

STATE OF NEW YORK

9211

IN SENATE

May 6, 2024

Introduced by Sen. BORRELLO -- 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 lowering the required service life threshold for consolidated local street and highway improvement program capital projects

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

1 Section 1. Subdivision 5 of section 10-c of the highway law, as
2 amended by chapter 20 of the laws of 1983, is amended to read as
3 follows:
4 5. For amounts to be distributed pursuant to this section above the
5 funding level, as defined in this subdivision, received by any munici-
6 pality, such municipality shall use at least seventy-five percent of
7 such apportioned moneys for the construction, reconstruction or improve-
8 ment of local highways, bridges and/or highway-railroad crossings,
9 including right of way acquisition, preliminary engineering, and
10 construction supervision and inspection, where the service life of the
11 project is at least [~~ten~~ **five**] years. Such moneys made available may be
12 used to match other state and federal funds made available for such
13 projects under federal-aid highway acts. The remainder of the apportion-
14 ment, may be used for any highway purposes, except debt service, includ-
15 ing but not limited to, the acquisition of materials and equipment
16 devoted to operation and maintenance of local highways, bridges and/or
17 highway-railroad crossings and the payment of any costs directly attrib-
18 utable to operation and maintenance of local highways, bridges and/or
19 highway-railroad crossings. At the discretion of the commissioner, the
20 requirement specified in this subdivision may be waived for assistance
21 payments in amounts of less than five thousand dollars. For purposes of
22 this section "funding level" shall mean the average amounts, calculated
23 for each municipality, received over two years ending March thirty-
24 first, nineteen hundred eighty-two from the provisions of the town high-
25 way improvement program, the distribution made by former section one
26 hundred twelve of this chapter, as repealed by section twenty-one of the
27 transportation systems assistance and financing act of 1981 of amounts

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

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1 collected from taxes on motor fuel imposed by sections two hundred
2 eighty-four and two hundred eighty-four-a of the tax law and on Diesel
3 motor fuel imposed by sections two hundred eighty-two-a and two hundred
4 eighty-two-b of the tax law, and from motor vehicle fees collected from
5 residents pursuant to the vehicle and traffic law, and the distribution
6 made by former section two hundred seventy-nine of this chapter, as
7 repealed by section twenty-one of the transportation systems assistance
8 and financing act of 1981.

9 § 2. This act shall take effect immediately.