

STATE OF NEW YORK

2708--A

2023-2024 Regular Sessions

IN SENATE

January 24, 2023

Introduced by Sens. HARCKHAM, FERNANDEZ, JACKSON, SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Senate Rule 6, sec. 8 -- 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:

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

3 16-a. The commissioner shall ensure that climb deterrent fencing is
4 installed on all bridges under the jurisdiction of the New York State
5 Bridge Authority. For purposes of this section, "climb deterrent fenc-
6 ing" shall mean fencing designed for deterrence of climbing and prevent-
7 ing grip and footholds, equipped with certain features including but not
8 limited to welded wire mesh panels, tightly spaced wires, and spike
9 collars.

10 § 2. Section 530 of the public authorities law, as amended by chapter
11 420 of the laws of 1968, is amended to read as follows:

12 § 530. Construction contracts. The authority shall construct the
13 bridges pursuant to a contract or contracts. The authority shall
14 construct the bridges pursuant to a contract or contracts. The authority
15 shall install climb deterrent fencing as defined in subdivision
16 sixteen-a of section fourteen of the transportation law on all bridges
17 under its jurisdiction. Such contracts shall be let under the super-
18 vision of the commissioner and shall be subject to [~~his~~] the approval of
19 such commissioner. Such contracts shall be let by the authority in the
20 manner, so far as practicable, provided in section thirty-eight of the

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

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1 highway law, but failure to comply with such section shall not invali-
2 date such contracts. Requisitions for the payments to be made pursuant
3 to such contracts shall be approved by the commissioner. The work under
4 such contracts shall be subject to the supervision and approval of the
5 commissioner.

6 § 3. This act shall take effect three years after it shall have become
7 a law and shall apply to construction contracts entered into on and
8 after such effective date. Effective immediately, the addition, amend-
9 ment and/or repeal of any rule or regulation necessary for the implemen-
10 tation of this act on its effective date are authorized to be made and
11 completed on or before such effective date.