STATE OF NEW YORK

9965

IN ASSEMBLY

April 26, 2024

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

AN ACT directing the Department of Transportation to conduct a study of certain bridges spanning bodies of water connected to deep water ports in the state to determine whether such bridges have the structural integrity to withstand an impact from a large vessel; and providing for the repeal of such provisions upon the expiration thereof

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

Section 1. Legislative intent and findings. 1. On March 26, 2024, the commercial container ship, the "Dali", lost power and slammed into a support piling of the Francis Scott Key Bridge in Baltimore, resulting in the immediate and near-total collapse of the bridge. The Dali was 984 feet long and weighed approximately 95,000 tons. As a result of the collision and collapse, trade through the Port of Baltimore has been severely compromised and will remain so for some time. The estimated cost to repair the bridge will be $4,000,000,000. The repairs are estimated to take several years.

In addition to being a part of a sea passage for trade, the Francis Scott Key Bridge was also a major part of the Baltimore transportation system for commercial, commuter and personal travel. Until the bridge repairs are completed, a key part of the Baltimore infrastructure is closed not only to sea-going traffic, but also to vehicular traffic, as well. The current and future financial impacts on Baltimore, its residents and the state of Maryland are profound.

2. Less than two weeks after the Baltimore incident, the 89,000-ton, 1,100-foot-long vessel "APL Qingdao" lost propulsion near the Verrazano-Narrows Bridge. Fortunately, there was no collision between the vessel and the bridge.

3. While these ships seem to be extremely large, Allan Post, the deputy superintendent at Texas A&M University's Maritime Academy states that 1,000 foot ships are now the standard size. In contrast, the Summit Venture, a cargo vessel that caused the 1980 collapse of the Sunshine Skyway in Florida, was 600 feet long and weighed 35,000 tons.

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

LBD15209-03-4

4. These recent incidents raise concerns about the condition of bridges spanning waterways involved in seagoing commercial transportation in our state and the ability of such structures to withstand an impact from such a large vessel. In most cases, New York bridges were designed and built long before the advent of the enormous commercial vessels common now and most would likely not be able to sustain a direct collision with such a vessel. The occurrence of such an accident would have a devastating impact on our state and local economies and, depending on the bridge involved, our local transportation. In addition, there is the potential for enormous loss of life when a bridge collapses.

5. In view of these considerations, the legislature declares it to be in the best interest of the state and its people to proactively conduct a study of bridges spanning bodies of water connected to deep water ports in the state to determine whether such bridges have the structural integrity to withstand an impact from a large vessel.

§ 2. 1. The Department of Transportation, in conjunction with the New York State Bridge Authority, the Metropolitan Transportation Authority, the Port Authority of New York and New Jersey, and the Buffalo and Fort Erie Public Bridge Authority, as applicable, shall conduct a study to determine the ability of certain bridges in the state to withstand an impact to the support structures of the bridges from large ships, including but not limited to, cargo vessels, oil tankers and passenger ships. Upon the conclusion of the study, the Commissioner of the Department of Transportation ("the Commissioner") shall prepare and issue a comprehensive report of the study findings and recommendations for improvements to each bridge, if any.

2. Bridges to be evaluated for the study shall include the following:

a. the Bronx-Whitestone Bridge;
b. the Cross Bay Veterans Memorial Bridge;
c. the Henry Hudson Bridge;
d. the Marine Parkway-Gil Hodges Memorial Bridge;
e. the Robert F. Kennedy Bridge;
f. the Throgs Neck Bridge;
g. the Verrazzano-Narrows Bridge;
h. the Governor Mario M. Cuomo Bridge;
i. the Bear Mountain Bridge;
j. the Newburgh-Beacon Bridge;
k. the Mid-Hudson Bridge;
l. the Kingston-Rhinecliff Bridge;
m. the Rip Van Winkle Bridge;
n. the George Washington Bridge;
o. the Bayonne Bridge;
p. the Goethals Bridge;
q. the Outerbridge Crossing Bridge;
r. the Alfred H. Smith Memorial Bridge;
s. the Castleton Bridge;
t. the Dunn Memorial Bridge;
u. the Patroon Island Bridge;
v. the Peace Bridge;
w. the Walkway over the Hudson Pedestrian Bridge;
x. any bridge under the control of a New York entity spanning a water shipping route through Lake Erie or Lake Ontario utilized by large cargo vessels or oil tankers to access commercial shipping ports in the Niagara or Rochester areas of the state; and
y. any other bridge the Commissioner deems necessary.

3. For each bridge, the study shall include, at a minimum, an evaluation of the following:

a. the age of the bridge;

b. the amount of traffic traveling on top of and through the waters below the bridge;

c. the current condition of the bridge;

d. any known or newly discovered chronic issue or problem with the bridge;

e. the type, size, and construction of the support structures of the bridge;

f. the type, size and construction of any barriers surrounding the base of the support structures of the bridge and the distance between such surrounding structures and the water channels occupied by vessels;

g. the width between the support structures of the bridge;

h. the height of the bridge;

i. the topography near the bridge, including sand bars, shallows, cliffs, etc.;

j. the area a vessel may safely access during a maneuver to avoid the bridge in the event of a loss of power or propulsion or other emergency; and

k. any other matters the Commissioner deems necessary.

§ 3. The report required by this act shall be submitted to the governor, the speaker of the assembly, and the temporary president of the senate no later than January 1, 2026. The report shall include the findings, conclusions and recommendations of the Commissioner of the Department of Transportation and other involved entities. The Commissioner shall submit with this report such legislative proposals as the Commissioner deems necessary to implement such recommendations. The report shall also be published on the website of the Department of Transportation no later than one month after it is completed.

§ 4. The Commissioner of the Department of Transportation may request, and is authorized to receive, any information from any state agencies that is relevant and material to the completion of this study and report. Such information received by the Commissioner shall be subject to the same requirements for confidentiality and limitations on use, if any, as are applicable to such state agency's use of such information. In addition to the entities listed in subdivision one of section two of this act, the Commissioner may consult with any additional entities the Commissioner deems necessary.

§ 5. This act shall take effect immediately and shall expire and be deemed repealed April 1, 2026 or 3 months after the report is submitted, whichever is later.