

# STATE OF NEW YORK

6366

2025-2026 Regular Sessions

## IN ASSEMBLY

March 4, 2025

Introduced by M. of A. PALMESANO, BARCLAY, RA, BLANKENBUSH, BRABENEC, DeSTEFANO, DiPIETRO, FRIEND, MANKTELOW, McDONOUGH, MILLER, MORINELLO, REILLY, SMULLEN, TAGUE, WALSH -- read once and referred to the Committee on Ways and Means

AN ACT to amend the state finance law, in relation to establishing the dedicated highway and bridge trust fund reform act

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

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "dedicated highway and bridge trust fund reform act".

3 § 2. Paragraph a of subdivision 5 of section 89-b of the state finance  
4 law, as amended by section 10 of part C of chapter 57 of the laws of  
5 2014, is amended to read as follows:

6 a. Moneys in the dedicated highway and bridge trust fund shall,  
7 following appropriation by the legislature, be utilized for: recon-  
8 struction, replacement, reconditioning, restoration, rehabilitation and  
9 preservation of state, county, town, city and village roads, highways,  
10 parkways, and bridges thereon, to restore such facilities to their  
11 intended functions; construction, reconstruction, enhancement and  
12 improvement of state, county, town, city, and village roads, highways,  
13 parkways, and bridges thereon, to address current and projected capacity  
14 problems including costs for traffic mitigation activities; aviation  
15 projects authorized pursuant to section fourteen-j of the transportation  
16 law and for payments to the general debt service fund of amounts equal  
17 to amounts required for service contract payments related to aviation  
18 projects as provided and authorized by section three hundred eighty-six  
19 of the public authorities law; programs to assist small and minority and  
20 women-owned firms engaged in transportation construction and recon-  
21 struction projects, including a revolving fund for working capital  
22 loans, and a bonding guarantee assistance program in accordance with  
23 provisions of this chapter; matching federal grants or apportionments to

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

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1 the state for highway, parkway and bridge capital projects; the acquisition  
2 tion of real property and interests therein required or expected to be  
3 required in connection with such projects; preventive maintenance activities  
4 necessary to ensure that highways, parkways and bridges meet or  
5 exceed their optimum useful life; [~~expenses of control of snow and ice  
6 on state highways by the department of transportation including but not  
7 limited to personal services, nonpersonal services and fringe benefits,  
8 payment of emergency aid for control of snow and ice in municipalities  
9 pursuant to section fifty-five of the highway law, expenses of control  
10 of snow and ice on state highways by municipalities pursuant to section  
11 twelve of the highway law, and for expenses of arterial maintenance  
12 agreements with cities pursuant to section three hundred forty nine of  
13 the highway law; personal services, nonpersonal services, and fringe  
14 benefit costs of the department of transportation for bus safety  
15 inspection activities, rail safety inspection activities, and truck  
16 safety inspection activities; costs of the department of motor vehicles,  
17 including but not limited to personal and nonpersonal services,~~] costs  
18 of engineering and administrative services of the department of transportation,  
19 including but not limited to fringe benefits; the contract services provided  
20 by private firms in accordance with section fourteen of the transportation law;  
21 personal services and nonpersonal services, for activities including but not  
22 limited to the preparation of designs, plans, specifications and estimates;  
23 construction management and supervision activities; costs of appraisals,  
24 surveys, testing and environmental impact statements for transportation projects;  
25 expenses in connection with buildings, equipment, materials and facilities  
26 used or useful in connection with the maintenance, operation, and repair of  
27 highways, parkways and bridges thereon; and project costs for: construction,  
28 reconstruction, improvement, reconditioning and preservation of rail freight  
29 facilities and intercity rail passenger facilities and equipment; construction,  
30 reconstruction, improvement, reconditioning and preservation of state,  
31 municipal and privately owned ports; construction, reconstruction, improvement,  
32 reconditioning and preservation of municipal airports; privately owned airports  
33 and aviation capital facilities, excluding airports operated by the state or  
34 operated by a bi-state municipal corporate instrumentality for which federal  
35 funding is not available provided the project is consistent with an approved  
36 airport layout plan; and construction, reconstruction, enhancement, improvement,  
37 replacement, reconditioning, restoration, rehabilitation and preservation of  
38 state, county, town, city and village roads, highways, parkways and bridges;  
39 and construction, reconstruction, improvement, reconditioning and preservation  
40 of fixed ferry facilities of municipal and privately owned ferry lines for  
41 transportation purposes, and the payment of debt service required on any  
42 bonds, notes or other obligations and related expenses for highway, parkway,  
43 bridge and project costs for: construction, reconstruction, improvement,  
44 reconditioning and preservation of rail freight facilities and intercity rail  
45 passenger facilities and equipment; construction, reconstruction, improvement,  
46 reconditioning and preservation of state, municipal and privately owned  
47 ports; construction, reconstruction, improvement, reconditioning and  
48 preservation of municipal airports; privately owned airports and aviation  
49 capital facilities, excluding airports operated by the state or operated by  
50 a bi-state municipal corporate instrumentality for which federal funding is  
51 not available provided the project is consistent with an approved airport  
52 layout plan; construction, reconstruction, enhancement, improvement, replacement,  
53 reconditioning, restoration, rehabilitation and preservation of state, county,  
54 town, city and village roads, highways, parkways and bridges; and construction,  
55 reconstruction, improvement, reconditioning and preservation of fixed ferry  
56 facilities of municipal and privately owned ferry lines for transportation purposes,

1 ration, rehabilitation and preservation of state, county, town, city and  
2 village roads, highways, parkways and bridges; and construction, recon-  
3 struction, improvement, reconditioning and preservation of fixed ferry  
4 facilities of municipal and privately owned ferry lines for transporta-  
5 tion purposes, purposes authorized on or after the effective date of  
6 this section. Beginning with disbursements made on and after the first  
7 day of April, nineteen hundred ninety-three, moneys in such fund shall  
8 be available to pay such costs or expenses made pursuant to appropri-  
9 ations or reappropriations made during the state fiscal year which began  
10 on the first of April, nineteen hundred ninety-two. Beginning the first  
11 day of April, nineteen hundred ninety-three, moneys in such fund shall  
12 also be used for transfers to the general debt service fund and the  
13 revenue bond tax fund of amounts equal to that respectively required for  
14 service contract and financing agreement payments as provided and  
15 authorized by section three hundred eighty of the public authorities  
16 law, section eleven of chapter three hundred twenty-nine of the laws of  
17 nineteen hundred ninety-one, as amended, and sections sixty-eight-c and  
18 sixty-nine-o of this chapter.

19 § 3. Paragraph a of subdivision 5 of section 89-b of the state finance  
20 law, as amended by section 52 of part JJJ of chapter 59 of the laws of  
21 2021, is amended to read as follows:

22 a. Moneys in the dedicated highway and bridge trust fund shall,  
23 following appropriation by the legislature, be utilized for: recon-  
24 struction, replacement, reconditioning, restoration, rehabilitation and  
25 preservation of state, county, town, city and village roads, highways,  
26 parkways, and bridges thereon, to restore such facilities to their  
27 intended functions; construction, reconstruction, enhancement and  
28 improvement of state, county, town, city, and village roads, highways,  
29 parkways, and bridges thereon, to address current and projected capacity  
30 problems including costs for traffic mitigation activities; aviation  
31 projects authorized pursuant to section fourteen-j of the transportation  
32 law and for payments to the general debt service fund of amounts equal  
33 to amounts required for service contract payments related to aviation  
34 projects as provided and authorized by section three hundred eighty-six  
35 of the public authorities law; programs to assist small and minority and  
36 women-owned firms engaged in transportation construction and recon-  
37 struction projects, including a revolving fund for working capital  
38 loans, and a bonding guarantee assistance program in accordance with  
39 provisions of this chapter; matching federal grants or apportionments to  
40 the state for highway, parkway and bridge capital projects; the acqui-  
41 sition of real property and interests therein required or expected to be  
42 required in connection with such projects; preventive maintenance activ-  
43 ities necessary to ensure that highways, parkways and bridges meet or  
44 exceed their optimum useful life; [~~expenses of control of snow and ice  
45 on state highways by the department of transportation including but not  
46 limited to personal services, nonpersonal services and fringe benefits,  
47 payment of emergency aid for control of snow and ice in municipalities  
48 pursuant to section fifty-five of the highway law, expenses of control  
49 of snow and ice on state highways by municipalities pursuant to section  
50 twelve of the highway law, and for expenses of arterial maintenance  
51 agreements with cities pursuant to section three hundred forty nine of  
52 the highway law; personal services, nonpersonal services, and fringe  
53 benefit costs of the department of transportation for bus safety  
54 inspection activities, rail safety inspection activities, and truck  
55 safety inspection activities; costs of the department of motor vehicles,  
56 including but not limited to personal and nonpersonal services,~~] costs

1 of engineering and administrative services of the department of trans-  
2 portation, including but not limited to fringe benefits; the contract  
3 services provided by private firms in accordance with section fourteen  
4 of the transportation law; personal services and nonpersonal services,  
5 for activities including but not limited to the preparation of designs,  
6 plans, specifications and estimates; construction management and super-  
7 vision activities; costs of appraisals, surveys, testing and environ-  
8 mental impact statements for transportation projects; expenses in  
9 connection with buildings, equipment, materials and facilities used or  
10 useful in connection with the maintenance, operation, and repair of  
11 highways, parkways and bridges thereon; and project costs for:  
12 construction, reconstruction, improvement, reconditioning and preserva-  
13 tion of rail freight facilities and intercity rail passenger facilities  
14 and equipment; construction, reconstruction, improvement, reconditioning  
15 and preservation of state, municipal and privately owned ports;  
16 construction, reconstruction, improvement, reconditioning and preserva-  
17 tion of municipal airports; privately owned airports and aviation capi-  
18 tal facilities, excluding airports operated by the state or operated by  
19 a bi-state municipal corporate instrumentality for which federal funding  
20 is not available provided the project is consistent with an approved  
21 airport layout plan; and construction, reconstruction, enhancement,  
22 improvement, replacement, reconditioning, restoration, rehabilitation  
23 and preservation of state, county, town, city and village roads, high-  
24 ways, parkways and bridges; and construction, reconstruction, improve-  
25 ment, reconditioning and preservation of fixed ferry facilities of  
26 municipal and privately owned ferry lines for transportation purposes,  
27 and the payment of debt service required on any bonds, notes or other  
28 obligations and related expenses for highway, parkway, bridge and  
29 project costs for: construction, reconstruction, improvement, recondi-  
30 tioning and preservation of rail freight facilities and intercity rail  
31 passenger facilities and equipment; construction, reconstruction,  
32 improvement, reconditioning and preservation of state, municipal and  
33 privately owned ports; construction, reconstruction, improvement, recondi-  
34 tioning and preservation of municipal airports; privately owned  
35 airports and aviation capital facilities, excluding airports operated by  
36 the state or operated by a bi-state municipal corporate instrumentality  
37 for which federal funding is not available provided the project is  
38 consistent with an approved airport layout plan; construction, recon-  
39 struction, enhancement, improvement, replacement, reconditioning, resto-  
40 ration, rehabilitation and preservation of state, county, town, city and  
41 village roads, highways, parkways and bridges; and construction, recon-  
42 struction, improvement, reconditioning and preservation of fixed ferry  
43 facilities of municipal and privately owned ferry lines for transporta-  
44 tion purposes, purposes authorized on or after the effective date of  
45 this section. Beginning with disbursements made on and after the first  
46 day of April, nineteen hundred ninety-three, moneys in such fund shall  
47 be available to pay such costs or expenses made pursuant to appropri-  
48 ations or reappropriations made during the state fiscal year which began  
49 on the first of April, nineteen hundred ninety-two. Beginning the first  
50 day of April, nineteen hundred ninety-three, moneys in such fund shall  
51 also be used for transfers to the general debt service fund and the  
52 general fund of amounts equal to that respectively required for service  
53 contract and financing agreement payments as provided and authorized by  
54 section three hundred eighty of the public authorities law, section  
55 eleven of chapter three hundred twenty-nine of the laws of nineteen

1 hundred ninety-one, as amended, and sections sixty-eight-c and sixty-  
2 nine-o of this chapter.

3 § 4. This act shall take effect immediately; provided, however, that  
4 the amendments to paragraph a of subdivision 5 of section 89-b of the  
5 state finance law made by section two of this act shall be subject to  
6 the expiration and reversion of such paragraph pursuant to section 2 of  
7 part B of chapter 84 of the laws of 2002, as amended, when upon such  
8 date the provisions of section three of this act shall take effect.