STATE OF NEW YORK

8099

IN SENATE

January 8, 2024

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

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:

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

c. On or before October first, two thousand twenty-three, and on or before October first of every fifth year thereafter, the authority shall submit to the metropolitan transportation authority capital program review board a twenty-year capital needs assessment. **Such assessment shall be adopted by not less than a majority vote of the whole number of members of the authority then in office, except that in the event of a tie vote the chairman shall cast one additional vote.** Such assessment shall begin with the period commencing January first, two thousand twenty-five, and begin each assessment with every fifth year thereafter, and describe capital investments over the succeeding twenty years. Such assessment shall: (1) set forth broad long-term capital investments to be made throughout the district**, including at a minimum, identifying specific non-binding cost estimates by element for the next five-year period and total estimates by element over the full twenty-year period necessary to: (i) achieve a state of good repair; (ii) maintain the normal replacement of assets; (iii) improve the system; and (iv) expand service**; and (2) establish a non-binding basis to be used by the authority in the planning of strategic investments involving capital elements in its five-year capital plans. Such assessment shall not require a vote of the metropolitan transportation authority capital program review board and shall be for informational purposes only. For purposes of this section, "broad long-term capital investments" shall include but not be limited to: system rebuilding, enhancement, and expansion needs; agency 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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projected future trends and network implications. Such assessment shall be certified by the chairman of the authority and shall be entered into the permanent record of the minutes of the review board.

§ 2. This act shall take effect immediately.