

STATE OF NEW YORK

1002

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. MAGNARELLI -- read once and referred to the Committee on Transportation

AN ACT to amend the railroad law, in relation to requiring railroad corporations to inform the division of homeland security and emergency services, department of environmental conservation, and department of transportation about freight rail trains transporting hazardous materials prior to traveling on tracks within the state

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

1 Section 1. The railroad law is amended by adding a new section 109 to read as follows:

2 § 109. Transportation of hazardous materials. 1. Every railroad
3 corporation which operates any freight train within the state shall
4 inform the division of homeland security and emergency services, department
5 of environmental conservation, and department of transportation
6 about freight rail trains transporting hazardous materials prior to
7 traveling on tracks within the state, and shall promptly update the
8 hazardous waste manifest. Such information to be provided pursuant to this
9 section shall include the same information required to be provided to
10 local municipalities pursuant to Public Law 114-94, the federal Fixing
11 America's Surface Transportation Act.
12

13 2. Information provided pursuant to subdivision one of this
section
14 shall be confidential and shall not be subject to disclosure under
arti-
15 cle six of the public officers law or any other provision of law.
16 3. The commissioners shall promulgate all rules and regulations
neces-
17 sary for the implementation of this section.

18 § 2. This act shall take effect on the thirtieth day after it
shall
19 have become a law; provided, however, that this act shall be
deemed
20 repealed if any federal agency determines in writing that this act
would
21 render New York state ineligible for the receipt of federal funds or
any

EXPLANATION--Matter in italics (underscored) is new; matter in
brackets

[-] is old law to be omitted.

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1 court of competent jurisdiction finally determines that this act
would
2 render New York state out of compliance with federal law or
regulation;
3 and provided that the commissioner of transportation shall notify
the
4 legislative bill drafting commission upon any such determination
in
5 order that the commission may maintain an accurate and timely
effective
6 data base of the official text of the laws of the state of New York
in
7 furtherance of effectuating the provisions of section 44 of the
legisla-
8 tive law and section 70-b of the public officers law. Effective
imme-
9 diately, the addition, amendment and/or repeal of any rule or
regulation
10 necessary for the implementation of this act on its effective date
are
11 authorized to be made and completed on or before such effective date.