



NEW YORK STATE SENATOR

Jeremy A. Cooney

## With Construction Season Underway, Senator Cooney Calls For Assault Protections for Highway Workers and NYSDOT Employees

JEREMY A. COONEY June 5, 2024

| ISSUE: **HIGHWAY WORKER SAFETY**



**New Bill To Keep Roadway Workers Safe Following Tragic Death Of Thruway Worker**

(ALBANY, NY) - Today, **Senator Jeremy Cooney (D-Rochester)**, Chairman of the NYS Senate Transportation Committee, **NYS Department of Transportation Commissioner Marie Therese Dominguez** and **NYS Thruway Authority Executive Director Frank Hoare** called for the passage of the Senator's new bill ([S9782](#)) to create expanded assault protections for highway workers, motor carrier investigators, and motor carrier inspectors. Following the death of a Thruway

employee at a work site in Monroe County last month, Senator Cooney explained that this bill would directly contribute to efforts to prioritize worker safety in New York.

“Everyday, our highway workers ensure our roads and bridges are safe, so it’s only right that we do everything in our power to keep these workers safe while on the job,” said **Senator Cooney**. “This bill would deter bad actors, protect state employees, and show these workers that New York prioritizes their safety and their families. I’m proud to sponsor this bill as it’s clear we need to get this done before the end of session for transportation workers across our state.”

**New York State Department of Transportation Commissioner Marie Therese Dominguez** said, “Nothing is more important than the safety of each member of our team at New York State DOT. I want to thank Governor Hochul for her indefatigable support of the Department and the safety of our workforce. I appreciate her leadership and the leadership of Senator Jeremy Cooney to advance this important legislation which fundamentally protects the people who are working to make all New Yorkers safe – our highway maintenance workforce. Highway workers want what we all want: to do their jobs in safe working conditions and get home to their families when their work is done. They work hard and deserve our respect. Protecting the safety of our team members is the foundation and lifeblood of everything we do at the Department of Transportation, and this legislation, which contains stiffer penalties for those who assault our workers, will send a clear message to those who flagrantly put the lives of our team members at risk - that if they engage in harmful actions, there will be consequences.”

**New York State Thruway Authority Executive Director Frank Hoare** said, "Safety is at the heart of everything we do at the Thruway Authority. We commend Senator Cooney's advocacy for the safety of our workforce. Senator Cooney's legislation sends a clear message to all drivers that purposely endangering the lives of our workforce, especially in work zones, will not be

tolerated."

**Albany Mayor Kathy Sheehan** said, "Transportation workers across our state and in our city put themselves into dangerous situations every day to ensure the roads we drive on are reliable and safe. While they do their job, it is our job to extend them the safety protections so many other public sector employees are afforded. I appreciate Senator Cooney's advocacy of this legislation along with partners Commissioner Dominguez and Executive Director Hoare; and urge its passage by the State Legislature and ultimate signing by Governor Hochul."

**Mike Elmendorf, President & CEO of the Associated General Contractors of New York State (AGC NYS)** said "While we applaud the additional protections for transit workers included in the enacted state budget, the safety and lives of our highway workers across New York are every bit as valuable. We applaud Governor Hochul and the New York State Department of Transportation for proposing legislation to similarly protect highway workers from assault and violence—and commend Senate Transportation Committee Chair Jeremy Cooney for introducing it. We now need the Assembly to follow suit and both houses to correct this inequity for highway workers before session adjourns this month. Our highway workers deserve nothing less."

**The New York Construction Materials Association President and CEO Ron Epstein** said, we applaud Senate Transportation Chair Cooney for his leadership and steadfast commitment to enhancing the safety of highway workers. No family should ever mourn a loved one again due to someone's wanton disregard for these essential women and men. We urge the legislature to pass both the Senator's work zone safety and transportation worker assault bills this session.

**Wayne Spence, President of the Public Employees Federation** said, “The more than 51,000 members of the New York State Public Employees Federation, which represents more than 3,300 members at the NYS Department of Transportation, support legislation to expand protections for highway workers, motor carrier investigators and motor vehicle inspectors such as what currently exists for other transportation-related workers who are attacked and injured on the job (S.9782 by Senator Cooney). An assault is an assault -- the state of New York cannot sit by and allow assaults on highway workers, motor carrier investigators and motor vehicle inspectors to be treated differently than assaults committed against their counterparts in other transportation-related job titles. This legislation would increase the penalties for individuals convicted of attacking a highway worker, motor carrier investigator, and motor vehicle inspector to assault in the second degree. PEF appreciates the New York State Senate’s new Transportation Chairperson Jeremy Cooney for his work in support of this important bill and we join with him in encouraging both houses of the Legislature to adopt this bill before the end of the 2024 Legislative Session.”

**Vincent Albanese, Director of the NYS Laborers PAC** said “We applaud Senator Cooney and the NYS Department of Transportation for their prioritization of highway worker safety through the introduction of S9782. All workers deserve to feel safe on the job. The New York State Laborers are proud to support this legislative effort to protect our members from assault.”

**Barbara Van Epps, Executive Director of the New York State Conference of Mayors (NYCOM)** said, “NYCOM commends Senator Cooney and Commissioner Dominguez for making the safety of our transportation workers not only a priority but a responsibility of the State that must be taken very seriously. No one should be subjected to physical harm or harassment while on the job. Passage of this legislation will help ensure that the men and women who keep our roadways safe are protected and will also make it abundantly clear that attacks on

these individuals will not be tolerated.”

**Jeffrey Smith, President of the New York State County Highway Superintendents Association** said, “We applaud Senator Jeremy Cooney and the Department of Transportation for advancing legislation that will extend enhanced assault protection for highway workers and increase penalties for attacks causing physical injury. Our highway workers are exposed to heightened dangers in some circumstances and often work in rough weather and under tough conditions to keep our roads and bridges in good repair. This legislation should act as a deterrent and a reminder to the public that serious violations of highway worker safety, whether intentional or by negligence, will not be tolerated.”

**Greg Hallberg, President of the New York State Association of Town Superintendents of Highways (NYSAOTSOH)**, said “NYSAOTSOH is the state’s largest transportation association representing Highway Superintendents in 933 towns that are responsible for local highways, culverts and bridges. The Towns’ employees and its contractors maintain this massive system which consists of 60 percent of the state’s total local roads and over 2,000 highway bridges. Our employees ensure drivers and their passengers can travel safely on the local road system and we need to guarantee our workers are protected in their work space. It is imperative the Legislature pass Senator Cooney’s work zone safety and worker assault bills before they adjourn this week.”

The New York State Department of Transportation (NYSDOT) noted that they have seen over 40 documented incidents of harassment or assault of their workers since 2022. These incidents include instances of drivers purposely hitting workers with their cars, throwing objects at workers from their windows, and threatening or using weapons. With this bill, Senator Cooney explained that incidents like these would be treated as assault in the second degree, a Class D felony.

Senator Cooney noted that many other public employees are currently already protected with these enhanced penalties under existing law, including the MTA's workforce. The Senator's bill would amend this existing law to ensure NYSDOT's employees receive these same heightened protections.

In addition to highway employees, NYSDOT defines motor vehicle inspectors as those inspecting the mechanical condition of commercial vehicles, and motor carrier investigators as those responsible for investigating and enforcing motor carrier safety regulations. The Senator's legislation is a departmental bill introduced in partnership with NYSDOT.

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