

# STATE OF NEW YORK

8099

## IN SENATE

January 8, 2024

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 the submission of a twenty-year capital needs assessment to the metropolitan transportation authority capital program review board

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

1 Section 1. Subdivision c of section 1269-c of the public authorities  
2 law, as added by section 1 of subpart E of part ZZZ of chapter 59 of the  
3 laws of 2019, is amended to read as follows:

4 c. On or before October first, two thousand twenty-three, and on or  
5 before October first of every fifth year thereafter, the authority shall  
6 submit to the metropolitan transportation authority capital program  
7 review board a twenty-year capital needs assessment. Such assessment  
8 shall be adopted by not less than a majority vote of the whole number of  
9 members of the authority then in office, except that in the event of a  
10 tie vote the chairman shall cast one additional vote. Such assessment  
11 shall begin with the period commencing January first, two thousand twen-  
12 ty-five, and begin each assessment with every fifth year thereafter, and  
13 describe capital investments over the succeeding twenty years. Such  
14 assessment shall: (1) set forth broad long-term capital investments to  
15 be made throughout the district, including at a minimum, identifying  
16 specific non-binding cost estimates by element for the next five-year  
17 period and total estimates by element over the full twenty-year period  
18 necessary to: (i) achieve a state of good repair; (ii) maintain the  
19 normal replacement of assets; (iii) improve the system; and (iv) expand  
20 service; and (2) establish a non-binding basis to be used by the author-  
21 ity in the planning of strategic investments involving capital elements  
22 in its five-year capital plans. Such assessment shall not require a vote  
23 of the metropolitan transportation authority capital program review  
24 board and shall be for informational purposes only. For purposes of this  
25 section, "broad long-term capital investments" shall include but not be  
26 limited to: system rebuilding, enhancement, and expansion needs; agency  
27 needs broken down by capital element or investment category; and

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

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1 projected future trends and network implications. Such assessment shall  
2 be certified by the chairman of the authority and shall be entered into  
3 the permanent record of the minutes of the review board.  
4 § 2. This act shall take effect immediately.