

# STATE OF NEW YORK

8273--B

2023-2024 Regular Sessions

## IN ASSEMBLY

November 27, 2023

Introduced by M. of A. FAHY, THIELE, SEAWRIGHT, SIMON, LUNSFORD, SHIMSKY, KELLES -- Multi-Sponsored by -- M. of A. COOK -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Transportation 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 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:

1 Section 1. Subdivision 1 of section 10-c of the highway law, as  
2 amended by chapter 20 of the laws of 1983, is amended and a new subdivi-  
3 sion 1-a is added to read as follows:  
4 1. Notwithstanding any other provisions of this chapter or any other  
5 law, and subject to an appropriation made therefor and in accordance  
6 with the provisions of this section and with the rules and regulations  
7 promulgated by the commissioner in connection therewith, on and after  
8 the first day of April, nineteen hundred eighty-two, a consolidated  
9 local highway assistance program is hereby established for the purpose  
10 of making payments toward the construction, operation and/or maintenance  
11 of highways, bridges [~~and~~], highway-railroad crossings, bicycle paths,  
12 Greenway trails, and other paved trails for non-motorized use that are  
13 not on the state highway system. For purposes of this section, such  
14 program shall apply to any county, city, town or village highway, bridge  
15 [~~and/or~~], highway-railroad crossing, bicycle path, Greenway trail,  
16 and/or other paved trail for non-motorized use within the state that is  
17 not on the state highway system and not under the maintenance and/or  
18 operational jurisdiction of the state. Provided, however, that such

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

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1 bicycle paths, Greenway trails, and other paved trails for non-motorized  
2 use shall either be within the right of way of, or bisect, transect,  
3 begin, or terminate at, a highway right of way that is not on the state  
4 highway system and not under the maintenance and/or operational juris-  
5 isdiction of the state. The commissioner shall promulgate all necessary  
6 rules and regulations to carry out the program so that an equitable  
7 distribution of aid shall be made for the construction, operation and/or  
8 maintenance of any county, city, town and village highways, bridges and  
9 highway-railroad crossings.

10 1-a. For purposes of this section the following terms shall have the  
11 following meanings:

12 (a) "Bicycle path" shall have the same meaning as such term is defined  
13 in section one hundred two-b of the vehicle and traffic law.

14 (b) "Greenway trail" shall mean the trail established pursuant to  
15 section 44-0121 of the environmental conservation law.

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