

# STATE OF NEW YORK

1386

2023-2024 Regular Sessions

## IN SENATE

January 11, 2023

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the public authorities law, in relation to requiring the metropolitan transportation authority to create ten-year capital program plans

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

1 Section 1. Paragraphs (a), (b) and (c) of subdivision 1 of section  
2 1269-b of the public authorities law, paragraph (a) as amended and para-  
3 graphs (b) and (c) as added by chapter 637 of the laws of 1996, are  
4 amended and two new paragraphs (d) and (e) are added to read as follows:

5 (a) On or before October first, nineteen hundred eighty-one, and on or  
6 before October first of every fifth year thereafter, through and includ-  
7 ing October first, nineteen hundred ninety-one, the authority shall  
8 submit to the metropolitan transportation authority capital program  
9 review board two capital program plans for the five year period commenc-  
10 ing January first of the following year;

11 (b) [~~not~~] Not later than ten days after the effective date of this  
12 paragraph the authority shall submit to the metropolitan transportation  
13 authority capital program review board two capital program plans for the  
14 five-year period commencing January first, nineteen hundred ninety-five;  
15 [~~and~~]

16 (c) [~~on~~] On or before October first, nineteen hundred ninety-nine and  
17 every fifth year thereafter through and including October first, two  
18 thousand sixteen, the authority shall submit to the metropolitan trans-  
19 portation authority capital program review board two capital program  
20 plans for the five-year period commencing January first of the following  
21 year[~~-~~];

22 (d) On or before October first, two thousand twenty-three, the author-  
23 ity shall submit to the metropolitan transportation capital program

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

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1 review board two capital program plans for the ten-year period commenc-  
2 ing January first of the following year; and

3 (e) On or before January thirty-first, two thousand thirty-three, and  
4 every tenth year thereafter, the authority shall submit to the metropol-  
5 itan transportation capital program review board two capital program  
6 plans for the ten-year period commencing January first of the following  
7 year.

8 § 2. Paragraph (a) of subdivision 7 of section 1269-b of the public  
9 authorities law, as amended by chapter 929 of the laws of 1986, is  
10 amended to read as follows:

11 (a) The authority may from time to time submit to the metropolitan  
12 transportation authority capital program review board amendments or  
13 modifications to any [~~five-year~~ ten-year] plan theretofore submitted,  
14 and shall submit such an amendment or modification (i) if the estimated  
15 cost of any capital element for which a specified dollar amount was  
16 proposed to be expended exceeds the amount set forth in the approved  
17 plan for such element by more than ten percent, (ii) if with respect to  
18 a particularly described capital element for which only an estimate of  
19 projected cost has been provided in the plan there is a material change  
20 in the description of such element from that contained in the approved  
21 plan, (iii) if a capital element not previously included in the approved  
22 plan is proposed to be undertaken and its cost, together with the cost  
23 of other elements included in category (1) of the plan, exceeds by ten  
24 percent the amount provided for such category (1) elements, (iv) if the  
25 authority shall propose to change by more than one year the time when  
26 any capital element is proposed to be initiated or the effect of such  
27 change will be to increase the estimated amount of capital funding  
28 required in any year covered by the plan by more than twenty percent, or  
29 (v) if the availability of funding sources changes to the degree to  
30 which the authority or the Triborough bridge and tunnel authority are  
31 precluded from exercising the authorization provided in subdivision six  
32 of this section and the authority wishes to do so.

33 § 3. This act shall take effect immediately.