

# STATE OF NEW YORK

7804

2023-2024 Regular Sessions

## IN ASSEMBLY

June 15, 2023

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

AN ACT in relation to the repair of certain bridges and other structures  
located on or adjacent to the Palisades Interstate Parkway

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

- 1 Section 1. Legislative findings and intent. 1. The Legislature finds  
2 that:
- 3 a. The Palisades Interstate Parkway (the "Parkway") is an historic  
4 parkway listed on the National Register of Historic Places and is owned  
5 by the Palisades Interstate Parkway Commission.
- 6 b. During the summer of 2011, the New York State Department of Trans-  
7 portation, the New York State Office of Historic Preservation and The  
8 Palisades Interstate Park Commission (the "Commission") entered into a  
9 Memorandum of Understanding (the "Memorandum") regarding the implementa-  
10 tion of projects affecting the Palisades Interstate Parkway. The Memo-  
11 randum acknowledges that the Department of Transportation is responsible  
12 for the design and construction of capital improvement projects along  
13 the Parkway and the maintenance of the Parkway and its associated corri-  
14 dor.
- 15 c. Pursuant to the memorandum, treatment for new and existing bridges,  
16 including retaining walls and culverts, shall be designed with stone  
17 that is either the same as or compatible with existing stone utilized in  
18 projects along the Parkway. Stone Masonry Notes are attached to the  
19 Memorandum.
- 20 2. During or about 2016, the New York State Department of Transporta-  
21 tion identified a number of bridges and/or structures on the Parkway  
22 requiring repairs. Despite having adequate funding for these projects,  
23 the New York State Department of Transportation has been unable to  
24 proceed with them as approval for the projects has not been received  
25 from the Commission. The reason cited for the delay was that historical

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

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1 rock matching that on the bridges, or a substantially similar substi-  
2 tute, was not available.

3 3. According to the American Road & Transportation Builders Associ-  
4 ation (ARTBA) analysis of the U.S. Department of Transportation's 2019  
5 National Bridge Inventory (NBI) database, 230,000 bridges in the United  
6 States require repair. That figure represents 37 percent, or more than a  
7 third, of all U.S. bridges. New York state was found to have 1,745  
8 structurally deficient bridges, ranking New York among the states with  
9 the largest number of structurally deficient bridges in the country.

10 4. DOT Project I.D. No. 8813.75 relating to the repair of bridges  
11 located along the Palisades Interstate Parkway is scheduled to open for  
12 bidding in the Spring of 2024.

13 5. The legislature finds that any further delay in the repair of the  
14 bridges along the Palisades Interstate Parkway and of the adjacent  
15 structures presents a danger to the public and is against the interests  
16 of the people of the state.

17 § 2. Notwithstanding the provisions of the Memorandum, or any  
18 provision of law to the contrary, the Commission shall approve DOT  
19 Project I.D. No. 8813.75 and shall notify the New York State Depart-  
20 ment of Transportation no later than December 1, 2023 of a choice of  
21 available stone that is acceptable to the Commission for use in the  
22 repair of the bridges to be repaired pursuant to DOT Project I.D. No.  
23 8813.75. If the Commission fails to do so, the Commission's approval  
24 shall be deemed to have been given and the New York State Department of  
25 Transportation shall be entitled to select stone matching that on the  
26 bridges, or a substantially similar substitute, to be utilized for the  
27 purposes of DOT Project I.D. No. 8813.75.

28 § 3. The provisions of this act shall apply only to bridges located  
29 within the state of New York.

30 § 4. This act shall take effect immediately.