

STATE OF NEW YORK

8857

IN ASSEMBLY

January 18, 2024

Introduced by M. of A. CARROLL -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to the submission of a twenty-year capital needs assessment to the metropolitan transportation authority capital program review board

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

1 Section 1. Subdivision c of section 1269-c of the public authorities
2 law, as added by section 1 of subpart E of part ZZZ of chapter 59 of the
3 laws of 2019, is amended to read as follows:

4 c. On or before October first, two thousand twenty-three, and on or
5 before October first of every fifth year thereafter, the authority shall
6 submit to the metropolitan transportation authority capital program
7 review board a twenty-year capital needs assessment. Such assessment
8 shall be adopted by not less than a majority vote of the whole number of
9 members of the authority then in office, except that in the event of a
10 tie vote the chairman shall cast one additional vote. Such assessment
11 shall begin with the period commencing January first, two thousand twen-
12 ty-five, and begin each assessment with every fifth year thereafter, and
13 describe capital investments over the succeeding twenty years. Such
14 assessment shall: (1) set forth broad long-term capital investments to
15 be made throughout the district, including at a minimum, identifying
16 specific non-binding cost estimates by element for the next five-year
17 period and total estimates by element over the full twenty-year period
18 necessary to: (i) achieve a state of good repair; (ii) maintain the
19 normal replacement of assets; (iii) improve the system; and (iv) expand
20 service; and (2) establish a non-binding basis to be used by the author-
21 ity in the planning of strategic investments involving capital elements
22 in its five-year capital plans. Such assessment shall not require a vote
23 of the metropolitan transportation authority capital program review
24 board and shall be for informational purposes only. For purposes of this
25 section, "broad long-term capital investments" shall include but not be
26 limited to: system rebuilding, enhancement, and expansion needs; agency
27 needs broken down by capital element or investment category; and

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

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1 projected future trends and network implications. Such assessment shall
2 be certified by the chairman of the authority and shall be entered into
3 the permanent record of the minutes of the review board.
4 § 2. This act shall take effect immediately.