§ 489-bb. Definitions. When used in this title, unless otherwise expressly stated:

1. "Assessing unit" means a city, town or village.

2. "Railroad company" means a corporation , joint stock company, association, partnership, individual or other person operating a railroad system both within and without the State of New York as a common carrier by rail, including but not limited to a street, surface, underground or elevated railroad and any corporation created under or in compliance with the rail passenger service act of nineteen hundred seventy or the regional rail reorganization act of nineteen hundred seventy-three as those acts were amended to April first, nineteen hundred seventy-six, whether as owner, lessee, mortgagee, trustee, receiver or assignee of railroad real property.

3. "Railroad real property" means the land, real estate and real property (as defined in subdivision twelve of section one hundred two of this chapter) of a railroad company, which is used by such railroad company for transportation purposes and which is subject to real property taxation except as provided in this title, and includes (a) such property leased to such railroad company, (b) such property used for transportation purposes by such railroad company under a trackage right or other operating agreement, title to which is in other than a railroad company as defined in subdivision two of this section and subdivision two of section four hundred eighty-nine-b of this chapter, (c) such property used or occupied by such railroad company, title to which is in the state or in any municipal corporation thereof under any of the grade crossing elimination acts, and (d) the tangible property of such railroad company situated in, upon, under or above any street, highway, public place or public waters; but does not include the value of any franchise, right or permission to construct, maintain or operate, in, under, above, on or through, streets, highways or public places.

4. "Subsidized railroad real property" means any railroad real property for which a rail service continuation subsidy is paid by the United States or the state of New York.

5. "Tax" or "taxation" means an ad valorem charge or special ad valorem levy imposed upon real property by or on behalf of a county, city, town, village, school district or special district.