STATE OF NEW YORK

5352

2023-2024 Regular Sessions

IN ASSEMBLY

March 7, 2023

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

AN ACT to amend the public authorities law, in relation to providing milk dealers and agricultural food product transporters with electronic toll collection devices free of charge

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

Section 1. The public authorities law is amended by adding a new section 378-b to read as follows:

§ 378-b. Milk and farm food product transport electronic tolling. 1. For the purposes of this section, the following terms shall have the following meanings:

(a) "Milk" shall have the same definition as such term is defined pursuant to subdivision seven of section two hundred fifty-three of the agriculture and markets law.

(b) "Farm food product" means:

(i) livestock;

(ii) fresh produce;

(iii) meat;

(iv) milk; and

(v) dairy products.

2. The authority shall establish and issue an electronic toll collection exemption process for single unit trucks and trucks having two or more axles which are owned and operated by a person or entity engaged in the purchasing, handling or selling of milk and farm food products, or who bargains for the purchase or sale of milk and farm food products, when such trucks are used exclusively to further the purchasing, handling, and selling of milk and farm food products throughout the state. The exemption process shall be developed such that the use of electronic collection devices shall be at no cost to such persons or entities, and the authority shall be responsible for the cost of the

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

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toll imposed for the use of the thruway system, or any portion thereof, by the truck to which this device is affixed.

3. The authority shall promulgate rules and regulations to implement the provisions of this section, including establishing the type of documentation or other proof required to prove that a truck is exclusively used to further the purchasing, handling, and selling of milk and farm food products throughout the state.

4. The department of transportation is hereby authorized and directed to create a fund, subject to an appropriation, which shall be designated as the farm food product toll reimbursement fund. Such fund shall be used for the purpose of reimbursing the thruway authority and the metropolitan transportation authority in the execution of the toll exemption process established pursuant to this section. Upon receipt of proper documentation showing costs incurred by the thruway authority and the metropolitan transportation authority, the department shall make deposits from the farm food product toll reimbursement fund to funds duly created by the thruway authority and the metropolitan transportation authority for the purpose of effectuating such reimbursement process, pursuant to sections three hundred fifty-four and one thousand two hundred sixty-five of this chapter, respectively.

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment, and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.