

# STATE OF NEW YORK

2101

2025-2026 Regular Sessions

## IN SENATE

January 15, 2025

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

AN ACT to amend the canal law, in relation to maintaining bridges in a manner to not impede commercial motor vehicles

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

1 Section 1. Section 62 of the canal law, as amended by chapter 335 of  
2 the laws of 2001, is amended to read as follows:

3 § 62. Maintenance by state of certain bridges over the canal system.  
4 All highway or pedestrian, lift or movable bridges over the canal system  
5 other than highway bridges connecting parts of a state highway hereto-  
6 fore constructed as a part of the barge canal improvement shall be  
7 reconstructed, improved, maintained and repaired at the expense of the  
8 state, [~~if in the opinion of the commissioner of transportation, the~~  
9 ~~public convenience requires such bridges to be maintained where no~~  
10 ~~alternate crossing has been provided~~] in a manner so as not to impede  
11 commercial motor vehicles as defined in subdivision four-a of section  
12 two of the transportation law. In the event the commissioner of trans-  
13 portation determines that any such bridge is no longer required for the  
14 convenience of the public, [~~he~~] such commissioner shall have the power  
15 to close, remove or relocate such bridge, provided at least one public  
16 hearing shall be conducted in the community or communities where the  
17 bridge to be closed or removed is located. The commissioner of trans-  
18 portation shall have the supervision and direction of such recon-  
19 struction, improvement, maintenance, repair, closing, removing or relo-  
20 cation. All bridges over the canal system other than lift, movable,  
21 pedestrian or state highway bridges heretofore constructed as part of  
22 the barge canal improvement shall be reconstructed, improved, maintained  
23 and repaired at the expense of the state under the supervision and  
24 direction of the commissioner of transportation, if, in [~~his~~] the  
25 commissioner's opinion, the public convenience requires that each such

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

LBD01645-01-5

1 bridge shall be continued as a bridge for highway traffic. In the event  
2 the commissioner of transportation is requested by any municipality to  
3 reconstruct or improve any such bridge, [~~he~~] such commissioner is hereby  
4 empowered to do so, provided, however, that prior to such reconstruction  
5 or improvement the municipality enters into a written agreement that  
6 such bridge thereafter shall become a part of the highway system or  
7 systems which it may connect and the maintenance, repair, improvement,  
8 replacement or closing of any such bridge shall be governed by the  
9 provisions of the highway law, except that any such bridges situate in a  
10 city shall be maintained, repaired, improved, replaced or closed in the  
11 same manner and subject to the provisions of any special law which may  
12 apply or to the same provisions of law as apply to other streets and  
13 bridges in such city or in the case of such bridges situate in a  
14 village, such bridges shall be maintained, repaired, improved, replaced  
15 or closed in the same manner and subject to the same provisions of law  
16 as apply to other streets and bridges in such village. Any bridge over  
17 the New York state canal system or abandoned part thereof which joins  
18 parts of a state highway shall be under the jurisdiction of the commis-  
19 sioner of transportation and deemed to be part of the state highway  
20 system and such bridges shall be constructed, reconstructed, improved,  
21 maintained, repaired, closed or relocated pursuant to the provisions of  
22 the highway law and the cost of such work shall be paid from moneys  
23 available for construction, reconstruction, improvement, maintenance or  
24 repair of state highways.

25 § 2. This act shall take effect immediately.