STATE OF NEW YORK

10684

IN ASSEMBLY

August 28, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Novakhov) -- 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 congestion pricing in New York city, and repealing certain provisions of the vehicle and traffic law, the public authorities law, the public officers law, the tax law, and subpart A of part ZZZ of chapter 59 of the laws of 2019, amending the vehicle and traffic law and the public authorities law relating to establishing a central business district tolling program in the city of New York and amending the public officers law relating to confidentiality of certain public records, relating thereto (Part A); and to amend the public authorities law, in relation to establishing a committee by the metropolitan transportation authority to survey and compile a list of infrastructure that requires immediate repair by two thousand thirty, and to identify ADA compliance needs and costs by two thousand thirty-five (Part B)

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

Section 1. This act enacts into law components of legislation relating to the metropolitan transportation authority. Each component is wholly contained within a Part identified as Parts A through B. The effective date for each particular provision contained within such Part as set forth in the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section three of this act sets forth the general effective date of this act.

PART A

Section 1. Article 44-C of the vehicle and traffic law is REPEALED.

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

LBD16011-01-4

§ 2. 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.

§ 3. Paragraph (s) of subdivision 9 of section 553 of the public authorities law is REPEALED.

§ 4. Subdivision 12-a of section 553 of the public authorities law is REPEALED.

§ 5. Section 553-j of the public authorities law is REPEALED.

§ 6. Paragraph (p) of subdivision 2 of section 87 of the public officers law, as added by section 7 of subpart A of part ZZZ of chapter 59 of the laws of 2019, is REPEALED.

§ 7. Section 553-k of the public authorities law is REPEALED.

§ 8. Sections 9, 10, and 11 of subpart A of part ZZZ of chapter 59 of the laws of 2019, amending the vehicle and traffic law and the public authorities law relating to establishing a central business district tolling program in the city of New York and amending the public officers law relating to confidentiality of certain public records, are REPEALED.

§ 9. Section 566-a of the public authorities law, as amended by section 12 of subpart A of part ZZZ of chapter 59 of the laws of 2019, is amended to read as follows:

§ 566-a. Tax contract by the state. 1. It is hereby found, determined and declared that the authority and the carrying out of its corporate purposes is in all respects for the benefit of the people of the state of New York, for the improvement of their health, welfare and prosperity, and, in the case of some of the said purposes, for the promotion of their traffic, and that said purposes are public purposes and, in the case of those purposes which consist of vehicular bridges, vehicular tunnels and approaches thereto [~~and the central business district tolling program~~], the project is an essential part of the public highway system and the authority will be performing an essential governmental function in the exercise of the powers conferred by this title, and the state of New York covenants with the purchasers and with all subsequent holders and transferees of bonds issued after January first, nineteen hundred thirty-nine by the authority pursuant to this title, in consideration of the acceptance of any payment for the bonds that the bonds of the authority issued after January first, nineteen hundred thirty-nine pursuant to this title and the income therefrom, and all moneys, funds, tolls and other revenues pledged to pay or secure the payment of such bonds, shall at all times be free from taxation except for estate taxes and taxes on transfers by or in contemplation of death.

2. Nothing herein shall be construed to repeal or supersede any tax exemptions heretofore or hereafter granted by general or other laws.

§ 10. Subsection (jjj) of section 606 of the tax law, as added by section 1 of subpart F of part ZZZ of chapter 59 of the laws of 2019, is REPEALED.

§ 11. This act shall take effect immediately.

PART B

Section 1. The public authorities law is amended by adding a new section 1276-g to read as follows:

§ 1276-g. Infrastructure survey and ADA compliance. 1. For the purposes of this section, "ADA" shall mean the Americans with Disabilities Act, title 42 of the United States code annotated section 12101 et. seq.

2. Within ninety days of the effective date of this section, the authority shall establish a committee which shall assess the state of the authority's infrastructure and compliance with the ADA.

3. The membership of the committee shall be composed of experts in engineering, urban planning, accessibility, and transportation, representatives from disability advocacy groups, and community stakeholders.

4. The committee shall:

(a) conduct a comprehensive survey of all authority-owned and operated infrastructure, including but not limited to subway stations, bus depots, rail yards, and related facilities. Such survey shall identify and prioritize infrastructure requiring immediate repair or replacement due to safety concerns, operational inefficiencies, or other critical issues. Such infrastructure repair projects shall be prioritized based on urgency, the impact of such projects on service delivery, and cost-effectiveness; and

(b) conduct a thorough assessment of all authority-owned and operated stations to determine such station's current level of compliance with the ADA. Such assessment shall include, but not be limited to, the evaluation of station entrances, platforms, signage, communication systems, and auxiliary services for accessibility. Such assessment shall identify and compile a list of stations that require modifications to meet ADA compliance standards and develop a prioritized plan for completing such modifications.

5. (a) The authority shall allocate appropriate resources and funding to ensure the completion of the infrastructure repair projects identified and prioritized pursuant to paragraph (b) of subdivision four of this section.

(b) The committee shall estimate the cost of completing seventy-five percent of the station modifications identified and prioritized pursuant to paragraph (b) of subdivision four of this section by two thousand thirty-five, including a timeline and budget for implementation.

6. The committee shall hold public hearings and solicit input from transit users, disability advocacy groups, and community organizations to ensure that the needs and concerns of all stakeholders are considered.

7. (a) No later than one year after the establishment of the committee pursuant to subdivision two of this section, the authority shall submit a detailed report of the findings of the survey conducted pursuant to subdivision four of this section to the governor and the legislature. Such report shall include, but not be limited to, a timeline and budget for the infrastructure repair projects identified and prioritized pursuant to paragraph (b) of subdivision four of this section.

(b) Following the submission of the original report pursuant to paragraph (a) of this subdivision, the authority shall submit annual progress reports to the governor and the legislature. Such annual progress reports shall detail advancements made, challenges encountered, and any adjustments to the initial plans for infrastructure repair projects and station modification required pursuant to this section.

(c) Regular updates on the progress of the infrastructure repair projects and ADA compliance modifications required pursuant to this section, including copies of the reports required pursuant to paragraphs

(a) and (b) of this subdivision, shall be published on the authority's website and through other appropriate channels.

8. The state comptroller's office shall establish an independent oversight body to monitor the implementation of the committee's recommendations pursuant to this section and ensure adherence to established timelines, budget allocations, and quality standards. This oversight body shall have the authority to audit, review, and report on the progress of the projects, as needed.

§ 2. This act shall take effect immediately.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 3. This act shall take effect immediately; provided, however, that the applicable effective date of Parts A through B of this act shall be as specifically set forth in the last section of such Parts.