

NEW YORK STATE ASSEMBLY

Carl E. Heastie, Speaker
William B. Magnarelli, Chair



2023 ANNUAL REPORT

COMMITTEE ON
Transportation



WILLIAM B. MAGNARELLI
Assemblyman 129th District

THE ASSEMBLY
STATE OF NEW YORK
ALBANY

CHAIR
Committee on Transportation
COMMITTEES
Economic Development
Education
Rules
Oversight, Analysis and Investigation
Steering

December 15, 2023

Honorable Carl Heastie
Speaker of the Assembly
Legislative Office Building, Room 932
Albany, NY 12248

Dear Speaker Heastie:

I am pleased to submit to you the 2023 Annual Report of the Assembly Standing Committee on Transportation. New York State's transportation infrastructure is a critical component of the ability of the State and local communities to function, facilitating the movement of people and goods, and providing access to resources, markets, and services.

The safety of the transportation system for the traveling public is a Committee priority. The Committee's work during the 2023 Legislative Session resulted in the enactment of legislation to address a variety of safety concerns, as well as the enactment of a State budget supporting the capital and operating needs of State and local roads and bridges, and of public transit, passenger and freight rail, and aviation systems. Enacted legislation includes measures to crack down on drivers with suspended or revoked licenses, protect the occupants of vehicles stopped at the side of controlled-access highways, support the ability of counties to reduce drunk and drugged driving incidents in their communities, facilitate the ability of mobile crisis teams to respond to behavioral health crises, and prevent injuries and fatalities involving pre-teen and young teen operators of all-terrain vehicles.

I would like to express my appreciation to the members of the Committee for their commitment and contributions to the legislative work undertaken this year, as well as to the staff for their hard work and assistance.

I also wish to thank and commend you, Mr. Speaker, for the support and leadership you have provided the Transportation Committee in its pursuit to address transportation issues affecting the people of the State. With your assistance, the Committee looks forward to a productive 2024 Legislative Session.

Sincerely,

William B. Magnarelli, Chairman
Assembly Standing Committee
on Transportation



**2023 ANNUAL REPORT
OF THE
NEW YORK STATE ASSEMBLY
STANDING COMMITTEE ON TRANSPORTATION**

William B. Magnarelli, Chairman

Committee Members

Majority

Donna A. Lupardo
Fred W. Thiele, Jr.
Jo Anne Simon
Jaime R. Williams
Patricia A. Fahy
Karen M. McMahan
Taylor Darling
Monica P. Wallace
Kenneth Burgos
Emily Gallagher
Marcela Mitaynes
Gina L. Sillitti
Manny De Los Santos
Brian A. Cunningham
George A. Alvarez
Sarahana Shrestha
MaryJane Shimsky

Minority

Michael J. Norris,
Ranking Minority Member
David G. McDonough
Joseph P. DeStefano
Michael A. Durso
Jodi A. Giglio
John W. McGowan
Matthew J. Slater

Staff

Maria Volpe-McDermott, Assistant Secretary for Program and Policy
Julie A. Barney, Principal Analyst
Benjamin Decker, Associate Counsel
Craig Swiecki, Committee Clerk
Joann Butler, Program & Counsel Executive Secretary

TABLE OF CONTENTS

INTRODUCTION AND SUMMARY	1
Committee Jurisdiction.....	1
Summary of Committee Action.....	1
2023 LEGISLATIVE ACTION	3
Operation of All-Terrain Vehicles (ATVs) by Minors.....	3
Move Over Law Expansion.....	3
Aggravated Unlicensed Operation (AUO) of a Motor Vehicle.....	4
Deposit of Surcharges to STOP-DWI Program.....	5
Green Courtesy Lights for Mobile Crisis Team Vehicles.....	6
Minimum Size Train Crew.....	7
Bridge Collision Study.....	8
Stretch Limousines.....	9
Charter Bus Safety.....	9
DOT Long-Range Planning.....	10
PUBLIC HEARING.....	11
OUTLOOK FOR 2024.....	12
APPENDIX A: 2023 SUMMARY	13
APPENDIX B: BILLS THAT PASSED BOTH HOUSES.....	14
APPENDIX C: BILLS THAT PASSED THE ASSEMBLY.....	22

INTRODUCTION AND SUMMARY

Committee Jurisdiction

New York State's transportation network moves millions of people and tons of freight annually. Based on the most recent data available, this network includes a State and local highway and bridge system of approximately 17,500 bridges and over 113,000 miles of public roadways, upon which more than 123 billion vehicle miles are driven annually. Four port authorities (NY/NJ, Albany, Oswego, and Ogdensburg), the Port of Buffalo and numerous private ports and waterways handle millions of tons of freight each year. Rail freight carloads originating or terminating in the State transport about 77 million tons of freight annually on approximately 4,200 route miles of rail track.

Eighteen commercial service airports provide service to passengers, enplaning more than 15 million passengers statewide. Approximately 5.2 million rail passengers use Amtrak service with an origin or destination within New York State. Over 100 public transit systems provide service for approximately 3.6 billion passenger transit trips annually.

The Assembly Transportation Committee is charged with the responsibility of advancing policies for coordinating the management of these systems and ensuring the employment of measures designed to provide and encourage safe travel. The Committee is also responsible for developing and reviewing legislation covering a wide range of topics affecting the movement of people and goods throughout the State.

The Committee's jurisdiction includes oversight and analysis of the activities (including the implementation and administration of programs) of the Departments of Transportation (DOT) and Motor Vehicles (DMV), the New York State Thruway Authority, and various regional transportation authorities and commissions. Committee action primarily affects the following consolidated laws: Vehicle and Traffic, Highway, Transportation, Navigation, Canal, and Railroad.

Summary of Committee Action

During the 2023 Legislative Session, 615 bills¹ were referred to the Assembly Standing Committee on Transportation. A number were ultimately signed into law, including but not limited to legislation that: restricts the operation of all-terrain vehicles (ATVs) by operators under the age of fourteen; expands the State's "Move

¹ This number comprises the 603 total bills referenced in Appendix A, with the addition of twelve bills that were originally referred to the Assembly Standing Committee on Transportation after passing the Senate, which no longer remain in the Committee.

Over” law to vehicles parked or stopped on controlled-access highways such as interstates; expands first degree aggravated unlicensed operation (AUO) of a motor vehicle; directs mandatory surcharges to county Special Traffic Options Program for Driving While Intoxicated (STOP-DWI) programs; authorizes the use of green lights by mobile crisis team members; establishes a minimum size for freight train crews; and directs DOT to conduct a bridge collision study. Additionally, the Committee conducted a public hearing to gather information and solicit testimony on data, statistics, and trends regarding incidents involving the operation of motor vehicles while intoxicated or impaired within New York State.

2023 Legislative Action

Operation of All-Terrain Vehicles (ATVs) by Minors

(A.150, Paulin; Chapter 539, Laws of 2023)

As noted by the Consumer Product Safety Commission, children under the age of 16 account for approximately thirteen percent of fatalities and twenty-seven percent of emergency department-treated injuries arising from ATV-related incidents. Within this age cohort, roughly half of those killed or injured are under 12 years of age.² Sources cited by the American Academy of Pediatrics indicate that approximately four pediatric patients an hour are seen in an emergency department for an ATV-related injury, and that more children die each year on ATVs than in bicycle crashes.³

If a person operating an ATV is under the age of 16, New York's Vehicle and Traffic Law currently prohibits them from operating the ATV unless they are on lands owned or leased by their parent or guardian. If they wish to operate elsewhere, the law requires that they must either be at least 10 years old and hold an ATV safety certificate (which indicates successful completion of an ATV safety course), or alternatively they must be under the general supervision either of a person aged 18 or over, or of a person aged 16 or 17 holding an ATV safety certificate.

To reduce incidents of ATV crashes involving young operators, thereby improving their safety, Chapter 539 of the Laws of 2023 (A.150, Paulin) increases the age at which a person under the age of 16 holding a safety certificate can operate an ATV if they are not on their parents' or guardians' lands from 10 to 14. Additionally, the new law eliminates the provision authorizing 16- and 17-year-olds holding ATV safety course certificates to supervise ATV operators who are under the age of 16.

Move Over Law Expansion

(A.1077-A, Zebrowski ; Chapter 517, Laws of 2023)

New York State's "Move Over" law, initially enacted in 2010, requires motorists to exercise due care to avoid colliding with authorized emergency vehicles, hazard vehicles, and vehicles displaying blue or green lights which are parked, stopped or standing on the shoulder or any portion of a highway while engaged in an emergency or hazardous operation with lights operating. This includes moving from

² 2021 Report of Deaths and Injuries Involving Off-Highway Vehicles with More than Two Wheels, John Topping, M.S., Directorate for Epidemiology, Division of Hazardous Analysis, U.S. Consumer Product Safety Commission, November 2021.

³ American Academy of Pediatrics Recommendations for the Prevention of Pediatric ATV-Related Deaths and Injuries by Charles A. Jennissen, MD, FAAP, Gerene M. Denning, PhD, Mary E. Aitken, MD, MPH, FAAP, and The Council on Injury, Violence, and Poison Prevention, in Pediatrics Volume 150, number 4, October 2022:e2022059279.

any lane on a parkway or controlled-access highway which contains, or is immediately adjacent to a shoulder which contains, these types of parked, stopped or standing vehicles.

Concerns have been raised regarding the safety of persons who have had to pull over and park at the side of interstate and similar controlled-access highways, whether due to the vehicle becoming disabled or another reason. According to news reports, AAA analysis of data obtained from the National Highway Traffic Safety Administration's (NHTSA's) Fatality Analysis Reporting System (FARS) has found that 1,703 people were struck while outside of a disabled vehicle in the U.S. between 2016-2020, and that 37 of those were fatalities occurred within New York State.

Chapter 517 of the Laws of 2023 (A.1077-A, Zebrowski) expands the "Move Over" law to motor vehicles that are parked, stopped or standing on a parkway or controlled-access highway.

Aggravated Unlicensed Operation (AUO) of a Motor Vehicle (A.3983, Thiele; Chapter 722, Laws of 2023)

To increase the safety of persons using the public roads, the Legislature in 1993 recriminalized the act of driving a motor vehicle with a suspended or revoked driver's license or driving while the driver knew or had reason to know that their driver's license was suspended or revoked. Persons convicted of this crime, known as aggravated unlicensed operation (AUO), are subject to various penalties ranging from a misdemeanor to a class E felony, depending upon the number of suspensions and/or revocations appearing on their record at the time they were pulled over, the reasons for those suspensions, and whether they committed certain other offenses at the time of the traffic stop. For example, under current law, a driver having three or more suspensions or revocations on their driving record is subject to higher penalties than a driver having one or two. A driver operating a motor vehicle with a suspended or revoked license is subject to the felony charge if certain elements are present, such as if they have ten or more license suspensions on their record.

Concerns were raised with the Legislature that drivers committing AUO while being involved in fatal crashes could not be charged with the felony count because they had less than ten prior license suspensions and/or revocations. Various studies through the years have indicated that drivers who continue to drive motor vehicles while their driver's licenses are suspended or revoked pose a significant traffic safety risk.⁴ Research has also found that crash rates vary widely depending upon the reason that the license was suspended or revoked; drivers suspended for non-driving reasons posed the lowest traffic safety risk among the suspended-license group as compared

⁴ See for example *Unlicensed to Kill* and *Unlicensed to Kill, the Sequel* by the AAA Foundation, Griffin and DeLaZerda, 2000.

to drivers who held valid driver's licenses.⁵ NHTSA itself has found that over three percent of drivers suspended for driving reasons are involved in a crash while their license is suspended, compared to less than one percent of drivers suspended for non-driving reasons.⁶

Therefore, to address the concerns raised, the Committee advanced A.3983 (Thiele.) Enacted as Chapter 722 of the Laws of 2023, the new law expands first degree AUO by providing that a person operating a motor vehicle knowing or having reason to know that their license is suspended or revoked and has in effect five or more license suspensions or revocations on at least five separate dates for moving violations could be charged with first degree AUO. Persons convicted under this new element would be guilty of a class E felony, subject to a minimum \$500, maximum \$5,000 fine and a term of imprisonment of a definite sentence not exceeding two years, or, where appropriate and a term of imprisonment is not required under the penal law, a sentence of probation, or a term of imprisonment as a condition of a sentence of probation. Finally, the Chapter 722 requires DMV to provide written notice, in bold and conspicuous type, to persons whose license is suspended or revoked four times that a fifth suspension or revocation for a moving violation would subject them to a class E felony if they were to be charged with first degree AUO under the element of having five or more such suspensions or revocations in effect.

Deposit of Surcharges to STOP-DWI Program
(A.4755-B, Lupardo; Chapter 532, Laws of 2023)

In 1981, New York enacted a unique program to address the epidemic of impaired and intoxicated driving. After establishing mandatory minimum fines for all levels of driving while intoxicated (DWI), the Legislature enacted the Special Traffic Options Program for Driving While Intoxicated (STOP-DWI, codified in section 1197 of the Vehicle and Traffic Law.) The program allows counties and the City of New York to retain the fine money assessed for convictions within their borders for driving while intoxicated (DWI) and driving while ability impaired (DWAI) by drugs or alcohol, contingent upon establishing a dedicated office and a program to fund activities to reduce DWI and DWAI. Program components range from enforcement to rehabilitation, with the sole priority of reducing the incidence of alcohol and other drug-related traffic fatalities. By 1983 every county had established a program, tailoring strategies around the unique challenges presented within its borders. According to the STOP-DWI Association, within ten years after the program was established, the likelihood of being involved in a drunk driving crash in New York State was reduced by almost seventy percent.

⁵ Gebers and DeYoung, 2002.

⁶ *Reasons for Drivers License Suspension, Recidivism and Crash Involvement among Suspended/Revoked Drivers*, Jon A. Carnegie and Robert J. Eger, III, Ph.D., American Association of Motor Vehicle Administrators (AAMVA) and the U.S. Department of Transportation / NHTSA, January 2009

In 2003, the State imposed a new \$25 surcharge exclusively on convicted drunk and drugged drivers for budget relief, with the proceeds accruing to the General Fund. In 2008 an additional budget relief surcharge of \$170 was imposed upon convicted drunk and drugged drivers. These surcharges were imposed in addition to the underlying fine, a special surcharge for the Criminal Justice Improvement Account, a crime victims fee, a \$750 special assessment from DMV, and, if applicable, the cost of installing an ignition interlock device.

An unintended consequence of these additional surcharges was their impact on local STOP-DWI programs. Program providers raised concerns to the Legislature that the financial impact of the fines combined with the additional charges noted above had resulted in courts imposing only statutory minimums or no fines at all. As a result, county programs experienced reductions in their only source of revenue. This, in turn, negatively affected their ability to deliver initiatives and strategies to reduce drunk and drug impaired driving in their localities. The STOP-DWI Association reported that revenue statewide for the program declined by twenty-one percent between 2009 and 2019, with additional losses resulting from the pandemic.

Hence, the Legislature enacted Chapter 532 of the Laws of 2023 (A.4755-B, Lupardo). This new law extends the mandatory \$25 and \$170 surcharges that are currently imposed on convictions for driving while intoxicated (DWI) or driving while ability impaired (DWAI) to convictions for aggravated unlicensed operation (AUO) of a motor vehicle in the first and second degrees where an element of the charge is related to DWI or DWAI. Chapter 532 also requires the payment of all such mandatory surcharges to county STOP-DWI programs for convictions occurring within each respective county.

Green Courtesy Lights for Mobile Crisis Team Vehicles

(A.5604, Magnarelli; Chapter 686, Laws of 2023)

In 2022, a new law was enacted relating to mental health crisis services and intervention. This new law, section 36.03 of the Mental Hygiene Law, grants the Commissioners of the Office of Mental Health (OMH) and the Office of Addiction Services and Supports (OASAS) the authority to provide for crisis hotlines and crisis intervention services, including mobile crisis teams.

Mobile crisis teams are among the professionals called upon to respond to various mental, emotional, physical, and behavioral distress calls to prevent critical incidents. These teams are licensed, certified, or authorized by OMH and OASAS to provide community-based mental health or substance use disorder interventions for individuals who are experiencing a mental health or substance use disorder

crisis. Members of a mobile crisis team may include, but are not limited to, behavioral health professionals, certified peer specialists, certified recovery peer advocates, credentialed family peer advocates, and credentialed youth peer advocates.

Assembly bill 5604 (Magnarelli; Chapter 686 of the Laws of 2023) allows mobile crisis response staff members to equip their personal vehicles with a green light while engaged in an emergency operation. Current law authorizes members of volunteer ambulance services to use a single green courtesy light on their personal vehicles when they are engaged in an emergency operation. Motorists are not required to yield the right of way or to pull over when a green light is displayed, nor are users of the green lights granted any special privileges and must obey all traffic laws. However, green lights are helpful in alerting other drivers that a vehicle is responding to a medical emergency and it would be courteous to not impede them.

Minimum Size Train Crew

(A.5639, Magnarelli; Chapter 707, Laws of 2023)

While it is difficult to obtain statistical data on the size of train crews as it relates to the occurrence of train accidents, accidents involving freight trains with one-person crews have occurred, including a catastrophic accident in Canada. As railroads continue to implement technologies to automate certain train functions, such as “positive train control” (“PTC”, a GPS-based safety technology that can stop a train and prevent train-to-train collisions, over-speed derailments, and unauthorized train movement), they have begun to reduce crew sizes to single individuals.

The Federal Rail Administration (FRA) has studies showing the benefits of a second crewmember and other information detailing the potential safety benefits of multiple-person crews, as well as research showing significant safety concerns with one-person crew operations, especially when implementing new technology. For example, one report concluded that PTC cannot account for all the physical and cognitive functions that a conductor currently provides⁷, while others examined the impact of fatigue, cognitive task analysis, human factors, and teamwork on railroad operations.

To address concerns about rail safety operations, the Legislature passed A.5639 (Magnarelli; Chapter 707 of the Laws of 2023). Chapter 707 prohibits the operation of a Class I or Class II freight train or locomotive unless a minimum crew of two persons is on board, except during specific actions such as: classifying rail cars according to commodity or destination; assembly of rail cars for train movements;

⁷ “Cognitive and Collaborative Demands of Freight Conductor Activities: Results and Implications of a Cognitive Task Analysis – Human Factors in Railroad Operations.” Final Report, July 2021, DOT/FRA/ORD – 12/13. Research and report by the John A. Volpe National Transportation Systems Center.

changing the position of rail cars for loading, unloading or weighing; placing locomotives or rail cars for repair or storage; or moving rail equipment in connection with work service that does not constitute train movement. Class I railroads are defined as carriers having annual carrier operating revenues of \$250 million or more after applying a railroad revenue deflator formula, and Class II railroads are defined as carriers having annual carrier operating revenues of more than \$20 million but less than \$250 million after applying a railroad revenue deflator formula.

Violations are punishable as follows: a first violation is subject to a \$250-\$1,000 civil penalty; a second violation within three years is subject to a \$1,000-\$5,000 civil penalty; and third or subsequent violations within three year is subject to a \$5,000-\$10,000 civil penalty.

Bridge Collision Study

(A.7016-B, Magnarelli; Chapter 575, Laws of 2023)

DOT has stated that there are approximately two hundred instances every year of vehicles colliding with bridges. These collisions occur for several reasons, such as improperly stored equipment on trucks, violation of vehicle posting signs, illegal commercial vehicles on parkways, and more. Despite varying mitigation measures put into place by DOT through the years, there are still bridges in the State that experience recurring strikes. Recent examples include railroad bridges in Central New York and the Capital District that experience multiple strikes by trucks exceeding the height limitations of these bridges.

According to the Federal Highway Administration (FHWA), of the over 600,000 bridges registered in the National Bridge Inventory (NBI), most bridges that collapse do so during floods. The second biggest cause of bridge collapses comes from overweight vehicles that exceed posted weight limits, and a third leading cause of bridge failure or collapse is collision damage when a vehicle or a vessel hits a bridge.

Increased knowledge and awareness of the number of collisions between motor vehicles and bridges in New York State is important to increasing the State's understanding of why they occur, in order to improve the prevention of future collisions. Thus the Legislature passed A.7016-B (Magnarelli, enacted as Chapter 575 of the Laws of 2023) requiring DOT to provide information in its annual report to the Legislature on motor vehicle collisions with bridges and elevated structures that are on, or which cross over, State roadways, as well as recommendations in relation to preventing such collisions.

Stretch Limousines

(A.2304, Paulin; Passed Assembly)

In 2019 and 2020 the Legislature enacted two packages of legislation focused on limousine safety following two tragic, fatal crashes that also left some occupants seriously injured. Consisting of twenty-two separate bills, among these new laws were provisions that increased penalties for operating and safety violations, addressed vehicle inspection issues, prohibited U-turns, mandated the disclosure of information on companies, drivers and stretch limousine vehicles to the public, imposed requirements for drug and alcohol testing, provided for the impoundment or immobilization of stretch limousines with certain defects, made other changes relating to seat belts, commercial driver's licenses, commercial global positioning systems, and insurance, and created a task force on stretch limousine passenger safety.

Assembly bill 2304 (Paulin; passed Assembly) would require all DMV inspection stations to post a notice in their establishments stating that they are not authorized to inspect any altered motor vehicles unless the registrant presents a DOT exemption letter. Otherwise, such vehicles would be required to report to a DOT site for inspection. Requiring this notice would prevent oversights by inspection stations and would help to prevent other tragedies involving stretch limousine equipment failure.

Charter Bus Safety

(A.1838-A, Kim; Passed Assembly)

Data on the charter bus industry in New York State indicate that revenue has grown over many years and is forecast to keep growing through 2024. Consumers routinely board such buses to visit destinations both in and out of New York State. It has been reported that various charter bus accidents have involved drivers who were not qualified or were not properly licensed to drive passenger buses. It has also been reported that charter bus companies have operated during periods of time in which they were cited for safety violations.

To provide the general public and passengers with relevant information regarding the status of charter buses and their drivers, the Assembly advanced legislation (A.1838-A, Kim) that would require DOT, in consultation with DMV, to establish requirements for charter bus owners and operators to conspicuously display valid DOT operating authority, inspection information, and driver qualifications in locations where they perform contract or common carrier services with charter buses, and within each charter bus itself.

Assembly bill 1838-A also would require DMV to review the bus driver files of each charter bus driver and annually verify whether each such driver holds a valid driver's license that is valid to operate a charter bus.

DOT Long-Range Planning

(A.2677-A, Rozic; Passed Assembly)

Section 15 of the Transportation Law requires DOT to formulate a long-range comprehensive statewide master plan for adequate, safe, and efficient transportation at reasonable cost to taxpayers. To provide for additional transparency on DOT capital funding, the Assembly passed A.2677-A (Rozic). This bill would require that DOT's master plan include a minimum 20-year forecast period at the time of adoption, assess long-range needs spanning such period, include a forecast of highway pavement and bridge conditions, and take the following into consideration: the most recent 20-year transportation plan adopted by each Metropolitan Planning Organization (MPO) in the State, and New York's Statewide Transportation Improvement Program (STIP) as required by federal law.

Assembly bill 2677-A also would require DOT to maintain hard copies of the most recent version of the master plan and revisions thereto in DOT's main and regional offices, conduct at least one public hearing in each DOT region when formulating the plan, and maintain on its public website the proposed and adopted long-range comprehensive statewide master plan and all proposed and adopted revisions thereto, and provide a means on such website for the public to submit comments on the plan to the Department.

PUBLIC HEARING

Intoxicated and Impaired Driving

Albany, September 22, 2023

Over the past few decades, New York has worked to reduce instances of driving while intoxicated (DWI) or driving while ability is impaired by drugs and/or alcohol (DWA). According to the National Highway Traffic Safety Administration (NHTSA) of the U.S. Department of Transportation, New York State is among the top 24 states with the lowest alcohol-impaired driving fatality rates in the nation.

The health and safety of all users of roadways across New York State, whether such users are non-motorized or motorized, is a top priority of the Assembly Transportation Committee. A critical aspect of roadway safety is ensuring that motor vehicle operators are in control of themselves and their vehicles.

To that end, the Assembly Standing Committee on Transportation convened a public hearing in Albany on September 22, 2023, to gather information and solicit testimony on data, statistics, and trends regarding incidents involving the operation of motor vehicles while intoxicated or impaired within New York State.

Witnesses providing oral testimony included the New York State Police; the District Attorneys Association of the State of New York's Vehicular Crimes Subcommittee; the New York State Magistrates Association; the National Transportation Safety Board; Mothers Against Drunk Driving; the New York State STOP-DWI Association; the Foundation for Advancing Alcohol Responsibility; Myndtech, and private citizens. Written testimony was received from DMV; the Division of Criminal Justice Services (DCJS); the New York State Association of Chiefs of Police; the .05 Saves Lives Coalition; the National Safety Council; the National Road Safety Foundation; Utah Representative Norman Thurston; and private citizens.

OUTLOOK FOR 2024

During the 2024 Legislative Session, the Committee will continue to work on legislation affecting various aspects of the State and local transportation systems and the safety of the walking, boating, biking, and motoring public. Among the issue areas that will be under consideration include those relating to pedestrians, bicyclists, motorists and motor vehicle occupants, the performance of passenger rail, and penalties for various violations, as well as issues relating to the State's transportation infrastructure. Ensuring the safety, efficiency, and cost-effectiveness of transportation infrastructure throughout the State, from roads and bridges to rail, aviation, port, public transit, and bicycle / pedestrian facilities, remains a priority of the Committee.

As always, the Committee will examine additional issues brought to its attention by legislators, advocates, and the public, and looks forward to continuing to work with the Governor, the Senate, and various State agencies toward a safe transportation system that is responsive to the needs of the people of the State of New York.

APPENDIX A: 2023 SUMMARY

	<u>ASSEMBLY BILLS</u>	<u>SENATE BILLS</u>	<u>TOTAL BILLS</u>
<u>Bills Reported Favorable To:</u>			
Codes	9	0	9
Judiciary	0	0	0
Ways and Means	35	0	35
Rules	9	0	9
Floor	<u>4</u>	<u>0</u>	<u>4</u>
Subtotal	57	0	57
 <u>Committee Action</u>			
Remaining in Committee (Assembly Bills Held for Consideration: 11)	471	54	525
Defeated	0	0	0
Enacting Clause Stricken	<u>12</u>	<u>0</u>	<u>12</u>
Subtotal	483	54	537
 <u>Bill Reference Changed To:</u>			
Tourism, Parks, Arts & Sports Development	1	0	1
Ways and Means	<u>8</u>	<u>0</u>	<u>8</u>
Subtotal	<u>9</u>	<u>0</u>	<u>9</u>
TOTAL:	549	54	603

Total Number of Committee Meetings Held: 5

APPENDIX B: BILLS THAT PASSED BOTH HOUSES

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
A.150 Paulin S.2702 Harckham	Increases the age persons under 16 are authorized to operate an all-terrain vehicle (ATV) unsupervised with an ATV safety certificate from ten to fourteen and requires a person to be at least 18 years old to supervise an ATV operator under the age of 16 who lacks an ATV safety certificate.	Chapter 539
A.602 Fahy S.840 Kennedy	Provides technical clarifications to Chapter 794 of the Laws of 2022 relating to increasing Marchiselli aid to municipalities funding a complete street design as part of a Marchiselli project.	Chapter 3
A.1077-A Zebrowski S.5129-A Webb	Expands the “move over” law to include moving over for any vehicle parked, stopped or standing on a parkway or controlled-access highway.	Chapter 517
A.2943 Simpson S.2904 Stec	Designates a bridge in the Town of Schroon, Essex County, as the “Trooper Lawrence P. Gleason Memorial Bridge” and requires DOT to install and maintain signage.	Chapter 503
A. 3162 Woerner S.5237 Ashby	Designates a bridge in the Village of Greenwich, Washington County, as the “Deputy Chief Brian Buell Memorial Bridge” and requires DOT to install and maintain signage.	Chapter 504

A.3288 Slater S.5541 Harckham	Designates a portion of State Route 202 in the Town of Yorktown, Westchester County, as the “Captain Kenneth Sgroi Memorial Highway” and requires DOT to install and maintain signage.	Chapter 505
A.3305-B Clark S.5521-A Cooney	Authorizes DMV to issue distinctive Congressional Medal of Honor license plates either to the recipient or to their spouse.	Chapter 145
A.3935-A Ramos S.4329-A Sepulveda	Authorizes DMV to enter into reciprocity agreements with other states, countries, provinces or territories that issue drivers’ licenses.	Chapter 277
A.3983 Thiele S.4671 Thomas	Expands the elements of first degree aggravated unlicensed operation of a motor vehicle.	Chapter 722
A.4033 Simpson S.2905 Stec	Designates a bridge in the Town of Chesterfield, Essex County, as the “Lance Cpl. Scott Lee Schultz Memorial Bridge” and requires DOT to install and maintain signage.	Chapter 612
A.4212 McDonough S.6706 Rhoads	Designates a bridge in the Town of Hempstead, Nassau County, as the “Trooper James R. Gohery Memorial Bridge” and requires DOT to install and maintain signage.	Chapter 507
A.4250 Ra S.2202-A Thomas	Designates a bridge in the Town of North Hempstead, Nassau County, as the “Trooper Theodore A. Dobbs Memorial Bridge” and requires DOT to install and maintain signage.	Chapter 515

A.4265 Paulin S.6214 Webb	Requires operators of commercial service and general aviation airports to make informational cards and/or signs concerning services for human trafficking victims and the national human trafficking hotline telephone number in lactation rooms at such airports.	Chapter 493
A.4755-B Lupardo S.2712-B Kennedy	Requires the payment of all surcharges related to driving while intoxicated (DWI) or driving while ability impaired (DWAI) to county STOP-DWI programs for convictions occurring within the respective county and imposes mandatory surcharges on convictions for first and second degree aggravated unlicensed operation of a motor vehicle (AUO) related to DWI and DWAI.	Chapter 532
A.4793 McGowan S.6027 Weber	Designates a portion of State Route 340 in the Town of Orangetown, Rockland County, as the “Doc Schelin Memorial Highway” and requires DOT to install and maintain signage.	Chapter 508
A.5039-A Clark S.6898-A Brouk	Designates a portion of State Route 590 in the Town of Irondequoit and the City of Rochester, Monroe County, as the “Major General Norbert J. Rappl Memorial Highway,” and requires DOT to install and maintain adequate signage.	Chapter 613

A.5128-A Gray S.4707-A Walczyk	Designates a portion of State Route 180 in the Town of Orleans, Jefferson County, as the “Firefighter Peyton L. S. Morse Memorial Highway,” and requires DOT to install and maintain adequate signage.	Chapter 516
A.5223-C Beephan S.5362-C Rolison	Designates a bridge in the Town of East Fishkill, Dutchess County, as the “Zone Sergeant James G. Sweeney Memorial Bridge” and requires DOT to install and maintain signage.	Chapter 360
A.5261-A Beephan S.4900-A Rolison	Designates a portion of State Route 9 in the Town of Fishkill, Dutchess County, as the “Sergeant Elijah A. Briggs Memorial Highway” and requires DOT to install and maintain signage.	Chapter 614
A.5274 Levenberg S.6360 Rolison	Authorizes the Village of Cold Spring to expand the residential parking permit system within the Village, subject to statutory requirements.	Chapter 446
A.5314-A Beephan S.4899-A Rolison	Designates a portion of State Route 52 in the Town of Fishkill, Dutchess County, as the “Chief Daniel Nimham Memorial Highway” and requires DOT to install and maintain signage.	Chapter 624
A.5315-A Beephan S.4897-A Rolison	Designates a portion of State Route 82 in the Town of Fishkill, Dutchess County, as the “Corporal Derick Franklin Brinkerhoff Memorial Highway” and requires DOT to install and maintain signage.	Chapter 623

A.5562 K. Brown S.7531 Martinez	Designates a bridge in the Town of Islip, Suffolk County, as the “Trooper Fabio Buttitta Memorial Bridge” and requires DOT to install and maintain signage.	Chapter 520
A.5604 Magnarelli S.5397 Harckham	Allows mobile crisis team members to place a green “courtesy” light on motor vehicles they own, for use when they have been deployed and are engaged in an emergency operation.	Chapter 686
A.5606 Magnarelli S.5892 Kennedy	Clarifies provisions relating to the disposition of work zone speed camera fines.	Chapter 557
A.5639 Magnarelli S.5775 Kennedy	Prohibits the operation of certain freight trains without a minimum crew of two persons, with exceptions.	Chapter 707
A.5673 Eachus S.5834 Skoufis	Designates a portion of State Route 32 in the Town of Cornwall, Orange County, as the “Catholic War Veterans Memorial Highway” and requires DOT to install and maintain signage.	Chapter 615
A.5792 Stern S.5819 Mattera	Extends for one year authorization relating to the conveyance of State property from DOT to the Town of Huntington, Suffolk County.	Chapter 560
A.5814-A Burdick S.4085-A Harckham	Designates a portion of State Route 121 in the Town of Lewisboro, Westchester County, as the “John Jay High School Veterans Memorial Highway” and requires DOT to install and maintain signage.	Chapter 622

A.5897-B Rivera S.4564-B Gallivan	Designates a bridge in the Town of Hamburg, Erie County, as the “Trooper William P. Keane Memorial Bridge” and requires DOT to install and maintain signage.	Chapter 510
A.6225 Simon S.6246 Goundardes	Modifies the specifications related to calibration checks for weigh in motion photo violation monitoring systems utilized in a demonstration program to enforce truck weights on the Brooklyn Queens Expressway.	Chapter 253
A.6412 Barclay S.6249 Walczyk	Authorizes the Town of Lorraine, Jefferson County, to designate minimum maintenance roads.	Chapter 690
A.6567 DiPietro S.6580 Gallivan	Designates a bridge in the Town of Eden, Erie County, as the “Specialist Peter J. Loretto, Jr. Memorial Bridge” and requires DOT to install and maintain signage.	Chapter 626
A.6570 Levenberg S.5932 Harckham	Authorizes the Village of Croton-on-Hudson to expand the residential parking permit system within the Village, subject to statutory requirements.	Chapter 437
A.6624-A DiPietro S.6579-A Gallivan	Designates a bridge in the Town of Boston, Erie County, as the “Specialist Gerald B. Penn Memorial Bridge” and requires DOT to install and maintain signage.	Chapter 625
A.6686 Magnarelli S.6631 May	Authorizes the City of Syracuse to establish a five-year red light camera demonstration program.	Chapter 499
A.6687-A Magnarelli S.6632 May	Authorizes the City of Syracuse to establish a five-year school speed camera demonstration program.	Chapter 502

A.6732 Aubry S.6462 Stavisky	Designates a bridge in the neighborhood of East Elmhurst, Queens County, as the "Port Authority Police Officer Pavlos D. Pallas Memorial Bridge" and requires DOT to install and maintain signage.	Chapter 361
A.6922 Magnarelli S.1369 Kennedy	Extends the sunset date for the Stretch Limousine Passenger Safety Task Force.	Vetoed, Memo 68
A.7016-B Magnarelli S.6644-B Mannion	Requires DOT to report on motor vehicle collisions with bridges and overhead structures.	Chapter 575
A.7043-A Fahy S.6802-A Breslin	Authorizes the City of Albany to establish a five-year school speed camera demonstration program.	Chapter 500
A.7206-B Pretlow S.7026-B Stewart-Cousins	Authorizes the County of Westchester to establish a five-year red light camera demonstration program.	Chapter 501
A.7410 Fitzpatrick S.5971 Mattera	Designates a portion of State Route 111 in the Towns of Islip and Smithtown, Suffolk County, as the "Port Authority Police Officer Steven J. Tursellino Memorial Highway" and requires DOT to install and maintain signage.	Chapter 362
A.7415 Hawley S.7070 Borrello	Designates a portion of State Route 63 in the Town of Pavilion, Genesee County, as the "SP4 George Harold Fry Memorial Highway" and requires DOT to install and maintain signage.	Chapter 627

A.7456-A Benedetto
S.1931-B Bailey

Prohibits flashing, intermittent or moving lights on digital billboards within 1,500 feet of Mitchell-Lama housing with at least 10,000 units within the City of New York and allows such city to restrict or prohibit outdoor advertising signage within 1,500 feet of any residential property.

APPENDIX C: BILLS THAT PASSED THE ASSEMBLY

<u>BILL/SPONSOR</u>	<u>DESCRIPTION</u>
A.1838-A Kim	Would require DOT to establish requirements for the display of operating authority, inspection information, and driver qualifications by charter bus operators, and require DMV to annually review charter bus driver files.
A.2304 Paulin S.6711 May	Would require DMV-licensed motor vehicle inspection stations to post a sign notifying the public that they are not allowed to inspect stretch limousines.
A.2546 Colton S.4194 Sanders	Would require the dismissal of parking violations where any information required to be contained thereon is missing, misdescribed, or illegible.
A.2677-A Rozic S.6154 Skoufis	Would impose requirements on DOT relating to long-range comprehensive statewide transportation planning.
A.3119 Jones S.2035 Stec	Would designate a bridge in the Town of Ellenburg, Clinton County, as the "Samuel Trombley Memorial Bridge" and require DOT to install and maintain signage.
A.3986 Fahy S.2643 May	Would authorize bicyclists to treat a stop sign in the same manner as a yield sign, and to treat a red traffic light in the same manner as a stop sign.
A.4066-A Burgos	Would modify statutory requirements relating to motor vehicle franchisor compensation for warranty and service contract repair work undertaken by franchised dealers.
A.4089 Maher S.6469 Rolison	Would designate a portion of State Route 747 in the Town of Montgomery, Orange County, as the "Steve Nicoli Memorial Highway" and require DOT to install and maintain signage.

BILL/SPONSOR**DESCRIPTION**

A.5409 Gunther
S.1129 Skoufis

Would authorize the solicitation of donations, within statutory parameters, on the shoulders of certain State highways within towns.

A.6284-A Beephan
S.4898-A Rolison

Would designate a portion of State Route 9-D in the Town of Fishkill, Dutchess County, as the "Private Sidney A. Scofield Memorial Highway" and require DOT to install and maintain signage.