STATE OF NEW YORK

3131--A

2023-2024 Regular Sessions

IN ASSEMBLY

February 2, 2023

Introduced by M. of A. MAGNARELLI, SHIMSKY, BURDICK, LEVENBERG, RAGA, SANTABARBARA, GONZALEZ-ROJAS, GUNTHER, STERN, DARLING, THIELE, ROZIC, KIM, EPSTEIN, GIBBS, CRUZ, COLTON, GLICK, BARRETT, STIRPE, SAYEGH, REYES, WILLIAMS, JACOBSON, SILLITTI, ZEBROWSKI, SIMON, JACKSON -- read once and referred to the Committee on Transportation -- reported and referred to the Committee on Ways and Means -- reported and referred to the Committee on Rules -- recommitted to the Committee on Rules in accordance with Assembly Rule 3, sec. 2 -- 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 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 Assembly, do enact as follows:

Section 1. Section 14 of the transportation law is amended by adding a new subdivision 37 to read as follows:

37. (a) The department shall maintain a toll-free twenty-four hour defect-reporting hotline and shall develop and make available a website, or develop and make available a page on its website:

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

(ii) providing a web mapping service application displaying the locations of the reported defects and any departmental actions responding to and remedying the reported defects. Mapping service applications shall include any additional information the department deems necessary.

(b) The website shall (i) make provision for each defect reporter to provide their name, as well as an electronic mail address or telephone number at which the reporter can be contacted by the department with

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

LBD05971-03-4

updates on the defect reported, though anonymous reporting shall also be permitted;

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

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

(c) The listing and map shall be updated no less than once every five days to reflect any defects reported and repairs made. Defects and repairs reported shall be preserved for a minimum of three hundred sixty-five days from the time of reporting or repair.

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

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

(f) To the extent practicable, the department shall communicate defects reported to its interactive website and application on county roads and town highways to the local official responsible for such road or highway. The commissioner shall discuss any difficulties encountered by such commissioner in implementing this paragraph during the joint legislative budget hearing convened pursuant to article VII of the state constitution and section thirty-one of the legislative law, beginning no later than the hearing to be scheduled in calendar year two thousand twenty-five.

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

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

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.