

# STATE OF NEW YORK

3131--A

2023-2024 Regular Sessions

## IN ASSEMBLY

February 2, 2023

Introduced by M. of A. MAGNARELLI, SHIMSKY, BURDICK, LEVENBERG, RAGA, SANTABARBARA, GONZALEZ-ROJAS, GUNTHER, STERN, DARLING, THIELE, ROZIC, KIM, EPSTEIN, GIBBS, CRUZ, COLTON, GLICK, BARRETT, STIRPE, SAYEGH, REYES, WILLIAMS, JACOBSON, SILLITTI, ZEBROWSKI, SIMON, JACKSON -- read once and referred to the Committee on Transportation -- reported and referred to the Committee on Ways and Means -- reported and referred to the Committee on Rules -- recommitted to the Committee on Rules in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the transportation law, in relation to requiring the department of transportation to maintain a website or webpage where users may report defects on state highways and bridges

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

1 Section 1. Section 14 of the transportation law is amended by adding a  
2 new subdivision 37 to read as follows:

3 37. (a) The department shall maintain a toll-free twenty-four hour  
4 defect-reporting hotline and shall develop and make available a website,  
5 or develop and make available a page on its website:

6 (i) providing an opportunity for website users to report defects on  
7 state highways and bridges, as well as any other arteries within the  
8 department's jurisdiction; and

9 (ii) providing a web mapping service application displaying the  
10 locations of the reported defects and any departmental actions respond-  
11 ing to and remedying the reported defects. Mapping service applications  
12 shall include any additional information the department deems necessary.

13 (b) The website shall (i) make provision for each defect reporter to  
14 provide their name, as well as an electronic mail address or telephone  
15 number at which the reporter can be contacted by the department with

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

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1 updates on the defect reported, though anonymous reporting shall also be  
2 permitted;

3 (ii) track and preserve defects reported in list and map format; and

4 (iii) provide an option for reporting of region- and highway-wide  
5 defects as well as specific defects along more particularized locations,  
6 including, without limitation, mile markers.

7 (c) The listing and map shall be updated no less than once every five  
8 days to reflect any defects reported and repairs made. Defects and  
9 repairs reported shall be preserved for a minimum of three hundred  
10 sixty-five days from the time of reporting or repair.

11 (d) The department may collect and report such additional information  
12 and issues with respect to highway and bridge conditions and defects as  
13 it deems necessary.

14 (e) The department shall also enable persons to report defects located  
15 on the state thruway system on this interactive website and application,  
16 and is authorized and directed to coordinate with the thruway authority  
17 in creating or modifying the interactive website and application to  
18 share, or enable the thruway authority to receive, reports of defects in  
19 locations for which it is responsible no more than twenty-four hours  
20 after the defect is reported. The department is authorized to provide  
21 the thruway authority with joint access to maintain and monitor the  
22 interactive website and application, and may enter into a cost-sharing  
23 arrangement with the authority.

24 (f) To the extent practicable, the department shall communicate  
25 defects reported to its interactive website and application on county  
26 roads and town highways to the local official responsible for such road  
27 or highway. The commissioner shall discuss any difficulties encountered  
28 by such commissioner in implementing this paragraph during the joint  
29 legislative budget hearing convened pursuant to article VII of the state  
30 constitution and section thirty-one of the legislative law, beginning no  
31 later than the hearing to be scheduled in calendar year two thousand  
32 twenty-five.

33 (g) Nothing in this authorization shall preclude the department from  
34 permitting defects unrelated to the road and highway network from being  
35 reported to this website or application.

36 (h) Identifying information for the defect reporter shall be exempt  
37 from the provisions of section eighty-seven of the public officers law,  
38 and shall not be shared by the department or thruway authority or any  
39 entity with whom the department or authority contracts in implementing  
40 this legislation.

41 § 2. This act shall take effect on the one hundred twentieth day after  
42 it shall have become a law. Effective immediately, the addition, amend-  
43 ment and/or repeal of any rule or regulation necessary for the implemen-  
44 tation of this act on its effective date are authorized to be made and  
45 completed on or before such effective date.