STATE OF NEW YORK

9248--A

IN ASSEMBLY

February 22, 2024

Introduced by M. of A. GUNTHER, EACHUS -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the transportation law and the public authorities law, in relation to requiring the installation of climb deterrent fencing on certain bridges

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

Section 1. Section 14 of the transportation law is amended by adding a new subdivision 16-a to read as follows:

16-a. The commissioner shall ensure that climb deterrent fencing is installed on all bridges under the jurisdiction of the New York State Bridge Authority. For purposes of this section, "climb deterrent fencing" shall mean fencing designed for deterrence of climbing and preventing grip and footholds, equipped with certain features including but not limited to welded wire mesh panels, tightly spaced wires, and spike collars.

§ 2. Section 530 of the public authorities law, as amended by chapter 420 of the laws of 1968, is amended to read as follows:

§ 530. Construction contracts. The authority shall construct the bridges pursuant to a contract or contracts. **The authority shall construct the bridges pursuant to a contract or contracts. The authority shall install climb deterrent fencing as defined in subdivision sixteen-a of section fourteen of the transportation law on all bridges under its jurisdiction.** Such contracts shall be let under the supervision of the commissioner and shall be subject to [~~his~~] **the** approval **of such commissioner**. Such contracts shall be let by the authority in the manner, so far as practicable, provided in section thirty-eight of the highway law, but failure to comply with such section shall not invalidate such contracts. Requisitions for the payments to be made pursuant to such contracts shall be approved by the commissioner. The work under such contracts shall be subject to the supervision and approval of the commissioner.

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

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§ 3. This act shall take effect three years after it shall have become a law and shall apply to construction contracts entered into on and after such effective date. 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.