STATE OF NEW YORK

7804

2023-2024 Regular Sessions

IN ASSEMBLY

June 15, 2023

Introduced by M. of A. ZEBROWSKI -- read once and referred to the Committee on Transportation

AN ACT in relation to the repair of certain bridges and other structures located on or adjacent to the Palisades Interstate Parkway

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

Section 1. Legislative findings and intent. 1. The Legislature finds that:

a. The Palisades Interstate Parkway (the "Parkway") is an historic parkway listed on the National Register of Historic Places and is owned by the Palisades Interstate Parkway Commission.

b. During the summer of 2011, the New York State Department of Transportation, the New York State Office of Historic Preservation and The Palisades Interstate Park Commission (the "Commission") entered into a Memorandum of Understanding (the "Memorandum") regarding the implementation of projects affecting the Palisades Interstate Parkway. The Memorandum acknowledges that the Department of Transportation is responsible for the design and construction of capital improvement projects along the Parkway and the maintenance of the Parkway and its associated corridor.

c. Pursuant to the memorandum, treatment for new and existing bridges, including retaining walls and culverts, shall be designed with stone that is either the same as or compatible with existing stone utilized in projects along the Parkway. Stone Masonry Notes are attached to the Memorandum.

2. During or about 2016, the New York State Department of Transportation identified a number of bridges and/or structures on the Parkway requiring repairs. Despite having adequate funding for these projects, the New York State Department of Transportation has been unable to proceed with them as approval for the projects has not been received from the Commission. The reason cited for the delay was that historical

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

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rock matching that on the bridges, or a substantially similar substitute, was not available.

3. According to the American Road & Transportation Builders Association (ARTBA) analysis of the U.S. Department of Transportation's 2019 National Bridge Inventory (NBI) database, 230,000 bridges in the United States require repair. That figure represents 37 percent, or more than a third, of all U.S. bridges. New York state was found to have 1,745 structurally deficient bridges, ranking New York among the states with the largest number of structurally deficient bridges in the country.

4. DOT Project I.D. No. 8813.75 relating to the repair of bridges located along the Palisades Interstate Parkway is scheduled to open for bidding in the Spring of 2024.

5. The legislature finds that any further delay in the repair of the bridges along the Palisades Interstate Parkway and of the adjacent structures presents a danger to the public and is against the interests of the people of the state.

§ 2. Notwithstanding the provisions of the Memorandum, or any provision of law to the contrary, the Commission shall approve DOT Project I.D. No. 8813.75 and shall notify the New York State Department of Transportation no later than December 1, 2023 of a choice of available stone that is acceptable to the Commission for use in the repair of the bridges to be repaired pursuant to DOT Project I.D. No. 8813.75. If the Commission fails to do so, the Commission's approval shall be deemed to have been given and the New York State Department of Transportation shall be entitled to select stone matching that on the bridges, or a substantially similar substitute, to be utilized for the purposes of DOT Project I.D. No. 8813.75.

§ 3. The provisions of this act shall apply only to bridges located within the state of New York.

§ 4. This act shall take effect immediately.