

STATE OF NEW YORK

9965

IN ASSEMBLY

April 26, 2024

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

AN ACT directing the Department of Transportation to conduct a study of certain bridges spanning bodies of water connected to deep water ports in the state to determine whether such bridges have the structural integrity to withstand an impact from a large vessel; and providing for the repeal of such provisions upon the expiration thereof

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

1 Section 1. Legislative intent and findings. 1. On March 26, 2024, the
2 commercial container ship, the "Dali", lost power and slammed into a
3 support piling of the Francis Scott Key Bridge in Baltimore, resulting
4 in the immediate and near-total collapse of the bridge. The Dali was
5 984 feet long and weighed approximately 95,000 tons. As a result of the
6 collision and collapse, trade through the Port of Baltimore has been
7 severely compromised and will remain so for some time. The estimated
8 cost to repair the bridge will be \$4,000,000,000. The repairs are esti-
9 mated to take several years.

10 In addition to being a part of a sea passage for trade, the Francis
11 Scott Key Bridge was also a major part of the Baltimore transportation
12 system for commercial, commuter and personal travel. Until the bridge
13 repairs are completed, a key part of the Baltimore infrastructure is
14 closed not only to sea-going traffic, but also to vehicular traffic, as
15 well. The current and future financial impacts on Baltimore, its resi-
16 dents and the state of Maryland are profound.

17 2. Less than two weeks after the Baltimore incident, the 89,000-ton,
18 1,100-foot-long vessel "APL Qingdao" lost propulsion near the Verraza-
19 no-Narrows Bridge. Fortunately, there was no collision between the
20 vessel and the bridge.

21 3. While these ships seem to be extremely large, Allan Post, the depu-
22 ty superintendent at Texas A&M University's Maritime Academy states that
23 1,000 foot ships are now the standard size. In contrast, the Summit
24 Venture, a cargo vessel that caused the 1980 collapse of the Sunshine
25 Skyway in Florida, was 600 feet long and weighed 35,000 tons.

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

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1 4. These recent incidents raise concerns about the condition of bridg-
2 es spanning waterways involved in seagoing commercial transportation in
3 our state and the ability of such structures to withstand an impact from
4 such a large vessel. In most cases, New York bridges were designed and
5 built long before the advent of the enormous commercial vessels common
6 now and most would likely not be able to sustain a direct collision with
7 such a vessel. The occurrence of such an accident would have a devas-
8 tating impact on our state and local economies and, depending on the
9 bridge involved, our local transportation. In addition, there is the
10 potential for enormous loss of life when a bridge collapses.

11 5. In view of these considerations, the legislature declares it to be
12 in the best interest of the state and its people to proactively conduct
13 a study of bridges spanning bodies of water connected to deep water
14 ports in the state to determine whether such bridges have the structural
15 integrity to withstand an impact from a large vessel.

16 § 2. 1. The Department of Transportation, in conjunction with the New
17 York State Bridge Authority, the Metropolitan Transportation Authority,
18 the Port Authority of New York and New Jersey, and the Buffalo and Fort
19 Erie Public Bridge Authority, as applicable, shall conduct a study to
20 determine the ability of certain bridges in the state to withstand an
21 impact to the support structures of the bridges from large ships,
22 including but not limited to, cargo vessels, oil tankers and passenger
23 ships. Upon the conclusion of the study, the Commissioner of the
24 Department of Transportation ("the Commissioner") shall prepare and
25 issue a comprehensive report of the study findings and recommendations
26 for improvements to each bridge, if any.

27 2. Bridges to be evaluated for the study shall include the following:

- 28 a. the Bronx-Whitestone Bridge;
- 29 b. the Cross Bay Veterans Memorial Bridge;
- 30 c. the Henry Hudson Bridge;
- 31 d. the Marine Parkway-Gil Hodges Memorial Bridge;
- 32 e. the Robert F. Kennedy Bridge;
- 33 f. the Throgs Neck Bridge;
- 34 g. the Verrazzano-Narrows Bridge;
- 35 h. the Governor Mario M. Cuomo Bridge;
- 36 i. the Bear Mountain Bridge;
- 37 j. the Newburgh-Beacon Bridge;
- 38 k. the Mid-Hudson Bridge;
- 39 l. the Kingston-Rhinecliff Bridge;
- 40 m. the Rip Van Winkle Bridge;
- 41 n. the George Washington Bridge;
- 42 o. the Bayonne Bridge;
- 43 p. the Goethals Bridge;
- 44 q. the Outerbridge Crossing Bridge;
- 45 r. the Alfred H. Smith Memorial Bridge;
- 46 s. the Castleton Bridge;
- 47 t. the Dunn Memorial Bridge;
- 48 u. the Patroon Island Bridge;
- 49 v. the Peace Bridge;
- 50 w. the Walkway over the Hudson Pedestrian Bridge;
- 51 x. any bridge under the control of a New York entity spanning a water
52 shipping route through Lake Erie or Lake Ontario utilized by large cargo
53 vessels or oil tankers to access commercial shipping ports in the
54 Niagara or Rochester areas of the state; and
- 55 y. any other bridge the Commissioner deems necessary.

- 1 3. For each bridge, the study shall include, at a minimum, an evalu-
2 ation of the following:
- 3 a. the age of the bridge;
 - 4 b. the amount of traffic traveling on top of and through the waters
5 below the bridge;
 - 6 c. the current condition of the bridge;
 - 7 d. any known or newly discovered chronic issue or problem with the
8 bridge;
 - 9 e. the type, size, and construction of the support structures of the
10 bridge;
 - 11 f. the type, size and construction of any barriers surrounding the
12 base of the support structures of the bridge and the distance between
13 such surrounding structures and the water channels occupied by vessels;
 - 14 g. the width between the support structures of the bridge;
 - 15 h. the height of the bridge;
 - 16 i. the topography near the bridge, including sand bars, shallows,
17 cliffs, etc.;
 - 18 j. the area a vessel may safely access during a maneuver to avoid the
19 bridge in the event of a loss of power or propulsion or other emergency;
20 and
 - 21 k. any other matters the Commissioner deems necessary.

22 § 3. The report required by this act shall be submitted to the gover-
23 nor, the speaker of the assembly, and the temporary president of the
24 senate no later than January 1, 2026. The report shall include the
25 findings, conclusions and recommendations of the Commissioner of the
26 Department of Transportation and other involved entities. The Commis-
27 sioner shall submit with this report such legislative proposals as the
28 Commissioner deems necessary to implement such recommendations. The
29 report shall also be published on the website of the Department of
30 Transportation no later than one month after it is completed.

31 § 4. The Commissioner of the Department of Transportation may request,
32 and is authorized to receive, any information from any state agencies
33 that is relevant and material to the completion of this study and
34 report. Such information received by the Commissioner shall be subject
35 to the same requirements for confidentiality and limitations on use, if
36 any, as are applicable to such state agency's use of such information.
37 In addition to the entities listed in subdivision one of section two of
38 this act, the Commissioner may consult with any additional entities the
39 Commissioner deems necessary.

40 § 5. This act shall take effect immediately and shall expire and be
41 deemed repealed April 1, 2026 or 3 months after the report is submitted,
42 whichever is later.