

# STATE OF NEW YORK

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5277--B

2025-2026 Regular Sessions

## IN ASSEMBLY

February 12, 2025

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Introduced by M. of A. STERN, LAVINE, DURSO, FITZPATRICK, GRIFFIN, RAMOS, KASSAY, BURROUGHS, GANDOLFO, SCHIAVONI, SOLAGES, SMITH, MIKULIN -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT relating to designating the Nassau-Suffolk transportation coordinating committee as the metropolitan planning organization for Long Island

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

1 Section 1. Nassau-Suffolk transportation coordinating committee. The  
2 Nassau-Suffolk transportation coordinating committee ("the committee")  
3 seeks to withdraw from the New York metropolitan transportation council  
4 (NYMTC) formed in 1982 pursuant to an MOU adopted by its member organ-  
5 izations and approved by the governor and the legislature through resol-  
6 ution. The Nassau-Suffolk transportation coordinating committee shall,  
7 upon passage of this act and approval of the governor, be designated to  
8 act as the metropolitan planning organization for purposes of receipt of  
9 federal transportation assistance for the counties of Nassau and Suffolk  
10 and, in cooperation with the state and publicly owned operators of mass  
11 transportation services, for carrying out the urban transportation plan-  
12 ning process specified in 23 CFR 450 and 49 CFR 613 and other applicable  
13 federal regulations.

14 § 2. Purpose. 1. It is the purpose of this legislation to delineate  
15 the roles and responsibilities and administrative, decision making, and  
16 staffing arrangements for the committee to carry out transportation  
17 planning and programming to continue Nassau and Suffolk counties' quali-  
18 fication for federal transportation assistance.

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

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1 2. The Nassau-Suffolk transportation coordinating committee is contin-  
2 ued, with voting membership to include:

- 3 (a) the Nassau county executive;
- 4 (b) the Suffolk county executive;
- 5 (c) the chair of the metropolitan transportation authority;
- 6 (d) the commissioner of the New York state department of transporta-  
7 tion; and
- 8 (e) the chair of the Long Island regional planning council.

9 3. The foregoing representation of the participating units of govern-  
10 ment is not intended to indicate a proportional or any other kind of  
11 weighting for voting purposes and such representation shall remain in  
12 effect only as long as committee decisions are reached by consensus as  
13 defined in this act.

14 4. Advisory, non-voting membership on the committee shall include the  
15 federal highway administration, urban mass transportation adminis-  
16 tration, United States environmental protection agency, and the New York  
17 state department of environmental conservation.

18 5. Members of the committee may be represented by designated substi-  
19 tutes. Such designation shall be in writing to the secretary of the  
20 committee.

21 § 3. Officers. 1. Executives of each county shall serve as the perma-  
22 nent co-chairs of the committee with functional responsibility for  
23 committee operations.

24 2. The transportation coordinating committee shall elect officers  
25 according to its bylaws or operating procedures, except that the New  
26 York state department of transportation shall perform secretarial  
27 services for the transportation coordinating committee.

28 § 4. Voting. All actions taken by the Nassau-Suffolk transportation  
29 coordinating committee shall be by majority vote.

30 § 5. Central staff. To meet areawide transportation planning needs and  
31 to provide centralized services to the transportation coordinating  
32 committee a central staff, and a staff director appointed by the commit-  
33 tee from a list provided by the permanent co-chair. The staff director  
34 shall be accountable to the committee for results of that portion of the  
35 transportation planning program assigned to the central staff, and for  
36 the economy and efficiency of the central staff operation. Central  
37 staff activities shall be limited to transportation and transportation  
38 related matters and may include:

- 39 1. data collection, monitoring and analysis;
- 40 2. demographic analysis and forecasting;
- 41 3. strategic transportation planning;
- 42 4. regional transportation systems planning;
- 43 5. travel simulation and modelling and other technical planning and  
44 planning services;
- 45 6. mapping services;
- 46 7. administrative services including contract administration; and
- 47 8. special studies of regional significance.

48 § 6. Unified planning work program. 1. The committee shall establish  
49 goals, objectives, criteria, and standards for the development of work  
50 programs for the use of federal and other planning funds.

51 2. The unified planning work program shall comprise the following  
52 major work elements:

- 53 (a) central staff;
- 54 (b) transportation coordinating committee staff;
- 55 (c) subregional pass through;
- 56 (d) transit operators planning program; and

1 (e) special studies.

2 3. (a) The work program of the central staff shall be determined annu-  
3 ally by the committee.

4 (b) A method for distributing funds for special studies shall be  
5 determined annually by the committee.

6 § 7. Application for urban mass transportation funds. 1. The depart-  
7 ment of transportation shall, on behalf of the committee, make applica-  
8 tion annually to the urban mass transportation administration and to  
9 other federal agencies as may be appropriate, for funds to support the  
10 committee's planning program. The department shall make such funds, as  
11 well as funds received from the federal highway administration, avail-  
12 able to the committee for its decision on their use and distribution.  
13 The department shall be the urban mass transportation administration  
14 grant applicant for the central staff, transportation coordinating  
15 committee staff, and subregional pass through work elements of the  
16 unified planning work program. Applicants for urban mass transportation  
17 administration grants to support the transit operators planning and  
18 special studies work elements shall be determined annually in the  
19 unified planning work program.

20 2. The committee shall authorize the department of transportation and  
21 others as appropriate, to accept on behalf of the committee, the trans-  
22 fer of current grants that have been awarded to the committee.

23 § 8. Funding. 1. For the program year starting July 1, 2026, the allo-  
24 cation of funds to be made for the above major program elements except  
25 for special studies, shall be determined by the committee.

26 2. For the program year starting July 1, 2026, pass through funds  
27 shall be made available to each county in proportion to its 2020 popu-  
28 lation.

29 § 9. Transportation plans. 1. The committee shall develop and review  
30 annually areawide transportation goals and objectives, considering  
31 federal and state policies and requirements.

32 2. The committee shall develop and review and update as necessary, a  
33 transportation plan, consisting of long-range and short-range elements,  
34 including transportation systems management components.

35 3. The committee shall examine and endorse the plan as meeting the  
36 requirements of 23 CFR 450 and 49 CFR 613.

37 § 10. Transportation improvement program. 1. The committee shall  
38 develop and update annually a transportation improvement program in  
39 cooperation with state and local officials, regional and local transit  
40 operators, recipients authorized under section five of the Urban Mass  
41 Transportation Act (49 USC 1604), and with input from other affected  
42 transportation and regional and local planning and implementing agen-  
43 cies. The transportation improvement program shall consist of improve-  
44 ments recommended from the short-range and long-range elements of the  
45 transportation plan developed under this act, and continuing or special  
46 planning studies.

47 2. The committee shall incorporate the transportation improvement  
48 program annually into an areawide transportation improvement program,  
49 including projects of a regional nature recommended by the program,  
50 finance, and administration committee as initiated pursuant to title IX  
51 of chapter one of the United States code, and shall endorse the program  
52 as meeting the requirements of 23 CFR 450 and 49 CFR 613.

53 § 11. Program, finance and administration committee. 1. The committee  
54 shall establish a program, finance and administration committee, to be  
55 composed of staff representatives of the New York state department of  
56 transportation, the metropolitan transportation authority, and one to be

1 appointed by each Suffolk and Nassau counties. The central staff direc-  
2 tor shall serve as secretary to the committee.

3 2. The program, finance and administration committee shall be respon-  
4 sible for overseeing day-to-day operations of the metropolitan planning  
5 organization, including the following activities:

6 (a) monitoring and coordinating progress of the committee's unified  
7 planning work program to assure adherence to budgets and consistency  
8 with federal regulations and local, state and federal objectives, and

9 (b) minor revisions to budgets and other aspects of the work program,  
10 as necessary during the program year.

11 3. The program, finance and administration committee shall, in cooper-  
12 ation with the committee, develop annually a draft unified planning work  
13 program consistent with the requirements of 23 CFR 450 and 49 CFR 613,  
14 for recommendation for endorsement by the committee at its annual meet-  
15 ing. The work program shall include central and subregional staff activ-  
16 ities, committee member activities, and special studies.

17 4. Upon the initiation by any committee member of a project of region-  
18 wide significance, or changes to such projects, which must receive  
19 metropolitan planning organization endorsement during the interval  
20 between committee meetings, the program, finance and administration  
21 committee shall be authorized to act for the committee to include such  
22 project or make such changes with respect thereto in the committee's  
23 transportation improvement program. To the extent possible such trans-  
24 portation improvement program changes shall be recommended by the  
25 program, finance and administration committee to the committee at its  
26 next meeting.

27 5. Upon the endorsement by the committee of a change in its transpor-  
28 tation improvement program, which change must for some reason be incor-  
29 porated in the transportation program during the interval between the  
30 committee's annual meetings, the program, finance and administration  
31 committee shall be authorized to act for the committee to make such  
32 incorporation and shall make such incorporation, provided that the  
33 change is consistent with plans adopted by the committee.

34 6. Upon the request of any committee member of a change in the commit-  
35 tee's unified planning work program, including the program budget or  
36 budgets, which for some reason must receive metropolitan planning organ-  
37 ization endorsement during the interval between committee meetings, the  
38 program, finance and administration committee shall be authorized to act  
39 for the committee to make such a change. All actions taken by the  
40 program, finance and administration committee concerning the unified  
41 planning work program shall be reported to all committee members within  
42 five working days. Such actions shall be effective unless a negative  
43 response is received from a committee member within ten working days.

44 § 12. Coordination with adjacent metropolitan planning organizations.  
45 Within six months from the effective date of this act, the committee  
46 shall develop procedures for coordinating its plans and programs, and  
47 its planning and programming processes, with adjacent metropolitan plan-  
48 ning organizations in the states of New York, New Jersey, and Connecti-  
49 cut. The committee shall appoint a representative to work with these  
50 metropolitan planning organizations and to report back to the committee  
51 with recommendations on this matter as soon as possible.

52 § 13. Meetings and agendas. 1. The committee shall have an annual  
53 meeting, held each year between January fifteenth and February  
54 fifteenth. Its business agenda shall include:

55 (a) Election of chairperson;

1 (b) Endorsement of a transportation improvement program with an annual  
2 element;

3 (c) Endorsement of a committee transportation plan;

4 (d) Other business items requested by any member.

5 2. Special committee meetings may be called at the request of any  
6 member of the committee at any time, upon written request to the secre-  
7 tary of the committee.

8 3. The secretary shall be responsible for scheduling all meetings.

9 4. A quorum for any committee meeting shall be two-thirds of its  
10 voting members.

11 § 14. Central staff operation. 1. The department of transportation  
12 shall provide for the financial operations of the central staff and  
13 ensure that the central staff activities are in compliance with applica-  
14 ble laws and regulations. The relative responsibilities of the committee  
15 and the department for the central staff are detailed below. In all  
16 cases the responsibilities of the committee for the central staff shall  
17 be carried out on a day-to-day basis by the program, finance and admin-  
18 istration committee.

19 2. The committee shall be responsible for:

20 (a) Program results:

21 (i) Assuring that the desired results or benefits of the central  
22 staff's work are being achieved, including that the unified planning  
23 work program activities are on schedule, of proper quality, and are  
24 documented and reported on in an appropriate manner.

25 (ii) Assuring that the urban transportation planning objectives estab-  
26 lished by the federal regulations and the committee itself are being  
27 met, including that the unified planning work program elements are  
28 responsive to federal planning requirements and area transportation  
29 issues and problems.

30 (b) Economy and efficiency of central staff operation:

31 (i) Assuring that desired results are achieved at lowest cost, includ-  
32 ing that central staff size, salary levels and other costs are appropri-  
33 ate and planning methods well chosen.

34 (ii) Assuring that the central staff is managing or utilizing its  
35 resources (personnel, property, space, etc.) in an economical and effi-  
36 cient manner, including that management information systems, administra-  
37 tive procedures, organizational structures and other management tools  
38 are adequate.

39 (c) Selecting consultants to perform activities in the central staff  
40 work program as provided for in the approved unified planning work  
41 program and negotiating professional services agreements, except that  
42 the department shall be entitled to have a representative in all  
43 consultant selection decisions and fee negotiations that affect  
44 contracts held by the department on behalf of the committee;

45 (d) Approving all required task work programs (task amplifications)  
46 and preparing those required for central staff activities;

47 (e) Providing funds for a central staff director and directing such  
48 person to:

49 (i) Manage central staff planning activity to ensure continued compli-  
50 ance with federal and state regulations;

51 (ii) Prepare and maintain work budgets for all central staff planning  
52 activities and cash flow budgets for central staff operations;

53 (iii) Assist the department in establishing acceptable ledgers and  
54 accounting procedures to maintain complete and accurate records pertain-  
55 ing to revenues, expenses, work performed, and cash on hand;

1 (iv) Assist the department in preparing appropriate documentation of  
2 payrolls, time records, grant charges, invoices, vouchers, purchases,  
3 and other expenses in accordance with state and federal requirements;  
4 (v) Assist the department with the establishment and maintenance of  
5 central staff-related accounting records and bookkeeping procedures;  
6 3. The department of transportation shall be responsible for:  
7 (a) Prefinancing the central staff operation for the committee prior  
8 to reimbursement;  
9 (b) Employing central staff and paying central staff salaries and  
10 fringe benefits;  
11 (c) Paying central staff operating expenses and program costs in  
12 accordance with the approved unified planning work program;  
13 (d) Controlling central staff revenues, expenditures, assets, and  
14 liabilities to the extent necessary to meet the department's obligations  
15 with respect to the state funds involved;  
16 (e) Purchasing, receiving, accounts payable, payroll and billings;  
17 (f) Assuring that the central staff operation is in full compliance  
18 with all applicable federal, state, and local laws and regulations,  
19 including that all central staff activities are eligible for reimburse-  
20 ment and that all matching requirements are met.  
21 4. The state shall provide the non-federal share of central staff  
22 financing as detailed in the unified planning work programs.  
23 § 15. This act shall take effect immediately.