2015-16 NEW YORK STATE EXECUTIVE BUDGET
TRANSPORTATION
ECONOMIC DEVELOPMENT AND
ENVIRONMENTAL CONSERVATION
ARTICLE VII LEGISLATION
## CONTENTS

<table>
<thead>
<tr>
<th>PART</th>
<th>DESCRIPTION</th>
<th>STARTING PAGE NUMBER</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Make permanent certain provisions of law relating to the revenues and expenses of the Dedicated Highway and Bridge Trust Fund and the Dedicated Mass Transportation Trust Fund</td>
<td>6</td>
</tr>
<tr>
<td>B</td>
<td>Make the Infrastructure Investment Act permanent, expand the definition of authorized state entity, and increase threshold amounts for projects utilizing design-build contracts</td>
<td>7</td>
</tr>
<tr>
<td>C</td>
<td>Repeal the Intrastate Authority Application Fee and authorize the Department of Transportation to charge safety inspection fees for certain types of vehicles</td>
<td>10</td>
</tr>
<tr>
<td>D</td>
<td>Include the Ontario County transit system within the Rochester-Genesee Regional Transportation Authority district</td>
<td>17</td>
</tr>
<tr>
<td>E</td>
<td>Create the Transit Assistance for Capital Investments Fund</td>
<td>23</td>
</tr>
<tr>
<td>F</td>
<td>Authorize the Commissioner of Transportation to extend the “hold-harmless” provision of the Statewide Mass Transportation Operating Assistance program for one additional year</td>
<td>25</td>
</tr>
<tr>
<td>G</td>
<td>Authorize the Department of Transportation and the New York State Thruway Authority to provide mutual aid and enter into shared services agreements with each other</td>
<td>25</td>
</tr>
<tr>
<td>H</td>
<td>Eliminate the requirement for registrants of overweight vehicles to amend their registration after having received an overweight permit from the NYS Department of Transportation</td>
<td>30</td>
</tr>
<tr>
<td>I</td>
<td>Bring New York State into compliance with federal regulations regarding commercial learners’ permits</td>
<td>32</td>
</tr>
<tr>
<td>J</td>
<td>Reduce funding for State expenses previously paid by the Thruway Authority</td>
<td>40</td>
</tr>
<tr>
<td>K</td>
<td>Increase fines and penalties for toll evasion on all roads, bridges and tunnels operated by public authorities</td>
<td>41</td>
</tr>
<tr>
<td>PART</td>
<td>DESCRIPTION</td>
<td>STARTING PAGE NUMBER</td>
</tr>
<tr>
<td>------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td>L</td>
<td>Extend for four years various procurement rules of the Metropolitan Transportation Authority, and the New York City Transit Authority</td>
<td>65</td>
</tr>
<tr>
<td>M</td>
<td>Extend the authorization of the New York State Urban Development Corporation to administer the Empire State Economic Development Fund</td>
<td>67</td>
</tr>
<tr>
<td>N</td>
<td>Extend the general loan powers of the New York State Urban Development Corporation</td>
<td>67</td>
</tr>
<tr>
<td>O</td>
<td>Authorize and direct the Comptroller to receive for deposit to the credit of the General Fund a payment of up to $913,000 from the New York State Energy Research and Development Authority</td>
<td>68</td>
</tr>
<tr>
<td>P</td>
<td>Authorize the New York State Energy Research and Development Authority to finance a portion of its research, development and demonstration, and policy and planning programs, and to finance the Department of Environmental Conservation’s climate change program, from an assessment on gas and electric corporations</td>
<td>68</td>
</tr>
<tr>
<td>Q</td>
<td>Extend the authorization for the Minority and Women-owned Business Enterprise statutes and the due date of the Disparity Study</td>
<td>70</td>
</tr>
<tr>
<td>R</td>
<td>Authorize the Department of Health to finance certain activities with revenues generated from an assessment on cable television companies</td>
<td>72</td>
</tr>
<tr>
<td>S</td>
<td>Extend the authorization for the Dormitory Authority of the State of New York to enter into certain design and construction management agreements</td>
<td>72</td>
</tr>
<tr>
<td>T</td>
<td>Extend for one year the authority of the Secretary of State to charge increased fees for expedited handling of documents</td>
<td>73</td>
</tr>
<tr>
<td>U</td>
<td>Eliminate the fee associated with licensing apartment information vendors/sharing agents</td>
<td>74</td>
</tr>
<tr>
<td>V</td>
<td>Repeal nuisance fees and restructure license periods for certain licenses administered by the Department of Agriculture and Markets</td>
<td>75</td>
</tr>
<tr>
<td>W</td>
<td>Reduce the cost of Long Island Power Authority's debt</td>
<td>85</td>
</tr>
<tr>
<td>X</td>
<td>Increase license fees and surcharges for major facilities which store or transfer petroleum and shift the administration of the Environmental Protection and Spill Compensation Fund from the Office of the State Comptroller to the Department of Environmental Conservation</td>
<td>88</td>
</tr>
<tr>
<td>PART</td>
<td>DESCRIPTION</td>
<td>STARTING PAGE NUMBER</td>
</tr>
<tr>
<td>------</td>
<td>-----------------------------------------------------------------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>Y</td>
<td>Increase and simplify fees to ensure that sufficient funds are available for Department of Environmental Conservation program management</td>
<td>98</td>
</tr>
<tr>
<td>Z</td>
<td>Repeal a nuisance fee associated with water well driller registrations administered by the Department of Environmental Conservation</td>
<td>106</td>
</tr>
<tr>
<td>AA</td>
<td>Create a new Habitat Conservation and Access account to support fish and wildlife habitat management and public access projects</td>
<td>107</td>
</tr>
<tr>
<td>BB</td>
<td>Increase the number of years a municipal transit system may finance bus purchases from five years to ten years</td>
<td>111</td>
</tr>
</tbody>
</table>
IN SENATE--Introduced by Sen
--read twice and ordered printed, and when printed to be committed to the Committee on

---------- A.
Assembly ----------

IN ASSEMBLY--Introduced by M. of A.
with M. of A. as co-sponsors

--read once and referred to the Committee on

*BUDGBI*
(Enacts into law major components of legislation which are necessary to implement the state fiscal plan for the 2015-2016 state fiscal year)

----------

Collection of motor vehicle fees

AN ACT

to amend part U1 of chapter 62 of the laws of 2003 amending the vehicle and traffic law and other laws relating to increasing certain motor vehicle transaction fees, in relation to the effectiveness thereof; and to amend chapter 84 of the laws of 2002, amending the state finance law relating to the costs of the department of motor vehicles, in relation to permanently authorizing payment of department of motor vehi-

IN SENATE

Senate introducer's signature

The senators whose names are circled below wish to join me in the sponsorship of this proposal:
s15 Addabbo s49 Farley s63 Murphy s40 Murphy s10 Sanders
s46 Amedore s17 Felder s34 Kennedy s54 Nozzolio s23 Savino
s11 Avella s02 Flanagan s28 Krueger s58 O'Mara s41 Serino
s42 Bonacic s55 Funke s24 Lanza s62 Ort s29 Serrano
s04 Boyle s59 Gallivan s39 Larkin s60 Panepinto s51 Seward
s44 Breslin s12 Gianaris s37 Latimer s21 Parker s09 Skelos
s38 Carlone s22 Golden s01 LaValle s13 Peralta s26 Squadron
s14 Comrie s47 Griffio s52 Libous s30 Perkins s16 Stavisky
s03 Croci s20 Hamilton s45 Little s61 Ranzenhofer s35 Stewart-
s50 DeFrancisco s06 Hannon s05 Marcellino s48 Ritchie Cousins
s32 Diaz s36 Hassell-Clinton s43 Marchione s33 Rivera s53 Valey
s18 Dinan s25 Hoylman s07 Martins s56 Robach s08 Venditto
s31 Espaillat s27 Hoylman s25 Montgomery s19 Sampson s57 Young

IN ASSEMBLY

Assembly introducer's signature

The Members of the Assembly whose names are circled below wish to join me in the multi-sponsorship of this proposal:
a049 Abbate a045 Cymbrowitz a135 Johns a003 Murray a016 Schimmels
a092 Abinanti a053 Davila a077 Joyner a133 Nojay a140 Schimminger
a084 Arroyo a034 DenDekker a020 Kaminsky a037 Nolan a076 Seawright
a035 Aubry a054 Dilan a094 Katz a130 Oaks a087 Sepelveda
a120 Barclay a081 Dinowitz a074 Kavanagh a069 O'Donnell a065 Silver
a106 Barrett a147 DiPietro a142 Kearns a051 Ortiz a027 Simanowitz
a060 Barron a115 Duprey a040 Kennedy a091 Otis a052 Simon
a082 Benedetto a004 Englebright a131 Kolb a132 Paladino a036 Simotas
a042 Bichotte a109 Fahy a105 Lator a092 Palumbo a104 Skartados
a079 Blake a071 Farrell a013 Lavin a088 Paulin a099 Skoufakis
a117 Blankenbush a126 Finch a134 Lawrence a141 Peoples-DeSelm a022 Solages
a062 Bozell a008 Fitzpatrick a050 Lentol a108 Stokes a114 Steck
a098 Bradener a124 Friend a125 Litfin a058 Perry a110 Steck
a026 Braunstein a095 Galef a072 Linares a055 Persaud a127 Stire
a044 Brennan a137 Giancana a102 Lopez a086 Pichardo a112 Tedisco
a119 Brindisi a067 Garbarino a123 Lupardo a089 Pettit a101 Tenney
a138 Bronson a148 Giglio a010 Lupinacci a073 Quattrocchi a001 Thiele
a046 Brook-Krasnow a080 Gjonaj a121 Magee a019 Ra a061 Titone
a093 Buchwald a066 Glick a129 Magnarelli a012 Raia a031 Titus
a118 Butler a023 Goldfeder a064 Malliotakis a006 Ramos a055 Walker
a103 Cailhau a150 Goodell a030 Markey a078 Rivera a146 Walter
a043 Camara a075 Gottfried a090 Mayer a128 Roberts a041 Weinstein
a145 Carrettino a065 Graf a108 McDonald a056 Robinson a024 Weprin
a033 Clark a100 Gunther a014 McDonough a068 Rodriguez a113 Woerner
a047 Colton a139 Hawley a017 McKevitt a067 Rosenthal a143 Wozniak
a032 Cook a083 Heastie a107 McLaughlin a025 Rocic a070 Wright
a144 Corwin a028 Hevesi a038 Miller a116 Russell a096 Zebrowski
a085 Crespo a048 Hickman a015 Montesano a149 Ryan
a122 Crouch a018 Hooper a136 Morelle a009 Saladien
a021 Curran a097 Jaffee a057 Mosley a111 Santabarbara
a063 Cusick a011 Jean-Pierre a039 Moya a029 Scarborough

1) Single House Bill (introduced and printed separately in either or both houses). Uni-Bill (introduced simultaneously in both houses and printed as one bill. Senate and Assembly introducer sign the same copy of the bill).

2) Circle names of co-sponsors and return to introduction clerk with 2 signed copies of bill and 4 copies of memorandum in support (single house); or 4 signed copies of bill and 8 copies of memorandum in support (uni-bill).
cle costs from the dedicated highway and bridge trust fund (Part A); to amend the infrastructure investment act, in relation to expanding the definition of authorized state entity and increasing the threshold amounts for projects utilizing design-build contracts (Part B); to amend the transportation law, in relation to fees for motor carriers; and to repeal certain provisions of such law relating thereto (Part C); to amend chapter 413 of the laws of 1999, relating to providing for mass transportation payments, in relation to including Ontario county to the Rochester-Genesee Regional Transportation District (Part D); to amend the state finance law, in relation to creating a transit assistance for capital investments fund (Part E); authorizing the department of transportation to defer reductions in service payments for two years (Part F); to amend the public authorities law, the highway law, and the public officers law, in relation to authorizing shared services agreements between the department of transportation and the New York state Thruway Authority (Part G); to amend the vehicle and traffic law, in relation to overweight permits (Part H); to amend the vehicle and traffic law, the criminal procedure law and the transportation law, in relation to the issuance of commercial learner's permits and the disqualification of commercial driver's licenses and commercial learner's permits (Part I); to amend public authorities law, in relation to decreasing state responsibility for certain costs incurred by the New York state Thruway Authority (Part J); to amend the public authorities law, in relation to toll collection regulations; to amend the public officers law, in relation to electronic toll collection data; to amend the vehicle and traffic law, in relation to liability of vehicle owners for toll collection violations; and to amend chapter 774 of the laws of 1950, relating to agreeing with the state of New Jersey with respect to rules
and regulations governing traffic on vehicular crossings operated by the port of New York authority, in relation to tolls and other charges (Part K); to amend the public authorities law, in relation to procurements by the New York city transit authority and the metropolitan transportation authority (Part L); to amend the New York state urban development corporation act, in relation to extending certain provisions relating to the empire state economic development fund (Part M); to amend chapter 393 of the laws of 1994, amending the New York state urban development corporation act, relating to the powers of the New York state urban development corporation to make loans, in relation to the effectiveness thereof (Part N); to authorize and direct the New York state energy research and development authority to make a payment to the general fund of up to $913,000 (Part O); to authorize the energy research and development authority to finance a portion of its research, development and demonstration and policy and planning programs, and to finance the department of environmental conservation's climate change program, from an assessment on gas and electric corporations (Part P); to amend the executive law, in relation to extending certain provisions relating to the minority- and women-owned business enterprise disparity study; and to amend chapter 261 of the laws of 1988 amending the state finance law and other laws relating to the New York infrastructure trust fund, in relation to the effectiveness of article 15-A of the executive law (Part Q); to authorize the department of health to finance certain activities with revenues generated from an assessment on cable television companies (Part R); to amend chapter 58 of the laws of 2012 amending the public authorities law relating to authorizing the dormitory authority to enter into certain design and construction management agreements, in relation to extending
certain authority of the dormitory
authority of the state of New York
(Part S); to amend chapter 21 of the
laws of 2003, amending the executive
law relating to permitting the
secretary of state to provide
special handling for all documents
filed or issued by the division of
corporations and to permit addi-
tional levels of such expedited
service, in relation to extending
the expiration date thereof (Part
T); to amend the real property law,
in relation to eliminating certain
fees charged for an apartment infor-
mation vendor license (Part U); to
amend the agriculture and markets
law, in relation to eliminating
certain license fees (Part V); to
amend part B of chapter 173 of the
laws of 2013 relating to the issu-
ance of securitized restructuring
bonds to refinance the outstanding
debt of the Long Island power
authority, in relation to the issu-
ance of securitized restructuring
bonds to refinance outstanding debt
of the Long Island power authority
(Part W); to amend the navigation
law and the state finance law, in
relation to license fees and
surcharges for the transfer of
petroleum between vessels, between
facilities and vessels, and between
facilities, whether onshore or
offshore (Part X); to amend the
environmental conservation law, in
relation to operating permit program
fees, state air quality control fees
and state pollutant discharge elimi-
nation system program fees (Part Y);
to amend the environmental conserva-
tion law, in relation to eliminating
the registration fee for water well
driller certification (Part Z); to
amend the state finance law and the
environmental conservation law, in
relation to establishing a habitat
conservation and access account; and
to repeal certain provisions of the
state finance law relating thereto
(Part AA); and to amend the local
finance law, in relation to estab-
lishing a ten year period of proba-
ble usefulness for municipally owned
omnibus or surface transit motor vehicles (Part BB)

The People of the State of New York, represented in Senate and Assembly, do enact as follows:
Section 1. This act enacts into law major components of legislation which are necessary to implement the state fiscal plan for the 2015-2016 state fiscal year. Each component is wholly contained within a Part identified as Parts A through BB. The effective date for each particular provision contained within such Part is set forth in the last section of such Part. Any provision in any section contained within a Part, including the effective date of the Part, which makes a reference to a section "of this act", when used in connection with that particular component, shall be deemed to mean and refer to the corresponding section of the Part in which it is found. Section three of this act sets forth the general effective date of this act.

PART A

Section 1. Section 13 of part U1 of chapter 62 of the laws of 2003 amending the vehicle and traffic law and other laws relating to increasing certain motor vehicle transaction fees, as amended by section 1 of part C of chapter 57 of the laws of 2014, is amended to read as follows:

§ 13. This act shall take effect immediately; [provided however that sections one through seven of this act, the amendments to subdivision 2 of section 205 of the tax law made by section eight of this act, and section nine of this act shall expire and be deemed repealed on April 1, 2015;] provided [further,] however, that the amendments to subdivision 3 of section 205 of the tax law made by section eight of this act shall expire and be deemed repealed on March 31, 2018; provided further, however, that the provisions of section eleven of this act shall take effect April 1, 2004 [and shall expire and be deemed repealed on April 1, 2015].
§ 2. Section 2 of part B of chapter 84 of the laws of 2002, amending the state finance law relating to the costs of the department of motor vehicles, as amended by section 2 of part C of chapter 57 of the laws of 2014, is amended to read as follows:

§ 2. This act shall take effect April 1, 2002; provided, however, if this act shall become a law after such date it shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2002[; provided further, however, that this act shall expire and be deemed repealed on April 1, 2015].

§ 3. This act shall take effect immediately.

PART B

Section 1. Paragraph (e) of subdivision 6 of section 2 of part F of chapter 56 of the laws of 2011, constituting the infrastructure investment act, is amended to read as follows:

(e) assist the use of the most efficient and effective procurement and project management for infrastructure projects in the transportation, energy, environment, public facilities, public building and economic development sectors.

§ 2. Paragraph (a) of section 3 of part F of chapter 56 of the laws of 2011, constituting the infrastructure investment act, is amended to read as follows:

(a) "authorized state entity" shall mean [the New York state thruway authority, the department of transportation, the office of parks, recreation and historic preservation, the department of environmental conservation and the New York state bridge authority] any state agency as such term is defined in section 160 of the state finance law, any state
authority as such term is defined in section 2 of the public authorities
law, the city university of New York, the state university of New York,
and any and all affiliates or subsidiaries of such entities.

§ 3. Section 4 of part F of chapter 56 of the laws of 2011, constitut-
ing the infrastructure investment act, is amended to read as follows:

§ 4. Notwithstanding the provisions of section 38 of the highway law,
section 136-a of the state finance law, [section] sections 359, 1678,
1680 and 1680-a of the public authorities law, [section] sections 407-a,
6281 and 7210 of the education law, sections 8 and 9 of the public
buildings law, section 11 of chapter 795 of the laws of 1967, sections 8
and 9 of section 1 of chapter 359 of the laws of 1968 as amended,
section 29 of chapter 337 of the laws of 1972, section 21 of chapter 464
of the laws of 1972, and the provisions of any other law to the contra-
ry, and in conformity with the requirements of this act, an authorized
state entity may utilize the alternative delivery method referred to as
design-build contracts for capital projects related to the state's phys-
ical infrastructure, including, but not limited to, the state's high-
ways, bridges, buildings, dams, flood control projects, canals, and
parks, including, but not limited to, to repair damage caused by natural
disaster, to correct health and safety defects, to comply with federal
and state laws, standards, and regulations, to extend the useful life of
or replace the state's highways, bridges, buildings, dams, flood control
projects, canals, and parks or to improve or add to the state's high-
ways, bridges, buildings, dams, flood control projects, canals, and
parks; provided that for the contracts executed by [the department of
transportation, the office of parks, recreation and historic preserva-
tion, or the department of environmental conservation] any authorized
state agency, the total cost of each such project shall not be less than
[one million two hundred thousand dollars ($1,200,000)] five million dollars ($5,000,000).

§ 4. Section 8 of part F of chapter 56 of the laws of 2011, constituting the infrastructure investment act, is amended to read as follows:

§ 8. If otherwise applicable, capital projects undertaken by the authorized state entity pursuant to this act shall be subject to section 135 of the state finance law and section 222 of the labor law; provided, however, that an authorized state entity that requires the contractor to prepare separate specifications in accordance with section 135 of the state finance law shall be deemed to be in compliance with provisions of such law. For all capital projects using a design-build contract that are estimated to cost in excess of $50 million, a project labor agreement, as defined in section 222 of the labor law, shall be included in the request for proposals for the capital project unless, based upon a feasibility study examining the potential cost saving and efficiencies of a project labor agreement, the authorized state entity cannot determine that a project labor agreement would result in labor cost savings of at least five percent and that its interest in obtaining the best work at the lowest possible price, preventing favoritism, fraud and corruption, and other considerations such as the impact of delay, the possibility of cost savings advantages, and any history of labor unrest, are best met by requiring a project labor agreement.

§ 5. Section 17 of part F of chapter 56 of the laws of 2011, constituting the infrastructure investment act, is amended to read as follows:

§ 17. Any contract awarded pursuant to this act shall be deemed to be awarded pursuant to a competitive procurement for purposes of public authorities law section 2879-a.
§ 18. This act shall take effect immediately [and shall expire and be
deemed repealed 3 years after such date, provided that, projects with
requests for qualifications issued prior to such repeal shall be permit-
ted to continue under this act notwithstanding such repeal].

§ 6. Notwithstanding the provisions of article 5 of the general
construction law, the provisions of part F of chapter 56 of the laws of
2011, as amended by sections one, two, three, four and five of this act,
are hereby revived and shall continue in full force and effect as such
provisions existed on December 8, 2014.

§ 7. This act shall take effect immediately.

PART C

Section 1. Section 144 of the transportation law is REPEALED and a new
section 144 is added to read as follows:

§ 144. Fees and charges. The commissioner or the commissioner's desig-
n ee shall charge and collect the following fees:

1. One hundred dollars for the inspection or re-inspection of all
motor vehicles transporting passengers subject to the department's
inspection requirements pursuant to section one hundred forty of this
article and the commissioner's regulations, except such motor vehicles
operated under contract with a municipality to provide statewide mass
transportation operating assistance eligible service or motor vehicles
used primarily to transport passengers pursuant to subparagraphs (i),
(iii) and (v) of paragraph a of subdivision two of section one hundred
forty of this article. The department may deny future inspection of any
motor vehicle transporting passengers subject to the department's
inspection requirements as well as issuance of a certificate of
inspection, if such fee is not paid within ninety days of receipt of an
invoice.

2. All fees charged and collected by the commissioner under subdivision one of this section shall be deposited by the comptroller into the dedicated highway and bridge trust fund established pursuant to section eighty-nine-b of the state finance law.

§ 2. Subdivision 1 of section 153 of the transportation law is REPEALED and subdivisions 2, 3, 4, 5, 6, 7, 8 and 9 are renumbered subdivisions 1, 2, 3, 4, 5, 6, 7 and 8.

§ 3. Subdivisions 1 and 6 of section 154 of the transportation law, as added by chapter 635 of the laws of 1983, are amended to read as follows:

1. The commissioner may issue a permanent certificate of public convenience and necessity to operate as a common carrier of passengers to an applicant with or without hearing, except as provided in subdivisions two and seven of this section, but upon notice to all interested parties. If any application for authority to operate a bus line through a county, city, village or town or in or through a territory or district served by a bus line or a public transportation authority created pursuant to titles nine, eleven, eleven-A, eleven-B, eleven-C and eleven-D of article five of the public authorities law is protested by any such municipality, bus line, or public transportation authority, and hearing on such application is requested then no permanent authority shall be granted prior to a hearing held on such application. The commissioner shall consider any reasonable conditions required of the applicant by such municipality regarding routing and franchise requirements and, in cities having a population of over one million persons the commissioner shall adopt the intracity routing requirements to the proposed destina-
tion point or points that are established by any such city, provided
that such city furnishes the routing requirements to the commissioner
within sixty days of the filing of the application with the department.
In addition the commissioner shall adopt insurance requirements provided
for by any such city. Except for the routing and insurance requirements
in cities having a population of over one million persons, the commis-
sioner shall impose requirements on the applicant deemed to be reason-
able and in the public interest as a condition to any authority granted.
[Applications for a permanent certificate shall be accompanied by a
filing fee as prescribed in section one hundred forty-four of this chap-
ter.] The application for a permanent certificate shall be granted if
the commissioner finds that:
(a) the applicant is fit, willing and able to provide the transportation to be authorized by the certificate and to comply with this chapter and the regulations of the commissioner; and
(b) the service proposed will be required by the present or future public convenience and necessity.
6. Any person holding a permanent certificate to provide bus line service shall not discontinue service on any route unless an application is made to the commissioner and the commissioner approves such application upon a finding that the public convenience and necessity no longer requires such bus line service. [Applications for discontinuance shall be accompanied by a filing fee as prescribed in section one hundred forty-four of this chapter.]
§ 4. Subdivision 1 of section 155 of the transportation law, as added by chapter 635 of the laws of 1983, is amended to read as follows:
1. A permanent permit to operate as a contract carrier of passengers may be issued by the commissioner to an applicant with or without a
hearing, but upon notice to all interested parties, authorizing such applicant to provide transportation as a contract carrier of passengers. [Applications for a permanent permit shall be accompanied by a filing fee as prescribed in section one hundred forty-four of this chapter.] The application for a permanent permit shall be granted if the commissioner finds that:

(a) the applicant is fit, willing and able to provide the transportation to be authorized by the permit and to comply with this chapter and the regulations of the commissioner; and

(b) the proposed service is or will be consistent with the public interest and the policy declared in section one hundred thirty-seven of this chapter.

§ 5. Subdivision 3 of section 156 of the transportation law, as added by chapter 635 of the laws of 1983, is amended to read as follows:

3. Certificates or permits shall not be assigned or transferred, in any manner, nor shall the right to operate under any certificate or permit be leased without prior approval of the commissioner upon such notice as the commissioner shall deem appropriate. The assignment, transfer or lease of certificates or permits or the right to operate under any certificate or permit, shall not be approved unless the commissioner shall find that it is in the public interest to do so. All applications for transfer or lease must be in such form as prescribed by the commissioner [and be accompanied by a filing fee as prescribed in section one hundred forty-four of this chapter].

§ 6. Subdivision 1 of section 173 of the transportation law, as added by chapter 635 of the laws of 1983, is amended to read as follows:

1. A temporary certificate or permit to operate as a common or contract carrier of property may be issued by the commissioner to a
December 31, 1982

 § 7. Subdivision 1 of section 174 of the transportation law, as added by chapter 635 of the laws of 1983, is amended to read as follows:

 1. A permanent certificate to operate as a common carrier of property may be issued by the commissioner to a qualified applicant with or without hearing, but upon notice to all interested parties, authorizing such applicant to provide transportation as a common carrier of property. Applications for a permanent certificate shall contain such information as the commissioner by regulation may prescribe [and shall be accompanied by a filing fee as prescribed in section one hundred forty-four of this chapter]. The application for a permanent certificate shall be granted if the commissioner finds that:

   (a) the applicant is fit, willing and able to provide the transportation to be authorized by the certificate and to comply with this chapter and the regulations of the commissioner; and

   (b) that the service proposed will be required by the present or future public convenience and necessity.

 § 8. Subdivision 1 of section 175 of the transportation law, as added by chapter 635 of the laws of 1983, is amended to read as follows:

 1. A permanent permit to operate as a contract carrier of property may be issued by the commissioner to an applicant with or without hearing, but upon notice to all interested parties authorizing such applicant to provide transportation as a contract carrier of property. [Applications...
for a permanent permit shall be accompanied by a filing fee as prescribed in section one hundred forty-four of this chapter.] The application for a permanent permit shall be granted if the commissioner finds that:

(a) the applicant is fit, willing and able to provide the transportation to be authorized and to comply with this chapter and the regulations of the commissioner; and

(b) the proposed service to the extent authorized will be consistent with the public interest and the policy declared in section one hundred thirty-seven of this chapter.

§ 9. Subdivision 3 of section 177 of the transportation law, as added by chapter 635 of the laws of 1983, is amended to read as follows:

3. Certificates or permits shall not be assigned, transferred or leased in any manner nor shall the right to operate under any certificate or permit be leased without prior approval of the commissioner, upon such notice as the commissioner shall deem appropriate. The assignment, transfer or lease of a certificate, or the right to operate under any certificate, shall not be approved unless the commissioner shall find that it is in the public interest to do so. All applications for assignment, transfer or lease must be in such form as prescribed by the commissioner [and shall be accompanied by a filing fee as prescribed in section one hundred forty-four of this chapter].

§ 10. Subdivision 1 of section 192 of the transportation law, as added by chapter 635 of the laws of 1983, is amended to read as follows:

1. A probationary certificate to operate as a common carrier of household goods by motor vehicle may be issued by the commissioner to a qualified applicant after public notice and with or without hearing. The application shall contain such information as the commissioner by regu-
lation shall prescribe [and the application shall be accompanied by a filing fee as prescribed in section one hundred forty-four of this chapter]. A probationary certificate shall:

(a) create no presumption that a corresponding permanent certificate will be granted;

(b) confer no proprietary or property rights in the use of the highways;

(c) be granted for a period not to exceed one year, which may be renewed for an additional one year period by the commissioner; and

(d) be subject to any conditions deemed appropriate by the commissioner to be in the public interest.

§ 11. Subdivision 6 of section 193 of the transportation law, as added by chapter 635 of the laws of 1983, is amended to read as follows:

6. Permanent certificates issued pursuant to subdivision one of this section shall have no application fee. [Applications for permanent certificates issued pursuant to subdivision four of this section shall be accompanied by a filing fee as prescribed in section one hundred forty-four of this chapter.]

§ 12. Subdivision 3 of section 195 of the transportation law, as added by chapter 635 of the laws of 1983, is amended to read as follows:

3. Permanent certificates shall not be assigned, transferred or leased in any manner nor shall the right to operate under any such certificate be leased without prior approval of the commissioner upon such notice as the commissioner shall deem appropriate. The assignment, transfer or lease of a permanent certificate, shall not be approved unless the commissioner shall find that it is in the public interest to do so. All applications for transfer or lease must be in such form as prescribed by
the commissioner [and shall be accompanied by a filing fee as prescribed in section one hundred forty-four of this chapter].

§ 13. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2015.

PART D

Section 1. Section 1 of part I of chapter 413 of the laws of 1999, relating to providing for mass transportation payments, as amended by section 1 of part L of chapter 59 of the laws of 2006, is amended to read as follows:

Section 1. Notwithstanding any other law, rule or regulation to the contrary, payment of mass transportation operating assistance pursuant to section 18-b of the transportation law shall be subject to the provisions contained herein and the amounts made available therefor by appropriation.

In establishing service and usage formulas for distribution of mass transportation operating assistance, the commissioner of transportation may combine and/or take into consideration those formulas used to distribute mass transportation operating assistance payments authorized by separate appropriations in order to facilitate program administration and to ensure an orderly distribution of such funds.

To improve the predictability in the level of funding for those systems receiving operating assistance payments under service and usage formulas, the commissioner of transportation is authorized with the approval of the director of the budget, to provide service payments based on service and usage statistics of the preceding year.
In the case of a service payment made, pursuant to section 18-b of the transportation law, to a regional transportation authority on account of mass transportation services provided to more than one county (considering the city of New York to be one county), the respective shares of the matching payments required to be made by a county to any such authority shall be as follows:

<table>
<thead>
<tr>
<th>Local Jurisdiction</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>New York City</td>
<td>6.40</td>
</tr>
<tr>
<td>Dutchess</td>
<td>1.30</td>
</tr>
<tr>
<td>Nassau</td>
<td>39.60</td>
</tr>
<tr>
<td>Orange</td>
<td>0.50</td>
</tr>
<tr>
<td>Putnam</td>
<td>1.30</td>
</tr>
<tr>
<td>Rockland</td>
<td>0.10</td>
</tr>
<tr>
<td>Suffolk</td>
<td>25.70</td>
</tr>
<tr>
<td>Westchester</td>
<td>25.10</td>
</tr>
<tr>
<td>Albany</td>
<td>56.10</td>
</tr>
<tr>
<td>Rensselaer</td>
<td>23.30</td>
</tr>
<tr>
<td>Saratoga</td>
<td>4.10</td>
</tr>
</tbody>
</table>
1 Schenectady .................. 16.50
2 In the Central New York Re-
3 gional Transportation Dis-
4 trict:
5 Cayuga ........................ 5.11
6 Onondaga ....................... 75.83
7 Oswego ........................ 2.85
8 Oneida ........................ 16.21
9 In the Rochester-Gene see Re-
10 gional Transportation Dis-
11 trict:
12 Genesee ....................... [1.43] 1.36
13 Livingston ................... [0.94] .90
14 Monroe ........................ [94.58] 90.14
15 Wayne ........................ [1.03] .98
16 Wyoming ........................ [0.54] .51
17 Seneca ........................ [0.67] .64
18 Orleans ........................ [0.81] .77
19 Ontario ........................ 4.69
20 In the Niagara Frontier Trans-
21 portation District:  Erie ......................... 89.20
22 Niagara ...................... 10.80

Notwithstanding any other inconsistent provisions of section 18-b of the transportation law or any other law, any moneys provided to a public benefit corporation constituting a transportation authority or to other public transportation systems in payment of state operating assistance or such lesser amount as the authority or public transportation system
shall make application for, shall be paid by the commissioner of transporta-
tion to such authority or public transportation system in lieu, and
in full satisfaction, of any amounts which the authority would otherwise
be entitled to receive under section 18-b of the transportation law.

Notwithstanding the reporting date provision of section 17-a of the
transportation law, the reports of each regional transportation authori-
ty and other major public transportation systems receiving mass trans-
portation operating assistance shall be submitted on or before July 15
of each year in the format prescribed by the commissioner of transporta-
tion. Copies of such reports shall also be filed with the chairpersons
of the senate finance committee and the assembly ways and means commit-
tee and the director of the budget. The commissioner of transportation
may withhold future state operating assistance payments to public trans-
portation systems or private operators that do not provide such reports.

Payments may be made in quarterly installments as provided in subdivi-
sion 2 of section 18-b of the transportation law or in such other manner
and at such other times as the commissioner of transportation, with the
approval of the director of the budget, may provide; and where payment
is not made in the manner provided by such subdivision 2, the matching
payments required of any city, county, Indian tribe or intercity bus
company shall be made within 30 days of the payment of state operating
assistance pursuant to this section or on such other basis as may be
agreed upon by the commissioner of transportation, the director of the
budget, and the chief executive officer of such city, county, Indian
tribe or intercity bus company.

The commissioner of transportation shall be required to annually eval-
uate the operating and financial performance of each major public trans-
portation system. Where the commissioner's evaluation process has iden-
ified a problem related to system performance, the commissioner may request the system to develop plans to address the performance deficiencies. The commissioner of transportation may withhold future state operating assistance payments to public transportation systems or private operators that do not provide such operating, financial, or other information as may be required by the commissioner to conduct the evaluation process.

Payments shall be made contingent upon compliance with regulations deemed necessary and appropriate, as prescribed by the commissioner of transportation and approved by the director of the budget, which shall promote the economy, efficiency, utility, effectiveness, and coordinated service delivery of public transportation systems. The chief executive officer of each public transportation system receiving a payment shall certify to the commissioner of transportation, in addition to information required by section 18-b of the transportation law, such other information as the commissioner of transportation shall determine is necessary to determine compliance and carry out the purposes herein.

Counties, municipalities or Indian tribes that propose to allocate service payments to operators on a basis other than the amount earned by the service payment formula shall be required to describe the proposed method of distributing governmental operating aid and submit it one month prior to the start of the operator's fiscal year to the commissioner of transportation in writing for review and approval prior to the distribution of state aid. The commissioner of transportation shall only approve alternate distribution methods which are consistent with the transportation needs of the people to be served and ensure that the system of private operators does not exceed established maximum service payment limits. Copies of such approvals shall be submitted to the
chairpersons of the senate finance and assembly ways and means commit-

tees.

Notwithstanding the provisions of subdivision 4 of section 18-b of the
transportation law, the commissioner of transportation is authorized to
continue to use prior quarter statistics to determine current quarter
payment amounts, as initiated in the April to June quarter of 1981. In
the event that actual revenue passengers and actual total number of
vehicle, nautical or car miles are not available for the preceding quar-
ter, estimated statistics may be used as the basis of payment upon
approval by the commissioner of transportation. In such event, the
succeeding payment shall be adjusted to reflect the difference between
the actual and estimated total number of revenue passengers and vehicle,
nautical or car miles used as the basis of the estimated payment. The
chief executive officer may apply for less aid than the system is eligi-
ble to receive. Each quarterly payment shall be attributable to operat-
ing expenses incurred during the quarter in which it is received, unless
otherwise specified by such commissioner. In the event that a public
transportation system ceases to participate in the program, operating
assistance due for the final quarter that service is provided shall be
based upon the actual total number of revenue passengers and the actual
total number of vehicle, nautical or car miles carried during that quar-
ter.

Payments shall be contingent on compliance with audit requirements
determined by the commissioner of transportation.

In the event that an audit of a public transportation system or
private operator receiving funds discloses the existence of an overpay-
ment of state operating assistance, regardless of whether such an over-
payment results from an audit of revenue passengers and the actual
number of revenue vehicle miles statistics, or an audit of private operators in cases where more than a reasonable return based on equity or operating revenues and expenses has resulted, the commissioner of transportation, in addition to recovering the amount of state operating assistance overpaid, shall also recover interest, as defined by the department of taxation and finance, on the amount of the overpayment.

Notwithstanding any other law, rule or regulation to the contrary, whenever the commissioner of transportation is notified by the comptroller that the amount of revenues available for payment from an account is less than the total amount of money for which the public mass transportation systems are eligible pursuant to the provisions of section 88-a of the state finance law and any appropriations enacted for these purposes, the commissioner of transportation shall establish a maximum payment limit which is proportionally lower than the amounts set forth in appropriations.

Notwithstanding paragraphs (b) of subdivisions 5 and 7 of section 88-a of the state finance law and any other general or special law, payments may be made in quarterly installments or in such other manner and at such other times as the commissioner of transportation, with the approval of the director of the budget may prescribe.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2015.

PART E

Section 1. The state finance law is amended by adding a new section 99-w to read as follows:
§ 99-w. Transit assistance for capital investments fund. 1. There is hereby established in the joint custody of the state comptroller and the commissioner of taxation and finance a special capital fund to be known as the "transit assistance for capital investments fund."

2. The comptroller shall establish the following separate and distinct account within the transit assistance for capital investments fund:

   Metropolitan transit assistance for capital investments account

3. The transit assistance for capital investments fund shall consist of all moneys collected therefor or credited or transferred thereto from any other fund, account or source. Any interest received by the comptroller on moneys on deposit in the transit assistance for capital investments fund shall be retained in and become a part of such fund.

4. Moneys in the transit assistance for capital investments fund shall, following appropriation by the legislature, be utilized for capital purposes, including, but not limited to the planning and design, acquisition, construction, reconstruction, replacement, improvement, reconditioning, rehabilitation and preservation of mass transit facilities, vehicles, related equipment and rolling stock with an average service life of no less than five years.

5. Moneys deposited into the metropolitan transit assistance for capital investments account shall be available to the metropolitan transportation authority (MTA) and to all other public transportation systems serving primarily within the metropolitan commuter transportation district, as defined in section twelve hundred sixty-two of the public authorities law, eligible to receive operating assistance under the provisions of section eighteen-b of the transportation law consistent with the uses outlined in subdivision four of this section.
6. Notwithstanding any other provision of law, no capital assistance payment authorized under this section may be applied to operating expenses.

7. All payments of money from the transit assistance for capital investments fund shall be made in accordance with a formula to be established by the commissioner of transportation with the approval of the director of the budget.

8. All payments of moneys from the transit assistance for capital investments fund shall be made on the audit and warrant of the comptroller.

§ 2. This act shall take effect immediately.

PART F

Section 1. Notwithstanding any other law, rule or regulation to the contrary, the commissioner of transportation may approve the deferral of any required reductions in service payments to unspecified public transportation systems, pursuant to the hold-harmless provision of the Statewide Mass Transportation Operating Assistance (STOA) program provided in 17 N.Y.C.R.R. 975.18, on an annual basis for a period of no more than two years.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2014.

PART G

Section 1. Section 351 of the public authorities law is amended by adding a new subdivision 14 to read as follows:
14. The term "department" shall mean the department of transportation.

§ 2. The public authorities law is amended by adding two new sections 357-b and 357-c to read as follows:

§ 357-b. Sharing employees, services and resources. A shared services agreement may be executed between the authority and the department to share employees, services or resources as deemed appropriate including, but not limited to, for the performance of work and activities by the department on the facilities and property under the jurisdiction of the authority, and for the performance of work and activities by the authority on the facilities and property under the jurisdiction of the department. Such agreement or any project undertaken pursuant to such agreement shall not be deemed to impair the rights of bondholders and may provide for, but not be limited to, the management, supervision and direction of such employees' performance of such services.

§ 357-c. Indemnification and defense under shared services agreement.

1. The authority shall defend any unit, entity, officer or employee of the department, using the forces of the department of law pursuant to section three hundred sixty-two of this title in any action, proceeding, claim, demand or the prosecution of any appeal arising from or occasioned by the acts or omissions to act in the performance of the functions of the authority pursuant to a shared services agreement.

2. Defense pursuant to subdivision one of this section shall be conditioned upon the full cooperation of the department.

3. The authority shall indemnify and hold harmless any unit, entity, officer or employee of the department in the amount of any judgment obtained against the department or in the amount of any settlement the department enters into with the consent of the authority for any and all claims, damages or liabilities arising from or occasioned by the acts or
omissions to act of the authority or its subsidiaries pursuant to a
shared services agreement; provided, however, that the act or omission
from which such judgment or settlement arose occurred while the authori-
ty or its subsidiaries was acting within the scope of its functions
pursuant to a shared services agreement. No such settlement of any such
action, proceeding, claim or demand shall be made without the approval
of the board or its designee.

4. Any claim or proceeding commenced against any unit, entity, officer
or employee of the authority that arises pursuant to any shared services
agreement shall not be construed in any way to impair, alter, limit,
modify, abrogate or restrict any immunity available to or conferred upon
any unit, entity, officer or employee of the authority, or to impair,
alter, limit, modify, abrogate or restrict any right to defense and
indemnification provided for any governmental officer or employee by, in
accordance with, or by reason of, any other provision of state or feder-
al statutory or common law.

5. This section shall not in any way affect the obligation of any
claimant to give notice to the state and the authority under section ten
and section eleven of the court of claims act or any other provision of
law.

6. The provisions of this section shall not be construed to impair,
alter, limit or modify the rights and obligations of any insurer under
any insurance agreement.

7. Notwithstanding any other provision of law, when employed pursuant
to a shared services agreement, employees of the authority, and its
subsidiaries and the department shall be deemed employees of all such
entities and the state for purposes of the workers' compensation law.
§ 3. Section 10-a of the highway law is amended by adding a new subdivision 13 to read as follows:

13. (a) The state shall defend any unit, entity, officer or employee of the New York state thruway authority using the forces of the department of law in any action, proceeding, claim, demand or the prosecution of any appeal arising from or occasioned by the acts or omissions to act in the performance of the functions of the department pursuant to a shared services agreement.

(b) Defense pursuant to paragraph (a) of this subdivision shall be conditioned upon the full cooperation of the New York state thruway authority.

(c) The state shall indemnify and hold harmless any unit, entity, officer or employee of the New York state thruway authority in the amount of any judgment obtained against the New York state thruway authority or in the amount of any settlement the New York state thruway authority enters into with the consent of the state for any and all claims, damages or liabilities arising from or occasioned by the acts or omissions to act of the department pursuant to a shared services agreement, provided, however, that the act or omission from which such judgment or settlement arose occurred while the department was acting within the scope of its functions pursuant to a shared services agreement. Any such settlement shall be executed pursuant to section twenty-a of the court of claims act.

(d) Any claim or proceeding commenced against any unit, entity, officer or employee of the department pursuant to any shared services agreement shall not be construed in any way to impair, alter, limit, modify, abrogate or restrict any immunity available to or conferred upon any unit, entity, officer or employee of the department, or to impair,
alter, limit, modify, abrogate or restrict any right to defense and
indemnification provided for any governmental officer or employee by, in
accordance with, or by reason of, any other provision of state or feder-
al statutory or common law.

(e) This subdivision shall not in any way affect the obligation of any
claimant to give notice to the state under sections ten and eleven of
the court of claims act or any other provision of law.

(f) The provisions of this subdivision shall not be construed to
impair, alter, limit or modify the rights and obligations of any insurer
under any insurance agreement.

(g) Notwithstanding any other provision of law, employees of the thru-
way authority, its subsidiaries and the department shall be deemed
employees of all such entities and the state for purposes of the work-
ers' compensation law.

(h) Any payment made pursuant to this subdivision or any monies paid
for a claim against or settlement with the department or the New York
state thruway authority pursuant to this section and pursuant to a
shared services agreement shall be paid from appropriations for payment
by the state pursuant to the court of claims act.

§ 4. Subdivision 1 of section 17 of the public officers law is amended
by adding a new paragraph (y) to read as follows:

(y) For purposes of this section, the term "employee" shall include
members of the board, officers and employees of the New York state thru-
way authority or its subsidiaries.

§ 5. This act, being necessary for the prosperity of the state and its
inhabitants, shall be liberally construed to effect the purposes and
secure the beneficial intents hereof.
§ 6. If any provision of any section of this act or the application thereof to any person or circumstance shall be adjudged invalid by a court of competent jurisdiction, such order or judgment shall be confined in its operation to the controversy in which it was rendered, and shall not affect or invalidate the remainder of any provision of any section of this act or the application thereof to any other person or circumstance and to this end the provisions of each section of this act are hereby declared to be severable.

§ 7. This act shall take effect immediately.

PART H

Section 1. Subdivision 15 of section 385 of the vehicle and traffic law is amended by adding a new paragraph (l) to read as follows:

(l) When an annual permit is issued, pursuant to this subdivision, for the operation of a vehicle with a maximum gross weight in excess of eighty thousand pounds, such permit shall serve as proof of the maximum gross weight allowed for such vehicle notwithstanding the maximum gross weight for such vehicle as stated on the application for registration provided that the operation of such vehicle is in compliance with the terms of the annual permit issued and any requirements or conditions applicable thereto.

§ 2. Paragraph (b) of schedule F of subdivision 7 of section 401 of the vehicle and traffic law, as amended by chapter 55 of the laws of 1992, is amended to read as follows:

(b) As used in this schedule, the term "snow plow" shall not include farm type tractors used exclusively for agricultural purposes, or for snow plowing other than for hire, as defined in section one hundred
twenty-five of this chapter, when used for plowing or removing snow, provided such plowing or snow removal is not done for hire.

No person shall operate or move, or cause or knowingly permit to be operated or moved on any public highway in this state any auto truck, agricultural truck or light delivery car, registered in this state, having a combined weight of vehicle and load in excess of the maximum gross weight for such vehicle as stated on the application for registration. Such maximum gross weight shall not be more than the weight permitted under section three hundred eighty-five of this chapter or the weight permitted by the rules or regulations of the department of transportation of any city not wholly included within one county or under permits that may be issued pursuant to such section, rules or regulations whichever is the least restrictive.

§ 3. Paragraph b of subdivision 9 of section 401 of the vehicle and traffic law, as amended by chapter 847 of the laws of 1968, is amended to read as follows:

b. Where a vehicle registered under the provisions of subdivisions seven or eight of this section on the basis of maximum gross weight requires a corrected registration because of a load in excess of the maximum load as certified in the application for registration, or the registrant desires to register the vehicle at a lower gross maximum weight, an application shall be made for correct registration; provided, however, that when an annual permit is issued pursuant to subdivision fifteen of section three hundred eighty-five of this chapter for the operation of a vehicle with a maximum gross weight in excess of eighty thousand pounds, a corrected registration shall not be required pursuant to this paragraph. Upon the surrendering of the certificate of registration and the payment of a fee of two dollars together with the balance
of the annual fee for the correct registration over the fee as previously registered, such corrected registration may be issued. No return of any part of the fee paid for the previous registration shall be made in case of a reduction of maximum gross weight certified in the application for a corrected registration.

§ 4. This act shall take effect on the ninetieth day after it shall have become a law.

PART I

Section 1. Item 1 of clause (A) of subparagraph (ii) of paragraph (i) of subdivision 1 of section 201 of the vehicle and traffic law, as amended by section 1 of part CC of chapter 58 of the laws of 2011, is amended to read as follows:

(1) fifty-five years where the conviction and suspension or revocation order relates to a conviction, suspension or revocation by the holder of any driver's license when operating a commercial motor vehicle, as defined in subdivision four of section five hundred one-a of this chapter, or by the holder of a commercial driver's license or commercial learner's permit when operating any motor vehicle, who has refused to submit to a chemical test pursuant to section eleven hundred ninety-four of this chapter or has been convicted of any of the following offenses:

any violation of subdivision one, two, two-a, three [or], four or four-a of section eleven hundred ninety-two of this chapter, any violation of subdivision one or two of section six hundred of this chapter, any felony involving the use of a motor vehicle, other than the use of a motor vehicle in the commission of a felony involving manufacturing, distributing, dispensing a controlled substance; or the conviction, suspension
or revocation involves any of the following offenses while operating a
commercial motor vehicle: any violation of subdivision five or six of
section eleven hundred ninety-two of this chapter, driving a commercial
motor vehicle when as a result of prior violations committed while oper-
ating a commercial motor vehicle, the driver's commercial driver's
license or commercial learner's permit is suspended or revoked, or has
been convicted of causing a fatality through the negligent operation of
a commercial motor vehicle, including but not limited to the crimes of
vehicular manslaughter and criminally negligent homicide as set forth in
article one hundred twenty-five of the penal law;

§ 2. Subdivision 6 of section 501-a of the vehicle and traffic law, as
added by chapter 173 of the laws of 1990, is amended to read as follows:
6. Tank vehicle. Any commercial motor vehicle designed to transport
any liquid or gaseous material within [a]: (i) A tank that is either
permanently or temporarily attached to the vehicle or the chassis and
has a rated capacity of one thousand gallons or more; or (ii) Multiple
tanks either permanently or temporarily attached or secured, when the
aggregate rated capacity of those tanks is one thousand gallons or more,
as determined by adding the capacity of each individual tank with a
capacity of more than one hundred nineteen gallons. [Such vehicles
include, but are not limited to, cargo and portable tanks, as defined in
49 CFR part 171. However, this definition does not include portable
tanks having a rated capacity under one thousand gallons.] Provided,
however, if a commercial motor vehicle transports one or more tanks that
are manifested either as empty or as residue and that are actually empty
or contain only residue, those tanks shall not be considered in deter-
mining whether the vehicle is a tank vehicle.
§ 3. Paragraph (b) of subdivision 1 of section 503 of the vehicle and
traffic law, as amended by section 2 of part D of chapter 58 of the laws
of 2012, is amended to read as follows:

(b) An application for a license shall be valid for a period of time
specified by regulation of the commissioner not to exceed five years. A
learner's permit shall be valid from its issuance until the expiration
of the application for a driver's license for which it was issued.

Provided, however, a commercial learner's permit shall be valid for no
more than one hundred eighty days, except that such permit may be
renewed, in the commissioner's discretion, for an additional one hundred
eighty days. Provided, however, that a commercial learner's permit
issued by the commissioner in connection with an application for a
commercial driver's license shall be cancelled within sixty days of the
holder's medical certification status becoming "not-certified" based
upon: (i) the expiration of the holder's medical certification or
medical variance documentation required by the federal motor carrier
safety improvement act of 1999 and Part 383.71(h) of title 49 of the
code of federal regulations; (ii) the holder's failure to submit such
medical certification or medical variance documentation at such inter-
vals as required by the federal motor carrier safety improvement act of
1999 and Part 383.71(h) of title 49 of the code of federal regulations
and in a manner prescribed by the commissioner; or (iii) the receipt by
the commissioner of information from the issuing medical examiner or the
federal motor carrier safety administration that a medical certification
or medical variance was issued in error or rescinded. The commissioner
shall, upon a holder's status becoming "not-certified", notify the hold-
er of such commercial learner's permit issued in connection with a
commercial driver's license application by first class mail to the
1 address of such person on file with the department or at the current
2 address provided by the United States postal service of his or her
3 "not-certified" medical certification status and that the commercial
4 motor vehicle privileges of such commercial learner's permit will be
5 cancelled unless he or she submits a current medical certificate and/or
6 medical variance in accordance with Part 383.71(h) of title 49 of the
7 code of federal regulations or changes his or her self-certification to
8 driving only in excepted [or intrastate] commerce in accordance with
9 Part 383.71(b)[(ii)(B), (C) or (D)](l) of title 49 of the code of feder-
10 al regulations.
11 § 4. Subdivision 6 of section 510 of the vehicle and traffic law is
12 amended by adding a new paragraph o to read as follows:
13 o. Notwithstanding the provisions of paragraph a of this subdivision,
14 where revocation is mandatory pursuant to subparagraph (iii) of para-
15 graph a of subdivision two of this section involving a violation of
16 section three hundred ninety-two of this chapter in relation to an
17 application for a commercial driver's license or a commercial learner's
18 permit, no new commercial driver's license or commercial learner's
19 permit shall be issued for at least one year, nor thereafter except in
20 the discretion of the commissioner.
21 § 5. Paragraph (b) of subdivision 3 of section 510-a of the vehicle
22 and traffic law, as amended by section 7 of part K of chapter 59 of the
23 laws of 2009, is amended, and two new subdivisions 9 and 10 are added to
24 read as follows:
25 (b) A commercial driver's license shall be suspended by the commis-
26 sioner for a period of one hundred twenty days where the holder is
27 convicted of three serious traffic violations as defined in subdivision
28 four of this section committed within a three year period, in separate
incidents whether such convictions occurred within or outside of this
state. [Such suspension shall take effect upon the termination of any
other suspension already in effect pursuant to paragraph (a) of this
subdivision or this paragraph.]

9. Application of disqualifications to holders of a commercial
learner's permit. Notwithstanding any other provision of law, any
provision of this chapter relating to the revocation, suspension, down-
grading, disqualification or cancellation of a commercial driver's
license shall apply in the same manner to a commercial learner's permit.

10. Consecutive disqualification periods. Notwithstanding any other
provision of law, any suspension, revocation or disqualification appli-
cable to the holder of a commercial driver's license or commercial
learner's permit that is required by Part 383.51 of title 49 of the code
of federal regulations and by the provisions of this chapter shall take
effect upon the expiration of the minimum period of any other suspen-
sion, revocation or disqualification of such license or permit that is
required by Part 383.51 of title 49 of the code of federal regulations
and by the provisions of this chapter.

§ 6. Paragraph (d) of subdivision 1 of section 514 of the vehicle and
traffic law, as added by section 7 of part CC of chapter 58 of the laws
of 2011, is amended to read as follows:

(d) Notwithstanding the provisions of paragraphs (a), (b) and (c) of
this subdivision, upon a judgment of conviction for a violation of any
provisions of this chapter or of any local law, rule, ordinance or regu-
lation relating to traffic (except one related to parking, stopping or
standing), the court or the clerk thereof shall, within ninety-six hours
of the imposition of the sentence, file the certificate required by
paragraph (a) of this subdivision, if the person convicted: (i) is the
holder of a commercial learner's permit or a commercial driver's license
issued by another state; or (ii) does not hold a commercial learner's
permit or a commercial driver's license, but has been issued a license
by another state and is convicted of a violation that was committed in a
commercial motor vehicle, as defined in subdivision four of section five
hundred one-a of this title.

§ 7. Subdivisions 1 and 2 of section 514-a of the vehicle and traffic
law, as added by chapter 173 of the laws of 1990, are amended to read as
follows:

1. Each person who operates a commercial motor vehicle for a New York
state employer who is convicted of violating within or outside of this
state, in any type of motor vehicle, a state or local law relating to
motor vehicle traffic control (other than a parking violation), shall
notify his/her current employer of such conviction. [Any person who
holds a commercial driver's license issued by the commissioner who does
not operate a commercial motor vehicle for a New York state employer or
who operates a commercial motor vehicle while self-employed who is
convicted in any other state, the District of Columbia or a Canadian
province of violating any law relating to motor vehicle traffic control
(other than a parking violation) while operating a commercial motor
vehicle shall notify the commissioner of such conviction.] Such notifi-
cation must be made within thirty days after the date that the person
has been convicted except that if a person is a bus driver as defined in
section five hundred nine-a of this chapter, such notification must be
made within five days after the date the person has been convicted as
required by section five hundred nine-i of this chapter. The above
notification must be made in writing and contain the following informa-
tion: (a) driver's full name; (b) driver's license number; (c) date of
conviction; (d) the specific criminal or other offense(s), serious traffic violation(s) of state or local law relating to motor vehicle traffic control, for which the person was convicted and any suspension, revocation, cancellation of any driving privileges or disqualification from operating a commercial motor vehicle which resulted from such conviction(s); (e) indication whether the violation was in a commercial motor vehicle; (f) location of offense; (g) court or tribunal in which the conviction occurred; and (h) driver's signature.

2. Each person who operates a commercial motor vehicle for a New York state employer who has a commercial learner's permit or a driver's license suspended, revoked, or canceled by the commissioner or by the appropriate authorities of any other state, District of Columbia or Canadian province, or who loses the right to operate a commercial motor vehicle in any state or jurisdiction for any period, or who is disqualified from operating a commercial motor vehicle for any period, shall notify his/her current employer of such suspension, revocation, cancellation, lost privilege, or disqualification.

§ 8. Section 514-c of the vehicle and traffic law, as added by chapter 251 of the laws of 2007, is amended to read as follows:

§ 514-c. Notification of non-resident commercial operator convictions. Within ten days of the conviction of: (a) any holder of a commercial learner's permit or a commercial driver's license issued by another state for any violation of state or local law regulating traffic, other than a parking, stopping or standing violation, committed while operating a motor vehicle in this state; or

(b) any holder of a driver's license issued by another state for any violation of state or local law regulating traffic, other than a parking, stopping or standing violation, committed while operating a commer-
cial motor vehicle in this state, the commissioner shall provide notice of such conviction to the state which issued such holder's commercial learner's permit, commercial driver's license or driver's license.

§ 9. Subdivision 9 of section 170.55 of the criminal procedure law, as added by section 8 of part CC of chapter 58 of the laws of 2011, is amended to read as follows:

9. Notwithstanding any other provision of this section, a court may not issue an order adjourning an action in contemplation of dismissal if the offense is for a violation of the vehicle and traffic law related to the operation of a motor vehicle (except one related to parking, stopping or standing), or a violation of a local law, rule or ordinance related to the operation of a motor vehicle (except one related to parking, stopping or standing), if such offense was committed by the holder of a commercial learner's permit or a commercial driver's license or was committed in a commercial motor vehicle, as defined in subdivision four of section five hundred one-a of the vehicle and traffic law.

§ 10. Paragraph c of subdivision 2 of section 140 of the transportation law is amended by adding a new subparagraph (vii) to read as follows:

(vii) No person, corporation, limited liability company or business entity, joint stock association, partnership, or any officer or agent thereof, shall knowingly allow, require, permit or authorize any person to operate a commercial motor vehicle, as defined in section five hundred one-a of the vehicle and traffic law, during any period in which the operator:

(a) does not have a valid commercial learner's permit or commercial driver's license; or
(b) does not have a commercial learner's permit or commercial driver's license with the proper class or endorsements; or
(c) violates any restriction on such operator's commercial learner's permit or commercial driver's license; or
(d) has a commercial learner's permit or commercial driver's license that is suspended, revoked or cancelled, or such operator has been otherwise disqualified by the commissioner of motor vehicles; or
(e) has more than one commercial learner's permit or commercial driver's license.

A violation of this subparagraph shall be punishable by a fine of not less than five hundred dollars nor more than one thousand dollars.

§ 11. This act shall take effect July 8, 2015 and shall apply to violations committed on or after such date, and shall apply to permits issued on or after such date.

PART J

Section 1. Subdivision 2 of section 357-a of the public authorities law, as added by section 1 of part E of chapter 58 of the laws of 2013, is amended to read as follows:

2. The state shall be responsible for additional goods and services provided by the authority equal to twenty-one million five hundred thousand dollars in each calendar year. Such goods and services shall be deemed to be costs to the state and not operating costs of the authority. The authority and the director of the division of the budget shall enter into an agreement identifying any such state costs and determine reporting and other requirements related thereto.
Such agreement and any amendments thereto shall be transmitted by the authority, within ten business days of the execution of such agreement and amendments thereto, to the chair of the senate finance committee, the chair of the assembly ways and means committee, the chair of the senate transportation committee and the chair of the assembly transportation committee. By February first of each year, a report identifying all state costs paid pursuant to such agreement in the preceding calendar year will be transmitted by the authority to the director of the budget, the chair of the senate finance committee, the chair of the assembly ways and means committee, the chair of the senate transportation committee and the chair of the assembly transportation committee.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after January 1, 2015.

PART K

Section 1. Section 2985 of title 11 of article 9 of the public authorities law is designated title 11-A and such title is amended by adding a new title heading to read as follows:

TOLL COLLECTIONS

§ 2. Subdivision 1 of section 2985 of the public authorities law, as added by chapter 379 of the laws of 1992, is amended to read as follows:

1. Notwithstanding any other provision of law, every public authority which operates a toll highway bridge and/or tunnel facility is hereby authorized and empowered to impose monetary liability [on the owner of a vehicle] for failure [of an operator thereof] to comply with the toll collection regulations of such public authority in accordance with the provisions of this section.
§ 3. Subdivision 3 of section 2985 of the public authorities law, as added by chapter 379 of the laws of 1992, is amended to read as follows:

3. For purposes of this section, the term "owner" shall mean any person, corporation, partnership, firm, agency, association, lessor or organization who, [at the time of the violation] when the obligation to pay the toll is incurred and with respect to the vehicle identified in the notice of liability: (a) is the beneficial or equitable owner of such vehicle; or (b) has title to such vehicle; or (c) is the registrant or co-registrant of such vehicle which is registered with the department of motor vehicles of this state or any other state, territory, district, province, nation or other jurisdiction; or (d) subject to the limitations set forth in subdivision ten of this section, uses such vehicle in its vehicle renting and/or leasing business; and includes (e) a person entitled to the use and possession of a vehicle subject to a security interest in another person. For purposes of this section, the term "photo-monitoring system" shall mean a vehicle sensor installed to work in conjunction with a toll collection facility which automatically produces one or more photographs, one or more microphotographs, a videotape or other recorded images of each vehicle at the time it is used or operated in [violation of toll collection regulations] or upon a toll facility. For purposes of this section, the term "toll collection regulations" shall mean: those rules and regulations of a public authority providing for and requiring the payment of tolls and/or charges prescribed by such public authority for the use of bridges, tunnels or highways under its jurisdiction or those rules and regulations of a public authority making it unlawful to refuse to pay or to evade or to attempt to evade the payment of all or part of any toll and/or charge for the use of bridges, tunnels or highways under the jurisdiction of
such public authority. For purposes of this section, the term "vehicle" shall mean every device in, upon or by which a person or property is or may be transported or drawn upon a highway, except devices used exclusively upon stationary rails or tracks.

§ 4. Subdivision 4 of section 2985 of the public authorities law, as added by chapter 379 of the laws of 1992, is amended to read as follows:

4. A certificate, sworn to or affirmed by an agent of the public authority which charged that the violation occurred, or a facsimile thereof, based upon inspection of [photographs, microphotographs, videotape or other recorded images] data or images produced by [a photo-monitoring] an electronic toll collection system or other records maintained by or on behalf of the public authority regarding toll violations shall be prima facie evidence of the facts contained therein and shall be admissible in any proceeding charging a violation of toll collection regulations, provided that any [photographs, microphotographs, videotape or other recorded images] such data, images, or records evidencing such a violation shall be available for inspection and admission into evidence in any proceeding to adjudicate the liability for such violation.

§ 5. Subdivision 5 of section 2985 of the public authorities law, as added by chapter 379 of the laws of 1992, is amended to read as follows:

5. An owner found liable for a violation of toll collection regulations pursuant to this section shall for a first violation thereof be liable for the full amount of the assessed tolls and other charges and fees in addition to a monetary penalty not to exceed [fifty] one hundred dollars or two times the toll evaded whichever is greater; for a second violation thereof both within eighteen months be liable for the full amount of the assessed tolls and other charges and fees in addition to a
monetary penalty not to exceed two hundred dollars or five times
the toll evaded whichever is greater; for a third or subsequent
violation thereof all within eighteen months be liable for the full
amount of the assessed tolls and other charges and fees in addition to a
monetary penalty not to exceed three hundred fifty dollars or
ten times the toll evaded whichever is greater.

§ 6. Paragraphs (a), (b) and (d) of subdivision 7 of section 2985 of
the public authorities law, as added by chapter 379 of the laws of 1992,
are amended to read as follows:

(a) A notice of liability shall be sent by first class mail to each
person alleged to be liable as an owner for a violation of toll
collection regulations. Such notice shall be mailed no later than one hundred twenty days after the alleged violation. Personal delivery on the owner shall not be required. A manual or automatic record of mailing prepared in the ordinary course of business shall be prima facie evidence of the mailing of the notice.

(b) A notice of liability shall contain the name and address of the
person alleged to be liable as an owner for a violation of toll
collection regulations pursuant to this section, the registration number
and state of registration of the vehicle involved in such violation, the
[location where such violation took place, the date and time] locations,
dates and times of each use of the facility that forms the basis of such
violation, the amount of the assessed tolls and other charges and fees,
and the identification number of the [photo-monitoring] electronic toll
collection system which recorded the [violation] vehicle being used or
operated on the toll facility or other document locator number.
(d) The notice of liability shall be prepared and mailed by or on behalf of the public authority having jurisdiction over the toll facility where the violation of toll collection regulations occurred.

§ 7. Subdivision 8 of section 2985 of the public authorities law, as added by chapter 379 of the laws of 1992, is amended to read as follows:

8. Adjudication of the liability imposed upon owners by this section shall be by the entity having jurisdiction over violations of the rules and regulations of the public authority serving the notice of liability or where authorized by an administrative tribunal and all violations shall be heard and determined in the county in which the violation is alleged to have occurred, or in New York city and upon the consent of both parties, in any county within New York city in which the public authority operates or maintains a facility, and in the same manner as charges of other regulatory violations of such public authority or pursuant to the rules and regulations of such administrative tribunal as the case may be. The entity or administrative tribunal that adjudicates liability for a violation shall collect the full amount of the assessed tolls and other charges and fees in addition to the monetary penalty owed, and shall pay to the public authority whose toll collection regulations were violated the full amount of the assessed tolls and other charges and fees and one-half of the monetary penalty.

§ 8. Subdivision 10 of section 2985 of the public authorities law, as amended by chapter 666 of the laws of 1993, is amended to read as follows:

10. An owner who is a lessor of a vehicle to which a notice of liability for use of the toll facility by such vehicle was issued pursuant to subdivision seven of this section shall not be liable for payment of the tolls and other
charges and fees provided that he or she sends to the public authority [serving the notice of liability and to the court or other entity having jurisdiction] or its duly authorized agent for this purpose a copy of the rental, lease or other such contract document covering such vehicle on the date of [the violation] use of the toll facility, with the name and address of the lessee clearly legible, within thirty days after receiving the [original] first notice of [liability] use of the toll facility by such vehicle. Failure to send such information within such thirty day time period shall render the lessor liable for payment of the tolls and other charges and fees and any penalty prescribed by this section. Where the lessor complies with the provisions of this subdivision, the lessee of such vehicle on the date of such [violation] use of the toll facility shall be deemed to be the owner of such vehicle for purposes of this section and shall be [subject to liability for the violation of toll collection regulations, provided that] liable for payment of the tolls and other charges and fees, and the public authority [mails a] or its duly authorized agent for this purpose shall send any notice of liability to the lessee within [ten days after the court, or other entity having jurisdiction, deems the lessee to be the owner] one hundred twenty days after the violation in accordance with paragraph (a) of subdivision seven of this section. For purposes of this subdivision, the term "notice of use of the toll facility" shall mean a notice of delinquency issued pursuant to subdivision twelve of this section, or a notice of violation issued pursuant to subdivision seventeen of this section, or a toll invoice seeking to collect tolls and other charges issued pursuant to a toll collection regulation. For purposes of this subdivision, the term "lessor" shall mean any person, corporation, firm, partnership, agency, association or organization engaged in the business
of renting or leasing vehicles to any lessee under a rental agreement, 
lease or otherwise wherein the said lessee has the exclusive use of said 
vehicle for any period of time. For purposes of this subdivision, the 
term "lessee" shall mean any person, corporation, firm, partnership, 
agency, association or organization that rents, leases or contracts for 
the use of one or more vehicles and has exclusive use thereof for any 
period of time.

§ 9. Subdivision 11 of section 2985 of the public authorities law, as 
added by chapter 379 of the laws of 1992, is amended to read as follows: 
11. Except as provided in subdivision ten of this section, if a person 
receives a notice of liability pursuant to this section it shall be a 
valid defense to an allegation of liability for a violation of toll 
collection regulations that the individual who received the notice of 
liability pursuant to this section was not the owner of the vehicle at 
the time the obligation for payment of the toll and 
other charges was incurred. If the owner liable for a violation of toll 
collection regulations pursuant to this section was not the operator of 
the vehicle at the time of the violation, the owner may maintain an 
action for indemnification against the operator.

§ 10. Subdivision 12 of section 2985 of the public authorities law, as 
added by chapter 379 of the laws of 1992, is amended to read as follows: 
12. "Electronic toll collection system" shall mean a system of 
collecting tolls or other charges [which is capable of charging an 
account holder the appropriate toll or charge by transmission of infor-
mination from an electronic device on a motor vehicle to the toll lane, 
which information is used to charge the account the appropriate toll or 
charge] using electronic data and images. In adopting procedures for 
the preparation and mailing of a notice of liability, the public author-
ity having jurisdiction over the toll facility shall adopt guidelines to ensure adequate and timely notice to all electronic toll collection system account holders to inform them when their accounts are delinquent. An owner who is an account holder under the electronic toll collection system shall not be found liable for a violation of this section unless such authority has first sent a notice of delinquency to such account holder and the account holder was in fact delinquent at the time of the violation.

§ 11. Section 2985 of the public authorities law is amended by adding four new subdivisions 15, 16, 17 and 18 to read as follows:

15. In addition to any monetary liability that may be imposed pursuant to this section, a public authority that operates a toll highway, bridge or tunnel facility is hereby authorized and empowered to impose an administrative fee or fees on an owner, an operator or an account holder that has violated toll collection regulations.

16. Any notice required to be sent pursuant to this section by first class mail may instead be sent, with consent, by electronic means of communication. A manual or automatic record of electronic communications prepared in this ordinary course of business shall be adequate evidence of electronic notice.

17. In adopting procedures for the preparation and sending of a notice of liability, the public authority having jurisdiction over the toll facility shall adopt guidelines to ensure adequate and timely notice to owners to inform an owner that the owner's vehicle has used a toll facility without paying the toll in violation of the rules and regulations of the public authority. An owner shall not be found liable for a violation of this section unless such authority has first sent a notice of violation to such owner.
18. The New York state thruway authority and the New York state bridge
authority are authorized to adopt rules and regulations to establish an
administrative tribunal to adjudicate the liability of owners for
violation of toll collection regulations as defined in and in accordance
with the provisions of this section and the applicable toll regulations
of such authorities. Such tribunal shall have, with respect to violation
of toll collection regulations of such authorities, non-exclusive juris-
diction over violations of the rules and regulations which may from time
to time be established by such authorities in accordance with the
provisions of this section. Violations shall be heard and determined in
the county in which the violation is alleged to have occurred or in the
county in which the public authority has its primary or regional admin-
istrative offices and regulations may provide for the conduct of hear-
ings via videoconferencing.

§ 12. Subdivision 2 of section 87 of the public officers law is
amended by adding a new paragraph (o) to read as follows:
(o) are data or images produced by an electronic toll collection
system under authority of section two thousand nine hundred eighty-five
of the public authorities law.

§ 13. Subdivision 4-d of section 510 of the vehicle and traffic law,
as added by chapter 379 of the laws of 1992, is amended to read as
follows:
4-d. Suspension of registration for failure to answer or pay penalties
with respect to certain violations. Upon the receipt of a notification,
in the manner and form prescribed by the commissioner, from a court
(or), an administrative tribunal, a public authority, or any other
public entity imposing violations, that an owner of a motor vehicle
failed to appear on the return date or dates or a new subsequent
adjourned date or dates or failed to pay any penalty imposed by a court
or failed to comply with the rules and regulations of an administrative
tribunal following entry of a final decision or decisions, in response
to [five] three or more notices of liability or other process, issued
within an eighteen month period from any and all jurisdictions charging
such owner with a violation of toll collection regulations in accordance
with the provisions of section two thousand nine hundred eighty-five of
the public authorities law or sections sixteen-a, sixteen-b and
sixteen-c of chapter seven hundred seventy-four of the laws of nineteen
hundred fifty, and that the owner has been given written notice that the
court, administrative tribunal, public authority or any other public
entity is seeking to have the commissioner or his or her agent take
action hereunder, the commissioner or his or her agent shall suspend the
registration of the vehicle or vehicles involved in the violation or the
privilege of operation of any motor vehicle owned by the registrant.
Such suspension shall take effect no less than thirty days from the date
on which notice thereof is sent by the commissioner to the person whose
registration or privilege is suspended and shall remain in effect until
such registrant has appeared in response to such notices of liability or
has paid such penalty or in the case of an administrative tribunal, the
registrant has complied with the rules and regulations following the
entry of a final decision or decisions.

§ 14. Subdivision 8 of section 402 of the vehicle and traffic law, as
amended by chapter 61 of the laws of 1989 and as renumbered by chapter
648 of the laws of 2006, is amended and a new subdivision 9 is added to
read as follows:
8. [The] Except as provided in subdivision nine of this section, the violation of this section shall be punishable by a fine of not less than twenty-five nor more than two hundred dollars.

9. The violation of this section on a toll highway, bridge and/or tunnel facility shall be punishable by a fine of not less than one hundred nor more than five hundred dollars.

§ 15. Subdivision 5-a of section 401 of the vehicle and traffic law is amended by adding a new paragraph b-1 to read as follows:

b-1. If at the time of application for a registration or renewal thereof there is a certification, in the manner and form prescribed by the commissioner, from a court, an administrative tribunal, a public authority or any other public entity imposing violations, that the registrant or his or her representative failed to appear on the return date or dates or a new subsequent adjourned date or dates or failed to pay any penalty imposed by a court or failed to comply with the rules and regulations of an administrative tribunal following entry of a final decision or decisions, in response to three or more notices of liability or other process, issued within an eighteen month period from any and all jurisdictions charging such registrant with a violation of toll collection regulations in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, and that the registrant has been given written notice that the court, administrative tribunal, public authority or any other public entity is seeking to have the commissioner or his or her agent take action hereunder, the commissioner or his or her agent shall deny the registration or renewal application until the applicant provides proof from the court or administra-
tive tribunal wherein the charges are pending that an appearance or
answer has been made or in the case of an administrative tribunal that
he or she has complied with the rules and regulations of said tribunal
following entry of a final decision. Where an application is denied
pursuant to this section, the commissioner may, in his or her
discretion, deny a registration or renewal application to any other
person for the same vehicle and may deny a registration or renewal
application for any other motor vehicle registered in the name of the
applicant where the commissioner has determined that such registrant's
intent has been to evade the purposes of this subdivision and where the
commissioner has reasonable grounds to believe that such registration or
renewal will have the effect of defeating the purposes of this subdivi-
sion. Such denial shall only remain in effect as long as the summonses
remain unanswered, or in the case of an administrative tribunal, the
registrant fails to comply with the rules and regulations following
entry of a final decision.

§ 16. The vehicle and traffic law is amended by adding a new section
518 to read as follows:

§ 518. Reciprocal agreements concerning suspension or denial of regis-
tration of a motor vehicle for violations of toll collection regu-
lations. 1. The commissioner may execute a reciprocal compact or agree-
ment regarding toll collection violations with the motor vehicle
administrator or other authorized official of another state not incon-
sistent with the provisions of this chapter. Such compact or agreement
shall provide that if a registration of a motor vehicle would be
suspended pursuant to subdivision four-d of section five hundred ten of
this article, or pursuant to a comparable law or regulation of another
state, or if the registration or renewal of a motor vehicle would be
denied pursuant to subdivision five-a of section four hundred one of this chapter, or pursuant to a comparable law or regulation of another state, because an owner of a motor vehicle (a) failed to appear, (b) failed to pay any penalty imposed by a court, or (c) failed to comply with the rules and regulations of an administrative tribunal following entry of a final decision in response to three or more notices of liability of other process issued within an eighteen-month period in accordance with the provisions of section two thousand nine hundred eighty-five of the public authorities law or sections one through sixteen and sixteen-a, sixteen-b and sixteen-c of chapter seven hundred seventy-four of the laws of nineteen hundred fifty, or with any comparable law or regulation of another state, then the state issuing the registration shall likewise suspend the registration or deny the registration or renewal, until such registrant or applicant has appeared in response to such notices of liability, or has paid such penalty, or, in the case of an administrative tribunal, the registrant or applicant has complied with the rules and regulations following the entry of a final decision or decisions.

2. Such compact or agreement shall also provide such terms and procedures as are necessary and proper to facilitate its administration. Any such compact or agreement shall specify the violations subject to the compact or agreement, and shall include a determination of comparable violations in each state if any such violations are of a substantially similar nature but are not denominated or described in precisely the same words in each party state.

3. The word "state" when used in this section shall mean any state, territory, a possession of the United States, District of Columbia or any province of Canada.
§ 17. Paragraph b of subdivision 2 of section 240 of the vehicle and
traffic law, as added by chapter 715 of the laws of 1972, is amended to
read as follows:

b. No charge may be established except upon proof by substantial
evidence; except that for an allegation of liability in accordance with
section two thousand nine hundred eighty-five of the public authorities
law or sections sixteen-a, sixteen-b and sixteen-c of chapter seven
hundred seventy-four of the laws of nineteen hundred fifty, no charge
may be established except upon proof by preponderance of evidence as
submitted.

§ 18. Subdivision 10 of section 1209-a of the public authorities law,
as amended by chapter 379 of the laws of 1992, is amended to read as
follows:

10. Funds. [All] Except for penalties, evaded tolls and other charges
collected and paid to the triborough bridge and tunnel authority in
accordance with the provisions of section two thousand nine hundred
eighty-five of this chapter, all penalties collected pursuant to the
provisions of this section shall be paid to the authority to the credit
of a transit crime fund which the authority shall establish. Any sums in
this fund shall be used to pay for programs selected by the board of the
authority, in its discretion, to reduce the incidence of crimes and
infractions on transit facilities, or to improve the enforcement of laws
against such crimes and infractions. Such funds shall be in addition to
and not in substitution for any funds provided by the state or the city
of New York for such purposes.

§ 19. Section 1209-a of the public authorities law is amended by
adding a new subdivision 11 to read as follows:
11. Notice. Any notice or communication required to be sent pursuant to this section by registered mail or certified mail may instead be sent by first class mail or, with consent, by electronic means of communication.

§ 20. Section 2 of chapter 774 of the laws of 1950, relating to agreeing with the state of New Jersey with respect to rules and regulations governing traffic on vehicular crossings operated by the port of New York authority, is amended to read as follows:

§ 2. No traffic shall be permitted in or upon vehicular crossings except upon the payment of such tolls and other charges as may from time to time be prescribed by the port authority. It is hereby declared to be unlawful for any person to refuse to pay, or to evade or to attempt to evade the payment of such tolls or other charges. The obligation to pay such tolls and other charges is incurred at the time of entry into or use of the particular vehicular crossing.

§ 21. Section 16-a of chapter 774 of the laws of 1950, relating to agreeing with the state of New Jersey with respect to rules and regulations governing traffic on vehicular crossings operated by the port of New York authority, as added by chapter 379 of the laws of 1992, is amended to read as follows:

§ 16-a. Owner liability for failure of operator to comply with toll collection regulations of the port authority. Notwithstanding any other provision of law and in accordance with the provisions of [section] sections 16-b and 16-c of this act, an owner of a vehicle may be held liable for failure of an operator thereof to comply with the toll collection regulations of the port authority of New York and New Jersey (hereinafter called port authority). The owner of a vehicle shall be liable pursuant to this section if such vehicle was used or operated
with the permission of the owner, express or implied, in violation of the toll collection regulations of the port authority, and such violation is evidenced by information obtained from a photo-monitoring system, provided, however, that no owner of a vehicle shall be liable where the operator of such vehicle has been convicted of a violation of those toll collection regulations for the same incident.

§ 22. Section 16-b of chapter 774 of the laws of 1950, relating to agreeing with the state of New Jersey with respect to rules and regulations governing traffic on vehicular crossings operated by the port of New York authority, as added by chapter 379 of the laws of 1992, subdivision f as amended by chapter 666 of the laws of 1993, is amended to read as follows:

§ 16-b. Imposition of liability for failure of operator to comply with toll collection regulations of the port authority. The liability set forth in section 16-a of this act, shall be imposed upon an owner for a violation by an operator of the toll collection regulations of the port authority occurring within the territorial limits of the state of New York in accordance with the following:

a. For the purposes of this section and sections 16-a and 16-c of this act, the term "owner" shall mean any person, corporation, partnership, firm, agency, association, lessor, or organization who, [at the time of the violation in any city in which a vehicle is operated] when the obligation to pay the toll is incurred: (i) is the beneficial or equitable owner of such vehicle; or (ii) has title to such vehicle; or (iii) is the registrant or co-registrant of such vehicle which is registered with the department of motor vehicles of this state or any other state, territory, district, province, nation or other jurisdiction; or (iv) subject to the limitations set forth in subdivision f of this section,
uses such vehicle in its vehicle renting and/or leasing business; and
includes (v) a person entitled to the use and possession of a vehicle
subject to a security interest in another person. For the purposes of
this section, the term "operator" shall mean any person, corporation,
firm, partnership, agency, association, organization or lessee that uses
or operates a vehicle with or without the permission of the owner, and
an owner who operates his or her own vehicle. For purposes of this
section and section 16-a of this act, the term "electronic toll
collection system" shall mean a system for collecting tolls or other
charges using electronic data and images. For purposes of this section,
the term "photo-monitoring system" shall mean a vehicle sensor installed
to work in conjunction with a toll collection facility which automatic-
ically produces one or more photographs, one or more microphotographs, a
videotape, or other recorded images of each vehicle at the time it is
used or operated in [violation of the toll collection regulations of the
port authority] or upon vehicular crossings operated by the port author-
ity. For purposes of this section and sections 16-a and 16-c of this
act, the term "toll collection regulations of the port authority" shall
refer to the traffic regulations for interstate vehicular crossings
operated by the port authority as set forth in this chapter and in chap-
ter 192 of the laws of New Jersey of 1950, and specifically that section
of the laws which prohibits traffic in or upon vehicular crossings oper-
ated by the port authority except upon the payment of such tolls and
other charges as may from time to time be prescribed by the port author-
ity and which further makes it unlawful for any person to refuse to pay,
or to evade or to attempt to evade the payment of such tolls or other
charges. For purposes of this section and section 16-a of this act, the
term "vehicle" shall mean every device in, upon, or by which a person or
property is or may be transported or drawn upon a highway[, except
devices used exclusively upon stationary rails or tracks].

b. A certificate, sworn to or affirmed by an agent of the port author-
ity, or a facsimile thereof, based upon inspection of [photographs,
microphotographs, videotape or other recorded images] data or images
produced by [a photo-monitoring system] its electronic toll collection
system or other records maintained by or on behalf of the port authority
regarding toll violations shall be prima facie evidence of the facts
contained therein and shall be admissible in any proceeding charging a
violation of toll collection regulations of the port authority, provided
that any [photographs, microphotographs, videotape or other recorded
images] such data, images, or records evidencing such a violation shall
be available for inspection and admission into evidence in any proceed-
ing to adjudicate the liability for such violation.

c. An imposition of liability pursuant to this section shall be based
upon a preponderance of evidence as submitted. An imposition of liabil-
ity pursuant to this section shall not be deemed a conviction of an
operator and shall not be made part of the motor vehicle operating
record, furnished pursuant to section 354 of the vehicle and traffic
law, of the person upon whom such liability is imposed nor shall it be
used for insurance purposes in the provision of motor vehicle insurance
coverage.

d. (i) A notice of liability shall be sent by first class mail or,
with consent, by electronic means of communication to each person
alleged to be liable [as an owner] for a violation pursuant to this
section of the toll collection regulations of the port authority. Such
notice shall be [mailed] sent no later than [thirty] one hundred twenty
days after the alleged violation. Personal delivery [on the owner] shall
not be required. A manual or automatic record of sending the notice prepared in the ordinary course of business shall be prima facie evidence of the sending of the notice.

(ii) A notice of liability shall contain the name and address of the person alleged to be liable for a violation of the toll collection regulations of the port authority pursuant to this section, the registration number and state of registration of the vehicle involved in such violation, the locations, dates and times of each use of the vehicular crossing that forms the basis of such violation, the amount of the assessed tolls and other charges, and the identification number of the [photo-monitoring system] electronic toll collection system which recorded the [violation] use or other document locator number.

(iii) The notice of liability shall contain information advising the person charged of the manner and the time in which he may contest the liability alleged in the notice. Such notice of liability shall also contain a warning to advise the persons charged that failure to contest in the manner and time provided shall be deemed an admission of liability and that a default judgment may be entered thereon.

(iv) The notice of liability shall be prepared and sent by the port authority or its duly authorized agent.

e. If an owner receives a notice of liability pursuant to this section for any time period during which the vehicle was reported to the police department as having been stolen, it shall be a valid defense to an allegation of liability for a violation of the toll collection regulations of the port authority that the vehicle had been reported to the police as stolen prior to the time the violation occurred and had not been recovered by such time. If an owner receives a notice of liability
pursuant to this section for any time period during which the vehicle was stolen, but not as yet reported to the police as having been stolen, it shall be a valid defense to an allegation of liability for a violation of toll collection regulations of the port authority pursuant to this section that the vehicle was reported as stolen within two hours after discovery of the theft by the owner. For purposes of asserting the defense provided by this subdivision, it shall be sufficient that a certified copy of the police report on the stolen vehicle be sent by first class mail to the court or other entity having jurisdiction.

f. An owner, as defined in subdivision a of this section, who is a lessor of a vehicle to which a notice of [liability] use of the vehicular crossing by such vehicle was issued [pursuant to subdivision d of this section] shall not be liable [pursuant to this section] for [the violation of the toll collection regulations of the port authority] payment of the tolls and other charges and fees provided that he or she sends to the port authority [serving the notice of liability and to the court or other entity having jurisdiction] or its duly authorized agent for this purpose a copy of the rental, lease or other such contract document covering such vehicle on the date of the [violation] use of the vehicular crossing, with the name and address of the lessee clearly legible, within thirty days after receiving from the port authority or its duly authorized agent [the original] for this purpose the first notice of [liability] use of the vehicular crossing by such vehicle. Failure to send such information within such thirty day time period shall render the lessor liable for payment of the tolls and other charges and fees and any penalty prescribed by this section. Where the lessor complies with the provisions of this subdivision, the lessee of such vehicle on the date of such [violation] use of the vehicular crossing.
shall be deemed to be the owner of such vehicle for purposes of this section and shall be [subject to liability for the violation of toll collection regulations of the port authority provided that] liable for payment of the tolls and other charges and fees, and the port authority or its duly authorized agent [mails a] shall send any notice of liability to the lessee within [ten days after the court, or other entity having jurisdiction, deems the lessee to be the owner] one hundred twenty days after the violation in accordance with subdivision d of this section. For purposes of this subdivision the term "notice of use of the vehicular crossing" shall mean a notice of delinquency or a notice of violation issued pursuant to subdivision h of this section or a toll invoice seeking to collect tolls and other charges issued pursuant to toll collection regulations of the port authority. For purposes of this subdivision the term "lessor" shall mean any person, corporation, firm, partnership, agency, association or organization engaged in the business of renting or leasing vehicles to any lessee under a rental agreement, lease or otherwise wherein the said lessee has the exclusive use of said vehicle for any period of time. For the purposes of this subdivision, the term "lessee" shall mean any person, corporation, firm, partnership, agency, association or organization that rents, leases or contracts for the use of one or more vehicles and has exclusive use thereof for any period of time.

g. Except as provided in subdivision f of this section, if a person receives a notice of liability pursuant to this section it shall be a valid defense to an allegation of liability for a violation of toll collection regulations of the port authority that the individual who received the notice of liability pursuant to this section was not the owner of the vehicle at the time the [violation] use of the vehicular
crossing occurred. If the owner liable for a violation of the toll collection regulations of the port authority pursuant to this section was not the operator of the vehicle at the time of the [violation] use of the vehicular crossing, the owner may maintain an action for indemnification against the operator. The operator of the vehicle may apply to the court or other entity having jurisdiction to adjudicate the liability imposed under this section to accept responsibility for the violation and satisfactorily discharge all applicable tolls, charges, fees, and penalties related to the violation.

h. ["Electronic toll collection system" shall mean a system of collecting tolls or charges which is capable of charging an account holder the appropriate toll or charge by transmission of information from an electronic device on a motor vehicle to the toll lane, which information is used to charge the account the appropriate toll or charge.] In adopting procedures for the preparation and [mailing] sending of a notice of liability, the port authority or its duly authorized agent shall adopt guidelines [to ensure] for sending by first class mail or, with consent, by electronic means of communication, adequate and timely notice to all electronic toll collection system account holders to inform them when their accounts are delinquent as well as adequate and timely notice to owners to inform an owner that the owner's vehicle has used a vehicular crossing without paying the toll in violation of the toll collection regulations of the port authority. An owner shall not be found liable for a violation of this section unless such authority or its duly authorized agent has first sent a notice of violation to such owner. An owner who is an account holder under the electronic toll collection system shall not be found liable for a violation of this section unless such authority has first sent a notice of delinquency to
such account holder and the account holder was in fact delinquent at the
time of the violation.

i. Nothing in this section shall be construed to limit the liability
of an operator of or the account holder associated with a vehicle for
any violation of the toll collection regulations of the port authority.

Nothing in this section shall authorize or preclude the port authority
from excluding from any of its facilities, in its sole discretion, any
or all vehicles found liable under this section as well as other vehi-
cles owned or operated by the owner or operator of or account holder
associated with such vehicle.

j. Notwithstanding any other provision of law, all photographs, micro-
photographs, videotape or other recorded images prepared pursuant to
this section shall be for the exclusive use of the port authority in the
discharge of its duties under this section and shall not be open to the
public nor be used in any court in any action or proceeding pending
therein unless such action or proceeding relates to the imposition of or
indemnification for liability pursuant to this section. The port author-
ity or its duly authorized agent shall not sell, distribute or make
available in any way, the names and addresses of electronic toll
collection system account holders, or any information compiled from
transactions with such account holders, without such account holders'
consent to any entity that will use such information for any commercial
purpose provided that the foregoing restriction shall not be deemed to
preclude the exchange of such information between any entities with
jurisdiction over and or operating a toll highway bridge and/or tunnel
facility.

§ 23. Section 16-c of chapter 774 of the laws of 1950, relating to
agreeing with the state of New Jersey with respect to rules and regu-
lations governing traffic on vehicular crossings operated by the port of
New York authority, as added by chapter 379 of the laws of 1992, is
amended to read as follows:

§ 16-c. Adjudication of liability. Adjudication of the liability
imposed upon an owner by section 16-a of this act for a violation of the
toll collection regulations of the port authority occurring within the
territorial limits of the state of New York shall be in accordance with
the vehicle and traffic law of New York as set forth in sections 235,
236, 237, 239, 240, 241, 242, 401, 402, 510 and 1809 of such law, or by
such entity having jurisdiction over violations of the toll collection
regulations of the port authority occurring within the territorial
limits of the state of New York, provided that all violations shall be
heard and determined in the county in which [the violation is alleged to
have occurred, or by consent of both parties,] obligation for payment of
the tolls or other charges was incurred, or in any county in the state
of New York in which the port authority operates or maintains a facility.
An owner found liable for a violation of toll collection regulations
pursuant to this section shall for a first violation thereof be liable
for the full amount of the assessed toll and other charges and fees in
addition to a monetary penalty not to exceed [fifty] one hundred dollars
or two times the toll evaded whichever is greater; for a second
violation thereof both within eighteen months be liable for the full
amount of the assessed toll and other charges and fees in addition to a
monetary penalty not to exceed [one] two hundred dollars or five times
the toll evaded whichever is greater; for a third or subsequent
violation thereof all within eighteen months be liable for the full
amount of the assessed toll and other charges and fees in addition to a
monetary penalty not to exceed [one] three hundred [fifty] dollars or
ten times the toll evaded whichever is greater. The full amount of the assessed tolls and other charges and fees and one-half of such monetary penalties collected shall be paid to the port authority; the remaining half of such monetary penalties collected shall be retained or distributed by the tribunal or entity adjudicating the violation in accordance with existing law.

§ 24. This act shall take effect on the one hundred twentieth day after it shall have become a law.

PART L

Section 1. Subdivision 6 of section 1209 of the public authorities law, as amended by chapter 98 of the laws of 2011, is amended to read as follows:

6. The provisions of subdivisions one, two, three and four of this section shall not be applicable to any procurement by the authority commenced during the period from the effective date of this subdivision until December thirty-first, nineteen hundred ninety-one or during the period from December sixteenth, nineteen hundred ninety-three until June thirtieth, two thousand [fifteen] nineteen; and the provisions of subdivisions seven, eight, nine, ten, eleven, twelve and thirteen of this section shall only apply to procurements by the authority commenced during such periods. The provisions of such subdivisions one, two, three and four shall apply to procurements by the authority commenced during the period from December thirty-first, nineteen hundred ninety-one until December sixteenth, nineteen hundred ninety-three, and to procurements by the authority commenced on and after July first, two thousand [fifteen] nineteen. Notwithstanding the foregoing, the provisions of
such subdivisions one, two, three and four shall apply to (i) the award of any contract of the authority if the bid documents for such contract so provide and such bid documents are issued within sixty days of the effective date of this subdivision or within sixty days of December sixteenth, nineteen hundred ninety-three, or (ii) for a period of one hundred eighty days after the effective date of this subdivision, or for a period of one hundred eighty days after December sixteenth, nineteen hundred ninety-three, the award of any contract for which an invitation to bid, solicitation, request for proposal, or any similar document has been issued by the authority prior to the effective date of this subdivision or during the period from January first, nineteen hundred ninety-two until December fifteenth, nineteen hundred ninety-three.

§ 2. Subdivision 1 of section 1265-a of the public authorities law, as amended by chapter 98 of the laws of 2011, is amended to read as follows:

1. The provisions of this section shall only apply to procurements by the authority commenced during the period from April first, nineteen hundred eighty-seven until December thirty-first, nineteen hundred ninety-one, and during the period from December sixteenth, nineteen hundred ninety-three until June thirtieth, two thousand [fifteen] nineteen; provided, however, that the provisions of this section shall not apply to (i) the award of any contract of the authority if the bid documents for such contract so provide and such bid documents are issued within sixty days of the effective date of this section or within sixty days of December sixteenth, nineteen hundred ninety-three, or (ii) for a period of one hundred eighty days after the effective date of this section or for a period of one hundred eighty days after December sixteenth, nineteen hundred ninety-three, the award of any contract for which an invi-
1 tation to bid, solicitation, request for proposal, or any similar docu-
2 ment has been issued by the authority prior to the effective date of
3 this section or during the period from January first, nineteen hundred
4 ninety-two until December sixteenth, nineteen hundred ninety-three.
5 § 3. This act shall take effect immediately.

PART M

Section 1. Subdivision 3 of section 16-m of section 1 of chapter 174
of the laws of 1968 constituting the New York state urban development
 corporation act, as amended by section 1 of part Z of chapter 57 of the
laws of 2014, is amended to read as follows:
3. The provisions of this section shall expire, notwithstanding any
inconsistent provision of subdivision 4 of section 469 of chapter 309 of
the laws of 1996 or of any other law, on July 1, [2015] 2016.
§ 2. This act shall take effect immediately and shall be deemed to
have been in full force and effect on and after July 1, 2015.

PART N

Section 1. Section 2 of chapter 393 of the laws of 1994, amending the
New York state urban development corporation act, relating to the powers
of the New York state urban development corporation to make loans, as
amended by section 1 of part AA of chapter 57 of the laws of 2014, is
amended to read as follows:
§ 2. This act shall take effect immediately provided, however, that
section one of this act shall expire on July 1, [2015] 2016, at which
time the provisions of subdivision 26 of section 5 of the New York state
urban development corporation act shall be deemed repealed; provided, however, that neither the expiration nor the repeal of such subdivision as provided for herein shall be deemed to affect or impair in any manner any loan made pursuant to the authority of such subdivision prior to such expiration and repeal.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after July 1, 2015.

PART O

Section 1. Notwithstanding any law to the contrary, the comptroller is hereby authorized and directed to receive for deposit to the credit of the general fund the amount of up to $913,000 from the New York state energy research and development authority.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2015.

PART P

Section 1. Expenditures of moneys by the energy research and development authority for services and expenses of the energy research, development and demonstration program, including grants, the energy policy and planning program, and the Fuel NY program shall be subject to the provisions of this section. Notwithstanding the provisions of subdivision 4-a of section 18-a of the public service law, all moneys committed or expended in an amount not to exceed $19,700,000 shall be reimbursed by assessment against gas corporations, as defined in subdivision 11 of section 2 of the public service law and electric corporations as defined
in subdivision 13 of section 2 of the public service law, where such gas
corporations and electric corporations have gross revenues from intra-
state utility operations in excess of $500,000 in the preceding calendar
year, and the total amount which may be charged to any gas corporation
and any electric corporation shall not exceed one cent per one thousand
cubic feet of gas sold and .010 cent per kilowatt-hour of electricity
sold by such corporations in their intrastate utility operations in
calendar year 2013. Such amounts shall be excluded from the general
assessment provisions of subdivision 2 of section 18-a of the public
service law. The chair of the public service commission shall bill such
gas and/or electric corporations for such amounts on or before August
10, 2015 and such amounts shall be paid to the energy research and
development authority on or before September 10, 2015. Upon receipt, the
energy research and development authority shall deposit such funds in
the energy research and development operating fund established pursuant
to section 1859 of the public authorities law. The energy research and
development authority is authorized and directed to: (1) transfer $1
million to the state general fund for services and expenses of the
department of environmental conservation and to transfer $691,000 to the
University of Rochester laboratory for laser energetics from the funds
received; and (2) commencing in 2016, provide to the chair of the public
service commission and the director of the budget, on or before August
first of each year, an itemized record, certified by the president and
chief executive officer of the authority, or his or her designee,
detailing any and all expenditures and commitments ascribable to moneys
received as a result of this assessment by the chair of the department
of public service pursuant to section 18-a of the public service law.
Any such amount not committed by such authority to contracts or other-
wise expended by the authority during the fiscal year shall be refunded by such authority on a pro-rata basis to such gas and/or electric corporations, in a manner to be determined by the department of public service.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2015.

PART Q

Section 1. Section 312-a of the executive law, as amended by chapter 175 of the laws of 2010, is amended to read as follows:

§ 312-a. Study of minority and women-owned business enterprise programs. 1. The director of the division of minority and women-owned business development in the department of economic development is authorized and directed to recommission a statewide disparity study regarding the participation of minority and women-owned business enterprises in state contracts since the amendment of this article to be delivered to the governor and legislature no later than February fifteenth, two thousand [sixteen] seventeen. The study shall be prepared by an entity independent of the department and selected through a request for proposal process. The purpose of such study is:

(a) to determine whether there is a disparity between the number of qualified minority and women-owned businesses ready, willing and able to perform state contracts for commodities, services and construction, and the number of such contractors actually engaged to perform such contracts, and to determine what changes, if any, should be made to state policies affecting minority and women-owned business enterprises; and (b) to determine whether there is a disparity between the number of
qualified minorities and women ready, willing and able, with respect to labor markets, qualifications and other relevant factors, to participate in contractor employment, management level bodies, including boards of directors, and as senior executive officers within contracting entities and the number of such group members actually employed or affiliated with state contractors in the aforementioned capacities, and to determine what changes, if any, should be made to state policies affecting minority and women group populations with regard to state contractors' employment and appointment practices relative to diverse group members. Such study shall include, but not be limited to, an analysis of the history of minority and women-owned business enterprise programs and their effectiveness as a means of securing and ensuring participation by minorities and women, and a disparity analysis by market area and region of the state. Such study shall distinguish between minority males, minority females and non-minority females in the statistical analysis.

2. The director of the division of minority and women-owned business development is directed to transmit the disparity study to the governor and the legislature not later than February fifteenth, two thousand [sixteen] seventeen, and to post the study on the website of the department of economic development.

§ 2. The opening paragraph of subdivision (h) of section 121 of chapter 261 of the laws of 1988, amending the state finance law and other laws relating to the New York state infrastructure trust fund, as amended by chapter 175 of the laws of 2010, is amended to read as follows:

The provisions of section sixty-two through sixty-six of this act shall expire on December thirty-first, two thousand [sixteen] seventeen, except that:
§ 3. This act shall take effect immediately; provided, however, that the amendments to section 312-a of the executive law made by section one of this act shall not affect the expiration of such section and shall be deemed to expire therewith.

PART R

Section 1. Notwithstanding any other law, rule or regulation to the contrary, expenses of the department of health public service education program incurred pursuant to appropriations from the cable television account of the state miscellaneous special revenue funds shall be deemed expenses of the department of public service.

§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2015.

PART S

Section 1. Section 2 of part BB of chapter 58 of the laws of 2012, amending the public authorities law relating to authorizing the dormitory authority to enter into certain design and construction management agreements, as amended by section 1 of part W of chapter 57 of the laws of 2014, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed April 1, [2015] 2017.

§ 2. Within 90 days of the effective date of this act, the dormitory authority of the state of New York shall provide a report providing information regarding any project undertaken pursuant to a design and construction management agreement, as authorized by part BB of chapter
58 of the laws of 2012, between the dormitory authority of the state of New York and the department of environmental conservation and/or the office of parks, recreation and historic preservation to the governor, the temporary president of the senate and speaker of the assembly. Such report shall include but not be limited to a description of each such project, the project identification number of each such project, if applicable, the projected date of completion, the status of the project, the total cost or projected cost of each such project, and the location, including the names of any county, town, village or city, where each such project is located or proposed. In addition, such a report shall be provided to the aforementioned parties by the first day of March of each year that the authority to enter into such agreements pursuant to part BB of chapter 58 of the laws of 2012 is in effect.

§ 3. This act shall take effect immediately and shall be deemed to have been in effect on and after April 1, 2015.

PART T

Section 1. Section 2 of chapter 21 of the laws of 2003, amending the executive law relating to permitting the secretary of state to provide special handling for all documents filed or issued by the division of corporations and to permit additional levels of such expedited service, as amended by section 1 of part N of chapter 57 of the laws of 2014, is amended to read as follows:

§ 2. This act shall take effect immediately, provided however, that section one of this act shall be deemed to have been in full force and effect on and after April 1, 2003 and shall expire March 31, [2015] 2016.
§ 2. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after March 31, 2015.

PART U

Section 1. Subdivision 2 of section 446-b of the real property law, as amended by chapter 61 of the laws of 1989, is amended to read as follows:

2. The application for such license shall be filed in the office of the secretary of state on such forms as the secretary may prescribe [and shall be accompanied by a fee of four hundred dollars].

§ 2. Subdivision 3 of section 446-b of the real property law, as added by chapter 805 of the laws of 1980, is amended to read as follows:

3. When the apartment information vendor maintains more than one place of business, he shall apply for [and the secretary shall issue] a supplemental license for each branch office so maintained [upon payment of a fee of two hundred fifty dollars for each supplemental license so issued]. Supplemental licenses shall be conspicuously displayed in each branch office. The display of an expired license by any person, firm, partnership or corporation is a violation of the provisions of this article.

§ 3. Subdivision 5 of section 446-b of the real property law, as amended by chapter 805 of the laws of 1980, is amended to read as follows:

5. Any license granted under the provisions hereof may be renewed for one year by the secretary upon application therefor by the holder, in such form as the secretary may prescribe[, and payment of a two hundred fifty dollar fee for such license]. The secretary may dispense with the
requirement for the filing of such statements as was contained in the
original application for license.

§ 4. Subdivision 2 of section 446-d of the real property law, as
amended by chapter 805 of the laws of 1980, is amended to read as
follows:

2. The secretary shall be notified in writing at his or her office in
Albany of any change of a licensee's business address or name, and the
secretary shall issue a license for the unexpired term, upon return of
the original license [and the payment of a fee of twenty dollars]. A
licensee who fails to notify the secretary of any change in business
address or name within ten days shall forfeit his or her license.

§ 5. This act shall take effect immediately.

PART V

Section 1. Section 219 of the agriculture and markets law, as amended
by chapter 122 of the laws of 1988, is amended to read as follows:

§ 219. Application [and fee]. Application for license as a food
salvager[,] shall be made upon a form prescribed by the commissioner[,]shall be made on or before June first in every other year for the
license period beginning July first following]. The applicant shall
satisfy the commissioner of his or her character and that he or she has
adequate physical facilities for salvaging food and food products. If so
satisfied, the commissioner shall [upon receipt of the license fee]
issue to the applicant a [license which shall be] non-transferable
license, which will expire on the thirtieth of June of the next even
numbered year following its issuance. [The biennial license fee shall be
one hundred dollars.] Application for renewal of such license for a
period of two years shall be made biennially, upon a form prescribed by
the commissioner and submitted no later than thirty days prior to the
expiration of the existing license. Where a person operates more than
one salvage warehouse a separate license is required for each location.

§ 2. Section 231 of the agriculture and markets law, as amended by
section 7 of part II of chapter 62 of the laws of 2003, is amended to
read as follows:

§ 231. Licenses, issuance of. No person or corporation shall maintain
or operate any refrigerated warehouse and/or locker plant unless
licensed by the commissioner. Application[,] shall be made upon a form
prescribed by the commissioner[, shall be made on or before September
first of every other year for the license period beginning October first
following]. The applicant shall satisfy the commissioner of his or [its]
her character, financial responsibility, and competency to operate a
refrigerated warehouse or locker plant. The commissioner, if so satis-
fied, shall[, upon receipt of the license fee or fees,] issue to the
applicant a license or licenses [to operate the refrigerated warehouse
or warehouses or locker plant or locker plants described in the applica-
tion until the first day of October] which will expire on the thirtieth
of September of the next odd numbered year following [the year in which
such license was issued] its issuance. [The biennial license fee shall
be two hundred dollars for each refrigerated warehouse. If a locker
plant is operated as part of a refrigerated warehouse and upon the same
premises, no additional license fee shall be required.] Application for
renewal of such license or licenses for a period of two years shall be
made biennially, upon a form prescribed by the commissioner and submit-
ted no later than thirty days prior to the expiration of the existing
license or licenses.
§ 3. Section 96-z-2 of the agriculture and markets law, as added by chapter 391 of the laws of 1968, is amended to read as follows:

§ 96-z-2. Application [and fees]. Application for a license to operate a disposal plant or transportation service[,] shall be made upon a form prescribed by the commissioner[, shall be made on or before September first in each year for the license year beginning October first following]. The applicant shall satisfy the commissioner of his or her character and that he or she has adequate physical facilities for the operation of a disposal plant or transportation service. If so satisfied, the commissioner shall [upon payment of the license fee] issue to the applicant a non-transferable license which [shall be non-transferable] will expire on the thirtieth day of September of the next even numbered year following its issuance. Application for renewal of such license for a period of two years shall be made biennially upon a form prescribed by the commissioner and submitted no later than thirty days prior to the expiration of the existing license. [The annual license fee for a disposal plant shall be one hundred dollars, plus an inspection fee of ten dollars for each vehicle. The annual license fee for a transportation service shall be twenty-five dollars, plus an inspection fee of ten dollars for each vehicle.]

§ 4. Section 128-a of the agriculture and markets law, as amended by chapter 451 of the laws of 2008, subdivisions 4, 5, 6, 7, 8 and 9 as renumbered by section 2 of part N of chapter 58 of the laws of 2012, is amended to read as follows:

§ 128-a. Licenses. 1. No person shall manufacture any commercial feed in this state unless such person holds a license issued therefor by the commissioner. [Notwithstanding the foregoing, a person, in operation on or before the effective date of this section, who has filed an applica-
A license issued on or before the thirtieth of June will expire on the thirty-first of December of the year of its issuance, and if issued between July first and December thirty-first, will expire on the thirty-first day of December in the year following its issuance.

Renewal applications shall be made annually on a form prescribed by the commissioner and submitted no later than thirty days prior to the commencement of the next license year expiration of the existing license.

2. The commissioner may deny any application for a license or revoke any license when granted, after written notice to the applicant and an opportunity to be heard, when:

(a) any statement in the application or upon which it was issued is or was false or misleading;
(b) facilities of the applicant are not maintained in a manner as required by rules and regulations duly promulgated by the commissioner;
(c) the maintenance and operation of the establishment of the applicant is such that the commercial feed produced therein is or may be adulterated, misbranded, or not maintained in any manner as required by this article;
(d) the applicant or licensee, or an officer, director, partner or holder of ten per centum or more of the voting stock of the applicant or licensee, has failed to comply with any of the provisions of this article or rules and regulations promulgated pursuant thereto; or
(e) the applicant or licensee is a partnership or corporation and any individual holding any position or interest or power of control therein has previously been responsible in whole or in part for any act on account of which an application for licensure may be denied or a license revoked pursuant to the provisions of this article.

3. Each application for an initial license shall be accompanied by a non-refundable fee of one hundred dollars. The commissioner shall prorate the license fee for any person applying for an initial license after the commencement of the licensing period. Licenses shall be renewable annually thereafter, together with the payment of a non-refundable fee of fifty dollars.

4. Inspection in accordance with section one hundred thirty-five-a of this article, the results of which establish compliance with the provisions of this article, shall precede issuance of a license or renewal thereof under this section.

5. Upon validation by the commissioner, the application shall become the license of the person.

6. The commissioner shall provide a copy of the license to the licensee. The commissioner shall also retain a copy of the license.

7. No licensee shall publish or advertise the sale of any commercial feed unless the publication or advertisement is accompanied by such licensee's license number. Notwithstanding the foregoing, a person, in operation on or before the effective date of this section, who has filed an application for an initial license under this section may publish or advertise the sale or availability of any commercial feed without the publication or advertisement being accompanied by the person's license.
number until the commissioner grants or, after notice and opportunity to 
be heard, declines to grant such license.

8. Commercial feed licenses shall be conspicuously displayed on 
the premises so that they may be readily seen by officers and employees 
of the department.

[9.] 8. Notwithstanding the definition of commercial feed under subdi-
vision seven of section one hundred twenty-eight of this article, the 
provisions of this section shall not apply to a person who conducts a 
business of selling pet food and specialty pet food.

§ 5. Section 142·ee of the agriculture and markets law, as amended by 
chapter 251 of the laws of 1999, is amended to read as follows:

§ 142·ee. License [and fee]. Each certificate filed pursuant to 
section one hundred forty-two·dd of this article shall be accompanied by 
an application, upon forms supplied by the commissioner, for a license 
to supply such material under the brand name specified therein, and 
there shall be transmitted therewith a copy of the label and of the 
statement proposed to accompany such material in compliance with section 
one hundred forty-two·cc[, together with a license fee of forty dollars 
for each such brand] of this article. Such application shall incorpo-
rate by reference the data contained in the accompanying certificate for 
the brand for which the license is sought. Upon compliance with the 
provisions of this article, the applicant shall be issued a license for 
the supplying of such qualifying brand of agricultural liming material, 
which license shall expire on the thirty-first day of December of the 
next even numbered year following the year in which it is issued, but no 
such license shall be issued for the supplying of any such material 
which does not meet the minimum standards herein provided for, nor for 
the supplying thereof under a brand descriptive designation or with a
label or accompanying statement which is or tends to be misleading or
deceasing as to quality, analysis or composition. Application for a
renewal of the license for a period of two years shall be made biennial-
ly, upon a form prescribed by the commissioner and submitted no later
than thirty days prior to the expiration of the existing license. Any
such license so issued may be revoked by the commissioner, after notice
to the licensee by mail or otherwise and opportunity to be heard, when
it appears that any statement or representation upon which it is issued
is false or misleading. The action of the commissioner in refusing to
grant a license, or in revoking a license, shall be subject to review by
a proceeding under article seventy-eight of the civil practice law and
rules, but the decision of the commissioner shall be final unless within
thirty days from the date of the order embodying such action such
proceeding to review has been instituted.
Whenever a manufacturer, producer or distributor shall have been
licensed to supply a particular brand of material hereunder, no agent,
seller or retailer of such brand shall be required to file a certificate
or obtain a license for such brand during a period for which such
license is in effect, nor upon such goods which were acquired during a
period for which a license was in effect and remaining undistributed in
subsequent years.
§ 6. Subdivision (a) of section 146 of the agriculture and markets
law, as amended by chapter 251 of the laws of 1999, is amended to read
as follows:
(a) No person shall distribute in this state any type of fertilizer
until a [biennial] license to distribute the same has been obtained from
the commissioner by the person whose labelling is applied to such ferti-
lizer upon payment of a one hundred fifty dollar fee. [All licenses
shall expire on a date to be set by the commissioner in regulations.]

The initial license issued hereunder shall expire on December thirty-first of the next even numbered year following the year in which it was issued and each renewal of that license shall be for a two year period, ending on December thirty-first. Application for a renewal of such license shall be made biennially, upon a form prescribed by the commissioner and be submitted no later than thirty days prior to the expiration of the existing license.

§ 7. Section 147-b of the agriculture and markets law, as amended by chapter 122 of the laws of 1988, is amended to read as follows:

§ 147-b. License. No person shall sell, offer or expose for sale in this state any soil or plant inoculant unless licensed as provided in this section. Application for a license shall be made upon a form prescribed by the commissioner [shall be made biennially. The application] and shall include a statement as to whether the inoculant is represented as effective for inoculating legumes or for some other purpose, and, if represented as effective for the inoculation of legumes, for which legume or legumes it is so represented. With the application, the applicant shall present a representative sample of the soil or plant inoculant described in the application. The commissioner, if satisfied that the inoculant may be depended upon to produce an effective inoculation for the purpose represented, shall issue to such applicant a license for the sale of such inoculant, expiring on December thirty-first of the next even numbered year following [the year in which it is issued] its issuance. [The applicant shall pay biennially, at the time of presenting the application, to the commissioner for remittance to the state treasury, a license fee of twenty dollars for each brand of inoculants as defined in the rules and regulations adopted by the
commissioner as provided in this article.

Application for renewal of such license for a period of two years shall be made biennially upon a form prescribed by the commissioner and submitted no later than thirty days prior to the expiration of the existing license.

§ 8. Paragraph (a) of subdivision 1 of section 248 of the agriculture and markets law, as amended by chapter 490 of the laws of 2005, is amended to read as follows:

(a) No person shall act as a dealer unless licensed as provided in this article. Application shall be made upon such forms and at such times as prescribed by the commissioner. Renewal applications shall be submitted to the commissioner at least thirty days prior to the [commencement of the next] expiration of the existing license [year]. No action will be taken on applications deemed incomplete by the commissioner. The applicant shall furnish evidence of his or her good character, financial statements, prepared and certified by a certified public accountant when required by the commissioner, and evidence that he or she has adequate physical facilities for receiving and handling farm products or processing farm products if he or she is to act as a dealer.

The commissioner, if so satisfied, shall issue to such applicant, [upon payment of twenty dollars, and] upon the filing of a bond or letter of credit and upon payment of a fee to be deposited into the agricultural producers security fund as hereinafter provided, a license entitling the applicant to conduct the business of a dealer in farm products for a period of one year. Notwithstanding any other provision of this section, an applicant who intends to pay and a licensee who pays upon delivery for purchases of farm products from producers, in cash, or cash equivalent, including only certified or bank check, money order, electronic funds transfer, or by debit card, shall be exempt from filing a bond or
letter of credit. In the event that a licensee who has been so exempted from filing a bond or letter of credit fails to pay cash or a cash equivalent upon delivery for any purchase of farm products from a producer, such licensee shall file a bond or letter of credit as otherwise required by this section with the commissioner no later than ten business days from the date the commissioner notifies the licensee that such bond or letter of credit is required.

§ 9. Subdivision 5 of section 500 of the agriculture and markets law, as amended by section 3 of part II of chapter 59 of the laws of 2009, is amended to read as follows:

5. Licensure. No person shall maintain or operate a retail food store, food service establishment or food warehouse unless such establishment is licensed pursuant to the provisions of this article, provided, however, that establishments registered, permitted or licensed by the department pursuant to other provisions of this chapter, under permit and inspection by the state department of health or by a local health agency which maintains a program certified and approved by the state commissioner of health, or subject to inspection by the United States department of agriculture pursuant to the federal meat, poultry or egg inspection programs, shall be exempt from licensure under this article. Application for licensure of a retail food store, food service establishment or food warehouse shall be made, upon a form prescribed by the commissioner, on or before December first of every other year for the registration period beginning January first following. Upon submission of a completed application, together with the applicable licensing fee, the commissioner shall issue a license to the retail food store, food service establishment or food warehouse described in the application for two years from the [applicable registration commencement period set
forth in this section] date of issuance. The [licensing] license fee
shall be two hundred fifty dollars provided, however, that food ware-
houses shall pay a [licensing] license fee of four hundred dollars.
Notwithstanding the preceding sentence, the commissioner shall, upon
submission of a completed application for a new license by an applicant
that is a chain store, as defined by subdivision five of section two
hundred fifty-one-z-two of this chapter, issue such license for a period
ending on the same date as the licenses of the other chain stores that
are a part of the same network.

§ 10. This act shall take effect immediately.

PART W

Section 1. Legislative findings. The legislature hereby finds and
determines that the establishment of the utility debt securitization
authority under part B of chapter 173 of the laws of 2013 permitted the
issuance of securitized restructuring bonds on favorable terms which
resulted in lower aggregate distribution, transmission and transition
charges to Long Island ratepayers, compared to other available alterna-
tives, and the purposes of such act will be further advanced by amending
such act to permit the issuance of additional such bonds subject to a
limit on the outstanding principal amount thereof, including the poten-
tial issuance of such bonds by a newly created restructuring bond
issuer.

§ 2. Subdivision 10 of section 2 of part B of chapter 173 of the laws
of 2013 relating to the issuance of securitized restructuring bonds to
refinance the outstanding debt of the Long Island power authority is
amended to read as follows:
10. "Restructuring bond issuer" means the corporate municipal instrumentality of the state created under paragraph a or b of subdivision one of section four of this act.

§ 3. Subdivision 6 of section 3 of part B of chapter 173 of the laws of 2013 relating to the issuance of securitized restructuring bonds to refinance the outstanding debt of the Long Island power authority is amended to read as follows:

6. Issuance of restructuring bonds. Within ninety days after receiving notice of confirmation from the authority, the restructuring bond issuer shall issue the restructuring bonds, in one or more series or tranches and at one or more times, pursuant to the agreement to sell the restructuring bonds. The restructuring bond issuer shall purchase the restructuring property from the authority for a purchase price equal to the net proceeds from the sale of the restructuring bonds less any amounts of such proceeds required to fund or pay upfront financing costs. The aggregate principal amount of outstanding restructuring bonds at any time shall not exceed four billion five hundred million dollars.

§ 4. The section heading and subdivision 1 of section 4 of part B of chapter 173 of the laws of 2013 relating to the issuance of securitized restructuring bonds to refinance the outstanding debt of the Long Island power authority is amended to read as follows:

Creation of restructuring bond [issuer] issuers. 1. Creation of restructuring bond [issuer] issuers. (a) For the purpose of effectuating the purposes declared in section one of this act, there is hereby created a special purpose corporate municipal instrumentality of the state to be known as "utility debt securitization authority", which shall be a body corporate and politic, a political subdivision of the state, and a public benefit corporation, exercising essential govern-
mental and public powers for the good of the public. [The] Such restructuring bond issuer shall not be created or organized, and its operations shall not be conducted, for the purpose of making a profit. No part of the revenues or assets of [the] such restructuring bond issuer shall inure to the benefit of or be distributable to its trustees or officers or any other private persons, except as herein provided for actual services rendered.

(b) For the purpose of effectuating the purposes declared in section one of this act, and in contemplation of satisfaction of the conditions set forth in the last sentence of this subdivision, there is hereby created a special purpose corporate municipal instrumentality of the state to be known as "utility debt securitization authority no. 2", which shall be a body corporate and politic, a political subdivision of the state, and a public benefit corporation, exercising essential governmental and public powers for the good of the public. Such restructuring bond issuer shall not be created or organized, and its operations shall not be conducted, for the purpose of making a profit. No part of the revenues or assets of such restructuring bond issuer shall inure to the benefit of or be distributable to its trustees or officers or any other private persons, except as herein provided for actual services rendered. Such restructuring bond issuer shall issue no restructuring bonds unless and until the authority by resolution shall have found and determined that on the basis of the documents and opinions presented to it, the terms of sale of such bonds are, at such time, reasonably expected to be more favorable than such terms would be if such restructuring bonds were to be issued by the restructuring bond issuer created by paragraph (a) of this subdivision.
§ 5. Subparagraph (i) of paragraph (a) of subdivision 2 of section 4 of part B of chapter 173 of the laws of 2013 relating to the issuance of securitized restructuring bonds to refinance the outstanding debt of the Long Island power authority is amended to read as follows:

(i) issue the restructuring bonds contemplated by a restructuring cost financing order, and use the proceeds thereof to purchase or acquire, and to own, hold and use restructuring property or to pay or fund upfront financing costs [provided, however, that the restructuring bond issuer shall only issue and sell restructuring bonds once];

§ 6. This act shall take effect immediately.

PART X

Section 1. Section 171 of the navigation law, as amended by chapter 35 of the laws of 1985, is amended to read as follows:

§ 171. Purposes. It is the purpose of this article to ensure a clean environment and healthy economy for the state by preventing the unregulated discharge of petroleum which may result in damage to lands, waters or natural resources of the state by authorizing the department of environmental conservation to prepare for and respond quickly to such discharges and effect prompt cleanup and removal of such discharges, giving first priority to minimizing environmental damage, and by providing for liability for damage sustained within the state as a result of such discharges.

§ 2. Subdivision 1 of section 172 of the navigation law, as added by chapter 845 of the laws of 1977, is amended to read as follows:

1. "Administrator" means the [chief executive, within] person designated by the [department] commissioner of [audit and control, of] envi-
ronmental conservation to administer the New York environmental
protection and spill compensation fund;

§ 3. Paragraphs (a), (b) and (d) of subdivision 4 of section 174 of
the navigation law, paragraph (a) as amended by section 1 of part E of
chapter 413 of the laws of 1999, paragraph (b) as amended by chapter 512
of the laws of 1986 and paragraph (d) as added by section 21 of part A
of chapter 58 of the laws of 1998, are amended to read as follows:

(a) The license fee shall be [one cent] nine and one-half cents per
barrel transferred [until the balance in such account established by
paragraph (a) of subdivision two of section one hundred seventy-nine of
this article equals or exceeds twenty-five million dollars], provided,
however, that the fee on any barrel, including any products derived
therefrom, subject to multiple transfer, shall be imposed only once at
the point of first transfer. In each fiscal year following any year in
which the balance of [such] the account established by paragraph (a) of
subdivision two of section one hundred seventy-nine of this article
equals or exceeds [twenty-five] forty million dollars, no license fee
shall be imposed unless (a) the current balance in such account is less
than [twenty] thirty-five million dollars or (b) pending claims against
such account exceed fifty percent of the existing balance of such
account. [The provisions of the foregoing notwithstanding, should claims
paid from such account not exceed five million dollars within three
years after the license fee is first imposed, the license fee shall be
one cent per barrel transferred until the balance in such account equals
or exceeds eighteen million dollars, and thereafter shall not be imposed
unless: (1) the current balance in such account is less than fifteen
million dollars or (2) pending claims against such account exceed fifty
percent of the existing balance of such account.] In the event of either
such occurrence and upon certification thereof [by the state comptroller], the administrator shall within ten days of the date of such certification reimpose the license fee, which shall take effect on the first day of the month following such revocation. [In the event of a major discharge or series of discharges resulting in claims against such account exceeding the existing balance of such account, the license fee shall be imposed at the rate of eight cents per barrel transferred until the balance in such account equals pending claims against such account; provided, however, that the] The rate may be set at less than [eight] nine and one-half cents per barrel transferred if the administrator determines that the revenue produced by such lower rate shall be sufficient to pay outstanding claims against such account within one year of such imposition of the license fee. [Should such account exceed eighteen million dollars or twenty-five million dollars, as herein provided, as a result of interest, the administrator and the commissioner of environmental conservation shall report to the legislature and the governor concerning the options for the use of such interest.] The fee established by this paragraph shall not be imposed upon any barrel which is transferred to a land based facility but thereafter exported from this state for use outside the state and is shipped to facilities outside the state regardless of whether the delivery or sale of such petroleum occurs in this state.

(b) The surcharge on the license fee shall be [two and one-half cents per barrel for each barrel transferred on or after June first, nineteen hundred eighty-five but before February first, nineteen hundred eighty-eight. Such surcharge shall be three and one-half cents per barrel for each barrel transferred on or after February first, nineteen hundred eighty-eight, but before February first, nineteen hundred ninety. Such
surcharge shall be] four and one-quarter cents per barrel for each barrel transferred on or after February first, nineteen hundred ninety.

(d) The surcharge established by paragraph (b) of this subdivision shall be [one and one-half] thirteen and three quarters cents per barrel for any barrel that is transferred but thereafter exported from this state for use outside the state as described by paragraph (a) of this subdivision. Twelve and one-quarter cents of such surcharge shall be credited to the account established by paragraph (a) of subdivision two of section one hundred seventy-nine of this article.

§ 4. Paragraph (a) of subdivision 2 of section 179 of the navigation law, as amended by section 2 of part I of chapter 577 of the laws of 2004, is amended to read as follows:

(a) An account which shall be credited with all license fees and penalties collected pursuant to paragraph (b) of subdivision one and paragraph (a) of subdivision four of section one hundred seventy-four of this article, the portion of the surcharge collected pursuant to paragraph (d) of subdivision four of section one hundred seventy-four of this section, penalties collected pursuant to paragraph (b) of subdivision four of section one hundred seventy-four-a of this article, money collected pursuant to section one hundred eighty-seven of this article, all penalties collected pursuant to section one hundred ninety-two of this article, and registration fees collected pursuant to subdivision two of section 17-1009 of the environmental conservation law.

§ 5. The opening paragraph and subdivisions 4 and 5 of section 180 of the navigation law, the opening paragraph and subdivision 4 as added by chapter 845 of the laws of 1977 and subdivision 5 as amended by chapter 35 of the laws of 1985, are amended to read as follows:
The [state comptroller] commissioner shall appoint and supervise an administrator of the fund. The administrator shall be the chief executive of the fund and shall have the following powers and duties:

4. To certify the amount of claims and names of claimants [to the state comptroller];

5. To disburse moneys from the fund for cleanup and removal costs pursuant to a certification of claims [by the commissioner].

§ 6. Subdivisions 7 and 9 of section 185 of the navigation law, as added by chapter 672 of the laws of 1991, are amended to read as follows:

7. Within sixty calendar days from the close of such hearing and after due consideration of the written and oral statements and testimony and arguments filed pursuant to this section, or on default in appearance on said return day, the administrator shall make [his] a final determination on the validity or amount of the damage claims or claims for cleanup and removal costs filed by the injured persons. The administrator shall notify the claimant and, if known, the alleged discharger thereof in writing by registered mail.

9. Upon a determination by the administrator that provides for an award to the claimants, the administrator [shall certify the amount of the award and the name of the claimant to the state comptroller, who] shall pay the award from the fund. In any case in which a person responsible for the discharge seeks judicial review, reasonable attorney's fees and costs shall be awarded to the claimant if the determination of the administrator is affirmed.

§ 7. Subdivisions 1 and 2 of section 186 of the navigation law, as amended by chapter 38 of the laws of 1985, subdivision 1 as separately amended by chapter 35 of the laws of 1985, paragraph (c) of subdivision
as amended by chapter 672 of the laws of 1991 and paragraph (e) of subdivision 2 as added by chapter 83 of the law of 1995, are amended to read as follows:

1. (a) Moneys in the account established by paragraph (a) of subdivision two of section one hundred seventy-nine of this part shall be disbursed by the administrator[, upon certification by the commissioner,] for the purpose of costs incurred under section one hundred seventy-six of this article.

(b) Moneys in the account established by paragraph (b) of subdivision two of section one hundred seventy-nine of this part shall, within forty-five days of the close of each license fee period, be deposited by the administrator[,] in the hazardous waste remedial fund created pursuant to section ninety-seven-b of the state finance law for expenditure pursuant to such section[; provided, however, that the state comptroller shall cause the administrator to reimburse the commissioner for the reasonable costs of collecting the surcharge during those times when the license fee is not imposed].

2. Moneys in the account established by paragraph (a) of subdivision two of section one hundred seventy-nine of this part, as may be appropriated by the legislature, shall be disbursed by the administrator, upon certification by him or her, for the following purposes:

(a) Damages as defined in section one hundred eighty-one of this article;

(b) Such sums as may be necessary for research on the prevention and the effects of spills of petroleum on the environment and on the development and testing of improved cleanup, containment and removal operations [as may be appropriated by the legislature; provided, however, that such sums shall not exceed the amount of interest which is credited
to the account established by paragraph (a) of subdivision two of section one hundred seventy-nine of this part; 

(c) Such sums as may be necessary for the general administration of the fund, equipment and personnel costs of the department [of environmental conservation] and any other state agency related to the enforcement of this article [as may be appropriated by the legislature]; 

(d) Such sums as may be [appropriated by the legislature] necessary for research and demonstration programs concerning the causes and abatement of ocean pollution[; provided, however, that such sums shall not exceed the amount of interest which is credited to the account established by paragraph (a) of subdivision two of section one hundred seventy-nine of this part].  

(e) Such sums as may be necessary for the general administration, equipment and personnel costs of the department [of environmental conservation] related to the administration and enforcement of the petroleum bulk storage program established pursuant to title ten of article seventeen of the environmental conservation law. 

(f) Such sums as may be necessary for the acquisition and maintenance of petroleum spill prevention, response or personal safety equipment and supplies and training for state and local government entities, including emergency services agencies and personnel. 

(g) Such sums as may be necessary for petroleum spill response drills and exercises. 

(h) Such sums as may be necessary for identification, mapping, and analysis of populations, environmentally sensitive areas, and resources at risk from spills of petroleum and related impacts; and the development, implementation, and updating of contingency plans, including geographic response plans, to protect those populations, sensitive envi-
ronments, and resources in the event of a spill of petroleum or related
impacts.

§ 8. Section 191 of the navigation law, as amended by chapter 35 of
the laws of 1985, is amended to read as follows:

§ 191. [Joint rules and regulations] Rules. The commissioner [and the
state comptroller are] is authorized to adopt, amend, repeal, and
enforce such rules and regulations pursuant to the state administrative
procedure act[, as they] that the commissioner may deem necessary to
accomplish the purposes of this article.

§ 9. Section 192 of the navigation law, as added by chapter 845 of the
laws of 1977, is amended to read as follows:

§ 192. Enforcement of article; penalties. Any person who knowingly
gives or causes to be given any false information as a part of, or in
response to, any claim made pursuant to this article for cleanup and
removal costs, direct or indirect damages resulting from a discharge, or
who otherwise violates any of the provisions of this article or any rule
promulgated thereunder or who fails to comply with any duty created by
this article shall be liable to a penalty of not more than twenty-five
thousand dollars for each offense. Such penalty may be assessed by the
commissioner after a hearing or an opportunity to be heard or in a court
of competent jurisdiction. If the violation is of a continuing nature
each day during which it continues shall constitute an additional, sepa-
rate and distinct offense.

§ 10. Section 196 of the navigation law, as amended by chapter 35 of
the laws of 1985, is amended to read as follows:

§ 196. Reports. The commissioner [and the administrator] shall make an
annual report to the legislature and the governor which shall describe
the quality and quantity of spills of petroleum, the costs and damages
paid by and recovered for the fund, and the economic and environmental impact on the state as a result of the administration of this article.

§ 11. Subdivision 6 of section 200 of the navigation law, such section as renumbered by chapter 845 of the laws of 1977, is renumbered subdivision 7 and a new subdivision 6 is added to read as follows:

6. The commissioner of environmental conservation may, after a hearing or an opportunity to be heard, assess a penalty of up to twenty-five thousand dollars per day for any violation of or a failure to comply with any provision contained in article twelve of this chapter, or any lawful notice, order or regulation prescribed by the commissioner of environmental conservation under such provision.

§ 12. Subdivision 2 of section 97-b of the state finance law, as amended by section 4 of part I of chapter 1 of the laws of 2003, is amended to read as follows:

2. Such fund shall consist of all of the following:

(a) moneys appropriated for transfer to the fund's site investigation and construction account; (b) all fines and other sums accumulated in the fund prior to April first, nineteen hundred eighty-eight pursuant to section 71-2725 of the environmental conservation law for deposit in the fund's site investigation and construction account; (c) all moneys collected or received by the department of taxation and finance pursuant to section 27-0923 of the environmental conservation law for deposit in the fund's industry fee transfer account; (d) all moneys paid into the fund pursuant to section 72-0201 of the environmental conservation law which shall be deposited in the fund's industry fee transfer account; (e) all moneys paid into the fund pursuant to paragraph (b) of subdivision one of section one hundred eighty-six of the navigation law which shall be deposited in the fund's industry fee transfer account; (f) all
moneys paid into the fund by municipalities for repayment of landfill closure loans made pursuant to title five of article fifty-two of the environmental conservation law for deposit in the fund's site investigation and construction account; (g) all monies recovered under sections 56-0503, 56-0505 and 56-0507 of the environmental conservation law into the fund's environmental restoration project account; (h) all fees paid into the fund pursuant to section 72-0403 of the environmental conservation law which shall be deposited in the fund's industry fee transfer account; (i) payments received for all state costs incurred in negotiating and overseeing the implementation of brownfield site cleanup agreements pursuant to title fourteen of article twenty-seven of the environmental conservation law shall be deposited in the hazardous waste remediation oversight and assistance account; and (j) other moneys credited or transferred thereto from any other fund or source for deposit in the fund's site investigation and construction account.

§ 13. Continuation of rules and regulations pertaining to the administration of the New York environmental protection and spill compensation fund. Upon the transfer of the functions and powers possessed by the New York state comptroller in regard to the administration of the New York environmental protection and spill compensation fund pursuant to the navigation law to the department of environmental conservation as prescribed by this act, all rules, regulations, acts, orders, determinations and decisions, pertaining to the functions transferred by this act to the department of environmental conservation shall continue in force and effect as rules, regulations, acts, determinations and decisions of the department of environmental conservation, unless duly modified or repealed.
§ 14. This act shall take effect immediately; provided, however, that
to allow for an orderly transition of work the department of environ-
mental conservation and the state comptroller may have until October 1,
2015 to transfer all functions associated with the administration of the
environmental protection and spill compensation fund as required by
sections two and five of this act; provided further that the increased
fees established pursuant to paragraphs (a) and (d) of subdivision 4 of
section 174 of the navigation law as amended by section three of this
act shall take effect on September 1, 2015 and shall apply to any barrel
that is transferred on and after such date.

PART Y

Section 1. The opening paragraph of subdivision 1 and subdivision 3 of
section 72-0303 of the environmental conservation law, the opening para-
graph of subdivision 1 as amended by section 1 of part BBB of chapter 59
of the laws of 2009 and subdivision 3 as amended by section 1 of part D
of chapter 413 of the laws of 1999, are amended to read as follows:
Commencing January first, two thousand fifteen and every year there-
after, all sources of regulated air contaminants identified pursuant to
subdivision one of section 19-0311 of this chapter shall submit to the
department an annual base fee of two thousand five hundred dollars. This
base fee shall be in addition to the fees listed below. Commencing Janu-
ary first, nineteen hundred ninety-four and every year thereafter all
sources of regulated air contaminants identified pursuant to subdivision
one of section 19-0311 of this chapter shall submit to the department an
annual fee [of forty-five dollars per ton] not to exceed the per ton
fees described below. The per ton fee is assessed on each ton of emis-
sessions up to seven thousand tons annually of each regulated air contaminant as follows: [forty-five] sixty dollars per ton for facilities with total emissions less than one thousand tons annually; [fifty] seventy dollars per ton for facilities with total emissions of one thousand or more but less than two thousand tons annually; [fifty-five] eighty dollars per ton for facilities with total emissions of two thousand or more but less than five thousand tons annually; and [sixty-five] ninety dollars per ton for facilities with total emissions of five thousand or more tons annually. Such fee shall be sufficient to support an appropriation approved by the legislature for the direct and indirect costs associated with the operating permit program established in section 19-0311 of this chapter. Such fee shall be established by the department and shall be calculated by dividing the amount of the current year appropriation from the operating permit program account of the clean air fund by the total tons of emissions of regulated air contaminants that are subject to the operating permit program fees from sources subject to the operating permit program pursuant to section 19-0311 of this chapter up to seven thousand tons annually of each regulated air contaminant from each source; provided that, in making such calculation, the department shall adjust their calculation to account for any deficit or surplus in the operating permit program account of the clean air fund established pursuant to section ninety-seven-oo of the state finance law; any loan repayment from the mobile source account of the clean air fund established pursuant to section ninety-seven-oo of the state finance law; and the rate of collection by the department of the bills issued for the fee for the prior year.

3. Effective January first, [nineteen hundred ninety-seven through December thirty-first, nineteen hundred ninety-eight, and notwithstand-
After the requirements of the state administrative procedure act, the cap of twenty-five dollars per ton two thousand sixteen and annually thereafter, the base fees and per ton fees listed in subdivision one of this section shall increase by the percentage, if any, by which the consumer price index exceeds the consumer price index for the prior calendar year [nineteen hundred eighty-nine].

[a.] The consumer price index for any calendar year is the average of the consumer price index for all urban consumers published by the United States department of labor, as of the close of the twelve-month period ending on August thirty-first of each calendar year.

[b. The revision of the consumer price index for the calendar year nineteen hundred eighty-nine shall be used in the event the department of labor revises its method of determining the consumer price index.]

§ 2. Section 72-0302 of the environmental conservation law, as amended by chapter 608 of the laws of 1993, the opening paragraph of subdivision 1 and the closing paragraph as amended by chapter 432 of the laws of 1997, paragraph e as amended and paragraphs f and g of subdivision 1 as relettered by chapter 170 of the laws of 1994, is amended to read as follows:

§ 72-0302. State air quality control fees.

1. All persons, except those required to pay a fee under section 72-0303 of this [article] title, who are required to obtain a permit, [certificate] registration or approval pursuant to the state air quality control program shall submit to the department a [per emission point] fee in an amount established as follows:

a. [$11,000.00] $2,500.00 for a stationary [combustion installation having a maximum operating heat input equal to or greater than fifty million British thermal units per hour as stated on the most recent
application for a permit to construct or application for a certificate
to operate and which emits or has the potential to emit equal to or
greater than any one of the following:

(i) one hundred tons per year of oxides of nitrogen, or if located in
a severe ozone nonattainment area, twenty-five tons per year; or
(ii) one hundred tons per year of sulfur dioxide; or
(iii) one hundred tons per year of particulates source subject to a
state facility permit.

b. [$2,000.00] $250.00 for [all] a stationary [combustion installa-
tions which are not included under paragraph a of this subdivision and
which have a maximum operating heat input greater than fifty million
British thermal units per hour as stated on the most recent application
for a certificate to operate] source subject to a minor facility regis-
tration from the department.

c. [$100.00] $2,500.00 for a [stationary combustion installation
having a maximum operating heat input less than fifty million British
thermal units per hour as stated on the most recent application for a
certificate to operate] facility with any other operating approval.

d. $2,000.00 for a process air contamination source for an annual
emission rate equal to or greater than twenty-five tons per year of any
one of the following: sulfur dioxide, nitrogen dioxide, total particu-
lates, carbon monoxide, total volatile organic compounds and other
specific air contaminants. The annual emission rate shall be the actual
annual emission rate as stated on the most recent application for a
permit to construct or application for a certificate to operate. In the
event that hours of operation have not been specified on the applica-
tions then maximum possible hours of operation (8760 hours) will be used
to calculate actual annual emissions.
e. $160.00 for a process air contamination source, except a gasoline dispensing site, for an annual emission rate less than twenty-five tons per year of any one of the following: sulfur dioxide, nitrogen dioxide, total particulates, carbon monoxide, total volatile organic compounds and other specific air contaminants. The annual emission rate shall be the actual annual emission rate as applied for on the most recent application for a permit to construct or application for a certificate to operate. In the event that hours of operation have not been specified on the applications then maximum possible hours of operation (8760 hours) will be used to calculate actual annual emissions.

f. $2,000.00 for an incinerator capable of charging two thousand pounds of refuse per hour or greater. The charging capacity will be established in accordance with the application for the most recent permit to construct or application for a certificate to operate the incinerator source and will be calculated on an emission point basis.

g. $160.00 for an incinerator with a maximum design charge rate of less than two thousand pounds of refuse per hour. The charging capacity will be established in accordance with the application for the most recent permit to construct or application for a certificate to operate the incinerator source and will be calculated on an emission point basis.

Provided, however, that where a city or county is delegated the authority to administer the state air quality control program, or any portion thereof, pursuant to paragraph p of subdivision two of section 3-0301 of this chapter and such city or county collects a fee in connection with the issuance of a permit, [certificate] registration, or approval for a [combustion installation, incinerator or process air contamination] stationary source subject to a state facility permit,
1 minor facility registration or other operating approval, no additional
2 liability for fees under this section shall accrue for the [particular
3 combustion installation, incinerator or process air contamination]
4 source that is subject to the delegation.

2. Notwithstanding the requirements of the state administrative proce-
6 dure act, beginning January first, two thousand sixteen and annually
7 thereafter, the fees listed in subdivision one of this section shall
8 increase by the percentage, if any, by which the consumer price index
9 exceeds the consumer price index for the prior calendar year. The
10 consumer price index for any calendar year is the average of the consum-
11 er price index for all urban consumers published by the United States
12 department of labor, as of the close of the twelve-month period ending
13 on August thirty-first of each calendar year. Such calculations and fees
14 shall be established as a rule by publication in the Environmental
15 Notice Bulletin no later than thirty days after the budget bills making
16 appropriations for the support of government are enacted or July first,
17 whichever is later, of the year such fee will be effective.

§ 3. Subdivisions a, b, c, d, e, f, g, h, i, j, k, l, m, n, q and t of
19 section 72-0602 of the environmental conservation law, paragraphs a, b,
20 c, d, e, f, g, h, q and t as amended by section 1 of part JJ of chapter
21 59 of the laws of 2009, subdivision i as amended by section 1 of part T1
22 of chapter 62 of the laws of 2003, and subdivisions j, k, l, m and n as
23 amended by chapter 62 of the laws of 1989, are amended to read as
24 follows:

a. [300.00]$375.00 for any P/C/I facilities having a permit to
26 discharge or discharging at an average daily rate of less than 100,000
27 gallons;
b. [$600.00] $750.00 for P/C/I facilities having a permit to discharge or discharging at an average daily rate of 100,000 gallons or more;

c. [$600.00] $750.00 for industrial facilities having a permit to discharge or discharging at an average daily rate of less than 10,000 gallons;

d. [$2,000.00] $2,300.00 for industrial facilities having a permit to discharge or discharging at an average daily rate of between 10,000 gallons and 99,999 gallons;

e. [$6,000.00] $7,250.00 for industrial facilities having a permit to discharge or discharging at an average daily rate of between 100,000 gallons and 499,999 gallons;

f. [$20,000.00] $25,000.00 for industrial facilities having a permit to discharge or discharging at an average daily rate of between 500,000 and 999,999 gallons;

g. [$30,000.00] $37,000.00 for industrial facilities having a permit to discharge or discharging at an average daily rate of between 1,000,000 and 9,999,999 gallons;

h. [$50,000.00] $58,000.00 for industrial facilities having a permit to discharge or discharging at an average daily rate of 10,000,000 gallons or more;

i. [$50,000.00] $58,000.00 for any power plant;

j. [$375.00] $450.00 for municipal facilities having a permit to discharge or discharging at an average daily rate of less than 200,000 gallons;

k. [$1,875.00] $2,000.00 for municipal facilities having a permit to discharge or discharging at an average daily rate of between 200,000 and 999,999 gallons;
l. [$7,500.00] $8,000.00 for municipal facilities having a permit to
discharge or discharging at an average daily rate of between 1,000,000
and 4,999,999 gallons;
m. [$15,000.00] $15,500.00 for municipal facilities having a permit to
discharge or discharging at an average daily rate of between 5,000,000
and 39,999,999 gallons;
n. [$37,500.00] $38,500.00 for municipal facilities having a permit to
discharge or discharging at an average daily rate of 40,000,000 gallons
or more;
q. [$100.00] $125.00 per acre disturbed plus [$600.00] $700.00 per
future impervious acre for any facility, not owned or managed by a local
government or a state department, agency, or authority, discharging or
authorized to discharge pursuant to a SPDES permit for stormwater
discharges from construction activity. For the purposes of this subdivi-
sion, acres disturbed are acres subject to clearing, grading, or exca-
vating subject to SPDES permitting and future impervious acres are acres
that will be newly paved or roofed during construction;
t. [$100.00] $150.00 for any facility, other than a municipal separate
storm sewer as defined by 40 CFR §122.26 (b) (8), discharging or author-
ized to discharge pursuant to a general permit unless a specific fee is
imposed pursuant to subdivisions a through s of this section for such
discharge or authorization to discharge.
§ 4. Section 72-0602 of the environmental conservation law is amended
by adding a new closing paragraph to read as follows:

Notwithstanding the provisions of the state administrative procedure
act, beginning January first, two thousand sixteen and annually there-
after, the fees listed above shall increase by the percentage, if any,
by which the consumer price index exceeds the consumer price index for
the prior calendar year. The consumer price index for any calendar year
is the average of the consumer price index for all urban consumers
published by the United States department of labor, as of the close of
the twelve-month period ending on August thirty-first of each calendar
year. Such calculations and fees shall be established as a rule by
publication in the Environmental Notice Bulletin no later than thirty
days after the budget bills making appropriations for the support of
government are enacted or July first, whichever is later, of the year
such fee will be effective.

§ 5. This act shall take effect immediately and shall apply to all
bills issued on and after January 1, 2015.

PART Z

Section 1. Subdivision 3 of section 15-1525 of the environmental
conservation law, as amended by section 2 of part F of chapter 59 of the
laws of 2006, is amended to read as follows:

3. The certificate of registration shall require that, before the
commencement of drilling of any well or wells, the water well driller
shall file a preliminary notice with the department; it shall also
provide that upon the completion of the drilling of any water well or
water wells, a completion report be filed with the department, giving
the log of the well, the size and depth thereof, the capacity of the
pump or pumps attached or to be attached thereto, and such other infor-
mation pertaining to the withdrawal of water and operation of such water
well or water wells as the department by its rules and regulations may
require. The water well driller shall provide a copy of such completion
report to the water well owner. The number of the certificate of regis-
tration must be displayed on the well drilling machinery of the registrant. The certificate of registration shall also contain a notice to the certificate holder that the business activities authorized by such certificate are subject to the provisions of article thirty-six-A of the general business law. [The fee for such certificate of registration shall be ten dollars annually.] The commissioner shall promulgate a water well completion report form which shall be utilized by all water well drillers in satisfying the requirements of this section and any other provision of state or local law which requires the submission of a water well completion report or water well log.

§ 2. This act shall take effect immediately.

PART AA

Section 1. Paragraph 4 of subdivision (a) of section 83 of the state finance law, as amended by chapter 512 of the laws of 1994, is amended to read as follows:

4. (i) There is hereby created a special account within the conservation fund to be known as the state fish and game trust account to consist of all moneys received by the state from the sale of lifetime hunting, fishing, trapping, archery and muzzle-loading licenses pursuant to section 11-0702 of the environmental conservation law. The state comptroller shall invest the moneys in such account in securities as defined by section ninety-eight-a of this article, except as provided in subparagraph (iii) of this paragraph. Any income earned by the investment of such moneys, except income transferred to the conservation fund pursuant to subparagraph (iii) of this paragraph, shall be added to and become a part of, and shall be used for the purposes of such account.
(ii) The state comptroller shall provide an annual report of the trust account which lists the amount of the principal, the principal transferred to the habitat conservation and access account pursuant to subparagraph (iii) of this paragraph, the earned income, the earned income accrued to the principal, and the earned income transferred to the conservation fund pursuant to subparagraph (iii) of this paragraph not later than April tenth of each year for the state fiscal year ending the immediately preceding March thirty-first. A copy of such report shall be transmitted, forthwith, to the director of the division of the budget, the chairman of the senate finance committee, the chairman of the assembly ways and means committee, the commissioner of the department of environmental conservation and each of the eleven members of the conservation fund advisory board, created pursuant to section [seven hundred] 11-0327 of the [executive] environmental conservation law.

(iii) Earned income from the sale of all lifetime licenses, except income earned on the proceeds of the sale of a lifetime license during the period from sale of such license until April first of the year following one full year of deposit of the proceeds of the sale of such lifetime license, shall be available for deposit within the conservation fund pursuant to paragraph one of this subdivision in an amount equal to the cost of the appropriate annual license. The earned income which exceeds the current cost of each annual license comparable to the lifetime license, shall be added to the trust account as principal. The earned income from lifetime licenses issued to persons who are under the legal age to implement such licenses shall be added to the trust account as principal until such person becomes of legal age to hunt, fish or trap. Beginning April first, two thousand fifteen, up to one million
§ 2. Subdivision (h) of section 83 of the state finance law is REPEALED.

§ 3. The state finance law is amended by adding a new section 83-a to read as follows:

§ 83-a. Habitat conservation and access account. (a) There is hereby created an account within the miscellaneous capital projects fund, the habitat conservation and access account. The habitat conservation and access account shall consist of all moneys from funds of the state fish and game trust account authorized to be deposited pursuant to subparagraph (iii) of paragraph four of subdivision (a) of section eighty-three of this article received by the department of environmental conservation from the sale of lifetime licenses for hunting, trapping, and fishing, and all moneys, revenues and interest thereon received as a result of the application of subdivision seventeen of section 11-0305 of the environmental conservation law authorizing the issuance and sale of voluntary habitat stamps, other than the amount retained by the issuing agent or officer. The habitat conservation and access account shall be subject to the same restrictions and protections as the conservation fund.

(b) These moneys, after appropriation by the legislature, and within the amounts set forth and for the several purposes specified, shall be available to the department of environmental conservation for the capital expenses associated with management, protection, and restoration of
fish and wildlife habitats, and improvement and development of public access for fish and wildlife related recreation.

(c) All payments made from the habitat conservation and access account shall be made by the department of taxation and finance after audit and upon warrant of the comptroller on vouchers approved by the commissioner of environmental conservation. After appropriations made available from the habitat conservation and access account shall cease to have force and effect, any balances remaining unexpended and not required to meet the proper and necessary expenses of the division of fish and wildlife shall revert to the state fish and game trust account established pursuant to paragraph four of subdivision (a) of section eighty-three of this article.

(d) No funds may be transferred or used in any way which would result in the loss of eligibility for federal benefits or federal funds pursuant to federal law, rule, or regulation as assented to in chapter six hundred eighty-three of the laws of nineteen hundred thirty-eight and chapter seven hundred of the laws of nineteen hundred fifty-one.

§ 4. Subdivision 17 of section 11-0305 of the environmental conservation law, as added by section 3 of part F of chapter 82 of the laws of 2002, is amended to read as follows:

17. To prepare or cause to be prepared voluntary habitat stamps and furnish such stamps annually to license issuing agents and officers for sale and issuance in the same manner as licenses and other types of stamps. The department shall, by rule, establish the fee for the habitat stamp which shall [not exceed] be no less than five dollars plus an additional amount for the issuing agent or officer. The purchase of a stamp is voluntary and a stamp need not be possessed in order to take fish or wildlife.
§ 5. This act shall take effect immediately and shall be deemed to have been in full force and effect on and after April 1, 2015; provided, however, that all funds in the habitat account of the conservation fund, established pursuant to subdivision (h) of section 83 of the state finance law, on the effective date of this act shall be transferred to the habitat conservation and access account established pursuant to section 83-a of the state finance law as added by section three of this act.

PART BB

Section 1. Paragraph a of section 11.00 of the local finance law is amended by adding a new subdivision 29-a to read as follows:

29-a. Transit motor vehicles. The purchase of municipally owned omnibus or similar surface transit motor vehicles, ten years.

§ 2. This act shall take effect immediately.

§ 2. Severability clause. If any clause, sentence, paragraph, subdivision, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the legislature that this act would have been enacted even if such invalid provisions had not been included herein.

§ 3. This act shall take effect immediately provided, however, that the applicable effective date of Parts A through BB of this act shall be as specifically set forth in the last section of such Parts.