STATE OF NEW YORK

8273

2023-2024 Regular Sessions

IN ASSEMBLY

November 27, 2023

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

AN ACT to amend the highway law, in relation to consolidated local highway assistance payments ("CHIPS")

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

Section 1. Subdivision 1 of section 10-c of the highway law, as amended by chapter 20 of the laws of 1983, is amended and a new subdivision 1-a is added to read as follows:

1. Notwithstanding any other provisions of this chapter or any other law, and subject to an appropriation made therefor and in accordance with the provisions of this section and with the rules and regulations promulgated by the commissioner in connection therewith, on and after the first day of April, nineteen hundred eighty-two, a consolidated local highway assistance program is hereby established for the purpose of making payments toward the construction, operation and/or maintenance of highways, bridges and highway-railroad crossings**, including bicycle lanes, Greenway trails, and other paved trails for non-motorized use,** that are not on the state highway system. For purposes of this section, such program shall apply to any county, city, town or village highway, bridge and/or highway-railroad crossing**, including bicycle lanes, Greenway trails, and other paved trails for non-motorized use,** within the state that is not on the state highway system and not under the maintenance and/or operational jurisdiction of the state. The commissioner shall promulgate all necessary rules and regulations to carry out the program so that an equitable distribution of aid shall be made for the construction, operation and/or maintenance of any county, city, town and village highways, bridges and highway-railroad crossings.

1-a. For purposes of this section the following terms shall have the following meanings:

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

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(a) "Bicycle lane" shall have the same meaning as in section one hundred two-a of the vehicle and traffic law.

(b) "Greenway trail" means the trail established pursuant to section 44-0121 of the environmental conservation law.

§ 2. The opening paragraph of subdivision 3 of section 10-c of the highway law, as amended by chapter 56 of the laws of 1993, is amended and a new paragraph (d) is added to read as follows:

Amounts shall be distributed for local highways, bridges and highway-railroad crossings in accordance with the following [~~three~~] **four** step process:

(d) Fourth, on-road lane mileage that is solely for non-motorized use, including bicycle lanes, Greenway trails, and other trails for non-motorized use, shall be accounted for purposes of calculating lane mileage for the distribution of funds pursuant to this subdivision.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.