shall be discounted one hundred percent of their toll  
16 expenses.

17 (b) Second-tier: Small-sized farms shall be limited to one small-sized  
18 motor vehicle and one medium-sized motor vehicle and shall be discounted  
19 seventy-five percent of their toll expenses.

20 (c) Third-tier: Medium-sized farms shall be limited to two medium-  
21 sized motor vehicles and shall be discounted fifty percent of their toll  
22 expenses.

23 (d) Fourth-tier: Large-sized farms shall be limited to two medium-  
24 sized and one large-sized motor vehicle and shall be discounted twenty-  
25 five percent of their toll expenses.

26 3. The authority, in consultation with the department of agriculture  
27 and markets, shall promulgate rules and regulations to implement the  
28 provisions of this section, including determining the application proc-  
29 ess and establishing the type of documentation or other proof required  
30 to prove that a motor vehicle is exclusively used to further the  
31 conducting of the production of crops, livestock, livestock products, or  
32 agricultural products.

33 § 2. This act shall take effect on the one hundred twentieth day after  
34 it shall have become a law. Effective immediately, any rules and regu-  
35 lations necessary to implement the provisions of this act on its effec-  
36 tive date are authorized to be completed on or before such date.