

# STATE OF NEW YORK

7890

## IN SENATE

January 3, 2024

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

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, including bicycle  
12 lanes, Greenway trails, and other paved trails for non-motorized use,  
13 that are not on the state highway system. For purposes of this section,  
14 such program shall apply to any county, city, town or village highway,  
15 bridge and/or highway-railroad crossing, including bicycle lanes, Green-  
16 way trails, and other paved trails for non-motorized use, within the  
17 state that is not on the state highway system and not under the mainte-  
18 nance and/or operational jurisdiction of the state. The commissioner  
19 shall promulgate all necessary rules and regulations to carry out the  
20 program so that an equitable distribution of aid shall be made for the  
21 construction, operation and/or maintenance of any county, city, town and  
22 village highways, bridges and highway-railroad crossings.

23 1-a. For purposes of this section the following terms shall have the  
24 following meanings:

25 (a) "Bicycle lane" shall have the same meaning as in section one  
26 hundred two-a of the vehicle and traffic law.

27 (b) "Greenway trail" means the trail established pursuant to section  
28 44-0121 of the environmental conservation law.

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

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1 § 2. The opening paragraph of subdivision 3 of section 10-c of the  
2 highway law, as amended by chapter 56 of the laws of 1993, is amended  
3 and a new paragraph (d) is added to read as follows:

4 Amounts shall be distributed for local highways, bridges and highway-  
5 railroad crossings in accordance with the following [~~three~~] four step  
6 process:

7 (d) Fourth, on-road lane mileage that is solely for non-motorized use,  
8 including bicycle lanes, Greenway trails, and other trails for non-mo-  
9 torized use, shall be accounted for purposes of calculating lane mileage  
10 for the distribution of funds pursuant to this subdivision.

11 § 3. This act shall take effect on the one hundred eightieth day after  
12 it shall have become a law.