**§ 1299-s. Five-year capital and operating plans.** 1. (a) On or before October first, nineteen hundred ninety, and annually thereafter on or before April first, the authority shall adopt a capital program plan for the five-year period commencing April first. The plan shall contain the capital program, separately itemized, by the following functions: metro transit operations, airport operations, and port operations.

(b) The plan shall set goals and objectives by function for capital spending, establish standards for service and operations, describe each capital project proposed to be initiated in each of the years covered by the plan and explain how each proposed project supports the achievement of the service and operational standards established in the plan. The plan shall list separately by function those projects contributing to the maintenance of the system infrastructure and those intended to enhance the system. The plan shall also include an estimated cost for each project and set forth an estimate of the amount of capital funding required for each year of the plan and the expected sources of such funding. It shall also include a project schedule for the initiation and completion of each project. Each plan subsequent to the first such plan shall describe the current status of each capital project included in the previously adopted plan.

(c) In addition to the annual update, a quarterly capital plan status report shall be provided to the committee on capital planning and shall include, but not be limited to, a description of any material change in the scope, cost, funding or time of initiation or completion of a project as adopted in the plan. The first such report shall cover the three month period commencing April first, nineteen hundred ninety-one and shall be submitted no later than thirty days after the end of the quarter. Thereafter, quarterly reports shall be submitted on the last day of October, January, April and July.

2. (a) On or before October first, nineteen hundred ninety, and annually thereafter on or before April first, the authority shall adopt an operating plan for the five-year period commencing April first. The plan shall include the annual estimated operating cost for the following authority functions: metro transit operations, airport operations, and port operations. The plans shall also include the proposed method of financing for the level of service defined for each year of the plan and

shall fully allocate the general authority costs to the authority's functions. The plan shall provide a narrative describing the overall financial condition of the authority.

(b) In addition to the annual update, the authority shall prepare for the committee on finance and audit quarterly reports on the financial condition of each of its functions. The first such report shall cover the three month period commencing April first, nineteen hundred ninety-one and shall be submitted no later than thirty days after the end of the quarter. Thereafter, quarterly reports shall be submitted on the last day of October, January, April and July. The reports shall include a budgetary comparison of the most recent quarter and year-to-date actual revenues and expenditures with the same time period in the previous year and with the projections for that time period based on the board approved budget. The reporting for the metro transit operations shall be separate for the bus and light rail divisions.

3. (a) On or before October first, nineteen hundred ninety, and annually thereafter on or before April first, the authority shall set operational performance goals and objectives for the metro transit operations, consistent with paragraph (b) of subdivision one of this section and shall establish performance indicators to measure standards of service and operations. The performance indicators shall include: revenue passengers, total passengers, revenue vehicle miles, revenue vehicle hours, number of employees by department, vehicle mean distance between failure, on-time performance for total service provided, the cost per revenue passenger, the cost per revenue vehicle mile and the revenue-to-cost ratio.

(b) The authority shall prepare for the committee on operations and personnel quarterly reports on the operating performance of the metro transit operations. The first such report shall cover the three month period commencing April first, nineteen hundred ninety-one and shall be submitted no later than thirty days after the end of the quarter. Thereafter, quarterly reports shall be submitted on the last day of October, January, April and July. The reporting for the metro transit operations shall be separate for the bus and light rail divisions. The report shall compare the performance indicators of the most recent quarter and the year-to-date performance indicators with the same time

period in the previous year and with the annual goals established pursuant to this subdivision.

4. Any and all annual reports, including interim reports, shall be submitted to the director of the division of the budget, the commissioner of transportation and the chief executive officer of Erie county and Niagara county, the county legislatures of Erie county and Niagara county, the temporary president of the senate, the speaker of the assembly, the chairpersons of the senate finance committee and the assembly ways and means committee, and the chairpersons of the senate and assembly transportation committees.