STATE OF NEW YORK

9569

IN ASSEMBLY

March 20, 2024

Introduced by M. of A. CUNNINGHAM -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the vehicle and traffic law and the public authorities law, in relation to limiting the number of tolls charged on trucks and limiting the Triborough bridge and tunnel authority's power to raise its toll schedule

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

Section 1. Subdivision 1 of section 1704-a of the vehicle and traffic law, as added by section 1 of subpart A of part ZZZ of chapter 59 of the laws of 2019, is amended to read as follows:

1. Consistent with the goals of reducing traffic congestion within the central business district and funding capital projects the Triborough bridge and tunnel authority shall have the power, subject to agreements with its bondholders, and applicable federal law to establish and charge variable tolls and fees for vehicles entering or remaining in the central business district at any time and shall have the power, subject to agreements with bondholders, and applicable federal law to make rules and regulations for the establishment and collection of central business district tolls, fees, and other charges. For purposes of establishing a central business district toll or tolls the board shall, at minimum, ensure annual revenues and fees collected under such program, less costs of operation of the same, provide for sufficient revenues into the central business district tolling capital lockbox fund, established pursuant to section five hundred fifty-three-j of the public authorities law necessary to fund fifteen billion dollars for capital projects for the 2020 to 2024 MTA capital program, and any additional revenues above that amount to be available for any successor programs. Additionally, no toll may be established and charged on passenger vehicles registered pursuant to subdivision six of section four hundred one of this chapter **and trucks as defined in section one hundred fifty-eight of this chapter** more than once per day for purposes of entering the central business district.

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

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§ 2. The vehicle and traffic law is amended by adding a new section 1704-b to read as follows:

§ 1704-b. Limitation on toll increases in relation to the central business tolling program. The toll schedule authorized for entry into or remaining in the central business district pursuant to section seventeen hundred four-a of this article shall not be increased after the receipts of all tolls total one billion dollars.

§ 3. Subdivision 4 of section 1630 of the vehicle and traffic law, as amended by section 2 of subpart A of part ZZZ of chapter 59 of the laws of 2019, is amended to read as follows:

4. Charging of tolls, taxes, fees, licenses or permits for the use of the highway or any of its parts or entry into or remaining within the central business district established by article forty-four-C of this chapter, where the imposition thereof is authorized by law. **Such toll schedule shall not be increased after the receipt of all tolls total one billion dollars.**

§ 4. Subdivision 12-a of section 553 of the public authorities law, as added by section 4 of subpart A of part ZZZ of chapter 59 of the laws of 2019, is amended to read as follows:

12-a. To establish and charge variable tolls, fees and other charges for vehicles entering or remaining within the central business district and to make rules and regulations for the collection of such tolls, fees and other charges, subject to and in accordance with such agreement with bondholders and applicable federal law as may be made as hereinafter provided. Subject to agreements with bondholders and applicable federal law, all tolls, fees and other revenues derived from the central business district tolling program shall be applied to the payment of operating, administration, and other necessary expenses of the authority properly allocable to such program, including the capital costs of such program, and to the payment of interest or principal of bonds, notes or other obligations of the authority or the metropolitan transportation authority issued for transit and commuter projects as provided in section five hundred fifty-three-j of this title, and shall not be subject to distribution under section five hundred sixty-nine-c of this title or section twelve hundred nineteen-a of this chapter. The provisions of section twenty-eight hundred four of this chapter shall not be applicable to the tolls and fees established by the authority pursuant to this subdivision. Any such fares, tolls, and other charges shall be established and changed only if approved by resolution of the authority adopted by not less than a majority vote of the whole number of members of the authority then in office, with the chairman having one additional vote in the event of a tie vote, and only after a public hearing. **Such toll schedule authorized pursuant to this subdivision shall not be increased after the receipts of all tolls total one billion dollars.**

§ 5. This act shall take effect on the sixtieth day after it shall have become a law.