NYC DEPARTMENT OF TRANSPORTATION TESTIMONY
HEARING BEFORE THE CITY COUNCIL
COMMITTEE ON TRANSPORTATION
June 5, 2017

Good morning Chairman Rodriguez and members of the Transportation Committee. I am Polly Trottenberg, Commissioner of the New York City Department of Transportation. With me today is Eric Beaton, Acting Deputy Commissioner for Transportation Planning and Management.

I am also pleased to be joined by Transportation Chief Thomas Chan, who will be speaking about NYPD's enforcement operations. Thank you for inviting us to testify on behalf of Mayor de Blasio about congestion on our streets and the steps our agencies are taking to address this challenging issue.

The Challenge of a Growing City

New York City is currently experiencing a period of remarkable growth that is straining our transportation system as never before. Between 2010 and 2016, the City's population rose to 8.5 million, an increase of more than 360,000 new residents. The number of jobs in the city has swelled to 4.3 million, up 500,000 since the pre-recession peak of 2008. Tourism is booming: nearly 61 million people visited the City in 2016, up 68 percent since just 2000. And development is everywhere: in recent years the city has added tens of thousands of new housing units and millions of square feet of new office space.

Up until now, New York City has largely been able to meet the travel demand generated by this growth with existing subway capacity and increased walking and biking. Between 2010 and 2016 citywide subway ridership increased 22 percent to 1.76 billion. Ridership is now 78 percent higher than during the system's nadir of 991 million riders in 1982. The number of frequent bike riders has risen 54 percent to 778,000 in the last five years, and pedestrian activity has increased dramatically. To support these shifts, the city has significantly expanded bus, bike and pedestrian facilities, and has done so in most cases without reducing overall vehicle throughput.

But there is fierce competition for curb and street space. Growth in population and economic activity has led to an increase in truck deliveries and associated double parking. As the City attracts more visitors, workers, and residents, sidewalks and crosswalks are busier than ever. With more construction has come an increase in lane closures, impacting traffic flow.

The rapid growth of the for-hire vehicle industry has also raised questions about their role in contributing to congestion, particularly in the Manhattan core. The app-based dispatch sector has continued to rise dramatically, with active vehicles growing from around 20,000 in June 2015 to nearly 55,000 in March 2017, and trip volumes growing from around 100,000 trips per day in June 2015 to over 400,000 trips per day in March 2017 according to the most recent TLC data.

Starting in June of this year, the TLC will begin collecting more complete trip data from FHVs, including both trip duration and destination, in addition to pick-up location. This additional data will enable the City to better understand where and when FHVs are operating and how they may be impacting traffic flow. This improved data stream will be used to inform future policy responses.

But overall, DOT believes that the City's extraordinary growth is likely the dominant factor leading to congestion and dropping traffic speeds on the streets in Midtown and in major commercial districts across the five boroughs. In Manhattan south of 60th Street, for example, yellow taxi GPS data show that average weekday speeds dropped from 9.4 miles per hour in 2010 to 8.0 miles per hour in 2016.

And I do not need to tell this committee that of course traffic congestion is also a significant issue in the outer boroughs, especially at the approaches to major river crossings and highways and in hubs like Downtown Brooklyn and Long Island City.

And the sheer size of our city—more than 300 square miles of densely built urban area, spread across three separate major islands and a portion of the mainland—means that some New Yorkers face particularly long commutes.

While on the one hand increased congestion is a sign of a thriving economy, we hear loud and clear from community boards, elected officials, businesses, and New Yorkers who drive, are stuck on the bus, or use crowded sidewalks, that they are frustrated by congestion and are asking the City for answers.

As we consider strategies, the City is thinking about roadway congestion as one dimension of a larger challenge. New York City's overall transportation system—including our streets and subways—is nearing the limit of its capacity given the current way we manage and operate our streets and enforce their use. So our response to vehicular congestion must be part of a larger integrated strategy to make our entire transportation system more efficient.

Rather than framing the problem around average travel speeds or vehicle throughput, DOT is focused on improving street efficiency, by which I mean the number of people and the quantity of goods that a street can process on a typical day. An efficient street balances the needs of all users while giving priority to the most space-efficient modes, like bus transit, walking, and biking. This also means managing our curbs to facilitate deliveries, which cannot be shifted to other modes, while eliminating double parking. Efficient streets also provide travel choices to residents, support Vision Zero, advance the City's 80 x 50 greenhouse gas emission reduction goals, and support the economy and tourism.

Today I am going to speak about the range of measures that DOT and its partner agencies are considering for New York City to improve street efficiency.

Before I turn to that discussion, I want to briefly address one argument that invariably comes up whenever the problem of traffic congestion is raised. Some New Yorkers see the changes DOT has made to our streets—like more bike lanes and bus lanes and increased space for

pedestrians—and assume that those changes are solely responsible for the increase in congestion we are experiencing.

Let me be clear on this point: given the City's dramatic growth, our streets would be experiencing rising congestion even if we had not added a single bike, bus lane, or pedestrian plaza. In fact, without the growth in transit, biking, and walking that these improvements have supported, congestion would likely be worse, and the city would be deprived of the significant safety, environmental, and mobility benefits that these street efficiency investments provide.

Lessons From Other Cities

Other global cities like New York City experiencing record growth while facing finite street capacity—including London, Los Angeles, Paris, and Stockholm—are deploying two major responses to reduce congestion and keep people and goods moving. The first is road pricing and the second is major investment in transit expansion.

Although pricing has proven to be an effective tool to reduce traffic congestion, it is also controversial. Several pricing plans have been put forward over the years for New York City, but none have thus far gained traction in Albany.

On the other hand, major transit investment seeks to shift trips from car or taxi to mass transit by providing a fast, reliable and convenient alternative. In dense urban centers, this typically means large scale investment in rail and subway networks on grade-separated rights of way.

When we look at peer cities across the globe, we see what kind of major transit expansion is possible. London is planning $59 billion in transit investments through 2021, including 31 new miles of rail, 26 miles of which will be in tunnels under the heart of the city. Paris is investing $25 billion in its Metro to create four new lines with 68 stations and more than 120 miles of track. And the voters of Los Angeles recently approved a sales tax increase, which will fund $44 billion in transit projects over 40 years, including 45 miles of new rail by 2031. Overall, U.S. cities and states passed 55 ballot measures in 2016 to provide tens of billions in funding for transit investment.

Closer to home, the MTA recently completed the first phase of Second Avenue Subway, which now serves over 176,000 riders daily and has reduced passenger volumes on the over-crowded Lexington Avenue Line. Since service began, traffic volumes have decreased on Lexington and Second Avenues and taxi speeds are up seven percent. Taxi trips on the corridor have decreased by 32 percent, compared to a citywide decrease of only 11 percent during the same period.

But despite its $4.5 billion price tag, the Second Avenue Subway is less than two miles long, includes only three new stations, and took decades to complete. Although the MTA is planning over $32 billion in capital spending through 2019 for the region, most of that money will go towards maintaining the MTA's aging system in a state of good repair. While the MTA absolutely must maintain the subway system—and we have seen recently what happens when this trillion dollar asset is not adequately cared for—we must be able to expand the system at the same time.

Looking forward, the City and region are unlikely to see the level and pace of transit investment necessary to meet growing travel demand and make a meaningful dent in congestion. Were the MTA positioned to truly meet that need, the agency would be completing major projects like the Second Avenue Subway every few years. As it stands, full funding for the next phase of the project—a two mile extension from 96th Street to 125th Street—has yet to be identified and construction is years away.

Street Efficiency Options

Without these two tools—pricing and major subway system expansion—the City is nonetheless looking at the whole range of tools that we do have at our disposal.

I am going to talk about these approaches largely in the context of the Manhattan core, but these ideas could also be tailored to other congested corridors across the five boroughs.

As these strategies move forward, we will continue to have in-depth discussions with our colleagues at NYPD, DOF, and TLC to identify strategies regarding enforcement, curbside parking, placards, freight deliveries, technology, and traffic rules and penalties.

Enforcement

Chief Chan will speak about the NYPD's overall enforcement efforts, including the NYPD's newly expanded Midtown Traffic Enforcement Taskforce.

In addition to these initiatives, DOT and NYPD are considering curb regulation and street design changes to improve traffic flow during the most congested times. One option under consideration is to expand upon existing parking regulations on key crosstown streets by restricting deliveries to one side of the street. Several streets in East Midtown have these restrictions in place today. An expansion of this approach could increase rush hour capacity, but would require a significant expansion of NYPD personnel to effectively enforce.

Curbside Parking

DOT is developing a citywide parking blueprint, a data-driven and context-sensitive plan to better manage the curb in commercial districts across the five boroughs. In areas such as Downtown Flushing, Downtown Brooklyn, and Long Island City, the agency will explore new strategies for efficiently managing parking including progressive meter rates, extended meter hours, and integration of delivery zones with passenger parking.

But even the best conceived parking rules and rates can do little to address congestion unless they are effectively enforced and carry meaningful penalties for violations. This too would require major new resources for the NYPD, particularly for personnel.

And many of our parking rules have not been updated in decades. In collaboration with NYPD and the Department of Finance, we are working to identify ways to make our rules easier to understand and enforce, and advocate for increased penalties for congestion-causing and safety-related violations, especially in traffic hotspots.

Placards

As DOT Commissioner, I probably hear more complaints about improper use of placards than almost anyone in City government. So I am glad that Mayor de Blasio recently announced several steps that we are taking immediately to combat placard abuse.

The City needs a parking placard system to ensure that law enforcement, city agencies and our court systems can function efficiently, but we know that there are real impacts to placard abuse. These include increased congestion and blocked bus lanes, reduced curb access for customers and deliveries for businesses, safety issues when bike lanes are obstructed or fire hydrants are blocked, millions of dollars in lost parking revenue, and public frustration with a system that appears unfair and rife with abuse.

DOT is responsible for issuing parking placards to city agencies and public officials, non-profits, to clergy and the disability community. Our Authorized Parking team, which includes an enforcement unit, is working hard to improve all aspects of our system, including making placards harder to forge and training NYPD personnel on identifying fraudulent placards.

We are also looking at parking enforcement best practices from around the world, such as using advanced license plate readers capable of quickly scanning all vehicles on a block and then automatically issuing violations. This will make the enforcement process much more efficient and fraud-proof. Likewise, in the longer term, DOT and the NYPD are exploring the transition from paper placards to a more secure electronic placard system.

As part of our parking blueprint, DOT is also analyzing the parking needs and challenges in commercial districts and neighborhoods throughout the City. We hope to use that information to come up with more comprehensive solutions in areas—around courthouses for example—where parking is both critical for government functions, but also very scarce.

We hope to ultimately create a more rational parking system in those areas which, combined with strong enforcement, will create a culture of compliance amongst placard holders citywide.

Freight Deliveries

New York City relies on trucks to bring in over 90 percent of its goods. As our street grid lacks alleys, many deliveries happen at the curb and often during busy times. Truck deliveries are essential to our economy but, as recognized by Council Member Levine and Chairman Rodriguez with Intro 1031, contribute to double parking, noise and air pollution, and congestion.

One way to try to improve street efficiency is to shift truck trips to less busy hours in the evening and overnight. In 2013, DOT worked with 400 businesses to encourage them to shift to off hour deliveries through a federally funded incentive program. Based on the success of that program, DOT is launching a new off-hour delivery management program, this time with a participation goal of 900 additional businesses. We would welcome Council Members joining us in outreach for this effort.

Technology
In Manhattan, DOT's Midtown in Motion system uses a network of sensors to monitor real time traffic conditions. The system alerts operators at DOT's traffic management center, who then implement pre-programmed signal timing changes to clear the bottleneck. DOT plans to expand the system south from 23rd Street to the Battery and to also implement it in downtown Flushing.

DOT also makes use of a variety of data to understand transportation conditions and congestion, deriving information from taxi GPS units and from EZ Pass, and Bluetooth devices. We are also exploring opportunities to use image analytics from mobile cameras to monitor double parking and curb use, as well as to improve traffic safety.

I am also very happy to say that to supplement TLC data and information from DOT's own traffic monitoring equipment, DOT will purchase data collected from GPS in cars and phones from a commercial vendor. This data source will provide vehicle speeds, origins, and destinations city-wide, giving us a complete picture of traffic flow and congestion, not just in midtown but across the five boroughs, and allow us to quantify the congestion reduction potential of different initiatives and measure their success.

Surface Transit Enhancements
We will also continue our work on improving bus service. DOT will continue its partnership with New York City Transit to expand Select Bus Service and address the delay and reliability problems on local and express routes.

We applaud New York City Transit for their just released proposal to overhaul express bus service in Staten Island and we look forward to working with them on it.

DOT and NYCT are installing real time bus information displays to improve the customer experience, expanding the use of bus lanes and queue jumps so buses can avoid traffic bottlenecks, and implementing transit signal priority so buses spend more time moving and less time stuck at red lights.

And I am happy to announce that DOT is planning to upgrade the curbside bus lane along Fifth Avenue from 34th Street to 61st Street to a more effective double lane. Fifth Avenue is the second busiest bus corridor in the city, serving over 115,000 riders daily, including over 43,000 express bus riders. Those express bus riders include about 4,000 residents in Council Member Vacca's district that take the BxM7 and BxM8.

Outside the Manhattan core, DOT and the NYCT are working to launch SBS service on two more new routes in 2017, building on our thirteen existing routes: Woodhaven Boulevard in Queens, and 161st Street in the Bronx. By end of 2017, SBS routes will carry over 380,000 daily riders or more than 15 percent of New York's 2.5 million average weekday ridership, with speed improvements on pre-SBS performance of 10 to 30 percent.

Beyond bus service, the City is continuing with its own new rapid transit project, the BQX. Working with our partners at EDC we continue to plan for the route which will run along the

Brooklyn-Queens waterfront. And through our Citywide Transit Study we will identify other opportunities for transit expansion.

Bikes, Ferries, and Carshare

And DOT is focusing on expanding biking and other alternatives to driving. We are continuing to make investments in our 1,125 mile bike network so it reaches more parts of the City and better connects key nodes. At the same time, DOT, with its partner Motivate, is adding about 2,000 bikes to our bike share network this year and expanding the Citi Bike service area to new neighborhoods in three boroughs.

We are also investing in the Staten Island Ferry where ridership is growing, and are working with EDC on the rollout of Citywide Ferry Service.

As you know, on May 1, New York City re-launched ferry service to East 34th Street, Hunters Point South, Greenpoint, North Williamsburg, South Williamsburg, Dumbo, and Wall Street, with a new operator, new boats, and a new, more affordable price. At the same time we also launched new service from Wall Street to the Rockaways with a stop in Sunset Park. Just last Thursday the South Brooklyn route launched, connecting Wall Street, Dumbo, Pier 6 in Brooklyn Bridge Park, Red Hook, Sunset Park, and a new stop in Bay Ridge. Summer service to Governors Island will also depart from Wall Street, Dumbo, Pier 6, and Red Hook.

This August, ferries will begin serving Hallets Point in Astoria with stops in Long Island City, at East 34th Street, and Wall Street. And in spring 2018 we will be adding service to the Lower East Side and Soundview as well.

And we are thinking creatively about how to reduce car ownership, parking pressure, and overall traffic volumes by facilitating more convenient access to carsharing. This year we will launch a pilot program that will create designated on-street parking spots for carsharing vehicles as well as reserved spaces in our City-owned lots and garages.

As you know, this pilot program was codified by Council legislation and we have been happy to have many positive conversations in recent weeks and months with individual Council Members about how they think the program might work in their districts.

Conclusion

In closing, I want to reiterate that congestion on our streets should be understood within the larger context of the economy of the city and region. New York is a global capital and a leader in finance, culture, creativity, and innovation. The gross domestic product of the New York City region is $1.4 trillion a year, equivalent to the entire economy of South Korea. Each day almost a million people commute into New York City from around the region, approximately 1.4 million people enter Manhattan below 60th Street, and over a million tons of freight travel into, out of, or through the city.

This incredible density and scale of economic activity makes some level of congestion in New York City inevitable. Congestion is a sign of a thriving economy. The larger challenge that we face is how New York can continue to grow our economy, increase the number of middle class

jobs, and attract people from all over the country and the world to live, work, or visit, while ensuring the safety and mobility of the traveling public. This task is bigger than any one agency and requires the City to work together with our partners at the MTA, the Port Authority, and in state and federal government, as well as business and civic organizations, to keep people and goods moving efficiently.

Thank you again for the opportunity to speak with you today about the important issues of mobility and street efficiency and the City's on-going efforts to address congestion. After you hear from my NYPD colleagues I would be happy to answer any questions.

NYPD

Monday June 5, 2017

STATEMENT OF CHIEF THOMAS CHAN
TRANSPORTATION BUREAU
NEW YORK CITY POLICE DEPARTMENT

BEFORE THE NEW YORK CITY COUNCIL
COMMITTEE ON TRANSPORTATION
COUNCIL CHAMBERS, CITY HALL
JUNE 5, 2017

Good morning Chair Rodriguez and Members of the Council. I am Chief Thomas Chan, the Chief of the Transportation Bureau of the New York City Police Department (NYPD). In addition to DOT Commissioner Polly Trottenberg, I am joined here today by my NYPD colleagues, Inspector Dennis Fulton and Oleg Chernyavsky, the Director of Legislative Affairs. On behalf of Police Commissioner James P. O'Neill, I wish to thank the City Council for the opportunity to speak with you today about how the City can more effectively address traffic congestion.

At the outset of my testimony today, I believe it is important for me to state that the Police Department recognizes that traffic congestion can have an adverse impact on the quality of life, environment, and public health of those living and operating within the City and region. Facilitating the efficient movement of people in our City, especially in the backdrop of a growing populace, requires the action of multiple stakeholders. This includes the Police Department as well as our fellow city agencies, and our state, and federal partners.

Given the magnitude of this topic and the myriad issues associated with it, I believe it is essential that I discuss some of the major initiatives the Department has undertaken, and will undertake, to mitigate traffic congestion.

Part of the Transportation Bureau's responsibility is to design, develop, and implement strategies to improve traffic flow, remove obstacles impeding traffic flow, and expedite the passage of vehicles and bicycles within the City. Parking summons enforcement is not performed only for its own sake, but to enhance the safety and improve the flow of traffic. In fact, the Traffic Enforcement District, which is under my command, expresses its purpose and its goal with the phrase: ""Move Traffic, Reduce Collisions, Move Traffic, Protect Pedestrians, Move Traffic, Save Lives, Move Traffic, Move Traffic, Move Traffic." We take this idea seriously and remind all members of the Traffic Enforcement District of their mission daily. As of May 25, 2017, Traffic Enforcement Agents have issued over 3.2 million parking summonses. Parking summons enforcement has increased approximately 3% from last year.

Personnel under my command respond to both planned and unplanned traffic conditions and work with outside agencies regarding these issues. For example, the Department's Traffic Operations District regularly conducts traffic enforcement of yellow taxi cabs and black car

liveries. It conducts joint operations with the Taxi and Limousine Commission to target illegal street hails, which can slow traffic, and also performs parking enforcement at taxi stands against unauthorized parking violators.

Additionally, the Traffic Operations District assigns sergeants in Manhattan to monitor construction sites and identifies conditions that are causing congestion. Their duty is to maintain a close working relationship with DOT and the Department of Buildings to alleviate congestion problems. When encountering construction sites that are operating outside their scope or conditions, the construction sergeant will notify the Department's Construction Compliance Unit to respond to these locations and issue violations. This unit conducts highly specialized enforcement and issues summonses to companies that break road surfaces or otherwise take lanes out of use without having the proper permits to do so. Where more serious issues are presented, they will notify DOT's Highway Inspection Quality Assurance Unit.

The Department has also taken a targeted approach to bus enforcement, specifically regarding parking enforcement against vehicles that are not buses but are utilizing bus layover areas. Enforcement also involves identifying violations pertaining to bus lanes (both moving and parking summonses) and bus stops.

The Department's Citywide Traffic Task Force provides traffic control at focused intersections along main traffic routes and maintains a high visibility enforcement patrol in the vicinity of major transportation hubs such as Penn Station, Grand Central Terminal, and the Port Authority Bus Terminal. Specifically, the Task Force focuses on traffic flow violations such as double parkers, illegal U-turns, and the disobeying of traffic control signals. The Task Force is deployed to major emergency incidents that take place in our City, such as a large scale fires, in order to isolate the incident by diverting vehicles and pedestrians away from the area while expediting the response of emergency personnel and equipment.

Moreover, last year, our Traffic Enforcement District created a separate traffic task force to combat congestion and move traffic in midtown Manhattan. This highly mobile unit issues parking summonses, directs traffic, and patrols their posts in Department smart cars. It has also identified two particular problems in the midtown area that slows traffic: unauthorized layovers by buses and abuse of hotel loading zones. As a result, our traffic enforcement personnel have been steadily focused on these issues. The task force is a valuable resource and we will be expanding it.

It is also important to acknowledge the work that our auxiliary officers perform regarding traffic management. Auxiliary Units are often assigned to control the flow of pedestrians at major city events such as parades, demonstrations, and holiday celebrations. They are also tasked with

responding to large scale unplanned incidents to control vehicle and pedestrian access to affected areas.

Last year, as part of the Vision Zero Initiative, the Department coordinated a citywide traffic initiative focused on averting hazardous parking and moving infractions which interfere with the safe passage of cyclists. Known as "Operation Safe Passage," this effort was initiated to provide safe passage for cyclists and reduce bicycle-involved injuries. During the summer and fall of 2016, the Department conducted four of these citywide bicycle safety initiatives which resulted in the issuance of a total of over 530,000 hazardous parking summonses and, more specifically, 7,000 summonses for parking in a bicycle lane.

Recently, the Administration announced new plans to enforce against parking placard fraud and abuse. The Department is committed to reducing the improper and fraudulent use of parking placards. When motorists believe they can park anywhere without consequences, they often obstruct bike lanes, bus stops, crosswalks, and other spaces that create hazardous conditions for all New Yorkers. Under this new plan, the Department will create a dedicated unit that reports to the Chief of Department that will consist of 16 dedicated enforcement personnel in the Transportation Bureau Citywide Traffic Task Force to identify counterfeit placards and misuse at hotspots in every borough. The Department also intends to hire an additional one-hundred traffic agents for deployment citywide and will add additional towing capacity to tow vehicles that are using placards fraudulently or illegally. This new initiative will help ensure our City streets are kept clear and that privileges are not abused.

Before concluding, I would like to commend the Council for highlighting this important topic and we look forward to maintaining an open dialogue on how the City can more effectively address traffic congestion. There is no "one-size fits all" approach to this subject and the Police Department is committed to working in collaboration with all our partners, including the Council, to address this issue.

Thank you for the opportunity to speak with you today, I am pleased to answer any questions you may have.

Statement of Adriana Espinoza
Manager, New York City Program
New York League of Conservation Voters

City Council Committee on Transportation
How Can New York City More Effectively Address Traffic Congestion?
June 5th, 2017

Good morning. My name is Adriana Espinoza, and I'm the Manager of the New York City Program at the New York League of Conservation Voters (NYLCV). NYLCV represents over 28,000 members in New York City, and we are committed to advancing a sustainability agenda that will make our people, our neighborhoods, and our economy healthier and more resilient. I would like thank Chair Rodriguez for the opportunity to testify before the Committee on Transportation regarding traffic congestion in New York City.

From OneNYC's plan to reduce Greenhouse Gas (GHG) emissions 80% by 2050, to last Friday's executive order to reaffirm our commitment to the Paris Accord, Mayor de Blasio and his administration have demonstrated significant environmental leadership. Making good on these commitments, however, requires aggressive action in all sectors of city life, including in transportation. In 2014, our City's transportation sector was responsible for 10.5 million metric tons of carbon dioxide, 28% of the city's overall GHG emissions. These emissions overwhelmingly come from private vehicles (91.6%), which is exacerbated even further by inefficient trips with significant idling in traffic or time spent searching for parking.

The City's "Roadmap to 80x50," identifies strategies to achieve our 80x50 goal. For transportation, this includes: *avoiding* trips through better land use and communications technology, *shifting* trips to low-carbon modes like walking, biking, or transit, and *improving* trips through transitions to cleaner fuels. Such measures would not only reduce the carbon footprint of our transportation sector but can also have a huge impact on traffic congestion.

Reducing congestion on our streets means providing a range of fast, affordable, frequent, and convenient low-carbon alternatives to riders. Automobile dependency and traffic congestion are the result of a growing city with an inadequate public transportation network, especially outside of Manhattan.

Approximately half of the workers who live in the Bronx, Queens, Brooklyn, and Staten Island work in their own borough. Yet fewer than half of these commutes are made by transit because driving across town is often easier, faster, and more appealing than riding the bus or taking the train, and in many transit deserts, it is the only viable option. This has an enormous impact on traffic congestion and greenhouse gas emissions.

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Serious investment in our region's subways, commuter rails, buses, and bicycle networks, combined with limits on the construction of new off-street parking, can help shift trips to more environmentally-friendly modes of transportation, thus reducing congestion.

This work requires integrating new technologies and smarter strategies into our public infrastructure to make low-carbon modes of transportation more attractive, including:

- **Upgrades to the Bus System:** Borough-to-Borough trips can most quickly and reliably be improved through bus upgrades. Upgrades, including all-door boarding, proof-of-payment fare collection, traffic signal priority, and bus lanes, have improved bus trip times by up to 20% and lead to an increase of 10-20% in ridership in the first year after implementation, according to NYC's Department of Transportation. These features should be applied where appropriate across the entire system, not just on Select Bus Service routes.
- **Walkability:** Continued attention is needed on the quality of the built environment, including ensuring that walking is a safe and convenient first-choice for mobility. Consistent investment in applying Vision Zero Design Standards to roads and vigilant enforcement of the rules of the road are essential to build on recent momentum.
- **Encouraging Cycling:** The City's roadmap goal is to shifting the percentage of all in-city trips by bike from 1% to 10% by 2050. With the rise of inexpensive ride-share services to fill in gaps in the transit network, our bike network must become an enticing alternative if we are to reduce congestion. The City must continue to work with Motivate to expand and improve Citi Bike, while making matching improvements to bike infrastructure such as protected bike lanes; secure, affordable and attractive bike parking near transit hubs, adequate public bike parking, and regulatory approval of low speed electric bikes.
- **Outer-borough rail service:** The expansion of borough-to-borough train service could play a significant role in reducing vehicle trips and their associated GHG emissions. Access to passenger rail service along the underused freight rail line between Bay Ridge and Jackson Heights, nominally known as The Triboro, deserves additional study and serious consideration.
- **Better utilizing commuter rail assets:** Many Long Island Railroad and Metro North Trains can take on additional riders within city borders but fares are prohibitively expensive. The "Freedom Ticket" pilot or an expansion of the CityTicket program could help commuters in

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the furthest reaches of the outer boroughs reach central business districts in a fraction of the time, taking pressure off both roads and subways.

- **Reconsidering Road Pricing**: This often-polarizing topic must be considered as a means of shifting automobile trips to transit and developing a mechanism to better fund increased ridership on our transit network. Strategies such as pricing on for-hire vehicles in congested areas, congestion fees in the central business district, or reforming tolls similar to the MoveNY plan must be an essential part of any plan to reduce congestion
- **Ferries:** NYLCV is pleased with the roll-out of the NYC Ferry service, but the initial stops are located mostly in areas that already have access to public transportation. The next stops should be to implement the service where current bus and train options are lacking.

It is imperative that these services also include efficiency upgrades like integrated fare payment systems and real-time arrival information. Simply put, New Yorkers will continue to choose private transportation over public so long as our public transportation system remains inconvenient and outdated.

The above changes would not only reduce congestion and better serve NYC residents, but also bring us closer to reaching our 80x50 goals. I'd like to thank the City Council for support over the years on transit issues that concern our members and look forward to continuing this work in the future. Thank you for your time.

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The voice of trucking.

Kendra Hems
President

Testimony of Kendra Hems, President
Trucking Association of New York

Before the

New York City Council
Committee on Transportation

Regarding

Oversight: How Can New York City More Effectively Address Traffic Congestion

June 5, 2017

Good Morning. My name is Kendra Hems and I am President of the Trucking Association of New York. Joining me this morning are Barry Panicola with Sprague Operating Resources and Zach Miller with NewYorkTruckStop.com. Mr. Panicola is a member of the Trucking Association's Board of Directors and Mr. Miller is Chairman of our Metro Region Government Affairs Committee.

I would like to thank Chairman Rodriguez and all the members of the committee for the invitation to testify before you today. The Trucking Association of New York is a non-profit, member driven organization which represents the trucking industry in New York. We strive to enhance the operating and business environment of the industry, and one of our primary missions is to improve safety within the industry and among all users of our roads and highways.

In an annual survey of trucking companies and drivers from across the nation, the impact of congestion consistently ranks among the top 10 critical issues facing the trucking industry. While congestion impacts all users, the trucking industry is uniquely impacted. Congestion increases motor carrier operating costs through wasted fuel, increased labor costs, vehicle wear and tear, and puts additional stress on professional drivers as available on-duty and driving hours are spent sitting in traffic. Additionally, congestion creates costly delays in the ability to efficiently deliver or pick up freight on time and on schedule.

A recent study conducted by the American Transportation Research Institute (ATRI) calculates annual congestion costs to the trucking industry to be over $63 billion. Ninety-one percent of those costs occur in large metropolitan areas. Of the primary metropolitan areas across the country, the New York/New Jersey region is the most costly with nearly $4.6 billion in total congestion costs. To put this in perspective, that equates to a congestion cost of over $630,000 per mile to the trucking industry to operate in this region. Of the top ten counties across the nation with the highest cost per mile, the city of New York holds the top four spots with the counties of New York, Bronx, Queens and Kings topping the list. Unfortunately, as we know, congestion in the region is only getting worse. Between 2014 and 2015, we saw a 13.2% increase in congestion in the area.

As an industry, we are well aware that commercial vehicles are often looked at as one of the primary culprits causing congestion. However, using the most recent NYC Department of Transportation (NYCDOT) Bridge Traffic Volumes report as an estimate, commercial vehicles account for less than ten percent of all vehicles crossing New York City's bridges and tunnels annually. Interestingly, a study conducted by our association and the then ATA Foundation in the mid-1990's, found commercial vehicles accounted for less than ten percent of all vehicles at that time as well. While overall volume of traffic has increased during the last 20 years, trucks as a percentage of that traffic has remained relatively flat.

As it relates to emissions, the trucking industry continues to improve energy and environmental efficiency even while increasing the number of miles driven. In 2014, trucks consumed 97 billion fewer gallons of fuel than passenger vehicles and accounted for just 17 percent of the total highway transportation fuel consumed. Through advancements in engine technology and fuel refinements, new diesel truck engines produce 98 percent fewer particulate matter and nitrogen oxides emissions than a similar engine manufactured prior to 1990. Sulfur emissions from diesel engines have also been reduced by 97 percent since 1999. In fact, in newer diesel engines, the air exiting the exhaust is actually cleaner than the air it takes in. Through the U.S. Environmental Protection Agency's SmartWay Transport Partnership, the trucking industry works with government to quantify greenhouse gas emissions and continues to take steps to reduce them.

Currently, 91 percent of all goods coming into or out of the New York City region are carried by truck. This includes deliveries of not only consumer products, such as clothing or the latest amazon order, but also deliveries that support tourism – whether that is linens to hotels, food to restaurants, or souvenirs to gift shops. It includes critical deliveries such as medication and medical equipment to hospitals. It includes deliveries of fuel to homes and businesses. It includes deliveries of building and construction materials to construction sites. Trucks are critical to the economic vitality of this region. We need to stop viewing trucks as a nuisance and rather as a necessity to the continued growth of the economy.

Through 2040, projections show freight tonnage in this region to grow by 46 percent, in large part due to population growth leading to more demand for goods and services. While in theory ideas such as a freight tunnel or freight ferry sound attractive to reduce the number of trucks in the City, in reality only those trucks that by-pass the city's central core would use this option and the resulting traffic may adversely affect Maspeth or South Brooklyn. By and large, trucks will continue to be the dominant mode of freight delivery well into the future. As such, the goal shouldn't solely be to remove trucks from the roads, but to also focus on improving the efficiency and safety of freight deliveries in order to reduce the impact of trucks.

As it relates to how New York City can more effectively address traffic congestion we do have some recommendations.

There must be a commitment from all parties to building real alternatives so that drivers of passenger vehicles might choose not to drive. This means building parking facilities near outer borough mass transit lines, expanding capacity on existing transit lines and extending mass transit to areas not presently well served. We are well aware of the financial issues facing the MTA, which is far too big an issue to try and address today, but the fact that the MTA is struggling doesn't change, or delay, the needs of transit – or would-be – transit users. We need to be able to put politics aside and find real solutions.

The Rockaway Ferry is a great example of how giving people another option can help take cars off the road. The Ferry, launched on May 1, can carry up to 149 people per trip and makes hourly trips from 6:00 a.m. until 8:00 p.m. Across the street from the ferry a large vacant lot was turned into a parking lot to

accommodate riders that wish to drive to the ferry landing. The Rockaway Ferry provides the potential to get over 2,000 commuters daily out of their cars and into another form of transit.

Parking remains a top issue for all drivers. Any new development projects should be required to include a parking and/or commercial delivery plan. In Long Island City there are plans to build 16,000 new residential units by the end of 2018. Based on recent discussions, there does not seem to be a desire to address parking needs associated with those units. We cannot assume that all these new residents will never have a vehicle. Trucks will still need to make deliveries and will either need a loading dock or designated parking in order to do so. Zoning requirements should be updated to ensure parking needs are addressed.

Lack of parking is a major factor contributing to congestion issues in the city. Often trucks are forced to double park, taking up a travel lane, simply because they have appointments and schedules they have to keep and there is no available parking in the delivery zones. Non-commercial vehicles are often illegally parked in the delivery zones and there has to be increased enforcement to free those zones up for their intended use.

At this point, we would be remiss if we didn't bring up the issue of parking placards. A recent article indicated that there are 160,000 issued parking placards in the city. Discussions with commercial vehicle drivers indicate that one of their biggest problems with finding a curbside parking spot in a commercial parking zone is placarded cars taking up the spots. There has to be a commitment to enforcing abuse of parking placards.

As it relates specifically to trucks, we support the expansion of New York City's off-peak delivery program, which encourages freight deliveries to occur at night. The biggest challenge is finding receivers that are able to accept deliveries during off-peak hours. In order to do so they must pay an employee overtime to accept the freight or they have to trust the driver to give them unassisted access to their business. As an association we are currently working with the Rensselaer Polytechnic Institute to find a solution to these challenges in order to increase participation in this important program.

Related to the off-peak delivery program we would encourage the Port Authority to re-evaluate their off-peak pricing for truck tolls. The cash, peak-period, toll for a typical tractor trailer crossing the George Washington Bridge is $105. The discounted, week-day, off-peak, E-ZPass toll is $77.50. This is a savings of less than $30. For a typical 3-axle delivery truck, there's only a $7.50 savings on the Hudson River crossings. No savings are offered at the MTA bridges and tunnels. This does not provide much of an incentive to cross into the City at during off-peak hours, particularly when there is currently nowhere for drivers to park once they get into New York City.

Providing designated areas for commercial vehicle overnight parking could help alleviate congestion during peak periods on the bridges. More drivers might be inclined to cross severely congested bridges during off-peak hours, even if they are not participating in the off-peak delivery program, if there was safe and secure overnight parking available.

Once in the city, there needs to be better signage to assist drivers that may not be familiar with New York's truck route network. In 2003, NYCDOT conducted a federally funded review of the truck route system. This review included a truck route signage pilot, conducted in Hunts Point. The conclusion of that study was that the color green, which was used during the pilot, improved drivers recognition and adherence to the truck route sign. Unfortunately, due to lack of funding, truck route signs across the city have not been changed to include the green color. We would recommend that the signage used during the pilot study be implemented city wide.

Related to truck routes, as part of their Smart Truck Management Plan, the NYCDOT has identified several critical urban freight corridors in the City. We would recommend that trucks be provided high priority access in these corridors, such as through the use of dedicated truck lanes and expanded commercial delivery zones. The quicker you can get trucks into and out of the city, the happier everyone will be – including the truck driver.

We would like to see a study of the current bike lane network to determine the level of use, the analysis used to determine where bike lanes should be installed, and the impact on congestion. While we do not dispute that bike lanes play a role as we strive to keep all users of the roads safe, they should be continually evaluated in order to make improvements to the program and provide a balance for the needs of all users. Certainly there is a benefit to the bike lanes, but there are also costs – one of which is contributing to increased congestion as the installation of bike lanes often result in the loss of a traffic lane. There have also been instances of bike lanes being placed directly in front of truck terminals, and we question the safety benefit of putting bikers directly in the path of trucks entering and exiting their terminal. Additionally, where bike lanes are buffered from traffic by metered passenger car parking, such as lower 2nd Avenue in Manhattan, we suggest that such spaces be dedicated to truck deliveries during business hours. We are not advocating for the removal of bike lanes, simply that the program continue to be evaluated.

All this said, we recognize that there is a need to find ways to reduce the volume of truck trips. Long-term, there should be a study on the development of freight villages to reduce truck trips into the city. As an example, New York City has approximately 24,000 restaurants, each of which receives three to four deliveries a day. In its simplest form, a freight village would consolidate those multiple deliveries into a single load, allowing for a single delivery and reducing the daily number of truck trips.

The use of parcel delivery zones should be studied as well. Frequently drivers who deliver to multi-unit buildings are required to make individual deliveries to each unit in the building. This requires several trips back and forth to their truck and can take hours to complete deliveries to a single building. The use of a parcel delivery zone would allow the driver to make a single delivery of multiple packages to a secure location that the receiver of the package can pick up at their convenience. This would save significant time and free up valuable curb space.

Congestion on New York City's roads affects all users. We recognize that along with every conversation about our congested streets, there is a discussion about shifting freight from trucks to rail or barge. This is certainly a laudable goal, but unlikely to result in any significant shifts of freight, at least in the near term. Trucks will remain the primary mode of freight transportation into the future. As stated, trucks are critical to the economy of this great City. We need to work together to find ways to improve the efficiency of necessary freight deliveries, which will result in reducing the impact of trucks on other road users. As an industry we recognize that we have a role and a responsibility to assist in finding solutions to the congestion challenge and we look forward to continuing to work with you in the future on this issue.

Thank you again for the opportunity to be here today.

STATEMENT OF ALEX MATTHIESSEN

NEW YORK CITY COUNCIL, TRANSPORTATION COMMITTEE HEARING
JUNE 5, 2017

"HOW CAN NYC MORE EFFECTIVELY ADDRESS TRAFFIC CONGESTION?"

Chairman Rodriguez and Honorable Members of the New York City Council Transportation Committee:

Thank you for the honor of inviting me to speak to your committee today. I am president of Blue Marble Project, an environmental consulting firm, as well as the director of the Move NY campaign and coalition, on whose behalf I am testifying here today.

Move NY is a region-wide grassroots campaign seeking to build support for a master transportation plan for the New York City metropolitan area developed by traffic guru "Gridlock" Sam Schwartz and the Move NY coalition. The coalition – comprised of business groups, unions, clergy, civic leaders, transportation and environmental advocates, and good governance organizations – formed in 2010 in response to the growing crisis facing the region's transportation system: severe service cuts, escalating fares and tolls, potholed roads, deteriorating bridges, and a dwindling funding base with which to fund the maintenance and improvement of our transit and road network. I think we can all agree that the crisis is even more acute today, which is of course why you, Chairman Rodriguez, called this important hearing.

Most of you are by now familiar with the Move NY Fair Plan, which was introduced last spring in a pair of similar bills in the New York State Assembly and Senate. In essence, the Move NY bills envision a "toll swap" whereby tolls are instituted on the four East River Bridges and along 60th Street and reduced, by nearly half, on the MTA's seven bridges. The plan would place a surcharge on all for-hire vehicles – which are otherwise exempt from the CBD tolls – within the taxi exclusion zone. The Albany plan would raise an estimated $1.5 billion a year, improve Manhattan traffic speeds by up to 18%, commit $350 million a year to New York City road and bridge maintenance, and generate, through bonding, $15-$20 billion in capital funding to upgrade and expand the MTA transit system, including $4.5 billion that would be controlled by local officials to meet local transit needs.

Unfortunately, that plan is, for the time being, dead in Albany. We got to the 10-yard line with goal to go. While we had nearly 30 co-sponsors on the Assembly bill and a powerful bi-partisan pair of senators on the Senate bill, there were too many legislators who privately support the bills but couldn't justify signing on without leadership from the Governor. Likewise, the Governor, who has said the plan has merit, may not have seen enough explicit support in the Legislature to justify expending the political capital needed to get the plan passed. The ultimate Catch-22.

However, there is another path. Move NY is here today to unveil a "home rule" version of its toll reform plan that the New York City Council can enact without approval from Albany.

Based on extensive legal analysis conducted by NYU Law School Professor Roderick Hills, we are confident that the City has full legal authority to toll its own roads and bridges. In a moment, Professor Hills will explain exactly how. The case he will make has been vetted and endorsed by five luminaries in New York City law, including former Corporation Counsel "Fritz" Schwarz.

Before I turn the mike over to Professor Hills, allow me to outline the Home Rule version of the Move NY Plan that we envision. Let me say upfront that it will not solve the City's subway crisis nor the MTA's funding shortfall. Only the Governor and the State Legislature are in a position to do that. But the Home Rule plan, as we've dubbed it, could be a boon to New Yorkers. Here's how it works.

Like the state version of the Move NY plan, an electronic charge of $2.75 would be imposed on drivers using any of the four East River bridges or crossing 60th Street, in each direction. For-hire vehicles (yellow and green cabs, Ubers and Lyfts, and on-call "black cars") are exempt from the CBD tolls; instead, they pay a congestion surcharge based on travel time and distance within the Manhattan taxi exclusion zone (south of 110th Street on the west side, 96thStreet on the east side).

The surcharge – which has been endorsed by Uber, the Metrotaxi Board of Trade, Black Car Fund and others who support Move NY's toll reform efforts – is designed to keep FHVs from flooding midtown and downtown and also ensure that the largest share of total revenue raised is paid by Manhattan residents. Prior congestion pricing initiatives, such as the Bloomberg plan that died in the state legislature in 2008, required residents of Queens and Brooklyn to shoulder the greatest burden.

After expenses, the Home Rule congestion pricing plan generates over $1 billion annually, which the City can use to better maintain the East River bridges and City-owned roads, work with the MTA to expand the City's bus system (among other transit improvements), and pay for the "Fair Fare" proposal to discount the cost of Metrocards for low-income households. Under our plan, legislation implementing the plan would include a lockbox provision to ensure that 100% of the revenues are spent on transportation infrastructure and transit improvements.

At the risk of stating the obvious, let me say one thing about the amount of the new CBD fee. It's no coincidence that our $2.75 charge is the same as the fare New Yorkers pay to ride the subway or bus. I would challenge any driver to come up with a credible argument as to why it's not fair for him or her to pay $2.75 to drive a car into the most congested part of the city when everyone else in the city and region – save pedestrians and bicyclists – is paying that amount or more to make the same trip. This is especially true when you consider the relative impacts of a vehicle trip – with its attendant carbon emissions, wear and tear on taxpayer-funded roads, and danger of collisions – as compared to a straphanger occupying a few square feet of space – on a good day – on a New York subway.

To be clear, the Move NY coalition would much prefer that Albany implement our original version of the plan, which would price the new tolls at $5.76 each way and cut tolls by an average of over 40 percent on all seven MTA bridges. The $1.5 billion raised annually would not only maintain the East River bridges and other roadways but also finance a $15-$20 billion investment in the MTA's faltering subway system.

But if Governor Cuomo and the State Legislature are not prepared to get behind the Move NY proposal, the City should take the lead in adopting a common-sense alternative that will go a long way toward fixing our roads and bridges, reducing traffic and improving our bus network – and reap the rewards of being able to control the revenue and improve the lives of New Yorkers.

To borrow a phrase, New York is Burning and no one is coming to the rescue. New Yorkers are suffering and increasingly late to work, appointments or opportunities to patronize the City's businesses. They're increasingly stuck on slow buses impeded by traffic, or on crowded unreliable subways, or idling in their cars. We need leadership and we believe that the body most equipped to provide it is the New York City Council. The Move NY Coalition looks forward to rolling up our sleeves to help you get it done.

I appreciate the opportunity to share our view and would welcome any questions you might have.

Now I would like to turn it over to my colleague, Professor Roderick Hills.

PARTNERSHIP
for New York City

Testimony of the Partnership for New York City
Michael Simas, Executive Vice President

New York City Council
Committee on Transportation

How Can New York City More Effectively Address Traffic Congestion?

June 5, 2017

Thank you Chair Rodriguez and members of the committee for the opportunity to testify on traffic congestion. The Partnership for New York City represents the city's business leaders and largest private sector employers and we work to promote economic growth and to maintain the city's position as a global center for commerce and innovation.

In 2006, the Partnership commissioned a study that estimated the annual cost of traffic congestion in the five boroughs at more than $13 billion. Over the last decade, conditions have gotten worse. An updated estimate of the cost of congestion today, in terms of delays, pollution, loss of productivity and wasted fuel would easily exceed $20 billion.

A recent global survey by traffic-data company Inrix found that New York City is the third most congested city in the world, with New York drivers spending an average of 89 hours stuck in traffic during peak periods in 2016. The areas that power the city and the region's economy—Manhattan's midtown and downtown central business districts—are the primary source of congestion in the metropolitan region. Every weekday, an average 730,000 vehicles enter Manhattan south of 60th Street.

Ultimately, congestion threatens the city's competitiveness and economic growth. Companies have been willing to pay high costs to be in the city because of ready access to a productive workforce, as well as clients, customers, business relationships and amenities. If access to these assets becomes less predictable, the value proposition declines.

Traffic problems are more complicated than they were a decade ago. Online shopping and on-demand delivery services have grown substantially in recent years. One estimate suggests that e-commerce is adding two million deliveries per day and one major freight company reported a 29 percent increase in deliveries to residential areas between 2010 and 2015. App-based ride companies are also growing. Between 2013 and 2016, these companies added an estimated seven percent to miles driven by vehicles in Manhattan and the most congested areas of Brooklyn and Queens.

So, how can New York City more effectively address traffic congestion?

The city has a few ways it can reduce traffic congestion. In 2007, the Partnership endorsed a congestion-pricing plan that would have imposed a charge on all private vehicles entering

Manhattan below 60th Street. We also support increasing the price of on-street parking and reducing the use of parking permits issued by government agencies. It should be understood, however, that these are not necessarily going to be a source of significant net revenues, since the primary objective is to reduce traffic and its costs, not to enhance revenues.

At the same time, the city must implement new policies to manage freight and other commercial traffic such as tourist buses. The city should also work with businesses to help increase the percentage of deliveries that occur outside of peak hours (e.g., off-hour deliveries). There are some creative entrepreneurial companies, like Homer Logistics, that are providing deliveries by bicycle rather than vehicle that should be encouraged.

Finally, convincing people to switch from vehicles to public transit requires a major effort to improve the public transportation experience. The Governor recently announced his commitment to do whatever it takes to reduce delays and service interruptions and improve conditions for riders in the MTA system. This is a good start, but it is going to require public and private interests in the city, the region and the state legislature to get behind this effort. It is also important that city initiatives—like the five-borough ferries—are integrated seamlessly with the MTA system, and not generating yet another fleet of buses run by the city's concessionaire to accomplish intermodal transfers.

These are only a few highlights of the opportunities and challenges that require a coordinated planning and execution strategy. We recommend and offer to help convene and fund a formal effort to review these issues and mobilize support for actions to reduce congestion in all these areas. We hope you will agree that this is something that we as a city can undertake in partnership with the MTA and other interested parties.

SCHALLER
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Testimony of Bruce Schaller, Principal of Schaller Consulting, before the New York City Council Committee on Transportation

June 5, 2017.

Good morning Chair Rodriquez and members of the City Council. I am Bruce Schaller, Principal of Schaller Consulting based on Brooklyn, NY. I am the former deputy commissioner of traffic and planning at NYC Department of Transportation and have extensive experience with traffic, transit, taxi and related issues.

I appreciate the opportunity to testify this morning. I will focus on two key points related to traffic congestion in the Manhattan core, where speeds are slowest and the density of traffic and of economic and social activity is the greatest.

First, recent declines in Manhattan traffic speeds are primarily due to the growth in jobs, tourism, construction, pedestrian and other activity. Vehicle entries, both across 60th Street and on the river crossings, have been falling since the late 1990s. To accommodate growth in activity in the Manhattan core while avoiding gridlock, what the city needs is less traffic -- dramatically less traffic.

An essential part of the solution is road pricing. Without pricing, Manhattan traffic will continue to just crawl along. Speeds on Midtown avenues have been stuck at about 8 mph for nearly 90 years. Only a congestion charge, such as "Move NY," can dramatically reduce Manhattan traffic volumes and improve speeds.

Second, the city needs to address the rapid growth in on-demand ride services like Uber and Lyft. There are two sides to this growth. These services have added a valuable new

option for getting around town. But they have also have added 50,000 vehicles and 600 million miles of driving to city streets since 2013, as I showed in a report earlier this year. That translates to an increase of about 20 percent since 2013 in mileage driven in the Manhattan core by the for-hire sector as a whole, including Uber, Lyft, yellow cabs and black cars.

The proliferation of ride service vehicles can be seen as a problem, but it is also an opportunity. The City can achieve the goal of less traffic by reducing the amount of time that taxis and ride service drivers spend cruising around empty, or double-parked while waiting for the next passenger, or otherwise taking up some of the most valuable real estate in America.

Reducing this unproductive and unnecessary time on Manhattan streets would benefit everyone. Taxi and for-hire drivers would make more trips each shift, boosting their earnings. Everyone else would get to their destination faster and have less traffic to contend with. There would also be fewer crashes and cleaner air.

The City should act to reduce unnecessary mileage and time that taxi and for-hire drivers spend on Manhattan's congested streets. I am looking at potential solutions on this important issue, and can share results when the analysis is completed.

To conclude, less traffic would benefit all New Yorkers, whether in a motor vehicle or not. Reducing unnecessary driving is a good place to start.

I thank you for your time, and would welcome any questions.

STATEMENT OF RODERICK M. HILLS, JR.

NEW YORK CITY COUNCIL, TRANSPORTATION COMMITTEE
JUNE 5, 2017

HEARING: HOW CAN NEW YORK CITY MORE EFFECTIVELY ADDRESS TRAFFIC CONGESTION?

Thank you, Chairman Rodriguez and committee members, for allowing me to offer my opinion regarding the statutory power of New York City to impose tolls on the use of city-owned roads and bridges. My name is Roderick M. Hills, Jr. I am a member of the New York bar and a professor of law at New York University Law School where I teach and write on (among other subjects) local government law with an emphasis on the laws governing New York City.

As a written submission, I have provided to the Committee a memo explaining in greater detail my reasons for believing that New York City has such power under New York State's Vehicle & Traffic Law without any further state legislation. As indicated by the cover letter accompanying this memo, my opinion has been endorsed by five other legal scholars, including Frederick A.O. Schwarz, Jr., a former Corporation Counsel, and Eric Lane, now Dean of Hofstra Law School, who served as both executive director and counsel to the historic New York City Charter Revision Commission of 1989.

I am not here to express any opinion about the wisdom of any proposal to impose tolls on roads and bridges, as I have no expertise in transportation policy. Instead, I offer only an opinion about whether the New York City Council has the legal authority to impose such tolls if it chooses to do so.

My opinion is that section 1642(a)(4) of the Vehicle & Traffic Law plainly authorizes the Council to impose tolls on the use of City-owned roads and bridges. Section 1642(a)(4) provides that "the legislative body of any city having a population in excess of one million [residents]" may impose "tolls, taxes, [and] fees ... for the use of the highway or any of its parts where the imposition thereof is authorized by law."

I draw your attention to the phrase "authorized by law." This phrase lacks any limiting language requiring that the authorizing law be a *state* law. The most natural reading of the section, therefore, is that section 1642(a)(4) authorizes New York City to impose tolls on City-owned roads and bridges, just so long as these tolls are defined by *either* a state law enacted by the state legislature *or* a local law enacted by the City Council. Indeed, that is how the word "law" is understood in other parts of the Vehicle & Traffic Law and related statutes like the Municipal Home Rule Law: When unqualified by any adjective, "law" generally means *either* state *or* local law.

To read this phrase "authorized by law" more narrowly to refer only to state law would make nonsense out of section 1642(a)(4)'s grant of power. Such a reading would reduce section 1642(a)(4) to an absurd and meaningless tautology that effectively reads, "the City is authorized by state law to impose tolls where the City is authorized by state law to impose tolls." It is a longstanding principle of statutory interpretation, as well as common sense, not to read laws to be meaningless and ineffectual if it is possible to do so. Here, the language can easily be read to avoid absurdity by reading the word "law" to refer to either state or local law.

Reading section 1642(a)(4) to allow tolls that are authorized by either state or local law also fits the historical context in which the provision was enacted. Section 1642(a)(4) was enacted by the state legislature in 1957 as part of L. 1957, Chapter 698, a bill adding several

provisions to the Vehicle & Traffic Law. Two years before Chapter 698 was enacted, Mayor Robert Wagner and Governor Averell Harriman had appointed a blue-ribbon committee chaired by banker and philanthropist Benjamin J. Buttenwieser to propose solutions to the fiscal crisis facing New York City, and, in particular, New York City's road and mass transit system. After considering various expert proposals to toll roads and bridges in order to raise revenue, the Buttenwieser Committee's 1956 report proposed that the City's roads and bridges be turned over to a new special authority with the power to impose tolls and issue revenue bonds for financing the infrastructure's maintenance and improvement. However, this proposal to create a new special authority was strongly opposed by Robert Moses, the chair of the Triborough Bridge Authority on the ground that no further special authorities controlling bridges and roads were needed beyond his own. Shortly after the Buttenwieser Committee's report was issued, the New York State legislature enacted chapter 698's authorization for New York City to impose fees "where authorized by law," perhaps to respond to Moses' objections by clarifying that the new toll-imposing power could be exercised only by the City Council itself rather than by any new city-created special executive authority.

Whatever the motivation, that final clause is most naturally read in historic context to mean that New York City may impose fees through legislation enacted by the City Council but cannot impose such fees by creating a new special authority that would define the fees by executive order. Such a reading not only makes sense of Moses' objections to the Buttenwieser Committee's recommendation for the creation of a new special authority; it also accords with a longstanding principle of administrative law that requires taxes and tolls to be defined through laws enacted by a democratically accountable legislature rather than through the acts of administrative agencies alone.

To my knowledge, no court has ever issued any opinion contradicting my reading of section 1642(a)(4). Judicial opinions limiting the City's power over its own roads and bridges are sometimes cited as reasons to believe that the City lacks power to impose tolls. None of these opinions, however, have dealt with the City's power to impose tolls on city-owned roads and bridges, and none construe section 1642(a)(4).

In *Automobile Club v. City of New York*, for instance, the state supreme court issued an unpublished 1981 opinion holding that the City could not regulate the occupancy of vehicles using the City's East River bridges pursuant to VTL §1642(a)(3), providing that the City had the power to "prohibit[] or regulat[e] the use of any highway by particular vehicles or classes or types thereof ...." No mention was made of section 1642(a)(4) for the obvious reason that a ban on vehicle occupancy is not a toll, tax, or fee.

In short, the plain language of section 1642(a)(4) authorizes the City Council to impose tolls on the use of City-owned bridges and roads, no judicial authority of which I am aware has ever questioned this reading of the plain language, and the historical context of this state law is consistent with this natural reading.

I am happy to answer any questions you might have about the City's legal authority.

June 5th, 2017

Council Member Ydanis Rodriguez
Chair, Transportation Committee
New York City Council
250 Broadway
New York, NY 10007

Dear Chairman Rodriguez:

We write concerning the legal power of the City Council to impose fees on drivers' use of New York City's roads and bridges.

Over the past decade, there have been several proposals to manage traffic congestion on streets and roads within and near New York City's Central Business District by charging drivers for the use of the City's roads and bridges. The details of these various proposals for "congestion fees" vary. All such plans, however, share the underlying and undefended assumption that New York City's existing grants of power are insufficient to authorize the New York City Council to enact a local law imposing fees on drivers' use of the City's roads and bridges. As a result of this assumed powerlessness, city leaders like Mayor Bloomberg have sought new legislation from the state legislature to authorize such fees.

We urge that this assumption of New York City's powerlessness is mistaken. Existing state legislation already authorizes New York City to impose fees on the use of the City's bridges and roads without any further action from the state legislature. In particular, section 1642(a)(4) of the New York Vehicle and Traffic Law ("VTL") specifically provides that cities with over a million residents (*i.e.*, New York City) may impose "tolls, taxes, [and] fees ... for the use of the highway or any of its parts where the imposition thereof is authorized by law." In our view, this statutory grant of power is most reasonably construed to mean that New York City is authorized to impose fees on City-owned roads and bridges, just so long as these fees are authorized by *either* a state law enacted by the state legislature *or* a local law enacted by the City Council.

We base our reading of VTL section 1642(a)(4) on our years of experience studying and practicing local government law. One of us has served as Corporation Counsel for New York City; another has served as Legal Counsel to the historic Charter Revision Commission that created New York City's 1989 charter. Five of us are legal academics who have published legal scholarship on local government law generally or New York City's legal powers in particular. The detailed reasoning behind our interpretation of VTL section 1642(a)(4) is contained in the attached Memo written by Professor Roderick M. Hills, Jr. of New York University Law School, a Memo that we fully endorse. The basic argument in favor of our interpretation of this statutory provision, however, is simple: Construing VTL section 1642(a)(4) to authorize fees only when

some other state statute also authorizes such fees would mean that VTL section 1642(a)(4) is, legally speaking, meaningless.

We emphasize that we express no opinion about the wisdom of imposing fees on the use of the City's bridges and roads. Whether or not such fees are a sensible policy is up to the sound policy-making discretion of New York City's law-makers – the City Council. Instead, we urge only that New York law empowers New York City to make this policy judgment through a local law without further action by the state legislature.

Thank you for considering our views on this important question of New York City's legal powers.

Sincerely,

Frederick A.O. Schwarz, Jr.
Brennan Center for Justice
(*For identification purposes only*)

Eric Lane
Dean, Hofstra Law School
(*For identification purposes only*)

Richard Briffault
Columbia Law School
(*For identification purposes only*)

Nestor M. Davidson
Fordham Law School
(*For identification purposes only*)

Clayton P. Gillette
New York University Law School
(*For identification purposes only*)

Roderick M. Hills, Jr.
New York University Law School
(*For identification purposes only*)

To: Council Member Ydanis Rodriguez, Chair, City Council Transportation Committee

From: Roderick M. Hills, Jr.

Regarding: Authority of New York City to impose tolls on city-owned bridges and roads

Date: June 5th, 2017

This memo provides my opinion regarding New York City's ("the City's") legal authority to impose tolls on city-owned bridges and roads. To summarize, the City is authorized to impose tolls on city-owned bridges and roads by §1642(a)(4) of the New York Vehicle & Traffic Law ("VTL"), , which provides that cities with over a million residents (*i.e.*, New York City) may impose "tolls, taxes, [and] fees ... for the use of the highway or any of its parts *where the imposition thereof is authorized by law*" (emphasis added). That final emphasized phrase is most rationally construed, in light of the provision's plain text, common sense, and historical context, to mean that New York City is authorized to impose tolls on City-owned roads and bridges, just so long as these tolls are defined by either a state law enacted by the state legislature or a local law enacted by City Council. Indeed, construing this state statute to mean that the City may impose tolls on the use of city-owned roads and bridges only when such imposition is authorized by some other *state* law would render the clause into an absurd tautology, authorizing the local legislature to impose tolls on the use of public highways only when such tolls are already otherwise authorized by state law. To avoid so rendering the clause into a meaningless redundancy, "authorized by law" must be construed to mean "authorized by either state or local law."

I emphasize the limited scope of this memo, which examines only the scope of the City's legal powers under the VTL. This memo makes no recommendation about whether imposing tolls or fees on bridges and roads is a prudent or sensible policy for the City to adopt: It simply defends the legal power of City Council to adopt such a policy, if the City's democratically elected representatives deem such a choice to be a good one. Likewise, this memo does not examine whether or how the City's legal powers under the VTL are constrained by other relevant state and federal statutes, aside from the VTL. There may be other limits on the procedures by which the City can impose tolls on roads and bridges, such as the obligation to provide an environmental assessment of any proposed tolls pursuant to New York's State Environmental Quality Review Act ("SEQRA").[1] Likewise, legal doctrines aside from the VTL impose substantive limits on the sorts of tolls that the City may adopt, prohibiting, for instance, tolls that impose a discriminatory burden on interstate commerce.[2]

Putting to one side these questions of whether tolls on bridges and roads are wise policy, the precise procedure that must be followed in enacting such tolls, and the existence of

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[1]N.Y. ENVTL. CONSERV. LAW § 8-0103 (2001).

[2]Selevan v. N.Y. Thruway Auth., 584 F.3d 82 (2nd Cir. 2009).

substantive limits on particular sorts of tolls that might violate legal principles outside of the VTL, I conclude that, as a general matter, the VTL confers legal authority on the City to impose tolls on city-owned roads and bridges.

I. Background on the City's authority to impose tolls on roads and bridges

The question of whether the City has the legal authority to impose tolls on the use of its bridges and roads has become salient in the last decade with recent proposals to control traffic congestion through some form of "congestion fee." "Congestion fees" are simply tolls charged for the use of public highways based on the time and route of the use to insure that traffic moves at an efficient rate into and out of the City's central business district (defined as some part of lower Manhattan). The details of the various proposals for congestion fees vary. All such plans have in common, however, the idea that the use of the public highways by each additional vehicle typically imposes a marginal cost on the movement of traffic that ought to be controlled by some sort of regulatory system.

The Bloomberg Administration proposed a system of congestion fees for ratification by the state legislature in June of 2007, and, in response, the state legislature created a seventeen-member Traffic Congestion Mitigation Commission ("TCMC"), jointly appointed by the governor, mayor, city council speaker, and leadership of the state legislature, to consider the proposal. After holding hearings in the Fall of 2007, the TCMC recommended a modified version of the Bloomberg Administration's congestion fee proposal, and the New York City Council (the Council") passed a resolution by a margin of 30-20 in favor of the TCMC's proposal. Nonetheless, the proposal died in the spring of 2008 after Democratic members of the Assembly blocked a vote on it.[3]

The refusal of the state legislature to enact proposed legislation favored by a majority of the Council gives rise to the question of whether the Council has sufficient authority under existing state laws to enact some sort of system of congestion fees without further state authorization. This memo analyzes this question, concluding that the Council does indeed enjoy such authority under VTL §1642(a)(4).

VTL §1642(a)(4) is one clause in a broader grant of twenty-two powers enacted by the state legislature in 1957 by L.1957, ch. 698 and conferring a broad range of powers to regulate public highways on "the legislative body of any city having a population in excess of one million." VTL §1642(a) provides that such a "legislative body of a city may" exercise these enumerated powers "by local law, ordinance, order, rule, regulation or sanitary code provision" and further provides that "such local laws, ordinances, orders, rules, regulations and sanitary code provisions shall supersede the provisions of this chapter where inconsistent or in conflict with

[3] Bruce Schaller, *New York City's Congestion Pricing Experience and Implications for Road Pricing Acceptance in the United States*, 17 Transport Policy 266 (2010).

respect to [twenty-two] enumerated subjects." The topics that follow this declaration include a broad array of powers to regulate vehicles and roads, such as powers to regulate vehicle speeds, traffic signals, littering on the highway, and parades on public roads. Of particular relevance to the debate over congestion fees, VTL §1642(a)(4) confers powers on cities with more than one million people to "[c]harg[e] tolls, taxes, fees, licenses or permits for the use of the highway or any of its parts, where the imposition thereof is authorized by law." By contrast with the other twenty-one clauses contained in VTL §1642(a), VTL §1642(a)(4) is the only clause qualifying the grant of power by requiring that the exercise of the power be "authorized by law."

II. Section 1642(a)(4)'s plain text authorizes the New York City Council to impose tolls on city-owned roads and bridges.

It is conventional legal wisdom that the meaning of any statute should first be inferred from the statute's text. N.Y. Stat. Law § 92(b) (McKinney 2015) ("The intention of the Legislature is first to be sought from a literal reading of the act itself . . . ."); see also *Allstate Ins. Co. v. Libow*, 482 N.Y.S.2d 860, 863 (App. Div. 1984) ("[T]he courts are first bound to ascertain such intent from a literal reading of the words and language in the statute itself."), *aff'd*, 65 N.Y.2d 807 (1985). The plain text of VTL §1642(a)(4) confers on the City the power to impose "tolls, taxes, [and] fees" on the use of roads if these charges are authorized by a local law enacted by the City Council, because such charges would be "authorized by law" within the plain meaning of the statute. The condition that the "tolls, taxes, [and] fees" be "authorized by law" nowhere requires that the necessary authorization take the form of a state rather than local law. Section 1642(a)(4) refers only to "law" in general, without any qualification. Absent any limiting language, therefore, "the imposition" of a "toll, tax, [or] fee ... by law" is most naturally read to mean that necessary authorization can be provided by either state or local law. McKinney's N.Y. Statutes §114 ("If there is nothing to indicate a contrary intent on the part of the lawmakers, terms of general import in a statute ordinarily are to receive their full significance").

This unqualified reading of "law" in VTL §1642(a)(4) is further suggested by three other principles of statutory interpretation.

First, the broader reading of "law" to mean local as well as state laws is consistent with the use of the term in other similar state statutes. The VTL contains no statutory definition of "law," but § 2(6) of the New York Municipal Home Rule Law specifically defines the word "law" to mean "a state statute, charter, *or local law*" (emphasis added). Given that both VTL §1642 and the Municipal Home Rule Law have as their special focus the powers of local government, it is natural to adopt a similar reading of the term "law" for both statutes. This harmonization of meaning across statutes is the prescribed approach to statutory interpretation in New York and elsewhere. McKinney's New York Statutes § 236 ("where the same word or phrase is used in different parts of a statute, it will be presumed to be used in the same sense throughout, and the same meaning will be attached to similar expressions in the same or a related statute"). The

broader reading of "authorized by law" is also consistent with VTL § 1642's focus on local powers. When dealing with statutes conferring powers on local governments, one should presume that references to "law" refer to both local and state law, since both are ordinarily a source of power for local officials. By contrast, state statutes dealing with *state* institutions (for instance, New York's Public Official Law § 92(6)) define "law" to refer exclusively to a "state or federal statute, rule or regulation."

Second, the VTL itself uses the phrase "authorized by law" in a way strongly suggesting that it encompasses both state and local law. VTL § 1603(b), for instance, provides that the powers conferred by the VTL on "the legislative body of any city having a population in excess of one million ... may be exercised ... by any official, board or agency thereof *authorized by law*, immediately prior to the effective date of this section, unless and until any such power shall be transferred to any other official, board or agency of such city *by local law or state statute*" (emphasis added). Common sense suggests that the first and second preceding italicized phrases are equivalent expressions. Otherwise, the quoted language from VTL §1603(b) would have barred City officials from regulating traffic prior to 1957 (when the current version of the VTL was enacted) unless they drew their authority from State statute rather than city charter. Such an interpretation is contrary to the conventional understanding of City officials' powers over traffic, which have historically been derived from *both* state and local laws. *See Cherubino v. Meenan*, 253 N.Y. 462, 465–66 (1930) (noting that the power of police commissioners to regulate traffic "is to be found in most of the city charters").

Third, the canon against construing statutes to contain redundancies also suggests that the unqualified term "law" in VTL § 1642(a)(4) means what it implies — *all* law, state and local. When the State legislature wanted the phrase "authorized by law" to refer only to "State law," it expressly qualified the term "law" with the modifier "state," as in New York Banking Law § 293 ("[T]he banking board shall have no power to permit any insurance activities other than those expressly *authorized under state law*") or New York Public Authority Law § 3651(12)(e) (defining "financeable costs" to mean, *inter alia*, those amounts necessary "to finance any county deficit to the extent *authorized by state law*") (emphasis added). If the term "law" were construed to mean only "state law" without any express qualifier, then the New York Code's use of the phrase "authorized by *state* law" in these other statutes would be redundant. Given the normal judicial assumption that "the Legislature did not deliberately place in the statute a phrase intended to serve no purpose," McKinney's N.Y. Statutes § 114, the term "law" should be read to refer to both local and state law unless it is expressly qualified to refer only to the latter.

In construing VTL §1642(a)(4)'s phrase "authorized by law" to refer to both state and local law, I do not suggest that this phrase encompasses *only* local law. In light of section 1642(a)'s preamble, which authorizes cities with more than one million people to act by "local law," the unqualified term "law" should not be read implicitly to contain the qualification "local." Instead, the unqualified term "law" should be read according to its plain terms, to refer to *both* state *and* local law. Only such a broad reading insures that the restrictive modifiers in the

phrases "state law" and "local law" that are used elsewhere in state statutes are not rendered redundant.

III. The canon of construction disfavoring ineffective and illusory grants of power indicates that section 1642(a)(4) authorizes the City to impose "tolls, taxes, [and] fees" on the use of city-owned highways by enacting a local law.

Aside from honoring plain text, interpreting VTL §1642(a)(4) to authorize the City Council to impose "tolls, taxes, [and] fees" on highway use through a local law also avoids the absurdity of construing VTL §1642(a)(4) to mean nothing whatsoever. Common sense as well as judicial doctrine indicates that "the Legislature did not deliberately place in the statute a phrase intended to serve no purpose," McKinney's N.Y. Statutes §98, comment. If VTL §1642(a)(4) were construed to authorize congestion fees only when such fees are already authorized by some other state law, however, then VTL §1642(a)(4) becomes entirely gratuitous language that accomplishes nothing, because the other state statute would by itself suffice to authorize congestion fees without any help from VTL §1642(a)(4). In effect, such an interpretation reads VTL §1642(a)(4) to mean that state law authorizes tolls on highway use when state law authorizes tolls on highway use – an empty tautology created by construing the phrase "authorized by law" to cancel out the rest of the clause. Such a meaningless provision should not lightly be attributed to the state legislature. McKinney's N.Y. Statutes §98, comment ("[[A] statute must be read so that each word therein will have a meaning *and not so that one word or sentence will cancel and render meaningless another word or sentence*"](emphasis added).

The principle that statutory language must be read, if possible, to have some actual effect has been specifically applied by the Court of Appeals to statutory grants of authority to finance transportation infrastructure. In *Robia Holding Company v. Walker*, 257 N. Y. 431 (1931), the Court of Appeals held that a 1916 amendment to the City's 1901 charter authorized the City to impose tolls on the use of the proposed Triborough Bridge. The language of this 1916 amendment did not expressly authorize such tolls. Instead, the 1916 amendment provided only that the City had the power to issue bonds to pay for "revenue-producing" improvements, defined by the charter as "that class of improvements...the expenditure for which shall, at the time it is authorized, be determined by the board of estimate and apportionment to have a substantial ... prospective earning power."[4] Citing this absence of an express grant of tolling power, the New York City Corporation Counsel in the Walker Administration took the position in 1927 that the City lacked legal authority to create a toll-charging and bond-selling authority to finance the Triborough Bridge Authority.[5] The Board of Estimate nevertheless approved the proposal for the construction of a city-owned Triborough Bridge to be funded by bonds secured

[4] *Robia,* 257 N.Y. at 434.

[5] "City Fails to Vote Funds for Bridge Project: Board of Estimate Delays the Initial Appropriation," N.Y. Times, May 20, 1927, at 5 (reporting legal position of Corporation Counsel George Nicholson).

by toll revenue. The Robia Holding Company challenged the legality of these bonds on the ground that the tolls themselves lacked sufficiently specific authorization.

The Court of Appeals in *Robia Holding Company* rejected the Robia Holding Company's narrow construction of the City's powers, holding instead that the general power to issue bonds for "revenue-producing improvements" necessarily implied the further power to impose tolls on the use of a city-owned bridge. While acknowledging that the state legislature "has never in express terms granted to the city power to impose charges for the use of bridges, tunnels and ferries,"[6] the Court also observed that the city's other powers "may be so phrased that even he who runs [sic] may read in the language used a clear intention to include subsidiary powers appropriate to its exercise." Arguing that the language conferring power on the City "must be construed in accordance with its purpose and plain intent," *Robia* held that "[n]o arbitrary rule can limit or extend the effect of the language used beyond its intendment when that intendment plainly appears in the light of all surrounding circumstances." [7] According to the *Robia* Court, the power to impose tolls on the use of the proposed bridge was necessarily implied by the City's power to issue bonds for "revenue-producing improvements" in combination with the City's power to build bridges, because only such an implied tolling power could make the bridges "revenue-producing." To require the state legislature to enact another statute expressly stating that bridges were among the revenue-producing improvements contemplated by the charter "would impute to an intention to make its grant of authority illusory." "We find no reason," the Court concluded, "for imputing to the Legislature so extraordinary an intention."[8]

Robia's specific authorization for the City's tolling of the Triborough Bridge was rendered practically ineffectual by the City's decision not to go forward with the Triborough Bridge, which was instead constructed by a special authority created by the state legislature. Likewise, the specific charter language construed by *Robia Holding Company* was deleted from the charter by 1936 City Charter.[9] *Robia*'s general principle that a specific grant of authority cannot be construed so narrowly as to be "illusory," however, remains sound law. It is, indeed, merely the specific application to grants of power over transportation infrastructure of the more general principle that "a statute must be read so that each word therein will have a meaning *and not so that one word or sentence will cancel and render meaningless another word or sentence.*" McKinney's N.Y. Statutes §98, comment (emphasis added). Under this general principle, VTL §1642(a)(4) is most sensibly construed to confer on the City Council the power to impose "tolls, taxes, [and] fees" on the use of highways when such charges are authorized by *either* local *or* state law, without waiting for further and more specific statutory authorization from the state

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[6] *Robia,* 257 N.Y. at 438.

[7] Robia, 257 N.Y. at 438-39.

[8] *Robia,* 257 N.Y. at 439.

[9] The 1936 New York City Charter had replaced section 169 of the 1901 New York City Charter, on which *Robia Holding Company* had relied, with a more limited provision defining improvements that could be financed with serial bonds or corporate stock. Laurence Arnold Tanzer, *The New York City Charter, Adopted on November 3rd, 1936, with Source Notes, A History and Analysis, and Summary* 91-92 (1937)(describing new §§243-244 governing serial bonds and corporate stock that replaced the old charter's provision for revenue-producing improvements).

legislature. To construe VTL §1642(a)(4) as authorizing "tolls, taxes, [and] fees" only if such charges are "authorized by" another *state* law is to "cancel and render meaningless" the entire grant of power through a gratuitously narrow reading of one clause.

In relying on *Robia Holding Company* for the general idea that a grant of authority should not be construed to be "illusory," we recognize that the 1916 charter's grant of power over "revenue-producing improvements" at issue in *Robia* is arguably more specific than the broad grant in VTL §1642(a)(4). Nevertheless, the general proposition recognized in *Robia Holding Company* applies to VTL §1642(a)(4). One should not lightly "impute to an intention [to the state legislature] to make its grant of authority illusory." Just as *Robia Holding Company* found "no reason for imputing to the Legislature so extraordinary an intention,"[10] so too, there is no basis for inferring that the state legislature somehow sought to enact a meaningless clause when it included VTL §1642(a)(4) in its catalogue of "additional traffic regulations" that the City was entitled to enact. To construe VTL §1642(a)(4) to mean that the Council can impose tolls on the use of public highways when some other state law authorizes tolls on public highways is to render the entire clause a nonsensical tautology – precisely the interpretation that *Robia* requires the interpreter to reject if statutory language permits a less trivial interpretation.

IV. The legislative history of VTL section 1642 is consistent with interpreting VTL §1642(a)(4) to confer on City Council the power to impose tolls on the use of city-owned bridges and roads.

VTL §1642 was enacted against the backdrop of intense political debates in the early 1950s over the proper scope of New York City's powers to manage its transportation infrastructure. While this historical background is not conclusive, it is completely consistent with the interpretation of VTL §1642(a)(4) as conferring the power on the City Council to impose tolls on the use of city-owned roads and bridges by local law.

Section 1642(a)(4) was enacted in the wake of a two-year effort by city leaders to come up with new revenue sources with which to finance transportation infrastructure. In an effort to generate political support for legal authority to tap new revenue sources, Mayor Robert Wagner and Governor Averell Harriman jointly appointed a blue-ribbon Joint State-City Fiscal Relations Committee in 1955. Chaired by banker and philanthropist Benjamin J. Buttenwieser, this "Buttenwieser Committee" was charged with making recommendations for improving the fiscal operations of the City. The Buttenwieser Committee's report, issued in November 1956, started from the premise that the City should be given fiscal powers commensurate with its governmental responsibilities: "[T]here is something incongruous," the Buttenwieser Report declared, "in the picture of a resistant state government denying the city the authority to tax its

[10] *Robia*, 257 N.Y. at 439.

own resources to finance essential services."[11] Consistent with this principle, the Committee recommended that the state legislature authorize the City to impose a variety of fees and taxes.

With respect to the financing of the City's infrastructure, the Committee recommended that the City's entire system of roads, bridges, tunnels, buses, and subways be turned over to a New York City Transportation Authority with power to impose tolls on East River bridges, using the revenue to cover the costs of maintaining the infrastructure. In addition to acquiring the City's own infrastructure, this Authority would also purchase the bonds of the Triborough Bridge Authority, using the latter's revenue from its bridge tolls as well as the new tolls recommended for City-owned bridges.[12]

The reaction to the report from political leaders was swift and, in the words of one commentator, often but not universally "venomous."[13] Robert Moses, Chair of the Triborough Bridge Authority, denounced the proposal as a "turgid stream of words" filled with "weatherbeaten cliches, discarded debris and dead cats of research."[14] In particular, Moses objected to the Committee's "ill-considered, unsupported personal and extraneous attacks on public authorities" such as his own Triborough Bridge Authority.[15] Good-government groups like the Citizens Budget Commission, however, praised the report for boldly confronting the City's fiscal problems through increasing the City's fiscal powers.

Shortly after the Buttenwieser Committee issued its report, the New York State Legislature amended the VTL in January 1957 to confer a list of twenty-two new powers on New York City, including the power to "[c]harg[e] tolls, taxes, fees, licenses or permits for the use of the highway or any of its parts, where the imposition thereof is authorized by law."[16] The bill jacket did not reveal the purpose of this new grant of authority to impose tolls..

Read in light of the Buttenwieser Committee's report and the reaction thereto, however, the most natural reading of VTL §1642(a)(4) is that the state legislature rejected the Buttenwieser Committee's most controversial recommendation to create a new special authority for all city-owned transportation infrastructure but accepted the Committee's recommendation that the City Council itself be given the power to impose tolls on city-owned roads and bridges. This construction is not only consistent with the mixed reaction to the Committee's

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[11] "New York City Gets Bold Finance Plan: State-local Committee Makes Recommendation," Nat'l Municipal Review, January, 1957, at 38.

[12] *Id.* at 39

[13] *Id.*

[14] *Id.* See also Robert Moses, *Another New York State Constitutional Convention*, 31 St. Johns L. Rev. 201, 208 (1957)(describing proposals in "the recent Buttenwieser report" as a "wild program" filled with "crazy assertions and foolish remedies"). Moses' diatribe against the Buttenwieser Commmittee's report focused on the creation of a rival transportation authority. He queried "where are these supermen to be found" to staff such a new authority, and he ridiculed the idea that "car, bus, and truck users bail out the rapid transit system" by paying tolls for previously free bridges. "Moses Describes Report as 'Words': Sees 'Turgid Stream' of 'Cliches' In Transit Recommendations," New York Herald Tribune, Dec 6th, 1956, at 21.

[15] Moses, *Another State Constitutional Convention*, at 208.

[16] L. 1957, ch. 698, at page 1546.

recommendations but also with the distinctive language of VTL §1642(a)(4). VTL §1642(a)(4) authorizes "tolls, taxes [and] fees" only "where the imposition thereof is authorized by law." By contrast, the 1957 statute confers authority on the City's "legislative body" to exercise all of the other twenty-two powers without any such qualification, thereby allowing the "legislative body" to carry out these other listed powers according to the default procedures preceding the list -- "by local law, ordinance, *order, rule, regulation or sanitary code provision.*" §1642(a) (emphasis added). As the italicized language makes plain, all of the other twenty-two powers can be carried out by not only by a "local law" but also by the action typical of an administrative agency – an "order, rule, [or] regulation." The implication of the distinctive clause in VTL §1642(a)(4) requiring that "tolls, taxes, [and] fees" be "authorized by law" is that the City's "legislative body" may not delegate the power to define such tolls to an administrative agency but instead must itself define the toll by a "law" enacted through the local legislative process and not merely administrative procedures.

Such a reading of VTL §1642(a)(4) fits well with the historical context in which powerful city leaders like Robert Moses denounced the idea of a new special authority to control city-owned infrastructure. Rather than create or authorize the creation of such an entity controlled by an unelected chair similar to Robert Moses, the state legislature placed responsibility for enacting tolls squarely in the lap of the City's elected Council. By requiring tolls to be defined and approved by the New York City Council, the state legislature protected drivers from democratically unaccountable executive actions that might otherwise be taken by a new City-created special authority. Construing VTL §1642(a)(4) to authorize only legislatively defined tolls also fits well with longstanding principles of administrative law. There is a long-held doctrine in New York that the State legislature cannot delegate taxing power to purely executive agencies.[17] By insisting that highway and bridge tolls be authorized by either a State or local law, VTL §1642(a)(4) protects this traditional non-delegation doctrine regarding executive taxation uncabined by legislated standards. The protection of the principle that taxation must be controlled by legislative action also explains why, alone of all the powers conferred by VTL §1642, the power to impose tolls on roads was limited by the requirement that such tolls be "authorized by law." Unlike the other traffic regulations included in VTL §1642, the power to impose tolls implicated the principle that taxation requires legislation and not merely rule-making by unelected executives.

In sum, the legislative history of VTL §1642(a)(4) provides no reason to depart from the interpretation that is most consistent with plain text and common sense. VTL §1642(a)(4) authorizes the City Council to impose "tolls, taxes, [and] fees" on the use of city-owned highways through a local law, most likely because such legislative rather than merely administrative action insures that such charges, by being "authorized by law" within the meaning of VTL §1642(a)(4), avoid the danger of an administrative agency's imposing fees or taxes without specific legislative authorization.

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[17] *See, e.g., Greater Poughkeepsie Library District v. Town of Poughkeepsie*, 81 N.Y.2d 574 (1993).

V. General common-law and statutory limits on local governments' interference with the public access to highways do not override VTL §1642(a)(4)'s specific authorization for City Council to impose "tolls, taxes [and] fees" by local law.

VTL §1642(a)(4)'s specific grant of authority is not overridden by the general principle that, absent express state authorization, local governments may not impede the public's access to public highways, because VTL§1642(a)(4) is precisely the express state authorization required by this principle. Judicial decisions striking down local laws impeding public access to highways that lack such specific state statutory authorization are, therefore, irrelevant to the legality of tolls specifically authorized by VTL §1642(a)(4).

New York law has long followed the common law idea, dating from the dawn of the automobile in the early twentieth century, that "[t]he right to use of the highways is said to rest with the whole people of the State, not with the adjacent proprietors or the inhabitants of the surrounding municipality."[18] This common law right of access to public highways, free from local encumbrances, was codified by §1600 of the VTL, which prohibits local laws from conflicting with any provisions of the VTL unless "expressly authorized" by the VTL itself. VTL §1604 more specifically prohibits local laws impeding public access to public highways by prohibiting local laws, "[e]xcept as otherwise provided by this chapter," from (1) requiring from any owner of a motor vehicle . . . any tax, fee, license or permit for the use of the public highways, (2) or excluding any such owner . . . from the free use of such public highways . . . or (3) in any other way restricting motor vehicles . . . or their speed upon or use of the public highways; or (4) setting aside for any given time a specified public highway . . . ."[19]

Invoking these statutory provisions and the principle of free mobility underlying them, the Court of Appeals and lower courts have repeatedly held that local laws interfering with motorists' use of the roads are preempted by the VTL *when such local laws lack specific authorization by the VTL itself.*[20] None of these decisions, however, cast any doubt on a "toll, tax, [or] fee" that is specifically authorized by VTL §1642(a)(4).

For instance, *Automobile Club v. City of New York*[21] struck down a rule promulgated by the City's Commissioner of Transportation in 1980, banning single-occupant private passenger cars from using four East River bridges to drive into Manhattan on weekday mornings. In holding that this executive rule was prohibited by the VTL, Justice Dier stated that "the only such enumerated subject [within VTL §1642(a)] which bears any apparent relation to the

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[18] *New York State Public Employees Federation v. City of Albany*, 527 N.E.2d 253, 255 (N.Y. 1988).
[19] L. 1929 ch. 54, § 54.
[20] *People v. Grant*, 117 N.E.2d 542, 542 (N.Y. 1954) (invalidating town's local law prohibiting transit on a particular street and noting that "streets are subject exclusively to regulation and control by the State as sovereign, except to the extent that the Legislature delegates power over them to political subdivisions ...."; *People v. Delprete*, 633 N.E.2d 1092, 1093 (N.Y. 1994)(striking down local law restricting parking in a residential area and referencing the "common-law rule that the right to use the highways is said to rest with the whole people of the State ....")
[21] 1981 N.Y. Misc. LEXIS 3518 (May 28, 1981).

question at hand is described" was VTL §1642(a)(3), providing that the City had the power to "prohibit[] or regulat[e] the use of any highway by particular vehicles or classes or types thereof or devices moved by human power."[22] Construing this language to "refer to the intrinsic characteristics of the vehicle and not to the manner of its use," Justice Dier set aside the prohibition on single-occupancy vehicles as "not specifically, clearly and explicitly delegated" by the VTL.[23]

Neither *Automobile Club* nor any other similar decision casts any doubt on a toll that is "specifically, clearly, and explicitly delegated" by VTL §1642(a)(4). Instead, *Automobile Club* simply stands for the unexceptional principle that the City may not limit the use of automobiles on public highways unless such limits can find a home in some specific grant of power within the Vehicle and Traffic Law. That Justice Dier did not mention §1642(a)(4) as a possible source of such authority is hardly surprising: VTL §1642(a)(4) would not naturally provide authority for a ban, rather than a fee or toll, imposed on the use of cars. Moreover, even if the Transportation Commissioner's rule had taken the form of a toll, the rule was not specifically authorized by any local legislation, as required by the reading of VTL §1642(a)(4) offered above. Local legislation defining a system of congestion fees that was properly ratified by the Council would not be vulnerable to such an attack.

More generally, the worry expressed in judicial precedents about recognizing a general local governmental power to control access to the public highways is inapplicable to a specific statutory power conferred only on New York City to impose "tolls, taxes, [and] fees" on the use of public highways. The Court of Appeals has recognized that local governments' generally regulating access to highways creates a risk that statewide freedom of movement will be mired in a web of parochial local restrictions imposed by hundreds of towns, villages and cities. By contrast, the specific power conferred by VTL §1642(a)(4) applies only to New York City and was most likely enacted in 1957 to address the unique problems of financing, and insuring unimpeded traffic movement on, infrastructure internal to New York City such as the East River bridges. The interests affected by such infrastructure are overwhelmingly concentrated in New York City, and all of these interests are represented by the New York City Council. By delegating a general power to the Council to decide whether and how to finance the City's own infrastructure with fees, taxes, tolls, licenses, or permits, the state legislature insured that the decisions about traffic problems unique to New York City would not be bogged down in Albany but could be addressed by the Council, the legislative body representing the people most affected by such decisions about city-owned infrastructure.

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[22] *Id.* at 12.
[23] *Id.*

Conclusion

In sum, the broad reading of VTL §1642(a)(4) to authorize tolls "authorized by [local] law" makes sense not only of VTL§1642(a)(4)'s plain text but also of its historical context and the controversies surrounding special authorities. By contrast, reading §1642(a)(4) to authorize only those fees otherwise already authorized elsewhere by state law transforms the clause, to use *Robia Holding Company*'s phrase, into an "illusory" grant of power, an empty redundancy the enactment of which should not be lightly imputed to the state legislature. Rather, the historical context of VTL §1642(a)(4) strongly suggests that the state legislature was responding to genuine, well-publicized, substantive concerns about limits and ambiguities in the City's authority by providing the City with a new power to finance its infrastructure generally with tolls, provided that such tolls are approved by a local law rather than imposed by executive fiat of a special authority.

STREETSPAC

New York City Council Committee on Transportation Hearing
June 5, 2017
Testimony of Eric McClure, Executive Director, StreetsPAC

On behalf of StreetsPAC, thank you for the opportunity to weigh in today on the important issue of congestion, which is becoming an increasingly vexing problem for New York City.

The elephant in the room, of course, is congestion pricing, which would be undoubtedly the most effective means of relieving congestion and discouraging car trips to Manhattan. Whether it's the worthy Move New York plan or another variation, it's high time for the State Legislature to pass a congestion-pricing plan for New York City, and for the Governor to sign it into law. Even better would be legislation authorizing New York City to make its own decisions about road pricing.

Notwithstanding Albany's inaction, there are a number of measures New York City can enact on its own to deal with congestion. We've borrowed four of these verbatim from an article that David Meyer published on *Streetsblog* on February 15, entitled "4 Ways the Mayor Can Reduce Congestion Without Congestion Pricing," since we couldn't say it any better or more plainly than he did.

1. Charge smarter prices for curbside parking

In neighborhood commercial districts, drivers cruising for open parking spaces account for a large share of traffic. Because on-street parking is so cheap, it's worth motorists' time to circle around looking for an open spot instead of paying the premium to park in a garage.

The PARK Smart program, which DOT launched in Greenwich Village in 2008 but has expanded to only a handful of neighborhoods since then, addresses the problem by charging dynamic rates for curbside parking that increase when demand is highest. The program has proven successful at reducing the amount of time drivers occupy a given parking space.

Last January, DOT promised "a more comprehensive management plan for the metered parking environment," but that plan has yet to materialize. The recent introduction of ParkNYC, the city's new mobile parking meter app, is a hopeful sign: In announcing the new technology, DOT Commissioner Polly Trottenberg said it "opens the door" for smarting parking policy, and that the city is now "technology-enabled to move forward with [dynamic pricing]."

2. Parking placard reform

The city's 100,000-plus parking placards are a big contributor to congestion, and the unknown number of bogus placards used by people exploiting the system don't help either. Just walk around public buildings in Lower Manhattan to see how many government employees (and impostors) use their placards to drive and park illegally with impunity. A 2006 study by Bruce Schaller concluded that these parking perks induce tens of thousands of car trips each day into the most transit-rich, congestion-choked parts of the city.

NYPD officials have not shown any interest in placard reform, and any push from City Hall is certain to pit the mayor against the city's municipal unions, as it did during the Bloomberg administration. Nevertheless, placard reform remains one of the most powerful tools to address congestion at the mayor's disposal.

3. HOV restrictions on East River bridges

In 2001, after the September 11th attacks, the Giuliani administration banned single-occupancy vehicles from crossing bridges and tunnels into Manhattan south of 63rd Street between 6 a.m. and 11 a.m., which resulted in a 23 percent decrease in traffic during the morning peak. On October 17, the city shortened the restriction by one hour, to 6 a.m. to 10 a.m., which resulted in a 15 percent decrease from before the attacks.

While rush-hour HOV restrictions are a blunt instrument compared to toll reform, the impact could still be significant, reducing the amount of cars coming into Midtown and Lower Manhattan at the times when the street grid needs the most relief.

Typically, the city has only enacted HOV restrictions in the central city during extraordinary situations like a transit strike or the aftermath of Superstorm Sandy. But like those events, the looming L train shutdown will create enormous strain on the transportation system, and HOV restrictions will make a lot of sense as part of the plan to keep New Yorkers moving.

4. Prioritize bus service on city streets

A street grid where transit doesn't take priority over private cars simply can't handle the city's growing population. Currently, DOT and the MTA roll out a couple of Select Bus Service routes with dedicated bus lanes each year. But de Blasio doesn't have to wait for the expansion of SBS to paint more bus lanes and add transit priority at traffic signals.

DOT has identified street segments where buses need priority, and the agency is in the process of generating a citywide plan to speed up buses. It won't cure congestion, but strong follow through on this initiative from the mayor will help New York City's car-free majority bypass traffic bottlenecks.

In addition to these four critical areas – and thank you David and *Streetsblog* for such a cogent outline for tackling congestion – there are at least two more policy areas worth examining.

The first is getting a handle on app-based ride-hailing services like Uber and Lyft. One only needs to look at the number of GMC Suburbans with TLC plates plying the streets of Manhattan, often carrying just a single passenger, to know that these vehicles are a major contributor to increased congestion. But we have more than anecdote. Thanks – again – to Bruce Schaller, who in February released a report on the effect of the growth of app-based ride services on city streets, we have data.

Schaller's report shows that ride-service trips have boomed since June 2015, and "added 600 million miles of driving to city streets in 2016." It's time for City Hall to revisit a cap on app-based ride services, and if City Hall won't act, the City Council must take the lead in crafting a solution.

Lastly, better management of truck deliveries on city streets could also help address the congestion problem. As the growth of deliveries by UPS and FedEx and Fresh Direct and others grows unabated, we need to take a hard look at our freight systems. We support Council Member Levine's Intro 1031, which would require DOT to study the effect of truck deliveries on congestion. It's a good first step that will likely lead us toward requiring off-hour deliveries in the city's most congested areas, more dedicated loading zones, and smaller, smarter, more nimble vehicles for the last mile.

FOR THE RECORD

FOR THE RECORD

June 5, 2017

ReThink Studio Testimony on Traffic Congestion and Ways to Mitigate it

Good morning. Thank you for the opportunity to provide testimony today. My name is Stefano Trevisan and I am here today representing ReThink Studio: a transportation planning firm and think tank.

As the committee is well aware, the traffic that snarls our city's streets has many sources and mitigating it will require a host of solutions. But I'm here today to talk about one solution in particular, the ReThinkNYC Plan and its "Regional Unified Network" or RUN.

The City of New York has for some years been experimenting with different ways to make streets more pedestrian friendly, encourage bike ridership, and otherwise reduce the number of cars on our streets. But as any driver will tell you, simply making driving more inconvenient won't solve the problem, you also have to provide *alternatives* to driving. And that's exactly why the ReThinkNYC plan seeks to accomplish a car-*optional* region.

Currently, our region's transit network is designed to help people get into and out of Manhattan. To use the parlance of Gateway's canceled predecessor, our transit system is designed to *access the region's core*. In the 20th century, we built a world-renowned transit network to do exactly that. But 21st century New York already looks and will continue to look different. We don't simply need to access the core, we need to expand it. This is a trend we've already seen developing for years now in areas like Downtown Brooklyn, Long Island City, and the New Jersey waterfront. Therefore, our challenge is to provide the infrastructure necessary to support and encourage this densification. After all, it's the density of our core that has allowed us to develop the city we have today.

That's where ReThinkNYC comes in. The plan is expansive and multi-faceted but it can be boiled down to this: build Gateway phase I, essentially everything West of 9th Avenue including the direly needed Hudson tunnels, but instead of spending seven or eight billion dollars to build a new inefficient terminal (known as

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Penn Station South), use that money to move yard facilities and operations to Port Morris, The Bronx and Sunnyside, Queens. This allows Penn Station to operate as a much more efficient and safer "through-station," as opposed to a terminal, and it allows for the creation of new transit hubs in Sunnyside and the South Bronx, it therefore provides a host of other benefits throughout the network.

Essentially, what we're proposing is to provide for other areas of the city what allowed Midtown Manhattan to become a global Central Business District: commuter rail access. With RUN we provide Long Island Railroad, New Jersey Transit, and Metro-North access to Sunnyside and Port Morris (along with Penn Station and Secaucus, New Jersey). That means new jobs centers and affordable housing opportunities on a scale that can prepare our city for decades of growth, instead of always playing catch-up with the latest crisis.

Furthermore, this provides a framework for a radical shift in transportation. For citizens of whole swaths of the city and region, cars will no longer be mandatory, but a *choice*. Existing riders will see improved service and reliability and future riders will have greater opportunities in job geography and travel destination. It also means fewer commuter buses and cars from areas like New Jersey, Long Island, and Westchester clogging our city streets.

This plan is practical, feasible, and achievable in the same time frame and with the same budget as currently proposed for Gateway. Along with my testimony, I will leave several copies of our RUN booklet which details the steps needed to achieve this vision and the benefits associated. I would encourage the committee members to review the booklet and reach out to us with any questions or comments. We welcome a dialogue that can help improve our plan and we would be more than happy to present to any of your offices.

Thank you for your time and attention.

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ReThinkNYC

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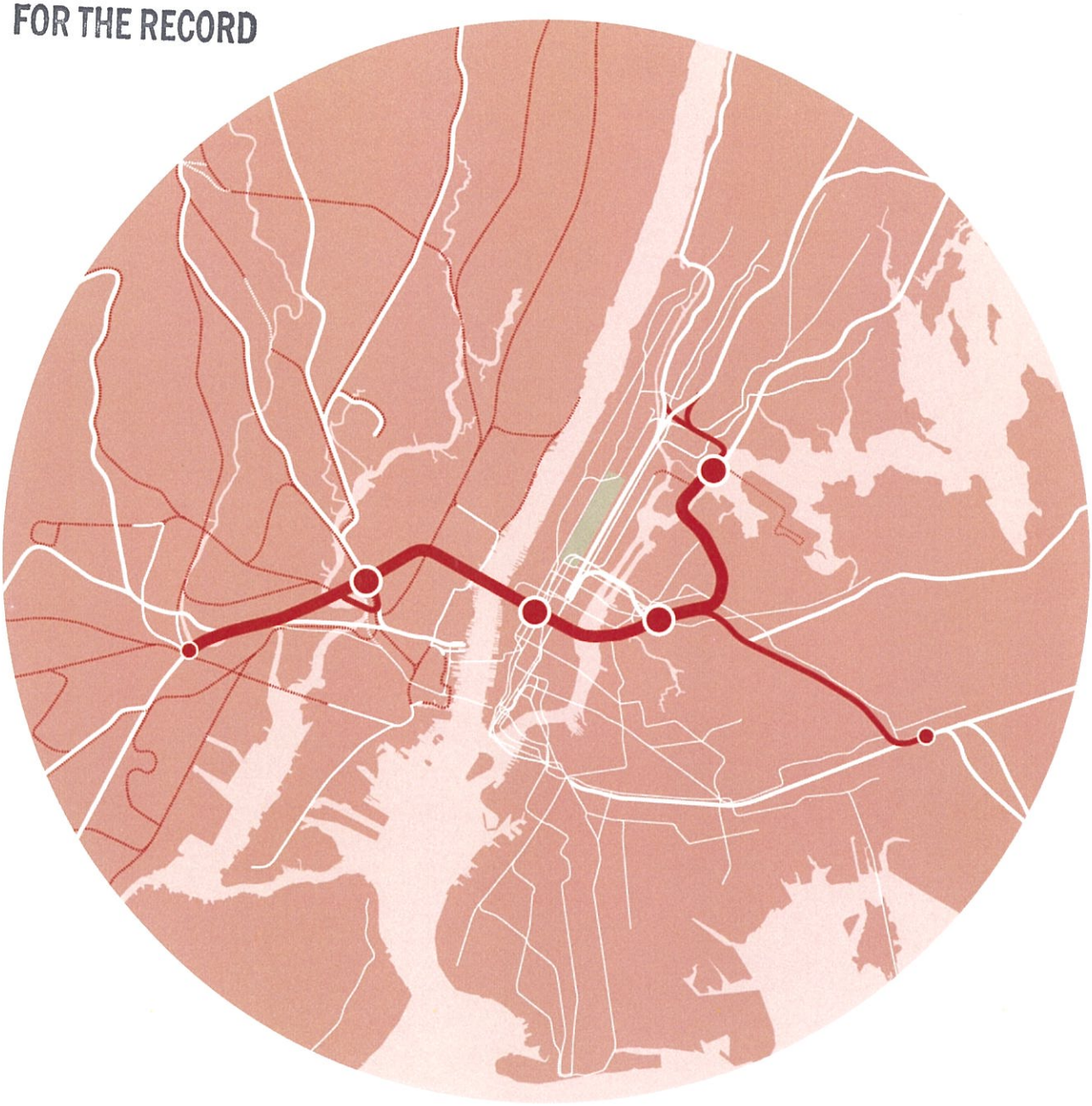

THE REGIONAL UNIFIED NETWORK

VOL. 1
FIRST STEPS

Volume One: First Steps
The Regional Unified Network
by ReThink Studio

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The Regional Unified Network (RUN)

"From Anywhere...To Everywhere"

Executive Summary

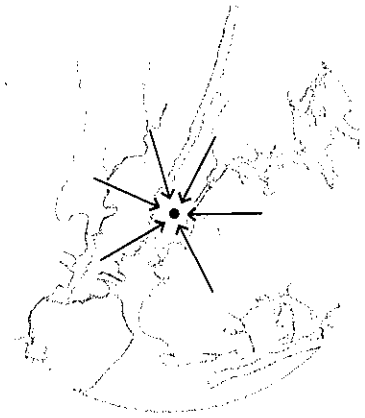
The New York metropolitan region is in the middle of a profound mobility crisis. Our transit system can't adequately accommodate current demand, much less projected growth. Several major projects that are designed to alleviate elements of this crisis are either underway or in advanced stages of the planning process, chief among them Amtrak's Gateway Program to build two new tunnels under the Hudson River along with supporting infrastructure.

New York needs to change the way it approaches projects like this for its system to meet the needs of residents and businesses. It's no longer sufficient to have disconnected plans that neither work together nor leverage each other. New York needs holistic, regional planning that simultaneously addresses multiple issues.

The name of one cancelled project effectively summarized the 20th Century model of transit planning: providing outlying areas "**access** to the region's core." Instead, we need to "**expand** the region's core". We need to give the benefits that currently exist only in Midtown Manhattan today to a far wider swath of the metropolitan region. Peer cities like London and Paris have been able to transform their transit systems by taking this same approach.

ReThink Studio's Regional Unified Network (RUN) is a multi-stage proposal to unlock the full potential of our mass transit system by making a few crucial investments at key chokepoints. With the creation of new transit hubs and more useful service patterns, **RUN** will allow the Tri-State Area to develop as a connected whole rather than a

From this ...



Above: Currently our mass transit systems are designed primarily to get people in and out of Midtown Manhattan.

series of disconnected parts. When fully built, **RUN** will allow travelers to get from anywhere in the entire region to everywhere else via mass transit, either directly or with seamless and easy connections.

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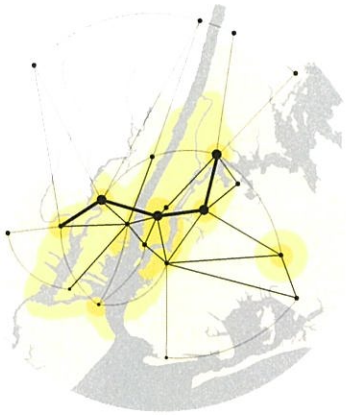


Above: RUN transforms the region's mass transit network into an interconnected system that no longer depends on a single center.

RUN re-purposes existing infrastructure, reallocates or redirects proposed spending, and fits within the overall funding commitments already made. Counterintuitively, one large project is both more feasible and more efficient than a series of smaller, less effective ones.

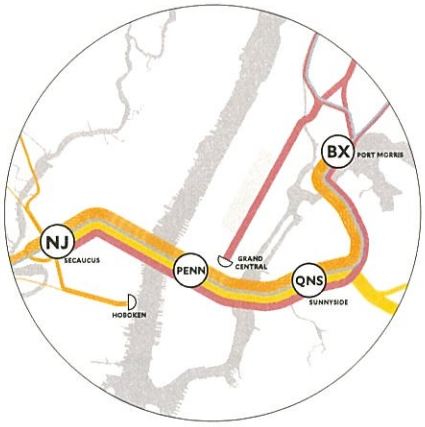
Phase I of **RUN** – the singular, essential part of the proposal – is Amtrak's Gateway Program with one important difference. Gateway includes a new terminal station adjacent to the existing Penn Station (Penn South) that would require demolishing an entire dense Midtown Manhattan block at a cost of billions of dollars. **RUN** instead uses that money to build new connections that give every suburban transit line in the region access to a series of four transit hubs, focused on an improved Penn Station. **RUN** simultaneously solves all three of Penn Station's current problems – crowding, inefficient train movements, and disconnected networks – and gives Moynihan Station access to every platform at Penn Station.

Phase II of **RUN** modifies a series of additional proposals to further improve and integrate mass transit. They are not strictly necessary for the successful functioning of **RUN**, but add significant value to it. They are designed to be modular; they can be phased or developed in any order, or built simultaneously, with each addition increasing the value of the whole.

OVERVIEW

Introduction

ReThink Studio's plan is motivated by a simple premise: with a few targeted, critical investments, New York can build a world class regional transportation network – **the Regional Unified Network (RUN)** – that makes it possible to get from anywhere to everywhere on mass transit and unlocks the region's full potential.



Today, rail travel throughout most of the greater New York metropolitan region relies on a set of crucial, Manhattan-centric tunnels and bridges constructed before the end of World War I. They were designed to solve the core mobility challenges that faced New York in the early 20th Century. Then, train travelers from any point west of the Hudson River had to disembark at terminals along the Hudson River waterfront in New Jersey and take a ferry to get to Manhattan. Travelers from Long Island faced a similar problem crossing the East River.

The core infrastructure built in response to those challenges – tunnels under the Hudson and East Rivers, and the Hell Gate Bridge – solved in one stroke the problem of bringing people into Midtown Manhattan, and created a basic set of travel patterns that have not significantly changed in the past 100 years. Commuter rail from the suburbs consists of disconnected and separate radial lines with their center at either Penn Station or Grand Central; they do a decent job of bringing peak-hour commuters to and from Manhattan, but mostly fail at any other kind of trip. It is difficult – in reality, impossible – to use mass transit for most intra-suburban trips, or for regular off-peak or reverse-peak trips to most destinations.

The unparalleled transit access in Midtown Manhattan fueled the area's growth into the largest Central Business District in the world. Our plan is motivated by a simple premise: with a few targeted, critical investments, New York can build a world class regional transportation network – the **Regional Unified Network (RUN)** – that makes it possible to get from anywhere to everywhere on mass transit and unlocks our region's full potential. Far more locations across the region would have the benefits you can only find in Midtown today.

RUN is the only plan that addresses the specific challenges facing our region using the same principles applied by our peer cities to build their world-class regional networks. **RUN** modifies and improves on existing proposals, and reuses existing assets wherever possible. It is achievable in the same timeframe and on the same budget as current proposals. And, because it takes a holistic view of our entire region, **RUN** delivers much greater benefits than current approaches that would accomplish less.

RUN is built on a series of tried and tested principles in use in cities in the Northeastern United States and around the world.

- **Terminals don't belong in Central Business Districts (CBDs)**
  Trains should instead "run through" CBDs to connect secondary destinations. This is a more efficient approach that allows people to use mass transit for trips they can only make by car today[1]. Businesses want to be easily accessible to workers and customers, and people want to live where they can access jobs. Through-service and new transfer stations make outlying areas more attractive to both businesses and residents.

- **Services should provide seamless connectivity and easy transfers**
  The harder it is to transfer, the less likely travelers are to make a trip that requires them to do so. We make it easier to transfer both between and within modes.

- **Planning should be done on a regional scale**
  Smaller scale projects that each address a specific element of a shared challenge and are planned in isolation from each other don't work. When separate plans are created independently to solve systemic problems, they can never deliver comprehensive solutions.

RUN applies these general principles to the Tri-State Region's specific challenges:

- **Connect every suburban transit line**

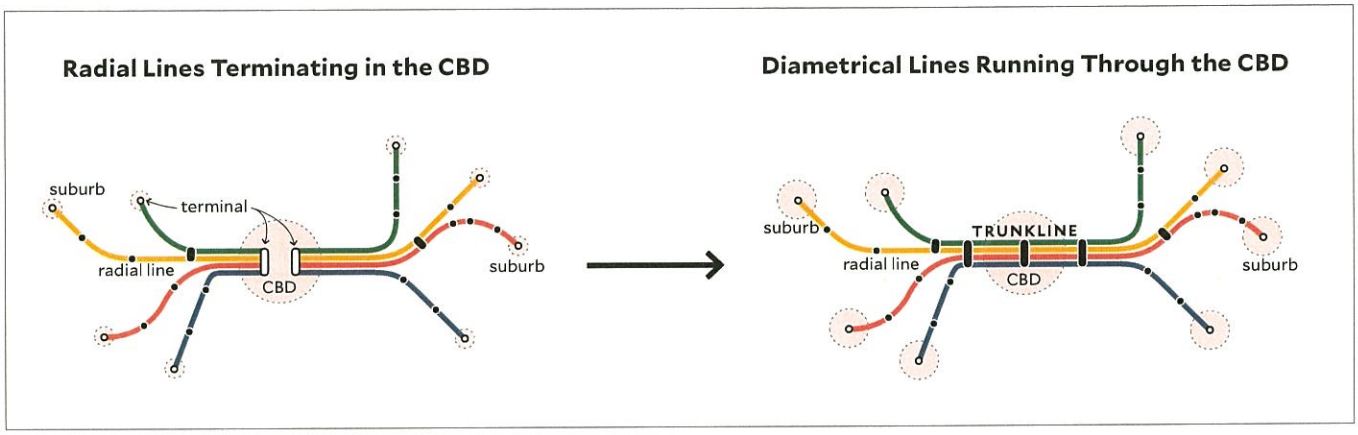
  RUN brings every Long Island Rail Road, Metro-North, and New Jersey Transit line together to allow new service patterns that will speed transit both into the Manhattan core and between outlying areas.

- **Fix Penn Station**

  RUN establishes through-running service, which will make operation of Penn Station and train movements more efficient. This in turn will increase train capacity, let trains run to more destinations, and create a more pleasant experience for travelers.

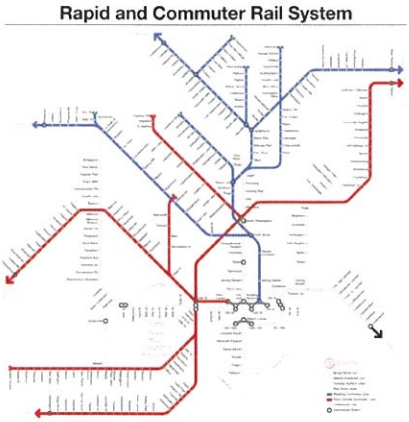
- **Build multimodal transit hubs outside of Manhattan**

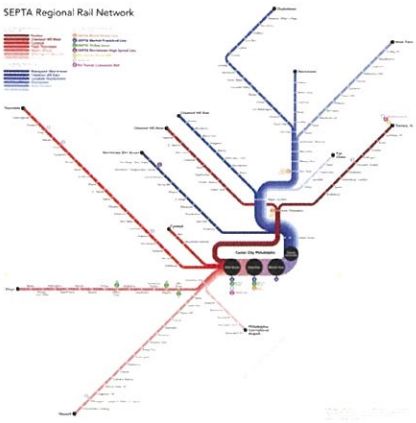
  Terminal functions that are poorly handled by Penn Station today will be distributed to new stations and terminals better designed to serve that role.



Precedents

RUN is based on applying the proven paradigm of through-running to the specific challenges of the New York metropolitan region, which include different power standards and incompatible platforms between services. When through-running has been implemented elsewhere, it has dramatically increased the number of people using mass transit and helped revitalize struggling communities.





Top left: Before the establishment of through-running in downtown Philadelphia, the Reading and Pennsylvania Railroads both terminated at different stations in the city center.

Bottom left: Through-running in downtown Philadelphia unified the SEPTA regional rail network.

Right: The skyline of Philly was transformed by the construction of the CCCC.

1. Philadelphia Center City Tunnel

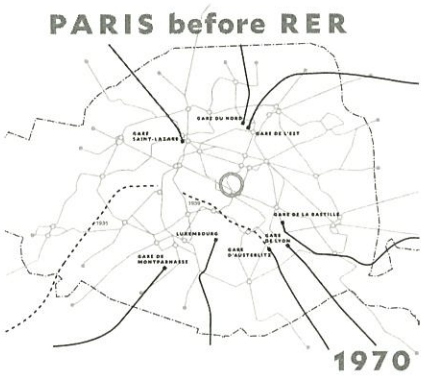
Before construction of the Philadelphia Center City Commuter Connection (CCCC) in 1983, the Reading and Pennsylvania Railroads had separate terminals in Philadelphia, and served different parts of the core. The CCCC united the system, allowing trains from every branch to access every part of the CBD.

This new service led to an immediate 20% increase in ridership[2]. Every skyscraper constructed in Philadelphia since the CCCC opened – including the city's 10 tallest buildings – is within a five-to ten-minute walk of one of the three CBD stations that were part of the project.

2. Paris Réseau Express Régional (RER)

Before the construction of the RER, journeys between opposite sides of the Paris Metropolitan Region (known as the Ile-de-France) were not practical. The RER created new north-south and east-west lines through the core of Paris that connected to all parts of the Ile-de France at the new Chatelet-Les Halles station. By linking previously disconnected radial lines into the center of Paris, the new links dramatically cut travel time for hundreds of millions of trips every year.

The RER is designed to serve simultaneously as both a relief line for overcrowded metro lines within the Paris core as well as a regional rail service. **RUN** follows this same principle.



Top right: Until the late 70s Paris' commuter rail lines terminated at eight different stations.

Bottom right: With the RER system, commuter lines use through-running, with rail yards and terminals at the outskirts. Trains pass through the business district areas, where transfers are available between three commuter lines and six subway lines.

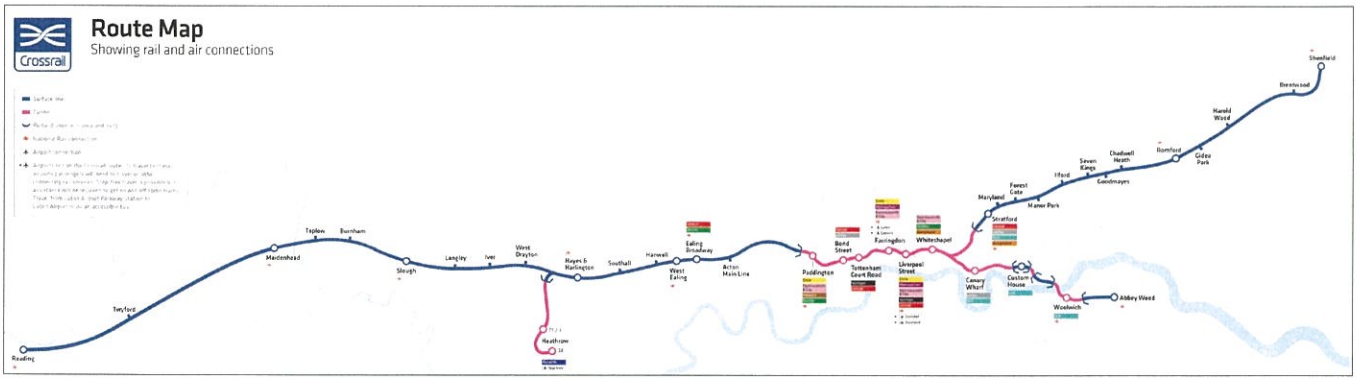
Left: The RER allowed Paris to construct the largest purpose-built Central Business District in Europe – La Defense – around this new connection.

3. London Crossrail

Crossrail, which is expected to open in late 2018, unites a set of four radial branch lines into a new east-west line through the center of Greater London. The new route will dramatically speed and simplify travel across London and connect to both the London Underground and Overground networks. The opportunity to access far more of the region has sparked intensive development around some of the planned stations, including in Canary Wharf and the London Docklands.

Even with a maximum capacity of more than 70,000 passengers per hour, Crossrail is expected to be at capacity from the moment it opens.

Below: Crossrail will connect currently separated parts of Greater London and improve transit through the City's core. *Image Credit: Crossrail Ltd.*



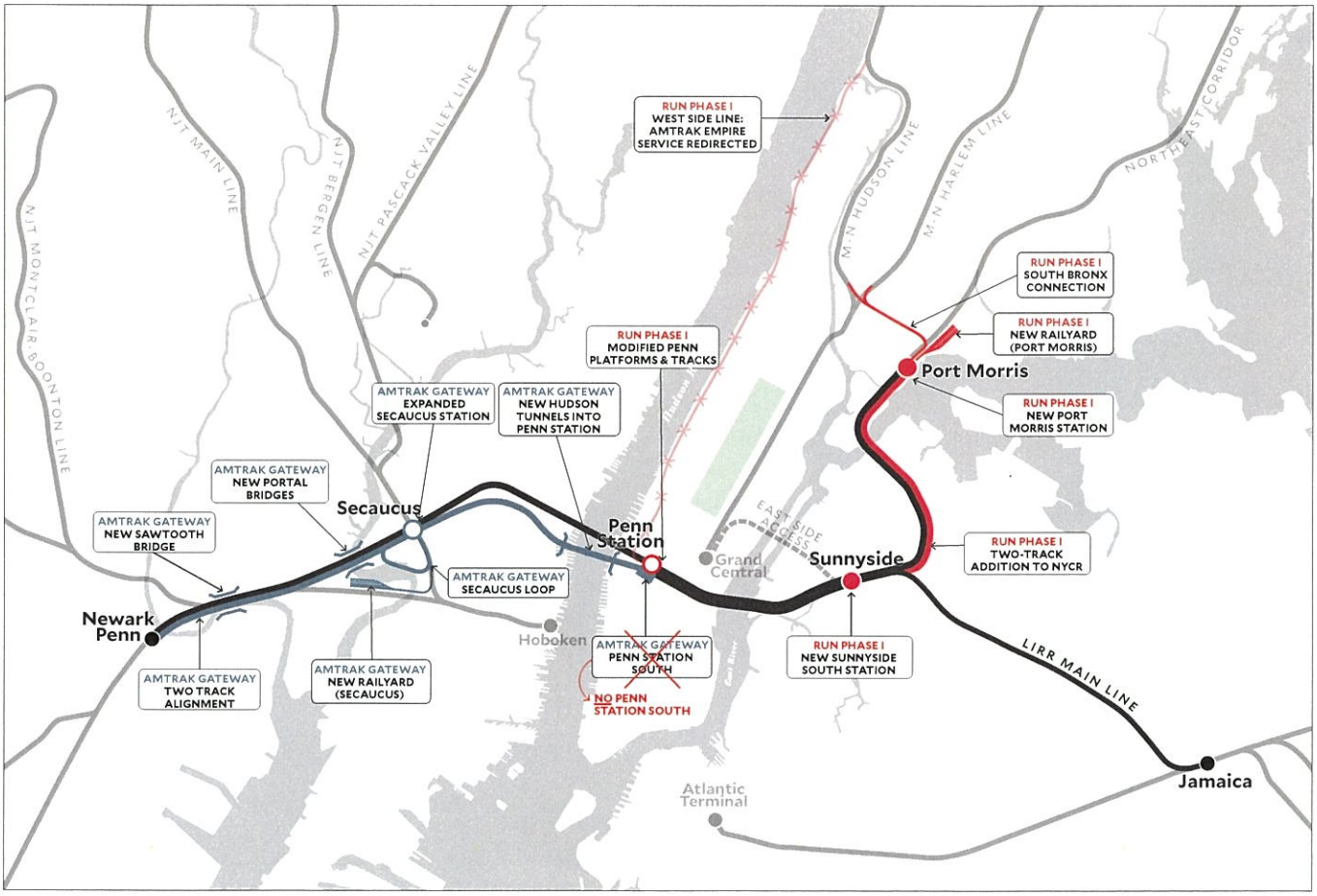
Right: The Jubilee Line extension led to the success of Canary Wharf as a major business district, and the Crossrail station led to further planned expansion.

RUN: Applying Proven Principles

The key principles of **RUN** are the same as those used in Philadelphia, Paris, and London. **RUN** makes it easy to get across and through the city center on transit, makes it easy to access every part of the city center from every suburb, and makes it easy to transfer from the regional network to local transit services.

1. Modifying Gateway to Connect Every Suburban Transit Line

RUN is a modified version of Amtrak's Gateway Program. **RUN** keeps every part of Gateway except one: it eliminates Penn South, a new terminal Amtrak proposes to build adjacent to the existing Penn Station[3]. Instead of spending billions of dollars and demolishing a Midtown block, **RUN** uses these funds to widen and lengthen the platforms at Penn Station, build a short tunnel and railyard in the Bronx, and build a new station in Sunnyside Queens.



Above: The ReThinkNYC plan builds on Amtrak's Gateway Program[iii], and keeps every part of Gateway, except for Penn Station South.

2. Fix Penn Station

Penn Station is at the heart of our regional transportation challenges. Operating Penn Station as a terminal is inefficient and creates three separate but related problems. No other current proposal addresses all three problems. RUN does.

Penn Station Today:

- **Penn Station is unpleasant for passengers**
  Penn Station has notoriously narrow platforms, with limited stair and escalator access. This bottleneck creates severe and dangerous overcrowding on both the platforms and concourses.

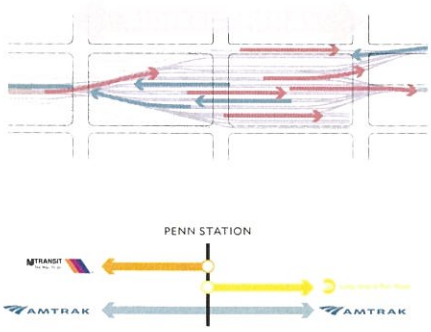
- **Trains can't use Penn Station efficiently**
  Because trains move in both directions on every track, they must cross in front of each other to get in and out of the station. This inefficiency means the trains end up stuck in the tunnels and wait too long at the platforms for the opportunity to leave. Far fewer trains can access the station every hour than is theoretically achievable.

- **Penn Station is a set of disconnected terminals, rather than part of a regional network**
  Penn Station is the last stop on the line for all New Jersey Transit and Long Island Railroad passengers. Commuters have no direct or simple route between points on the west and east of Penn Station.

ReThinkNYC's Plan to Fix It:

- **Wider platforms and improved vertical circulation**
  RUN doubles the width of the platforms and more than triples the number of stairs and escalators. This makes it possible for everyone to access the new Moynihan Station and for trains to load and unload from both sides.

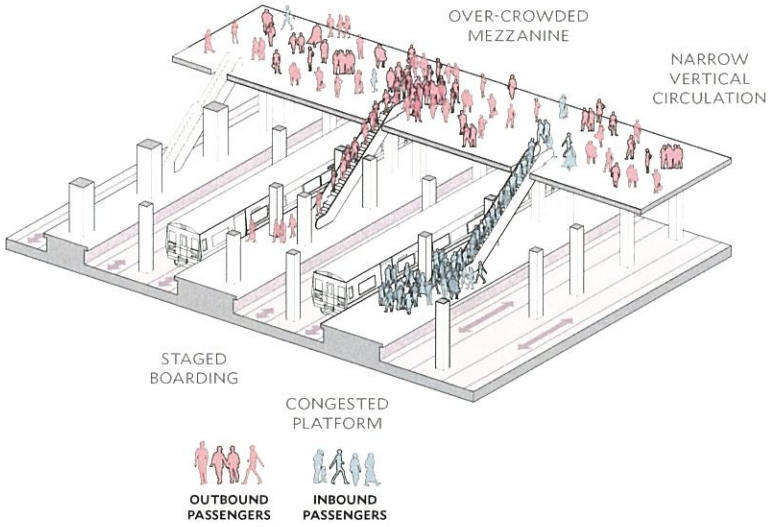
- **More efficient track use as part of a regional rail network**
  By running trains through Penn Station, RUN creates a smooth, symmetrical flow of traffic that allows far more trains to use the station. Trains no longer cut in front of each other, and waiting time is reduced.



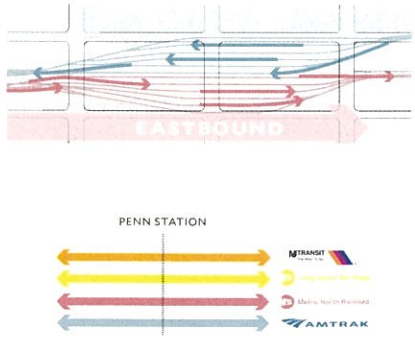
Top left: Trains currently use Penn Station's tracks bidirectionally, causing delays and congestion on tracks.

Bottom left: NJ Transit and LIRR terminate at Penn Station, limiting available destinations to passengers.

Right: The station suffers from narrow platforms and insufficient stair and escalator access, resulting in dangerous overcrowding.



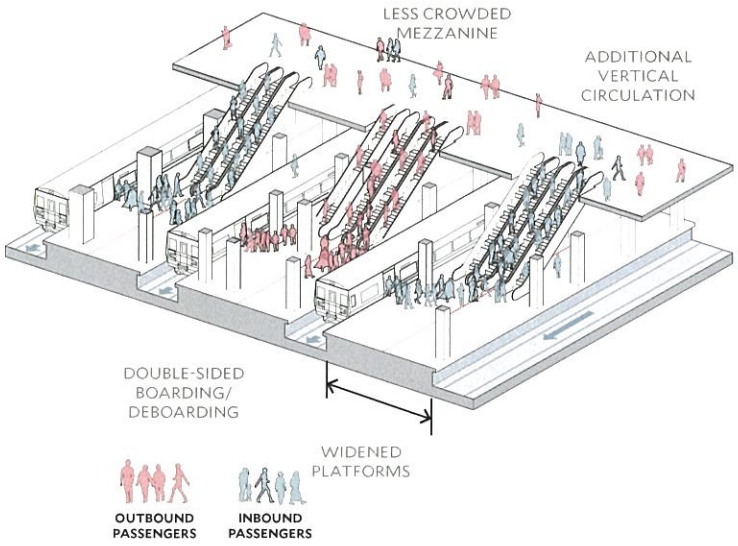
Penn Station Today



Top left: Through-running will improve congestion by separating east-bound and west-bound trains.

Bottom left: Running all regional rail lines through Penn Station alleviates congestion and provides a range of destinations.

Right: Through-running provides the opportunity to widen platforms and add stairs and escalators, improving overall circulation.

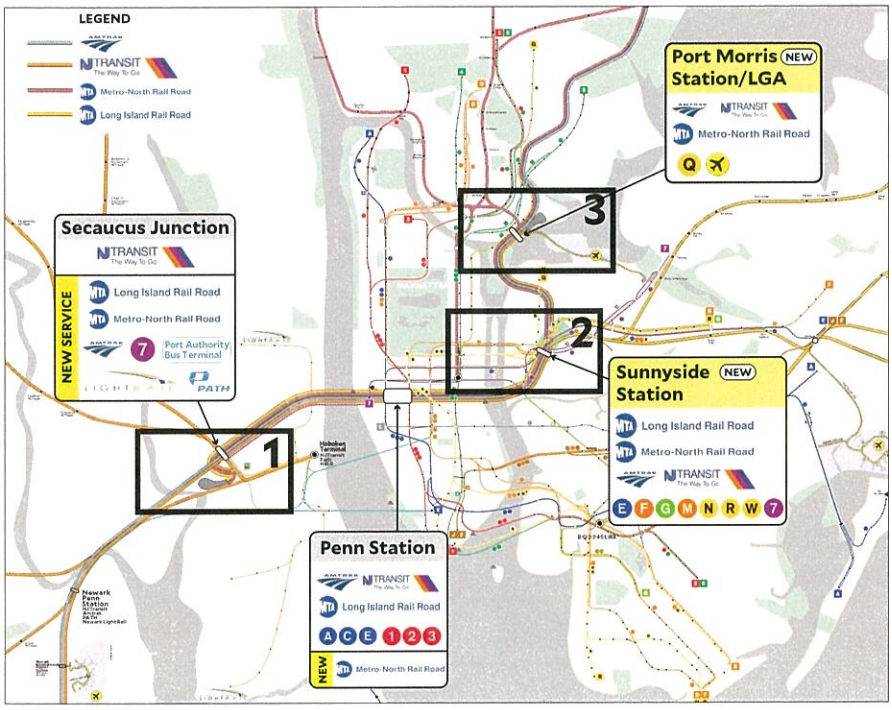


ReThink Penn Station

3. Build Multimodal Transit Hubs Outside of Manhattan

Mass transit exists at three scales - national, regional, and local. Hubs can provide easy and seamless transfers between all three so everyone has access to the whole system. It is impossible for a single mass transit system to provide service to an infinite number of potential point-to-point combinations, but it is possible for easy transfers to exponentially increase the number of trips that can reasonably be made via mass transit. **RUN** includes three new transit hubs that allow smooth transfers both within the regional-scale network (i.e. a frequent cross-platform transfer between trains to Port Jefferson, Poughkeepsie, and Princeton) and between regional- and local-scale networks (i.e. between the bus or subway networks and regional rail). Amtrak provides national connectivity as well.

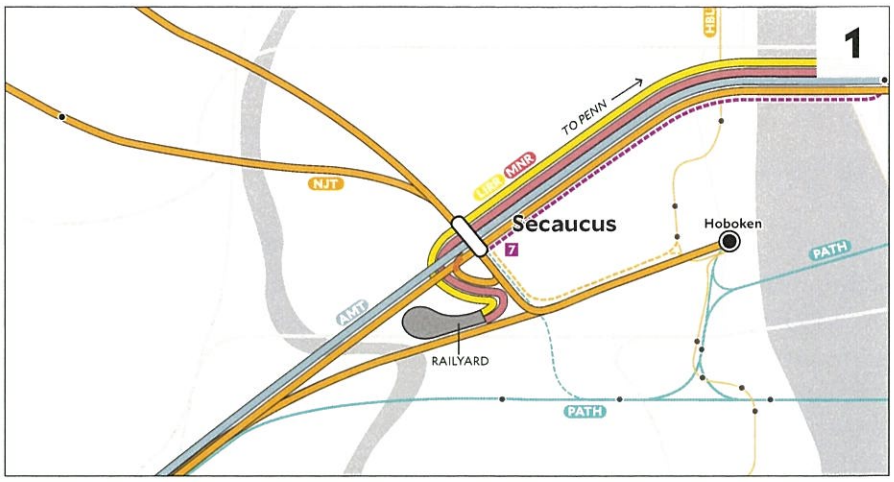
Additionally, **RUN** distributes the terminal functions that Penn Station currently handles and allows for concentrated, transit-oriented development centered on the new hubs at Secaucus in NJ, Sunnsyide in Queens, and Port Morris in the Bronx. Our new hubs would provide the mobility advantages of Midtown to Port Morris, Sunnyside, and Secaucus, and greatly enhance the connectivity of every mass transit station in the region – allowing businesses and residents to choose to locate in more places.



Left: Each of the new multi-modal transit hubs established by the implementation of RUN will have connections to local transit lines.

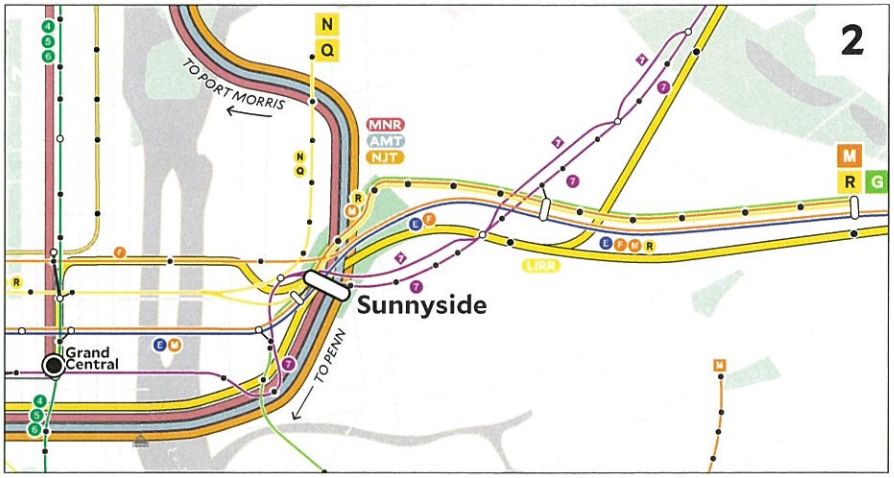
Secaucus Junction, New Jersey

- Provides terminal functions for LIRR and Metro-North trains (instead of Penn Station).
- Makes it possible to move between NJ and NYC without relying on cars and buses.
- Provides access to a new Port Authority Bus Terminal.



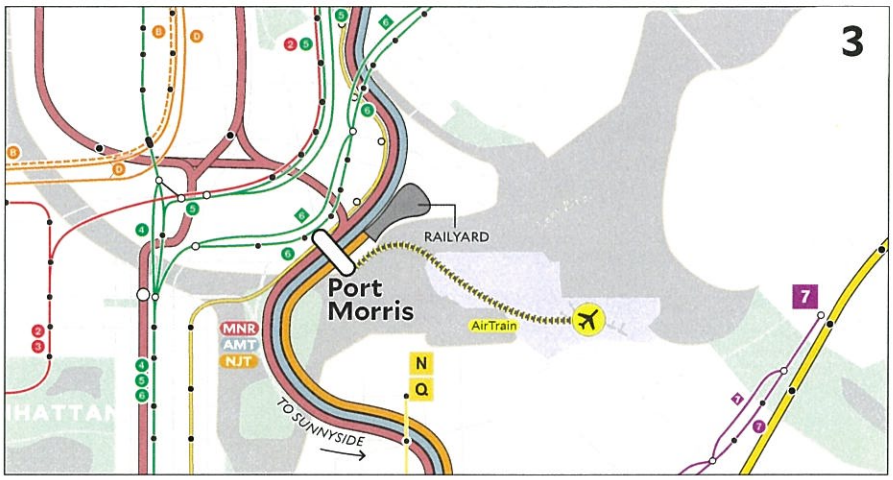
Sunnyside Station, Queens

- Serves all three of New York's commuter rail agencies and Amtrak.
- Efficient through-running station and transfer point between subway, local bus, and commuter rail.
- Provides terminal functions for Amtrak (instead of Penn Station).
- Forms the heart of a new Central Business District, Midtown East.



Port Morris Station, Bronx

- Provides terminal functions for NJT (instead of Penn Station).
- Provides access to LaGuardia via AirTrain.
- Establishes a new convention center, transit hub, and access for South Bronx communities.



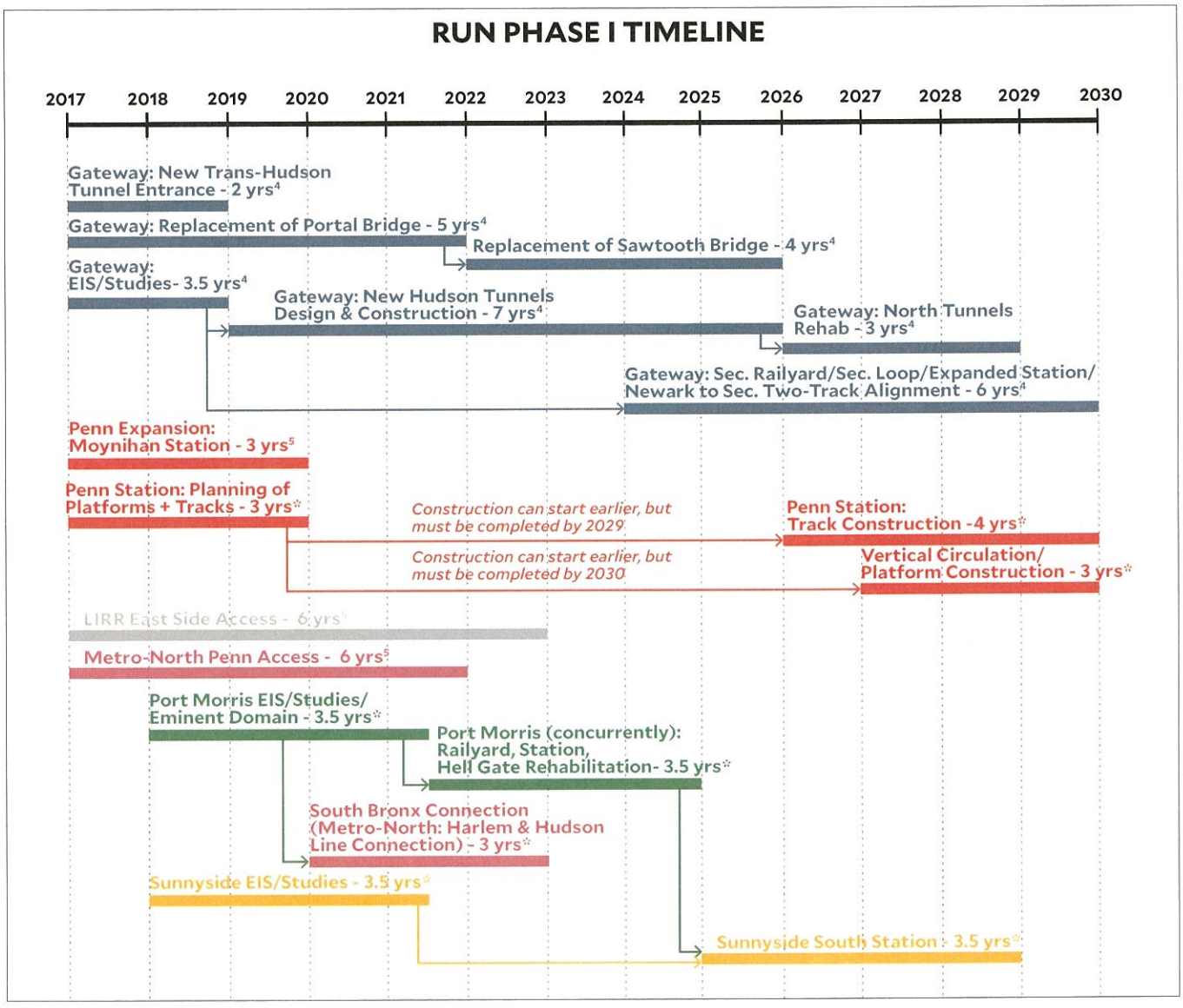
An Affordable and Feasible Project

RUN modifies and coordinates existing proposals to make them more effective and maximize their benefit, which makes **RUN** achievable within the budget commitments the region has already set.

The implementation and phasing strategy for **RUN** is both adaptable and scheduled to achieve its goals on the same timetable as existing proposals. As described in more detail in the next chapter, Phase I of **RUN** establishes the core network. All future components detailed in Phase II can be added in any combination or order, which gives policymakers the flexibility to choose which specific projects to pursue and in which particular order based on conditions at the time.

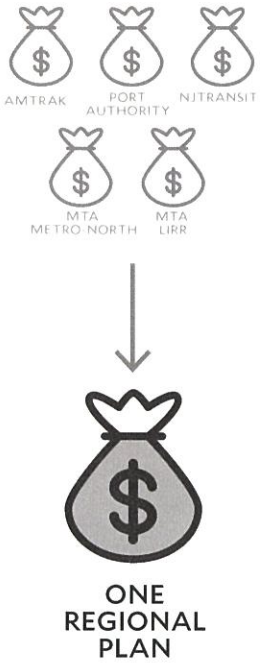
Below: The construction timeline of RUN shows the duration and dependencies of each component.

**Sources for RUN Phase I timeline can be found in Appendix: Cost Estimates & Phasing Timeline Sources*



Right: The comparative breakdown of general costs shows the ReThinkNYC revisions to existing projects and the reallocation of existing budgets.

**Sources for RUN Phase I costs can be found in Appendix: Cost Estimates & Phasing Timeline Sources*



Existing Projects & Costs	
Gateway Program	**$18 bil[4]**
-New Hudson tunnels	
-Secaucus Loop, Expanded Secaucus Station	
-2-track alignment from Newark Penn to Penn Station New York	
-Expanding Penn Station to Moynihan Station	
-Penn Station South	**$7 bil[4]**
Metro-North Penn Access	
-Bring New Haven line into Penn by restoring tracks along the Northeast Corridor	**$0.7 bil[5]**
-Bring Hudson Line into Penn along the Empire Line	**$0.3 bil[5]**
TOTAL= $26 billion	

ReThinkNYC's Revisions	
Gateway Program	**$18 bil[4]**
-New Hudson tunnels	
-Secaucus Loop, Expanded Secaucus Station, +Additional track work	**$0.3 bil***
-2-track alignment from Newark Penn to Penn Station New York	
-Expanding Penn Station to Moynihan Station	
(ReThinkNYC does not support Penn Station South)	
Metro-North Penn Access	
-Bring New Haven line into Penn by restoring tracks along the Northeast Corridor	**$0.7 bil[5]**
(ReThinkNYC does not support bringing the Hudson Line along the Empire Line)	
South Bronx Connection	**$1.4 bil***
-Tunnel from Port Morris to split -Harlem Line connection tunnel -Hudson Line connection tunnel	
Sunnyside Phase I	**$1.3 bil***
-Prelim Studies -Sunnyside South Station -Track work	
Port Morris Phase I	**$1.7 bil***
-Prelim Studies -Sunnyside South Station -Track work	
Penn Station	**$1.1 bil***
-Prelim Studies -Platforms -Vertical Circulation -Track Work -Staging	
TOTAL= $24.5 billion*	

Impact & Benefits

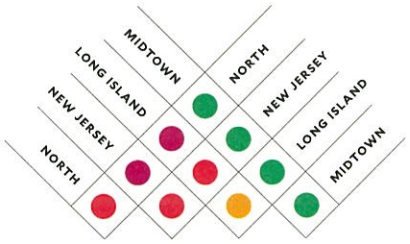
RUN will have a transformative and measurable impact on every community in the New York metropolitan area. The key advantage Midtown Manhattan has over every other potential business district in the New York City region is its unparalleled access to all three suburban areas.

- New Jersey and every point on the mainland United States west of the Hudson
- The Bronx, Connecticut, Westchester, and the Hudson Valley east of the Hudson
- Long Island, including Brooklyn and Queens.

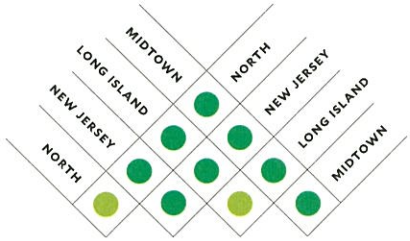
Midtown surpassed Downtown as New York's premier business district only after that unparalleled access was created in the early 20th Century. Before Grand Central and Penn Station opened, most major businesses had no special desire to locate in Midtown; that changed the moment Midtown offered profound mobility advantages over any other point in the region.

RUN provides the same level of regional accessibility to a far wider swath of the New York metropolitan region. It unlocks a world of possibilities that residents and businesses outside of Midtown can't even consider today because of the limitations of our present mass transit system. By extending access, we give more areas the ability to grow to take advantage of it, just as Midtown did a century ago.

Today



With RUN



Above: With RUN, travelling between the New York City region will be much easier than today.

See Appendix B: RUN Service

PHASE I

ESTABLISHING THE NETWORK

Phasing Strategy

ReThink NYC's **RUN** project is a comprehensive strategy to guide transportation infrastructure investment decisions for the entire New York metropolitan region. It includes one required phase, projected to begin immediately, and eight additional recommended projects that expand on the foundation laid by Phase I.

Each individual project is valuable as a standalone initiative but becomes more valuable with each additional project undertaken. The projects are designed to be modular and flexible, so future decision-makers will have the option to begin them either in any order or simultaneously, and in virtually any combination.

Phase I achieves the core goals of RUN:

- Gives every suburban line access to a set of four shared tracks.
- Fixes the problems afflicting Penn Station.
- Begins developing intermodal transit hubs outside of Manhattan.

The following elements are the minimum required to achieve those goals:

1. Four-track the Northeast Corridor
Build two new tracks from Newark to New York, including new Hudson River tunnels, to eliminate the current two-track bottleneck on the Northeast Corridor.

2. Expanded Station & New Yard at Secaucus
Secaucus Station must be able to accommodate the same volume of trains as Penn Station, some of which must be able to terminate.

3. Secaucus Loop
Build a loop at Secaucus to link trains from New Jersey Transit's Pascack Valley, Bergen, and Main Lines to the Northeast Corridor.

4. Improved Tracks & Platforms at Penn Station
Create sufficient track and platform capacity, and vertical circulation, to accommodate 60 peak trains per hour[6][7][8] – 30 per track – moving in both directions. This is the upper limit of modern signaling capacity, and is higher than is planned for in other proposals; it is only possible because of the efficiency of through-running. The Paris RER provides a similar level of service at its busiest station.

5. New Station & Yard at Port Morris

Port Morris Station must be able to accommodate all through-service on Metro-North and Amtrak, as well as any New Jersey Transit trains that are terminating.

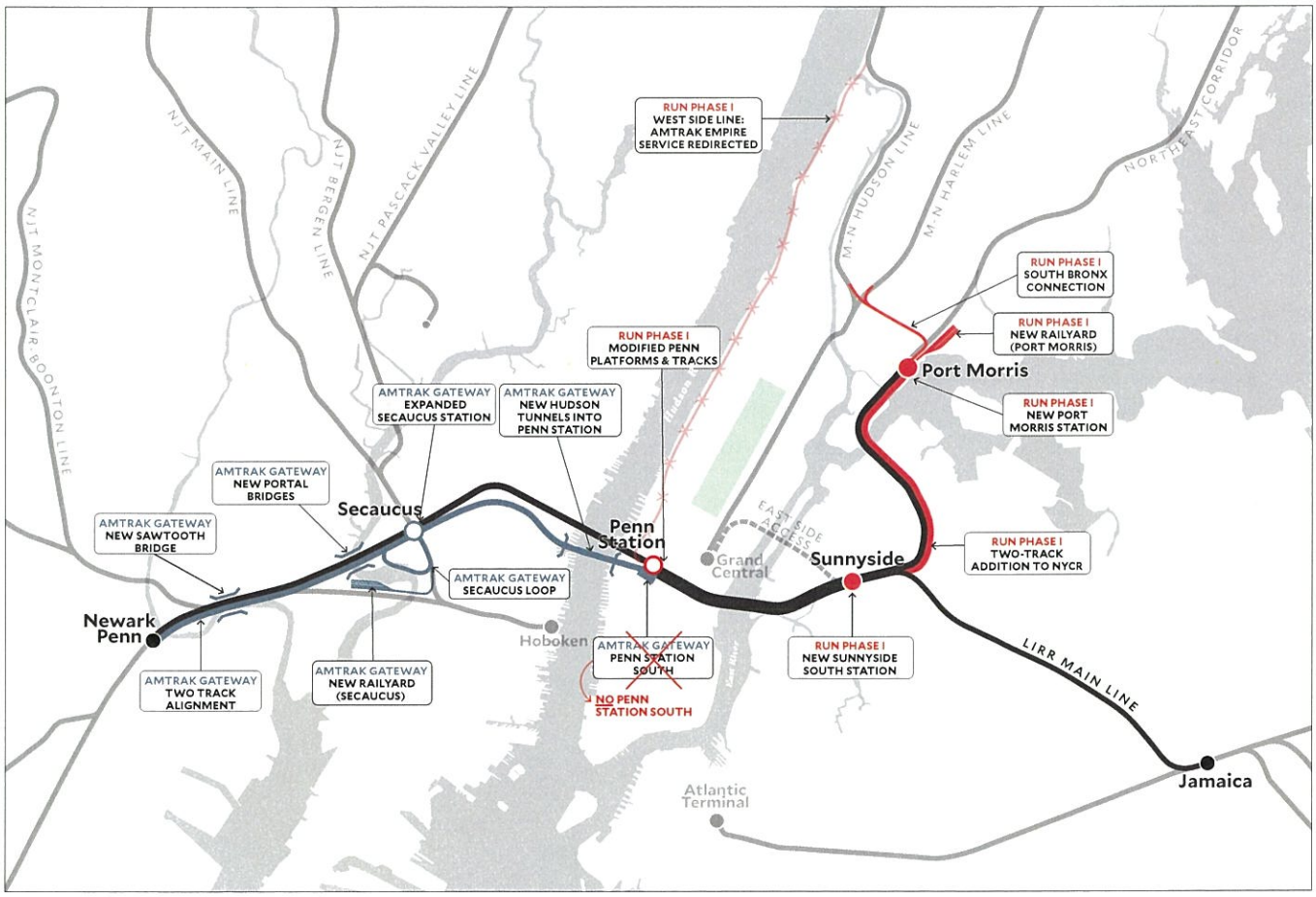
6. South Bronx Connection

Construct a tunnel in the South Bronx to connect the Northeast Corridor with Metro-North's Harlem & Hudson Lines.

7. Universal Rolling Stock

Over the next decade, LIRR, Metro-North, and NJ Transit must purchase new rolling stock to expand their fleets to meet planned increases in service. Those orders should be modified to purchase "universal rolling stock" that is capable of running on all three systems.

Below: The components of Phase I of the Regional Unified Network are shown below with the components of Amtrak's Gateway Program[iii].



Phase I: The Core Network

While the overall scope of ReThink NYC's **RUN** proposal is significantly broader than any individual proposal, each component of our plan is an improved version of an existing proposal that is currently moving forward in the New York metropolitan region. By breaking down our proposal into "bite-size" pieces, we have made it feasible, and by coordinating projects we have significantly increased the benefit of every dollar spent.

Modifying Gateway

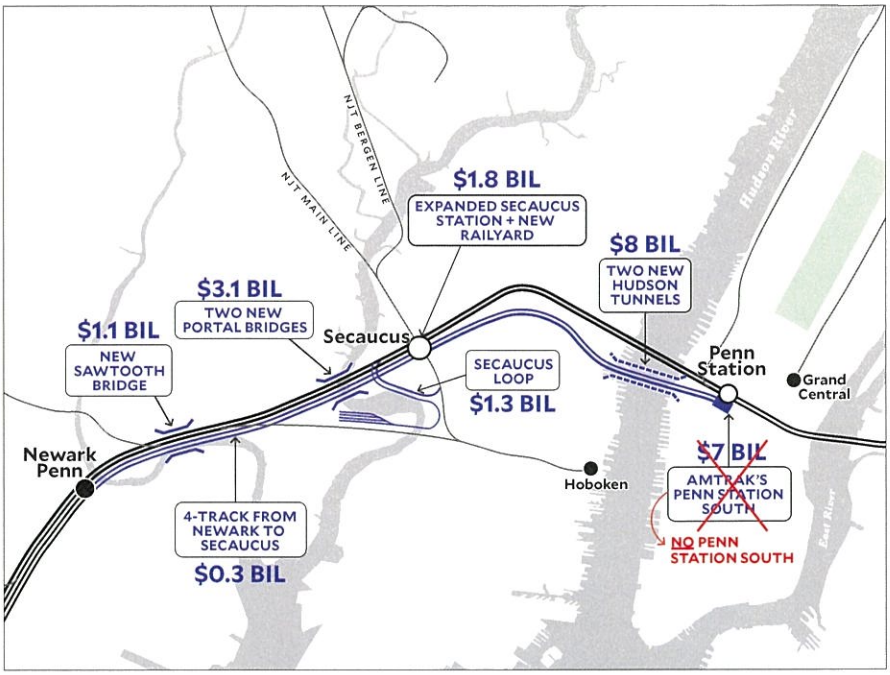
Phase I of **RUN** is a modified version of Amtrak's Gateway Program for the same overall budget. Six of Gateway's seven distinct elements, shown on the opposite page, are integral parts of **RUN**.

Why We Remove Penn South

As envisioned in the Gateway Program, Penn South is a proposed new terminal station in Midtown Manhattan[3]. Penn South is necessary only because Penn Station is being operated as a terminal. More than that, building Penn South ensures Penn Station can only operate as a terminal for the foreseeable future. If the goal is eventually to have through-running at Penn Station, then Penn South makes that harder.

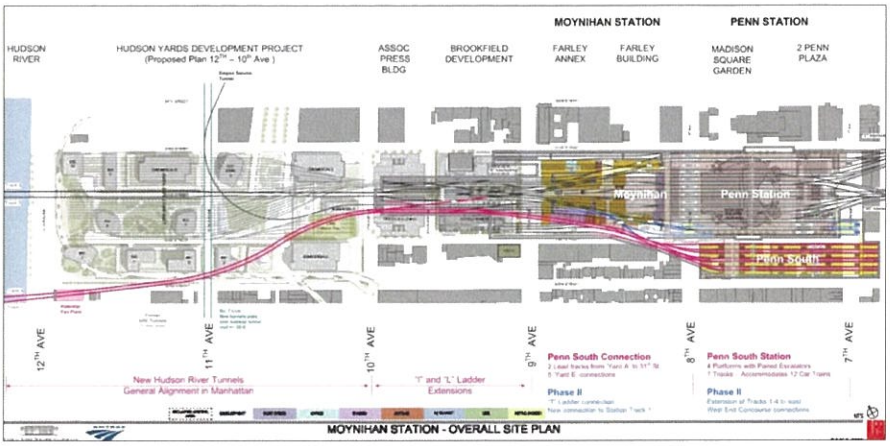
If Penn South is built, trains would continue to get stuck in traffic jams, and passengers would still have to deal with a packed and unpleasant station. Adding hundreds of thousands of commuters to the already overcrowded concourses at Penn Station is a recipe for additional chaos. **RUN** makes construction of this terminal unnecessary.

Top right: ReThinkNYC supports every component of Amtrak's Gateway Program, except the proposed Penn South.



Middle right:
Amtrak Gateway's Penn South would demolish the block and a half south of Penn Station (highlighted in red). *Base map data: Google Earth.*

Bottom right: Amtrak Gateway Program's proposed alignment for the new Hudson River tunnels feeds into Penn Station South's terminal tracks. *Image Credit: Amtrak.*



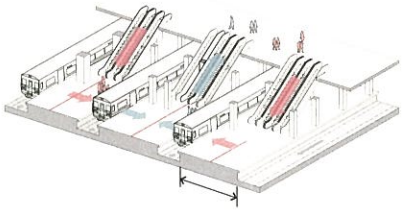
Instead...Fix Penn Station, From the Tracks & Platforms Up

Instead of spending at least $7 billion[4] to effectively duplicate the existing Penn Station, we redirect that money to investments that will fix the problems in the existing Penn Station and develop new service patterns to better serve every part of our region outside of Midtown Manhattan.

**See Appendix: ReThink's Phased Implementation of Through-Running at Penn Station*

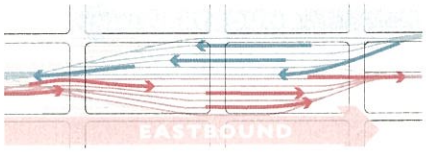
1. Improve Passenger Flow

Paradoxically, Penn Station could handle more passengers if it had fewer tracks. By eliminating 9 tracks, we can lengthen and widen platforms, add escalators and stairs, and ensure that the new Moynihan Station can provide access to every track at Penn Station, which it otherwise wouldn't be able to do*.



2. Make Trains Run Efficiently

Trains at Penn Station today frequently have to deal with at-grade conflicts, and congested platforms require each train to stay parked for an extended period. We eliminate the source of delays and make it possible for trains to enter and exit far more rapidly with fewer potential bottlenecks.

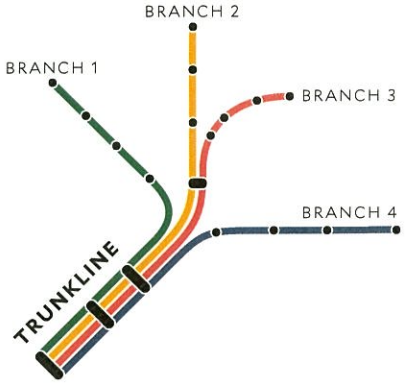


3. Keep Going Past Penn

Rather than ending their trips at Penn Station, **RUN** would have trains continue on and serve new destinations. **RUN** enables journeys that are impossible today and dramatically increases the speed and ease with which currently complicated trips can be made.

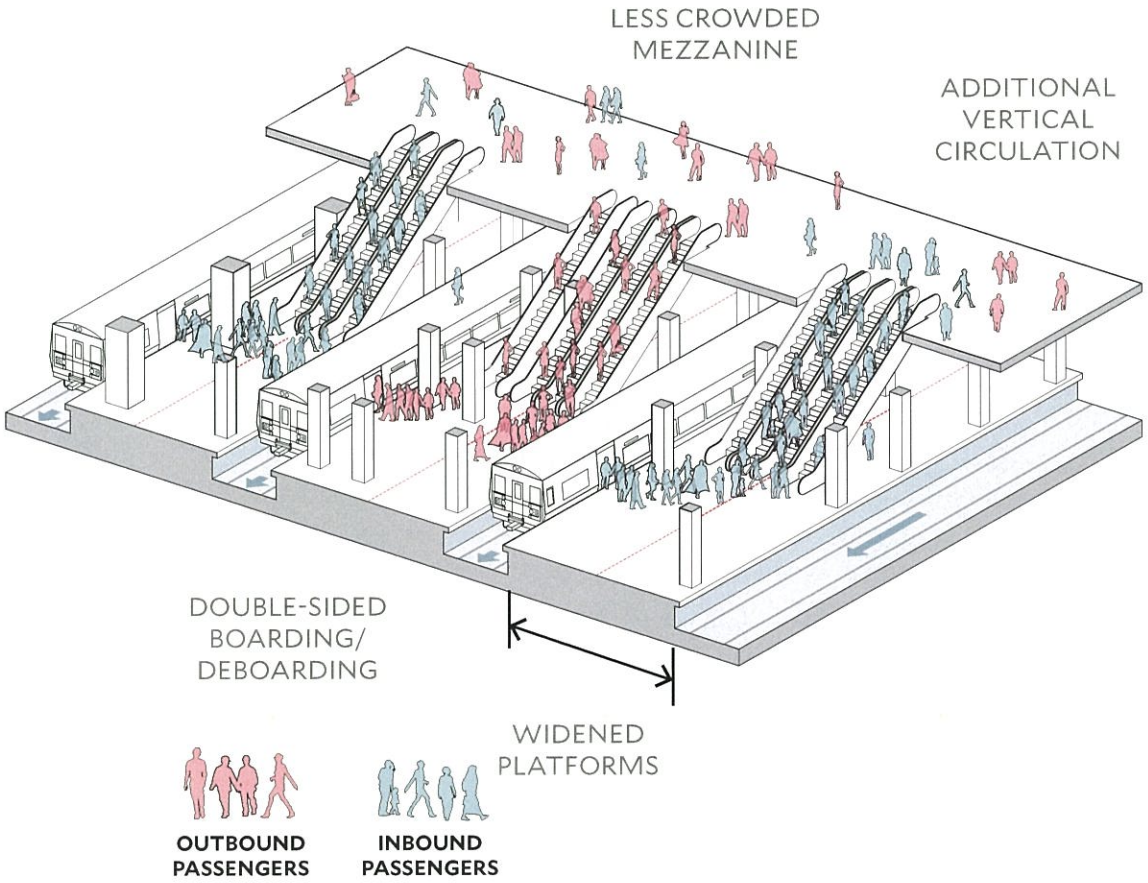
Instead...Connect Every Line for the Same Price

We redirect the money spent on Penn South to build a connection that will bring every suburban transit branch in the region together in one "trunkline." In addition to providing new direct services, this trunkline will allow for easy transfers between trains serving every destination. Transfers between Metro-North, New Jersey Transit, and LIRR will work the same way that transfers between LIRR trains serving different destinations do at Jamaica today. It's the same principle in use on the subway when transferring from express to local service on the same line. One simply walks across the platform, and quickly catches another train without precisely timing a trip or checking a schedule.



Above: This diagram illustrates the concept of a trunkline with branch lines.

Right: ReThinkNYC's proposed platform layout for Penn Station widens existing platforms, and adds stairs and escalators.



Queens and Bronx

In Phase I, we begin the process of turning Port Morris and Sunnyside into major transportation hubs, and lay the groundwork for future growth.

At Sunnyside, **RUN** would include a station between Queens Boulevard and Honeywell Street similar to one that was originally proposed as part of the East Side Access project for LIRR. This station would connect to the Queens Boulevard Line and 7 Train subways. For the first time, the Long Island City business district would have direct access to the regional commuter rail network. The existing loop used by Amtrak would remain, and there would be a dedicated platform and tracks to allow Amtrak to service its fleet.

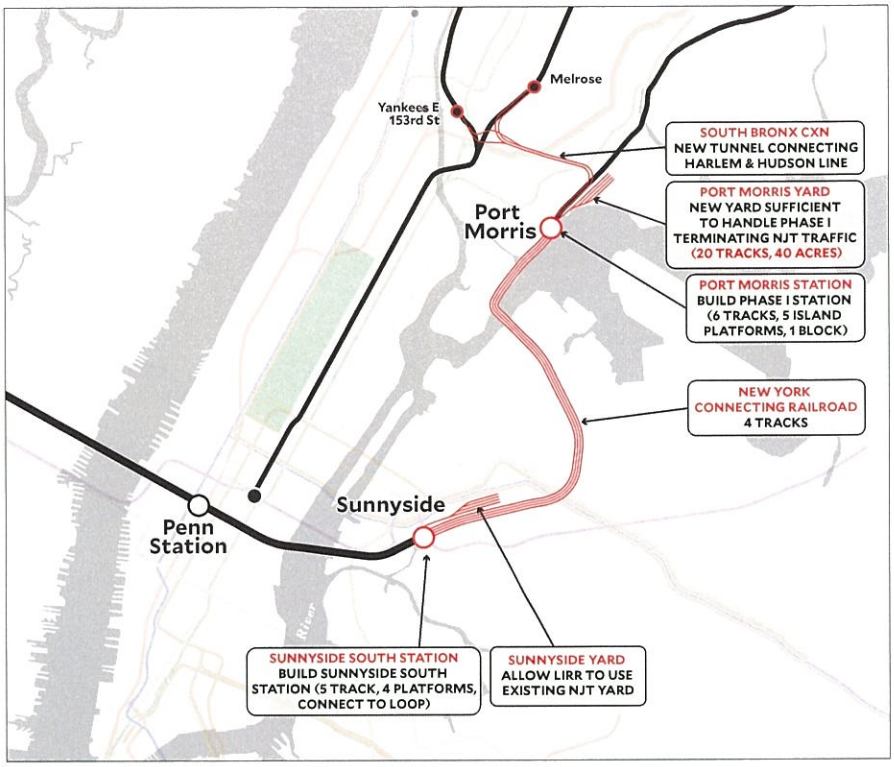
In Port Morris, the new station and yard would allow some New Jersey Transit trains to terminate, while others would be paired with Metro-North to provide through-running service. This new station would allow South Bronx residents frequent, easy access to both the suburbs, including New Jersey and Long Island, and to Manhattan.

South Bronx Connection

New York has proven adept at building deep-bore tunnels – as long as they don't include deep-bore stations. LIRR's East Side Access tunnels to Grand Central were completed a decade ago, for instance, but delays in building the new terminal mean service won't start until 2023 at the earliest. Our recommended option is for a new tunnel branching off the Northeast Corridor, running under 152nd Street, with branches connecting to the Harlem Line around Melrose and to the Hudson Line south of Yankee Stadium. This would also be a faster route into Penn Station for Amtrak's Empire Service[9].

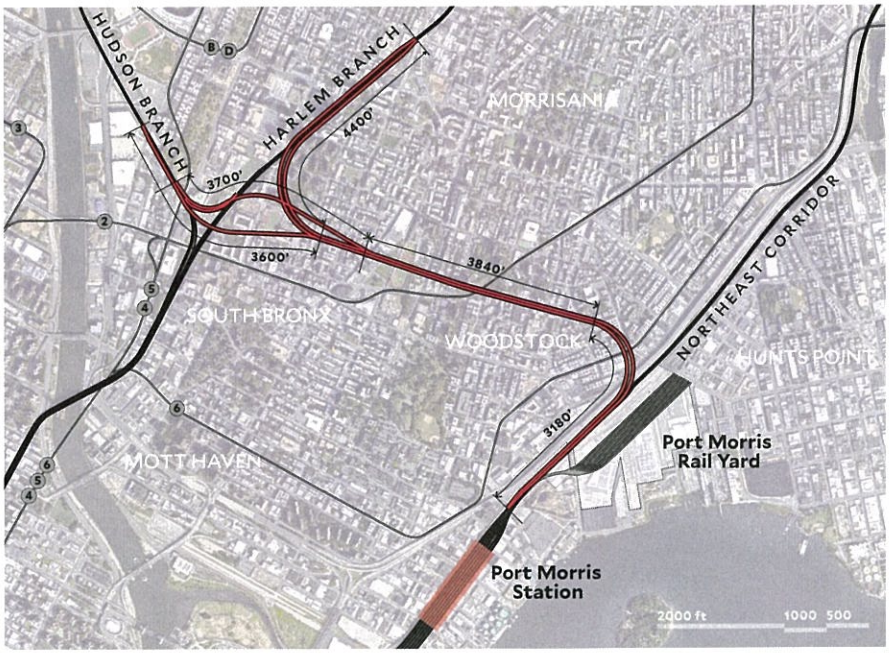
Alternatively, an abandoned right-of-way under St. Mary's Park can be reused, though this would require a new viaduct on Randall's Island. Either option is technically feasible, and policymakers can determine which is more cost-effective.

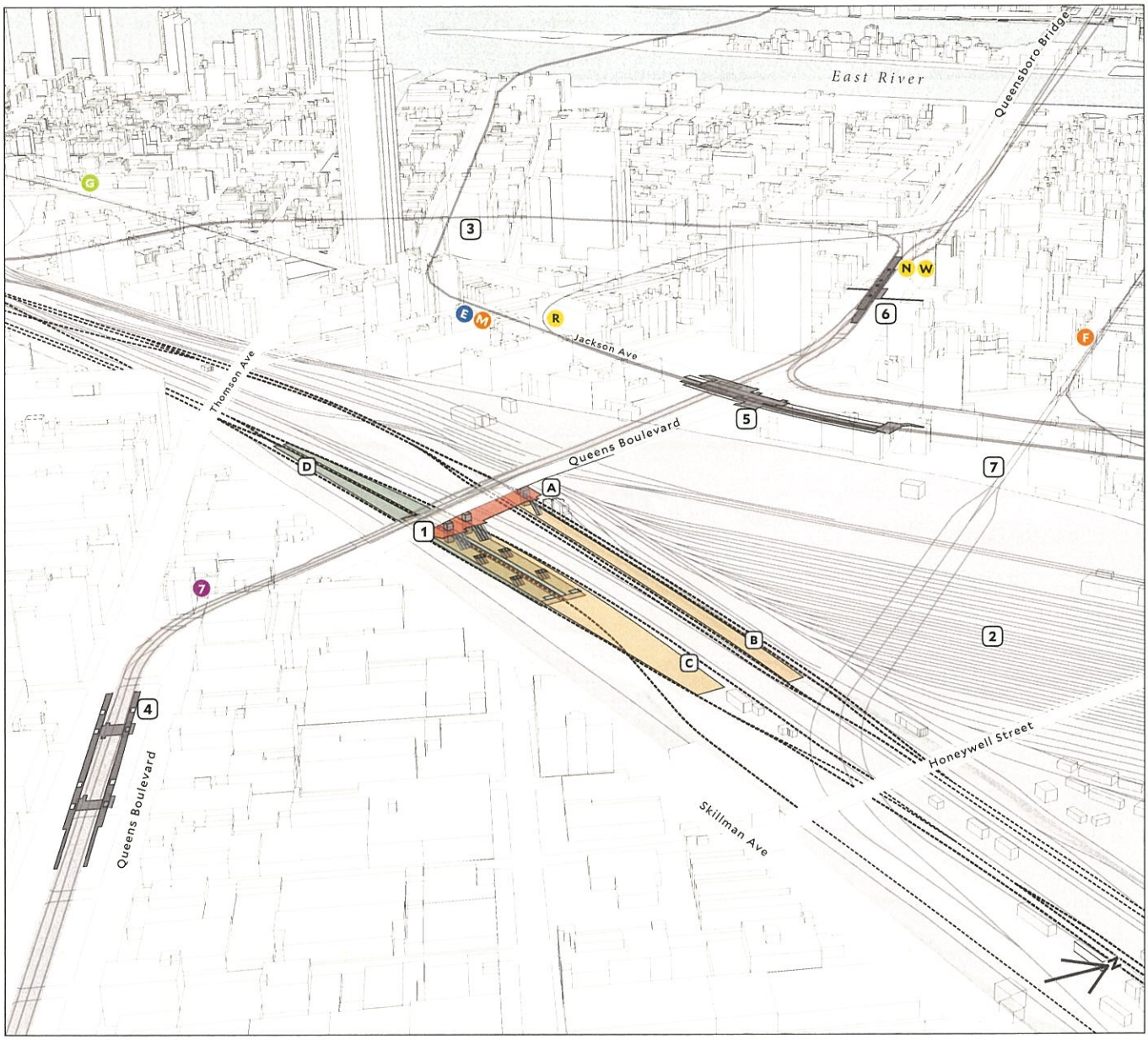
Right: Map showing track construction and improvements needed between Sunnyside and the Bronx in RUN Phase I.



Above: Map showing alternative option partially reusing an existing right-of-way.
Base map data: Google Earth.

Right: Map showing ReThinkNYC recommended tunnel alignment for the South Bronx Harlem-Hudson Connection.
Base map data: Google Earth.





SUNNYSIDE STATION - PHASE I

PROPOSAL:

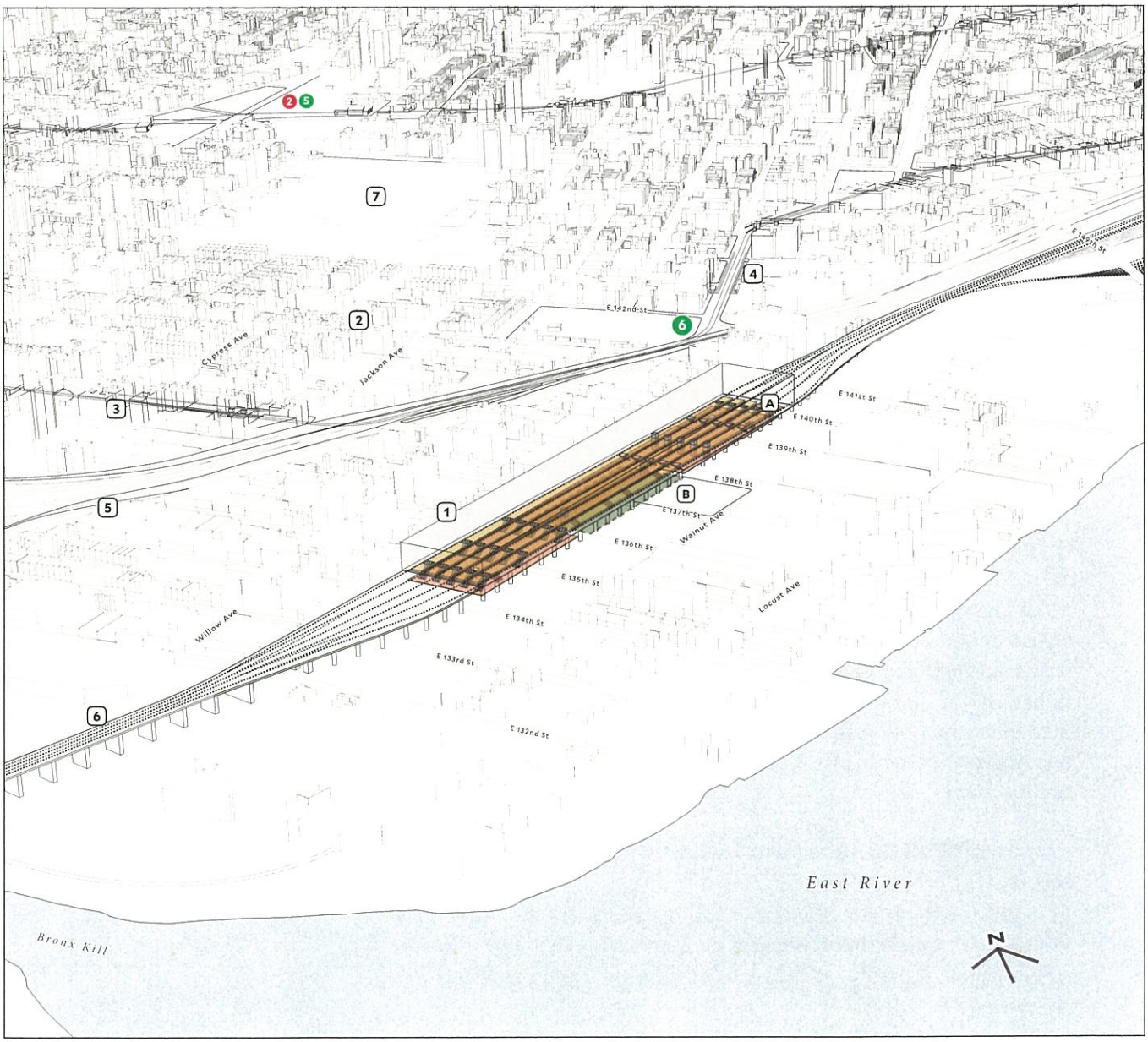
- (1) **Construction of a New Station**
  - (A) Street-level pedestrian access between platforms along Queen Boulevard.
  - (B) Platform for the NJT, MNR, LIRR Port Washington Branch and continuing Amtrak trains.
  - (C) Upper Platform for the LIRR Main Line trains.
  - (D) Lower Platforms for the terminating Amtrak trains.

EXISTING CONDITIONS:

- (2) **Existing Sunnyside Yard**
- (3) **Long Island City Business District** Within 5-minute walking distance to the Long Island City Business District.
- (4) **33rd St - Rawson St Station:** 7 Train (Flushing Line)
- (5) **Queens Plaza Station:** E, M, R Trains (Queens Boulevard Lines)
- (6) **Queensboro Plaza Station:** 7, N, W Trains (Flushing and Astoria Lines)
- (7) **East Side Access Tunnels**

Above: Perspective of the Phase I proposal for Sunnyside Station, showing the pedestrian access to the existing subway stations.

- LOWER PLATFORM
- UPPER PLATFORMS
- MEZZANINE LEVEL
- VERTICAL CIRCULATION



Above: Perspective of the Phase I proposal for Port Morris Station, showing the pedestrian access to the existing subway stations.

BUS TERMINAL

ELEVATED PLATFORMS

MEZZANINE LEVEL

VERTICAL CIRCULATION

PORT MORRIS STATION - PHASE I

PROPOSAL:

1 **Construction of a New Station**

- A Elevated station at the level of the existing rail viaduct with platforms for the Amtrak, MNR and terminating NJT Trains.
- B Bus terminal at the street level, providing local bus service and Select Bus Service (SBS).

EXISTING CONDITIONS:

2 **Mott Haven**
Within 5-minute walking distance to densely populated residential neighborhood.

3 **Cypress Ave Station:** 6 Train (Pelham Line)

4 **E 143rd st - St Mary's St Station:** 6 Train (Pelham Line)

5 **Bruckner Expressway**

6 **Randall's Island Connector**

7 **Saint Mary's Park**

Benefits

For the same total price, **RUN** Phase I adds significant value to Amtrak's Gateway Program.

• Dramatic improvements to the passenger experience in Penn Station

RUN is the only plan that addresses the causes of platform and concourse crowding at Penn Station, and addresses the source of train delays. Penn South would exacerbate those problems.

• Connect Moynihan Station Concourse to every platform

Under current proposals, most of the platforms at Penn Station would not have access to the new concourse and entrances in Moynihan Station. **RUN** fixes that by lengthening and widening platforms.

• All trains run through at Penn Station

Construction of Penn South would make it harder to through-run trains at Penn Station because it constructs seven new dead-end tracks. **RUN** allows full through-running on Day One, and also maintains the option for some service to terminate at Port Morris, Jamaica, or Secaucus (The image on pg. 38 shows RUN's proposed service map).

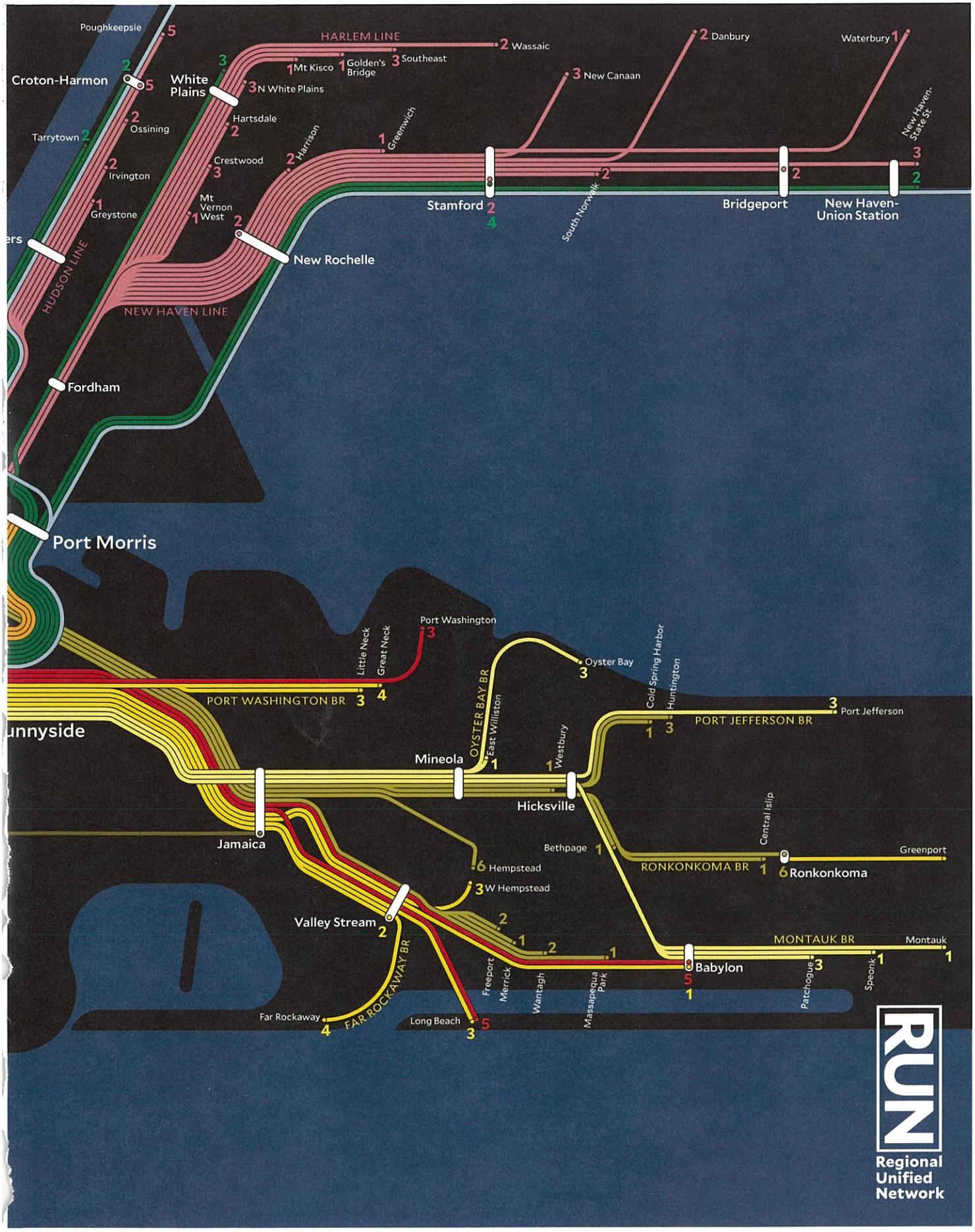
• Connects all 26 suburban transit lines, creates new hubs

In addition to direct through-running, **RUN** creates three new multimodal transit hubs outside of Manhattan that open up the whole region. **RUN** literally does let anyone go *"From Anywhere...To Everywhere."*

• Compatible with a wide variety of future choices

RUN is a framework rather than a prescription. It includes a number of options for future development and offers flexibility for future policymakers to add new features as funding becomes available.


NJ Transit
Hoboken - bound
Port Morris - bound
LIRR
Secaucus - bound
Grand Central - bound
Hunters Pt - bound
Metro-North
RUN
RUN North
RUN East
Port Jervis
Spring Valley
Suffern
Waldwick
Croton-
Yonkers
PASSAIC VALLEY LINE
BERGEN COUNTY LINE
MAIN LINE
MONTCLAIR-BOONTON LINE
MSU
Hackettstown
Lake Hopatcong
Dover
Denville
MORRISTOWN LINE
Maplewood
Secaucus
Newark Broad St
Hoboken
Penn Station
Grand Central
125 St
Hunters Point
Sunnys
Newark Penn
Gladstone
GLADSTONE LINE
Summit
Atlantic Terminal
NORTHEAST CORRIDOR
RARITAN VALLEY LINE
Rahway
High Bridge
Raritan
Metuchen
New Brunswick
Jersey Ave
South Amboy
Long Branch
NORTH JERSEY COAST LINE
Bay Head
Trenton


Poughkeepsie
HARLEM LINE
Wassaic
Danbury
Waterbury
Croton-Harmon
White Plains
Mt Kisco
Golden's Bridge
Southeast
N White Plains
New Canaan
Tarrytown
Ossining
Hartsdale
Irvington
Crestwood
Harrison
Greenwich
Greystone
Mt Vernon West
Stamford
South Norwalk
Bridgeport
New Haven-State St
New Haven-Union Station
HUDSON LINE
New Rochelle
NEW HAVEN LINE
Fordham
Port Morris
Port Washington
Little Neck
Great Neck
PORT WASHINGTON BR
Oyster Bay
OYSTER BAY BR
East Williston
Cold Spring Harbor
Huntington
PORT JEFFERSON BR
Port Jefferson
Mineola
Westbury
Hicksville
Jamaica
Central Islip
Bethpage
RONKONKOMA BR
Greenport
Ronkonkoma
Hempstead
W Hempstead
Valley Stream
MONTAUK BR
Montauk
Babylon
Freeport
Merrick
Wantagh
Massapequa Park
Patchogue
Speonk
FAR ROCKAWAY BR
Far Rockaway
Long Beach
RUN
Regional Unified Network

PHASE TWO

EXPANDING THE NETWORK

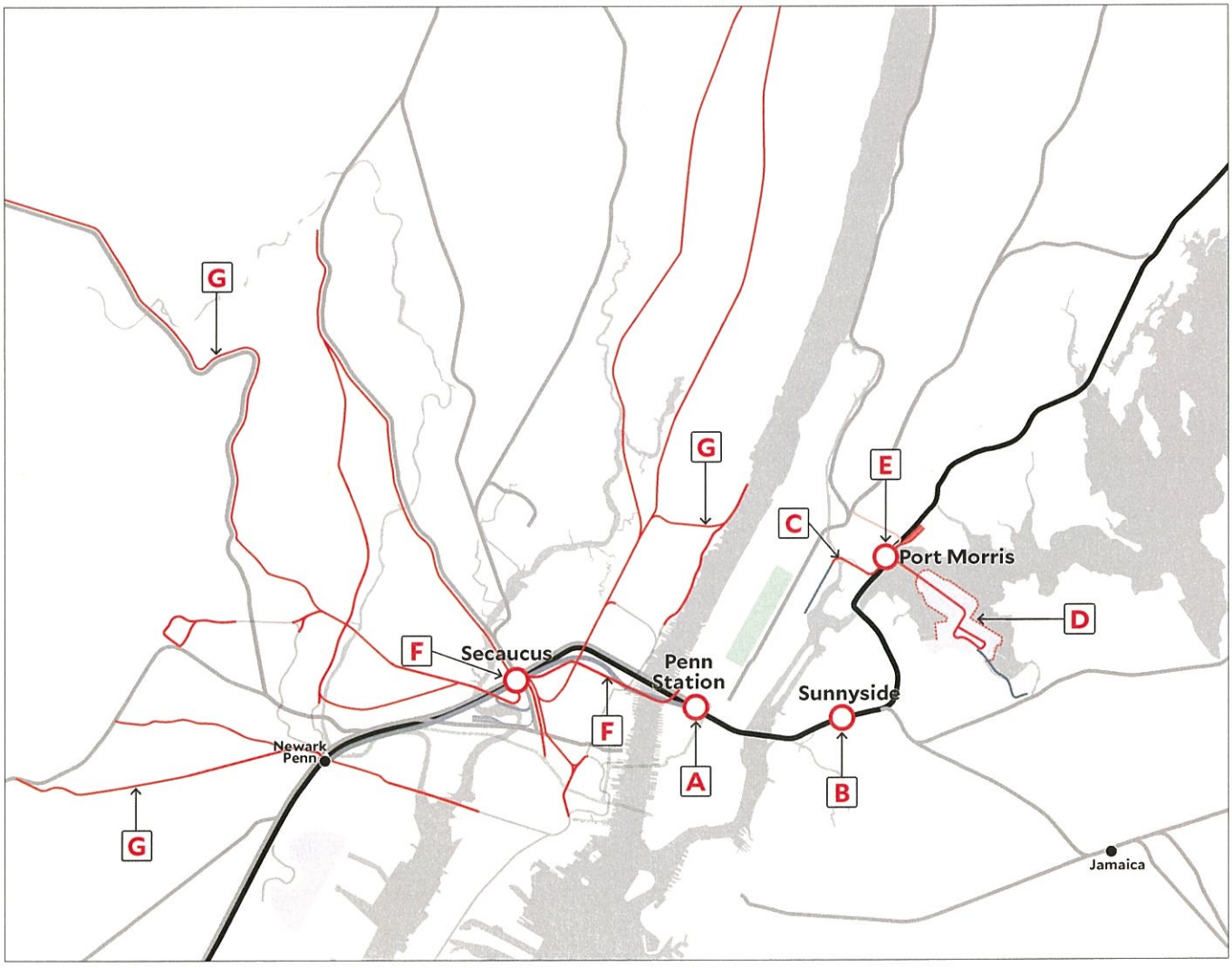
Phase II: Optional and Complementary Projects

Phase I of **RUN** is a significant project in its own right that delivers transformational benefits to the New York metropolitan region. It also creates a flexible framework that allows future additions to be made easily.

Overview

The following proposals are designed to be modular "plug-and-play" components; they can be executed individually in any order, or simultaneously in any combination. Each addition compounds the value of Phase I as well as increases the value of the whole because all the parts work together synergistically. Of the eight projects, six directly replace or modify existing proposals and fit within the same budget commitments.

Below: Overview of RUN Phase II components.



A. Revive Penn Station's grandeur

Turn Penn Station into a grand civic entranceway to the city—one in which all New Yorkers can take pride. RUN is compatible with past proposals from Governor Andrew Cuomo and others.

B. Build Downtown Queens – Sunnyside Station

Rather than decking over Sunnyside Yards, build a new regional rail station at Queensboro Plaza to anchor and support a growing Central Business District. Replace most of Sunnyside Yards by expanding the new Port Morris train yard.

C. Send the Second Avenue Subway to the East Bronx

Build the branch of the Second Avenue Subway from East Harlem to Dyre Avenue in the East Bronx as the MTA originally proposed.

D. Expand LaGuardia Airport and close Rikers Island, with an AirTrain connection to Port Morris

Build longer runways to allow full-size passenger jets to land safely and travel to any destination. Add an AirTrain link to the Port Morris hub to make LaGuardia the best-connected airport in America.

E. Move the Javits Center to Port Morris

Port Morris would be the ideal site for a convention center if Projects C and D were constructed. Relocating the Javits Center would also allow Midtown West to continue to grow.

F. Send the Subway & Port Authority Bus Terminal to Secaucus

Extending the 7 and/or L Train to Secaucus will increase capacity for commuters from New Jersey, and add to the value of the expanded hub at Secaucus Junction.

G. Establish an extensive light rail network in New Jersey

By reusing underutilized or abandoned assets, **RUN** creates a network capable of serving all of Northern New Jersey, not just parts of Hudson and Bergen counties.

H. Extend electrification and standardize regional rail networks

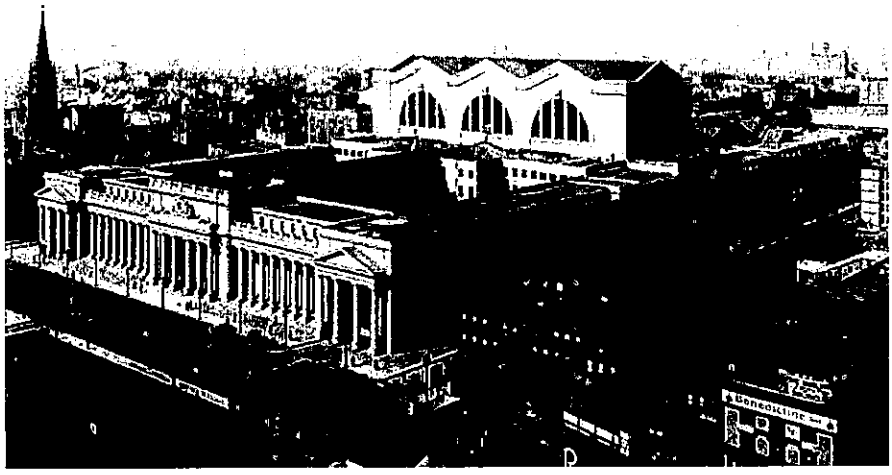
Today, the New York metropolitan region has a patchwork of incompatible rail networks. Upgrading, extending, and standardizing electrical systems would improve service, redundancy, and reliability.

Project A: Revive Penn Station's Grandeur

RUN Phase I fixes Penn Station at the platform and track level and, by speeding passenger movement onto and off of trains, improves conditions on Penn Station's cramped concourses. Because **RUN** does not alter the architectural support systems of the buildings above the concourse, it is compatible with any plan to change, or retain, the current Penn Station, as well as with any proposals for the entire Farley Post Office Building.

ReThinkNYC supports efforts to turn Penn Station into a grand civic entranceway in which New Yorkers can take pride, and believes a new proposal should be paired with Phase I of **RUN** to fix Penn Station from the ground up all at once. Such an approach may also be easier from an engineering and construction perspective. Fixing the tracks and platforms makes it even more desirable to build something worthwhile at the street and concourse levels.

As part of this project, ReThinkNYC also proposes moving Madison Square Garden across the East River to a new site adjacent to our proposed Downtown Queens – Sunnyside Station. However, **RUN** does not require doing so.



Left: The original Penn Station in 1911, shortly after opening.

Above: The main concourse of the original Penn Station.

Project B: Build Downtown Queens - Sunnyside Station

The question of redeveloping Sunnyside Yards has plagued New York City for almost a century. A 2017 study by the New York City Economic Development Corporation quantified the challenge posed by the site: It would cost $17-19 billion[10] to deck over the yards, and the orientation and size of the required decking would make it extremely difficult to construct large buildings at the site.

Rather than spend nearly $20 billion trying to work around the limits imposed by the site, ReThinkNYC would spend a fraction of that amount to build a major transit hub adjacent to Queens Plaza, redo the track layout and interlockings, and move Sunnyside Yards – other than Amtrak's loop tracks – to Port Morris. By doing so, **RUN** removes the need for expensive decking, provides major new amenities to all of Western Queens, and better serves the Downtown Queens Business District.

Below: Rendering showing the proposed street grid layout over the existing Sunnyside Yard site and the potential development build-up in the area. *Base map data: Google Earth.*

The Benefits of Downtown Queens – Sunnyside Station:

- Gives Queens and Brooklyn quick access to the entire metropolitan region without going into Manhattan.

- Provides the Downtown Queens Business District the same level of regional accessibility that Midtown Manhattan enjoys today.

- Reduces overcrowding on Queens subways at peak load points.

- Allows passengers to transfer seamlessly at the westernmost possible point between Long Island Rail Road trains that access either Penn Station or Grand Central.

Below: Rendering showing new Sunnyside Park and development aurrounding the park and station.
Base map data: Google Earth.

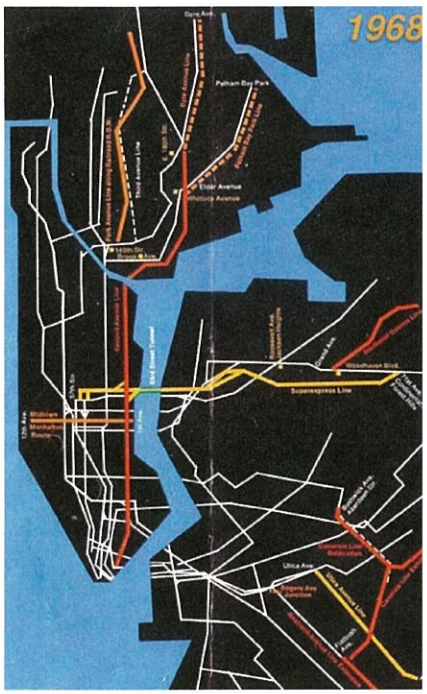
Project C: Send the Second Avenue Subway to the East Bronx

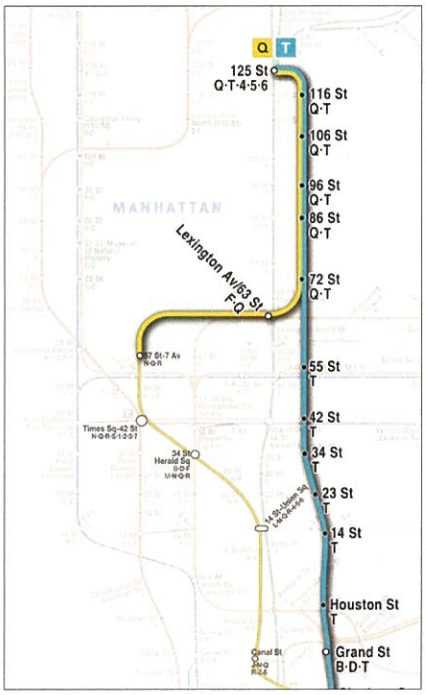
Under the MTA's proposed 1968 Program for Action[11], the Second Avenue Subway (SAS) would have followed a route to the East Bronx that used the Northeast Corridor's right-of-way to the Dyre Avenue Line, with a branch taking over the Pelham Line. The current plans[12] for SAS Phase 2 turn in the opposite direction, connecting to Metro-North and the Lexington Avenue Line at 125th Street between Park and Lexington Avenues. Although portions of the tunnels already exist, the MTA currently projects a price tag of about $6 billion[13] for SAS Phase 2.

Serve the East Bronx

Sending the Second Avenue Subway to Port Morris and Dyre Avenue provides all the primary benefits of both the 1968 and 2007 plans for the Second Avenue Subway as well as new ones because it is better integrated with the regional transportation network.

As part of the planned SAS Phase 2, MTA will construct an extremely expensive vertical shaft to launch a tunnel-boring machine ("launch box") to connect the 125th and 116th Street stations. **RUN** reuses that vertical shaft to allow a second tunnel boring machine to connect East Harlem with Port Morris and the East Bronx.

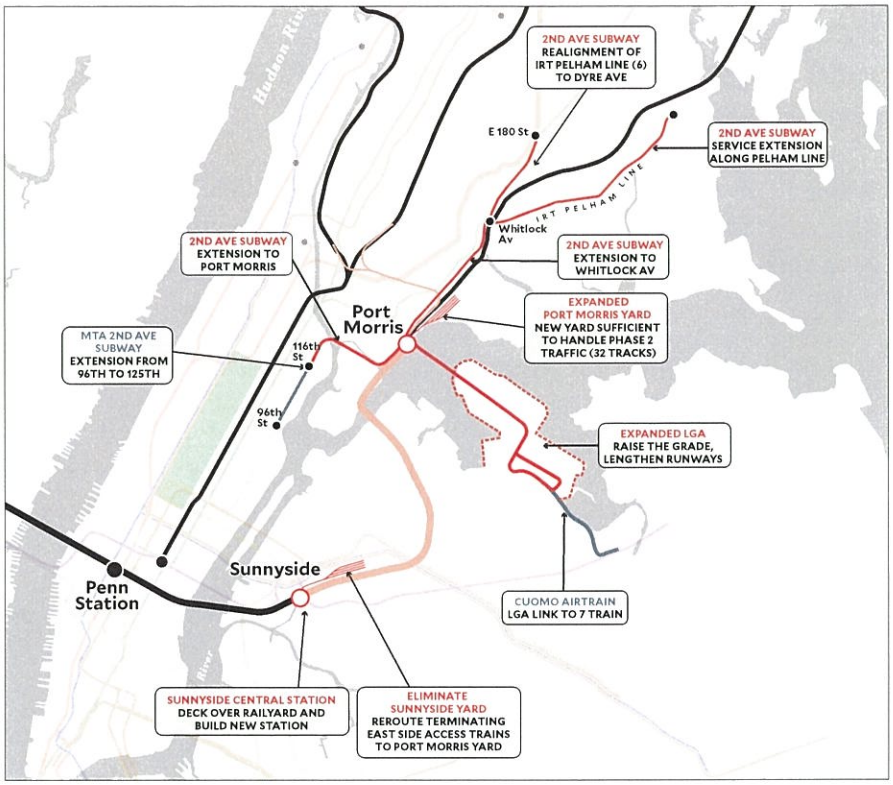




Left: MTA's 1968 Program for Action Plan.
Image Credit: Metropolitan Transportation Authority.

Right: MTA's 2007 Plan for the Second Avenue Subway.
Image Credit: Metropolitan Transportation Authority.

Right: Map showing the possible convergence of various rail lines at Port Morris.



Benefits of Our Second Avenue Subway Proposal

• Better connection to regional rail

RUN provides easier access to New Jersey and Long Island, and a second connection to the Hudson Valley and Connecticut. The Bronx would benefit as well, not just Upper Manhattan.

• Reduces pressure on the Lexington Avenue Line

RUN diverts passengers on the Dyre Avenue Line from the Lexington Avenue Line entirely, allows passengers on the White Plains Road Line an easy transfer at E. 180th Street, and provides passengers on the Pelham Line an alternative route with a transfer at Whitlock Avenue.

• Serves transit deserts – and Randall's Island

RUN's version of SAS Phase 2 would serve transit deserts in working class communities, with a potential stop on Randall's Island.

• Comparatively low price

Because **RUN** reuses the most expensive part of the tunneling process (the launch box), it can deliver substantially greater benefits to a much larger constituency without significantly increasing the cost.

Project D: Expand LaGuardia Airport and Close Rikers Island, with an AirTrain Connection to Port Morris

While there are currently proposals to upgrade LaGuardia's terminals, without additional modern terminals and full-length runways at LaGuardia, New York won't be able to meet the growing demand for air travel in the region[14].

To grow into a world-class airport, LaGuardia needs to be connected to the mass transit system. As proposed, the AirTrain to Willets Point goes in the wrong direction – away from Manhattan – and will be of extremely limited value to most passengers. Moreover, expanding LaGuardia without shifting most of its passengers to mass transit will paralyze the road network in the area.

The Solution: Turn LaGuardia into a full-scale international airport, and build a connection to mass transit on the west side of the airport, at **RUN's** new hub in Port Morris.

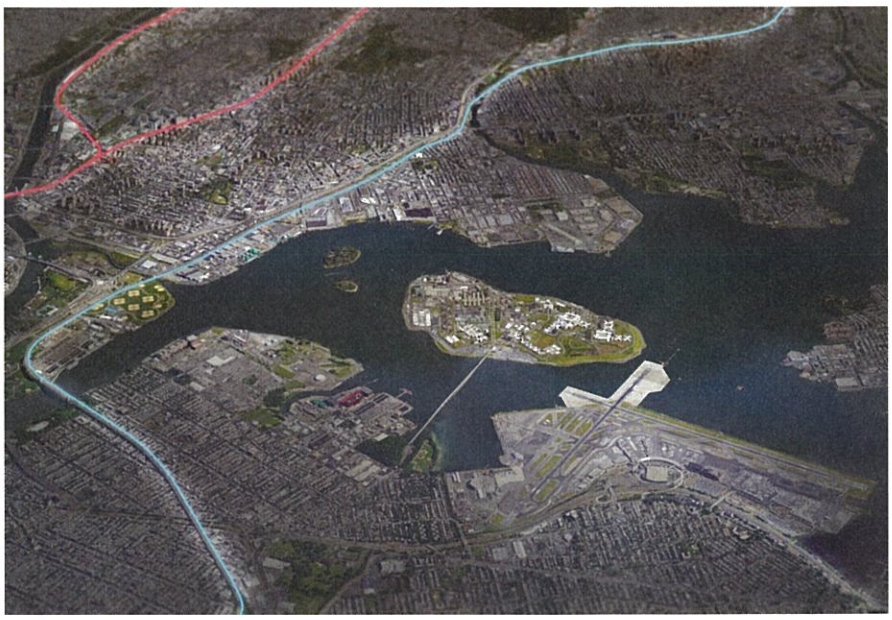
- **Unparalleled mass transit access**
  Today, LaGuardia has no mass transit access to Midtown Manhattan or to most of the larger metropolitan region. With **RUN**, passengers can take an AirTrain to Port Morris, then catch the subway or a fast, frequent regional rail train heading into Midtown or out to the suburbs.

- **Targeted development**
  Conventions, conferences, and many other businesses benefit greatly from easy airport access. **RUN** places a convention center in Port Morris (see Project E), with easy airport access via mass transit.

- **Close Rikers Island**
  Closing the dangerous and dilapidated jail complex on Rikers Island has long been desirable, but falling crime and incarceration rates in New York City now make it feasible. Indeed, NYC has recently committed to closing it[15], making it possible to use Rikers Island to expand LaGuardia.

- **Comparable cost to planned airport projects**
  The cost of **RUN's** expanded LaGuardia Airport is likely to be in the $10-12 billion range, equal to proposed or ongoing investments[16] [17] at all three of the region's major airports. Though the cost is similar, the benefits are far greater.

Top right: Today, there is no rail access to LaGuardia. Metro-North's Harlem & Hudson Lines are shown in red, and the Northeast Corridor is shown in blue.



Bottom right: An expanded LaGuardia Airport connected via AirTrain to Port Morris, providing rail access throughout the region.

Project E: Move the Javits Center to Port Morris

Once the Second Avenue Subway is extended to Port Morris, and LaGuardia is connected to the **RUN** hub there, then Port Morris becomes the perfect location for a new convention center. In addition to providing a new economic anchor and a significant number of jobs for the South Bronx, the new convention center could be built at a profit by selling the development/ air rights at the existing Javits Center north of Hudson Yards.

- Value of Javits Center development/air rights: $3.9 Billion[18]

- Cost to remove Javits Center, prep for development: $2 Billion[18]

- Cost of a new Convention and Conference Center: $1.5 Billion[18]

Below: Rendering imagining the interior of Port Morris Station with connections to LaGuardia and the new Javits Center.

Above: Ever increasing delays at the PABT highlight the urgent need to replace it with a smart, effective and flexible solution.

Project F: Send the Subway & Port Authority Bus Terminal to Secaucus

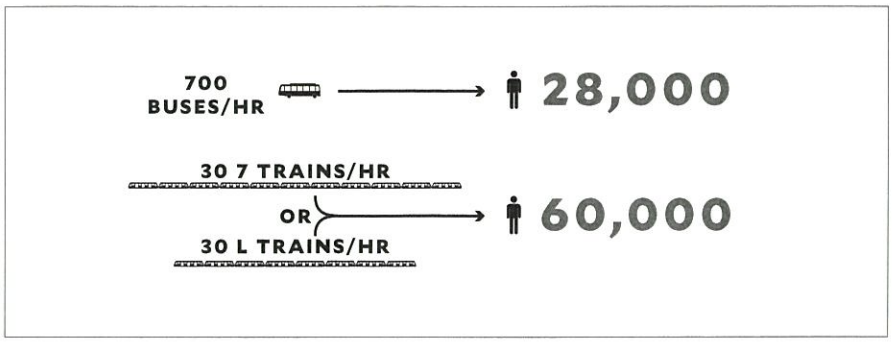
Current plans for an expanded PABT in Midtown ignore a crucial factor: It is not possible for buses to keep up with demand for cross-Hudson service, and even partial solutions require drastic changes to how the Lincoln Tunnel currently operates. A 2016 study by the Port Authority[19] confirmed that the Lincoln Tunnel Exclusive Bus Lane (XBL) is already at or above its practical capacity – it simply can't carry any more buses. Expected increases in bus traffic would require a second XBL or a tolled hybrid lane carrying buses and cars willing to pay a higher toll for faster travel, which would also quickly be at capacity.

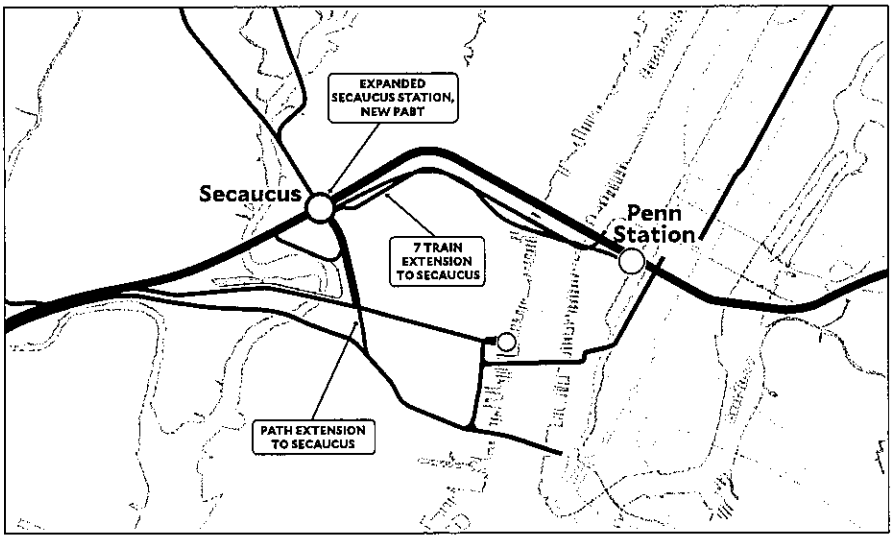
Problem: Capacity and Flexibility

Current operations at PABT are also extremely vulnerable to single points of failure, particularly during rush hour. In case of problems, bus commuters lack alternative means of getting across the Hudson River. Moreover, the proposed replacement of PABT would itself be at capacity virtually the moment it opened. Practically speaking, it is impossible to build a terminal large enough to accommodate expected bus traffic in Midtown Manhattan.

Although the XBL is the most successful Bus Rapid Transit operation in America[20], these inherent limitations mean that buses alone cannot be a sufficient solution to the challenge of meeting increased trans-Hudson demand in the coming decades. A subway line is needed to meet growing demand. Spending $10-15 billion[19] on a new bus terminal in Midtown might mitigate but can't fix those underlying issues.

Right: Currently, 700 buses/hour can hold 28,000 passengers. By contrast, a single subway line can carry 60,000 passengers/hour.





Left: ReThinkNYC proposes extending the PATH and 7 train to Secaucus.

Solution: A Hybrid Approach

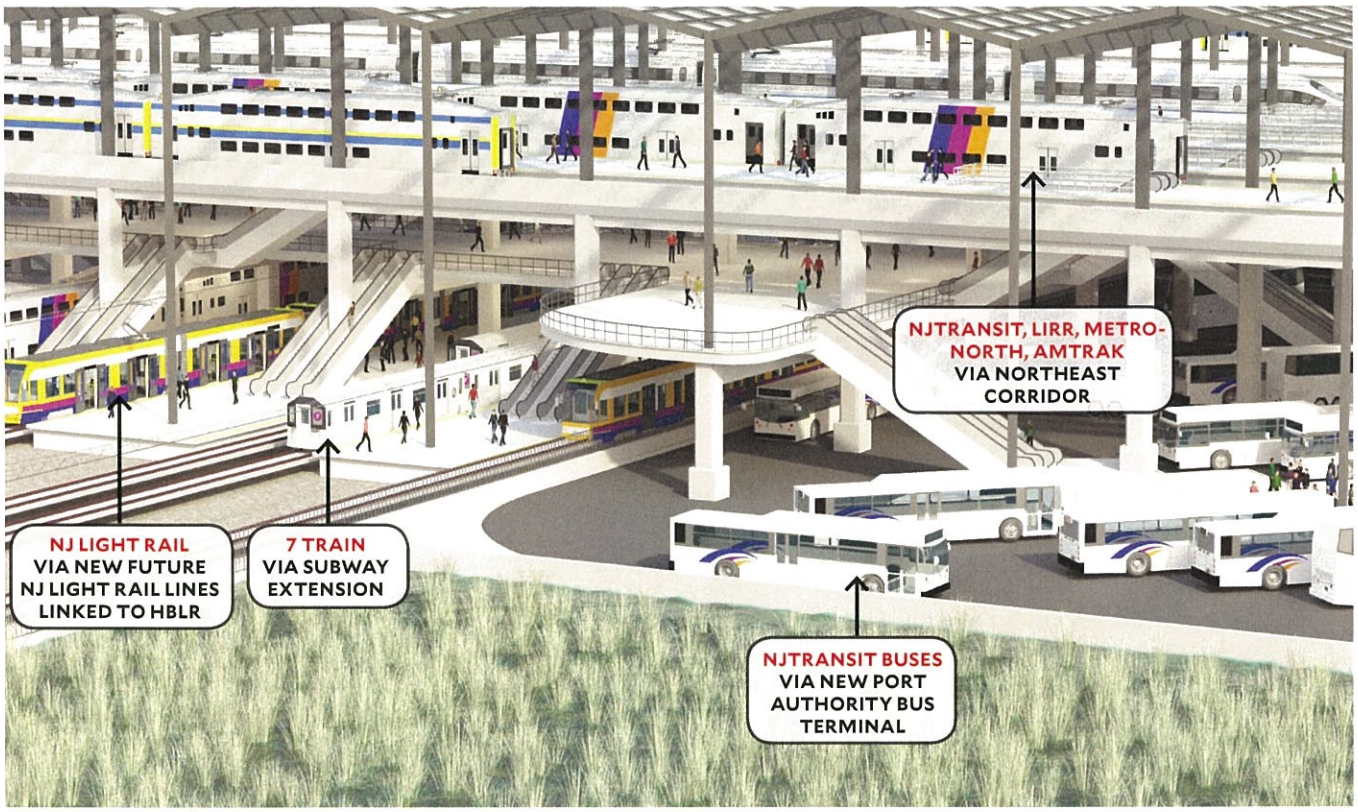
Past proposals to move PABT to New Jersey have been met with strong opposition from some New Jersey leaders for several reasons. The three most consistent have been: insufficient capacity on New Jersey Transit trains, especially when unloading at Penn Station; inefficient transfers at a station not designed for them; longer trip times, and the lack of direct access to Midtown Manhattan. **RUN** addresses all three objections.

1. Extend PATH to Secaucus

Most plans to move PABT to Secaucus include connections to regional rail and the New York City subway. **RUN** adds a connection to PATH, with access to Journal Square, the Jersey City waterfront, Herald Square in Manhattan, and the Financial District. Combined with an extension of the 7 subway line, these links provide bus commuters significantly increased options. To reduce costs and simplify construction, the PATH connection utilizes existing rights-of-way. PATH trains that currently terminate at Journal Square can continue to Secaucus. In the future, a second subway connection, such as an L train extension, should be built.

2. Increased Capacity on Trans-Hudson Regional Rail

RUN's improvements to Penn Station allow many more passengers to get on and off trains safely and comfortably. More efficient train operations allow more trains to use the Hudson River Tunnels. Surge service on regional rail can be added if there is a disruption to the 7 train or PATH because **RUN** does not utilize the entire potential capacity of the Hudson Tunnels.



Above: An expanded and refurbished Secaucus Station could provide easy and fast transfers between commuter rail, light rail, PATH and 7 train subways, and buses.

3. Purpose Built Multimodal Transfer Station

Instead of navigating the current Secaucus Station, passengers will use a new, purpose-built station designed specifically for easy transfers to the New York City subway and PATH. Direct highway access from I-95 makes the transfer seamless and easy; integrated fares and revenue sharing allow cross-system transfers without the need to pay again at fare gates. Total travel time for commuters who currently take the XBL would be significantly reduced, especially for travelers to the East Side[21].

Left: Lincoln Harbor could become a major local hub, providing connections between the Hudson-Bergen Light Rail, NJTransit buses and an extended 7 train. *Base map data: Google Earth.*

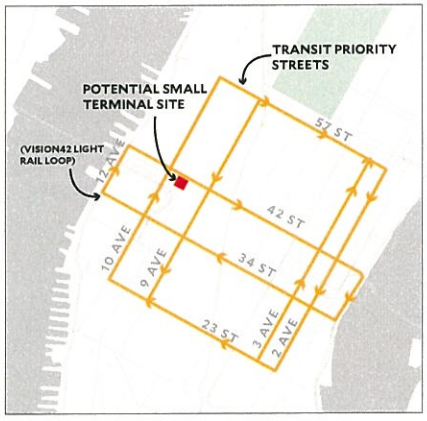
4. Weehawken and Union City Stations

A significant percentage of bus commuters to PABT are coming from locations in Hudson and Bergen Counties that are closer to New York City than Secaucus[22]. A detour to Secaucus would represent a significant increase in commute time and complexity for them. To address this, either one or two intermediate stations on the subway would serve Union City and/or Weehawken. These stations would connect to local buses in the same way that the 7 train does at Main Street in Flushing, or the E train does at Jamaica Center. The stations could connect to the Hudson-Bergen Light Rail in Lincoln Harbor as well.

5. Maintain Manhattan Access, and Integration with New Manhattan Options

While **RUN** will divert most bus traffic, there will still be a need for a significant number of buses to travel through the XBL to Manhattan. **RUN** would maintain sufficient capacity for 500 peak hourly buses from New Jersey to Manhattan by retaining a small terminal in Manhattan near the current PABT and giving priority to surface transit on a number of key Manhattan streets.

Several previous proposals have suggested ways to improve surface mass transit in Midtown – including a Transitway on 34th Street[23] and Vision42's plan for a light-rail loop along 42nd and 34th Streets[24]. Some version of these proposals would be incorporated into **RUN** and integrated with trans-Hudson bus service.



Above: This map of midtown Manhattan shows Transit Priority Streets and a potential site for a small bus terminal.

6. George Washington Bridge Station

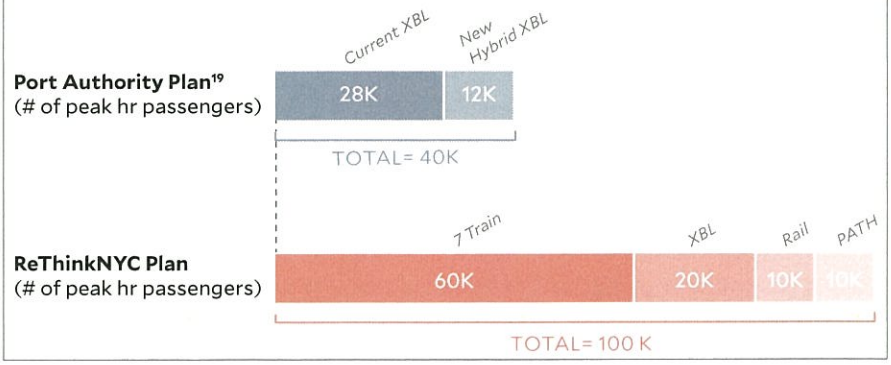
As an additional option, a dedicated subway station could be built using the 174th Street Yard to connect to the George Washington Bridge Bus Terminal. The additional trains run from this station could potentially serve as supplemental service on the C Train to the World Trade Center terminal.

Cost and Capacity Comparison

Under the Port Authority's proposal, the new Midtown PABT would reach its design capacity of 40,000 peak hour passengers[25] within a decade of opening, with no additional room to grow.

In contrast, **RUN** has new, dedicated peak hour passenger capacity of 100,000, plus slack or surge capacity on regional rail.

COMPARISON OF PEAK HOUR CAPACITY



COST COMPARISON*

Port Authority Plan[25]	
New Midtown Terminal	>$12.5 billion

ReThinkNYC Plan	
New Secaucus Terminal	$4-5 billion
PATH Extension	$500 million
Subway Extension	$5-6 billion
Manhattan Bus Systems	$1-2 billion
Weehawken Station	$1-2 billion
Union City Station	$1-2 billion
Net Development Rights	>$2 billion
Net Total:	**$9.9-15.5 billion**

**Note: The Port Authority's estimates do not appear to include any site acquisition costs, only reflect net development rights, and must be inflated to the mid-point of the project. Our projected subway extension cost is based on the tunnel-only costs of the Gateway Program.*

Project G: Establish an Extensive Light Rail Network in New Jersey

As Secaucus is established as a significant multimodal transfer hub, it can be the natural base of a significantly expanded New Jersey Light Rail Network. Because of how many lines once led to the New Jersey waterfront, there are a vast number of underutilized and abandoned rail lines throughout Northern New Jersey, and most of them already run through or near Secaucus.

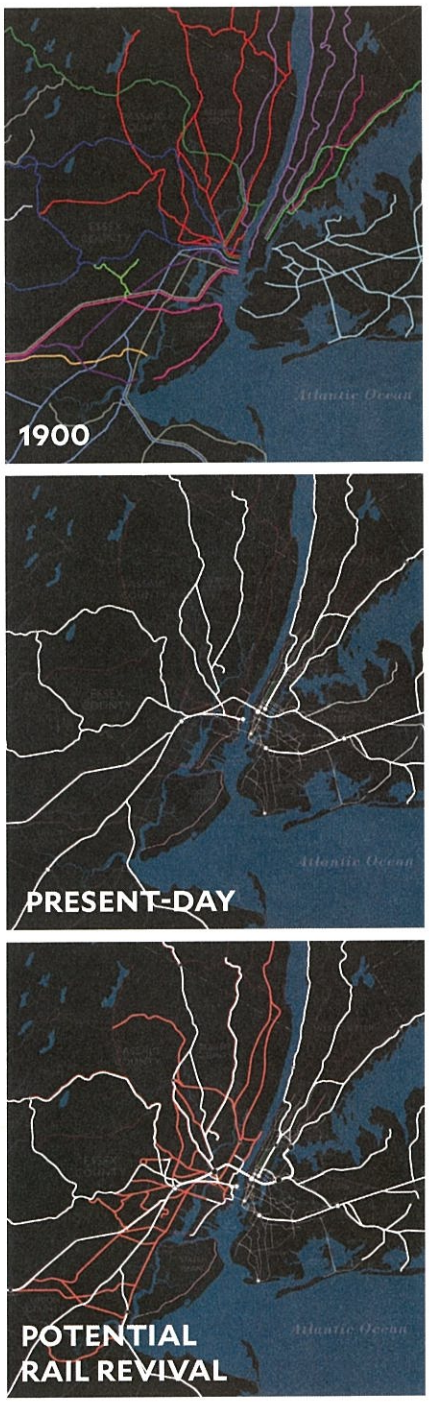
The Hudson-Bergen Light Rail system has begun to take advantage of those opportunities, but our proposal is for a significantly more expansive network connecting every major destination in New Jersey. Because it would be based out of the Secaucus Hub, each of these lines would also have easy access to the entire metropolitan region via a simple transfer.

The ReThinkNYC proposal recommends the adoption of the following projects for immediate transportation action:

1. 7 Train Extension to Secaucus Junction via new 34th St Tunnel
2. PATH Train Spur into Secaucus
3. On-Street HBLR Extension to Edgewater
4. Edgewater Tunnel Rehabilitation
5. Northern Branch HBLR Extension
6. Newark Light Rail On-Street Extension to Orange
7. Bergen Arches HBLR Connection
8. HBLR Connection to Secaucus via New Kearny Point Bridge
9. Essex-Union Light Rail On-Street Extension to Newark Penn

The construction of the first nine light rail projects provides the opportunity for further expansion of the NJ Light Rail Network:

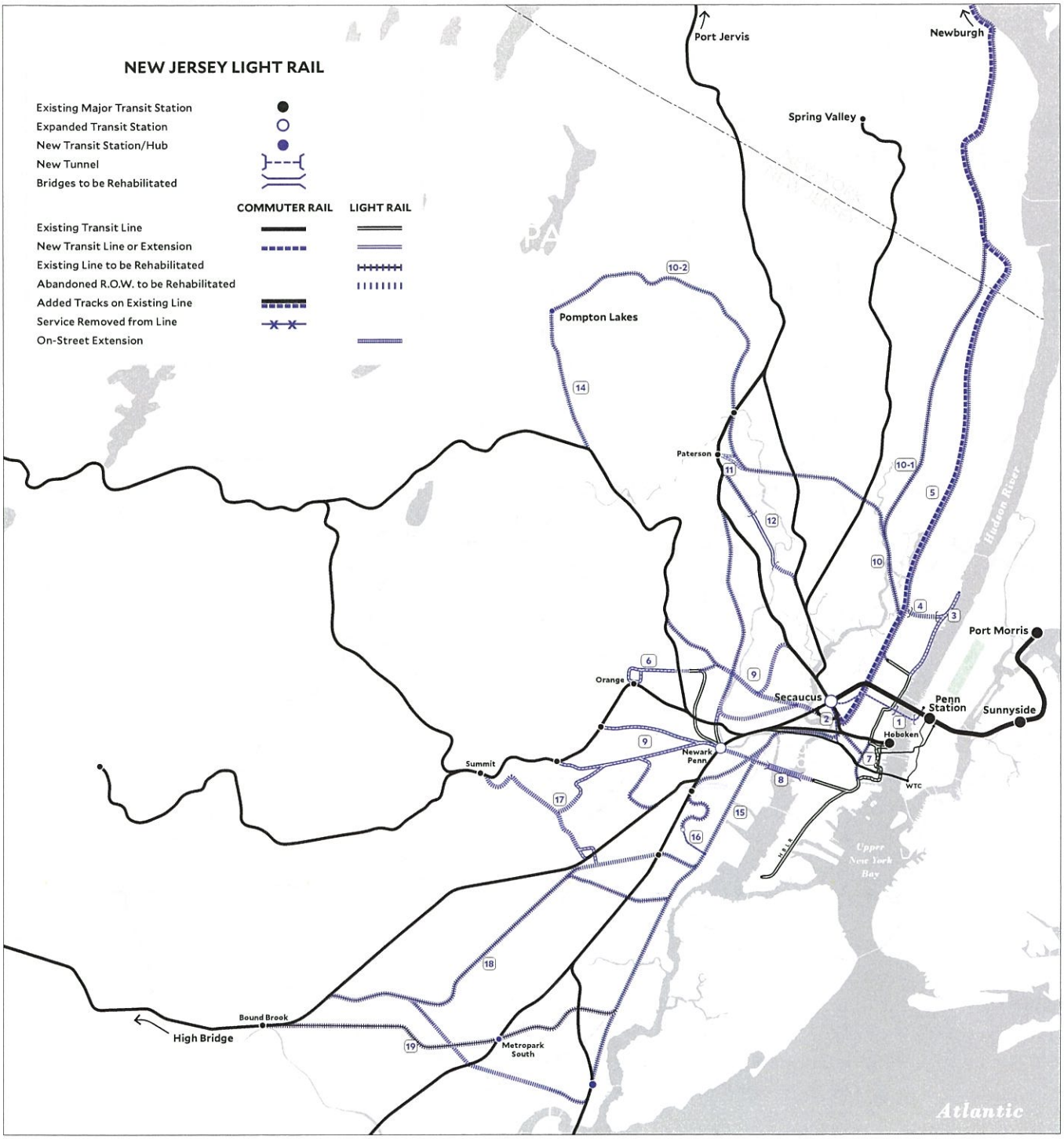
10. NYS&W + West Shore Line Light Rail Restoration, connecting to Northern Branch
11. On-Street NYS&W Spur to Paterson
12. Connection between former Erie Main Line and the Main Bergen Line via new Passaic Tunnel
13. Erie Newark Branch Light Rail Restoration
14. Erie Greenwood Lake Branch Light Rail Restoration
15. Refurbishment of Existing R.O.W. of Central NJ Rail Road as Light Rail
16. Newark Airport (EWR) AirTrain Extension
17. Restoration of the Rahway Valley Rail Road as Light Rail
18. Restoration of Lehigh Valley Rail Road as Light Rail
19. Refurbishment of Port Reading Secondary Light Rail



Top: Regional legacy rail network, circa 1900.

Middle: Today's commuter rail network shown in white.

Bottom: RUN's phase 2 creates opportunity to re-establish the legacy rail network in New Jersey.



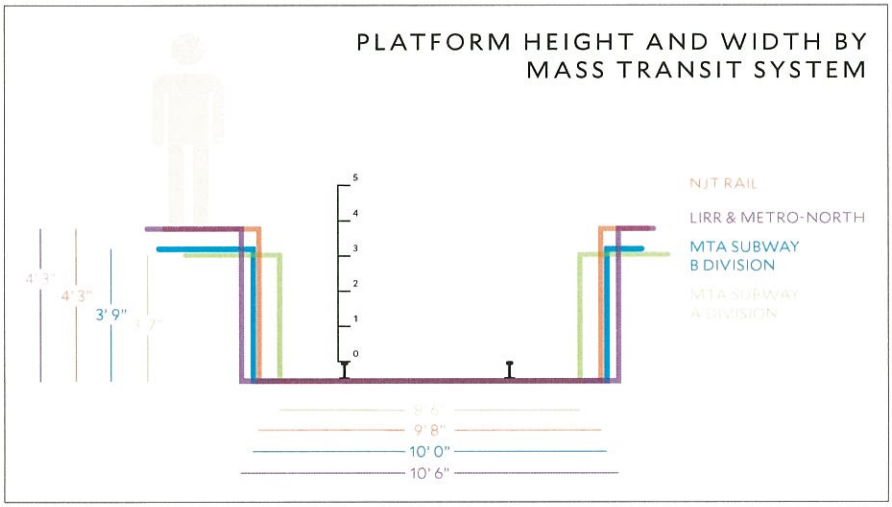
Above: ReThinkNYC's plan establishes a light rail network in New Jersey using legacy rail lines.
For more details on construction of the light rail network in New Jersey, refer to Vol. 2: Plan 2050.

Project H: Extend Electrification and Standardize Regional Rail Networks

Five Types of Power, Dividing a Network

Differing power systems for rail across the New York City metropolitan region present a serious challenge to establishing a unified network. Trains run on five different types of power, detailed on the opposite page. In practical terms, this means that most train cars used by Metro-North and LIRR can't run in New Jersey, and vice-versa. In addition, while most stations in the region have platforms that allow for level boarding, not all do.

Right: Today, power standards between commuter rail lines vary in voltage, current, and contact system.



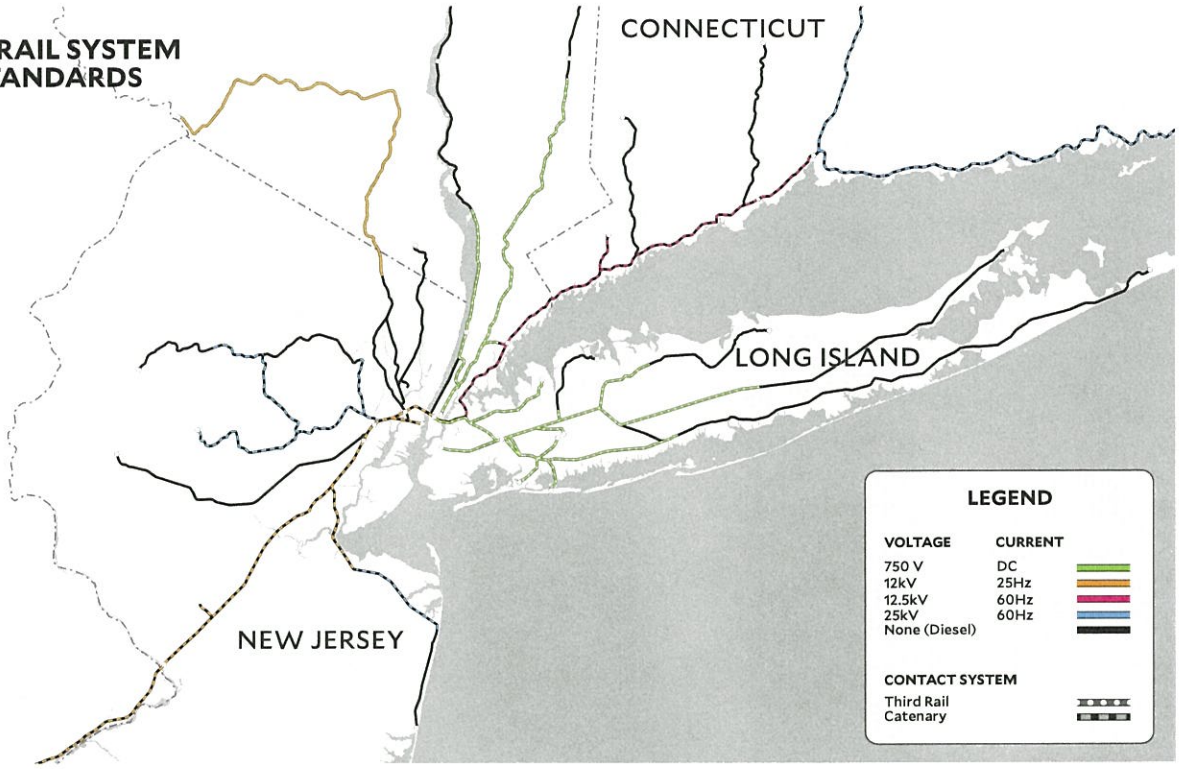
Left: Today, the rail systems in our region have varying platform widths and heights.

Standardize Power and Station Design

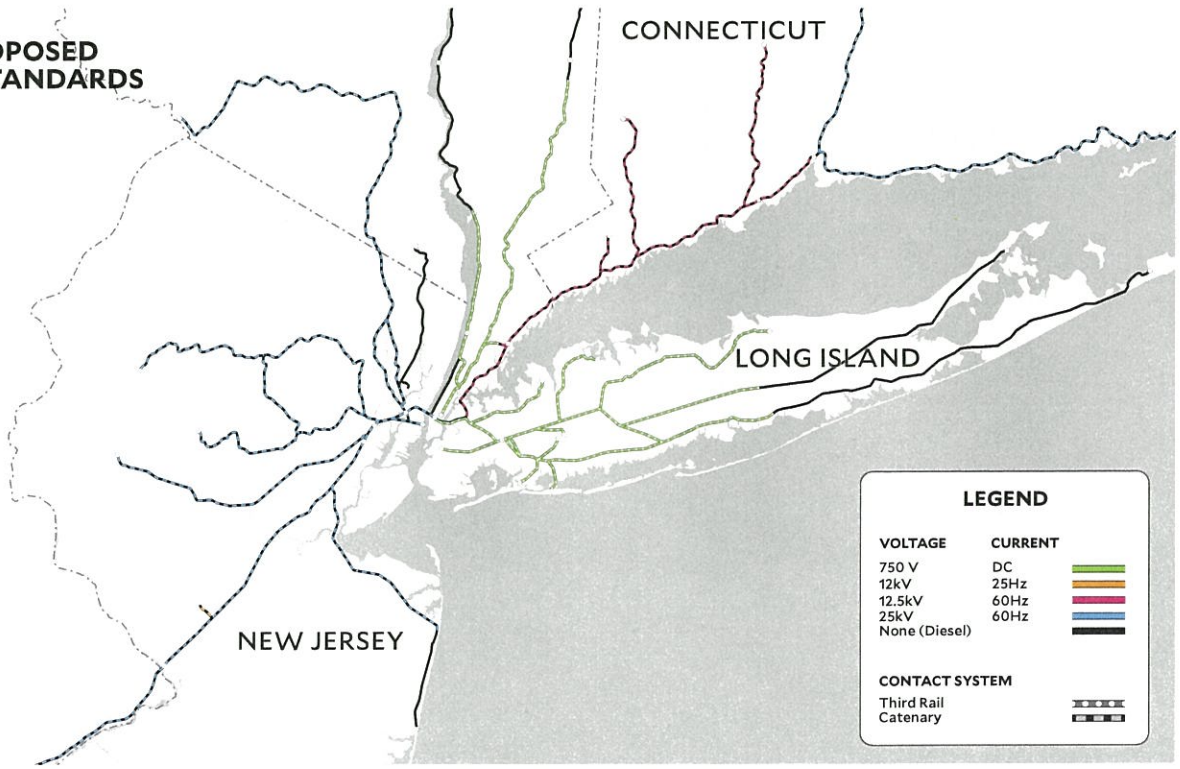
To allow for the region's three suburban networks to truly operate as an integrated whole, **RUN** extends electrification further out on many lines. **RUN** also upgrades the oldest catenary system – 12kV 25Hz AC – to the modern standard of 25kV 60 Hz, reducing the number of power standards in use by one. Additionally, **RUN** will transform low-level platforms to permit level boarding, with priority for the main **RUN** lines.

Right: RUN proposes standarizing power standards and eliminating usage of the oldest catenary system (12kV 25 Hz), and extending electrification of LIRR and NJT rail lines.

EXISTING RAIL SYSTEM POWER STANDARDS



RUN'S PROPOSED POWER STANDARDS



IMPACT & BENEFITS

One Region, United by a Seamless Transit Network

The Regional Unified Network will provide tangible benefits to every single resident of the tri-state area. This one project would be the key that would unlock the full potential of our regional transportation network and make it almost as easy to travel within the suburbs via mass transit as it is in the Manhattan core today.

Changing the Travel Experience

By thinking holistically about the New York metropolitan region, ReThink Studio has designed a system that answers the questions that travelers actually ask themselves when they're deciding whether to take mass transit to their destination.

1. Does the system take me from where I am to where I want to go?

Today, simple connections and easy journeys simply don't exist for many potential trips – except those heading to the Manhattan core. If the trip isn't possible, or requires precisely timed transfers, travelers will likely just drive instead. By joining every regional transit line together at key hubs, with access to local service, **RUN** dramatically expands the number of one-seat and simple two-seat rides available, i.e. those possible with a quick cross-platform transfer like the ones between express and local subway services that currently exist.

2. Will this get me where I'm going quickly and reliably?

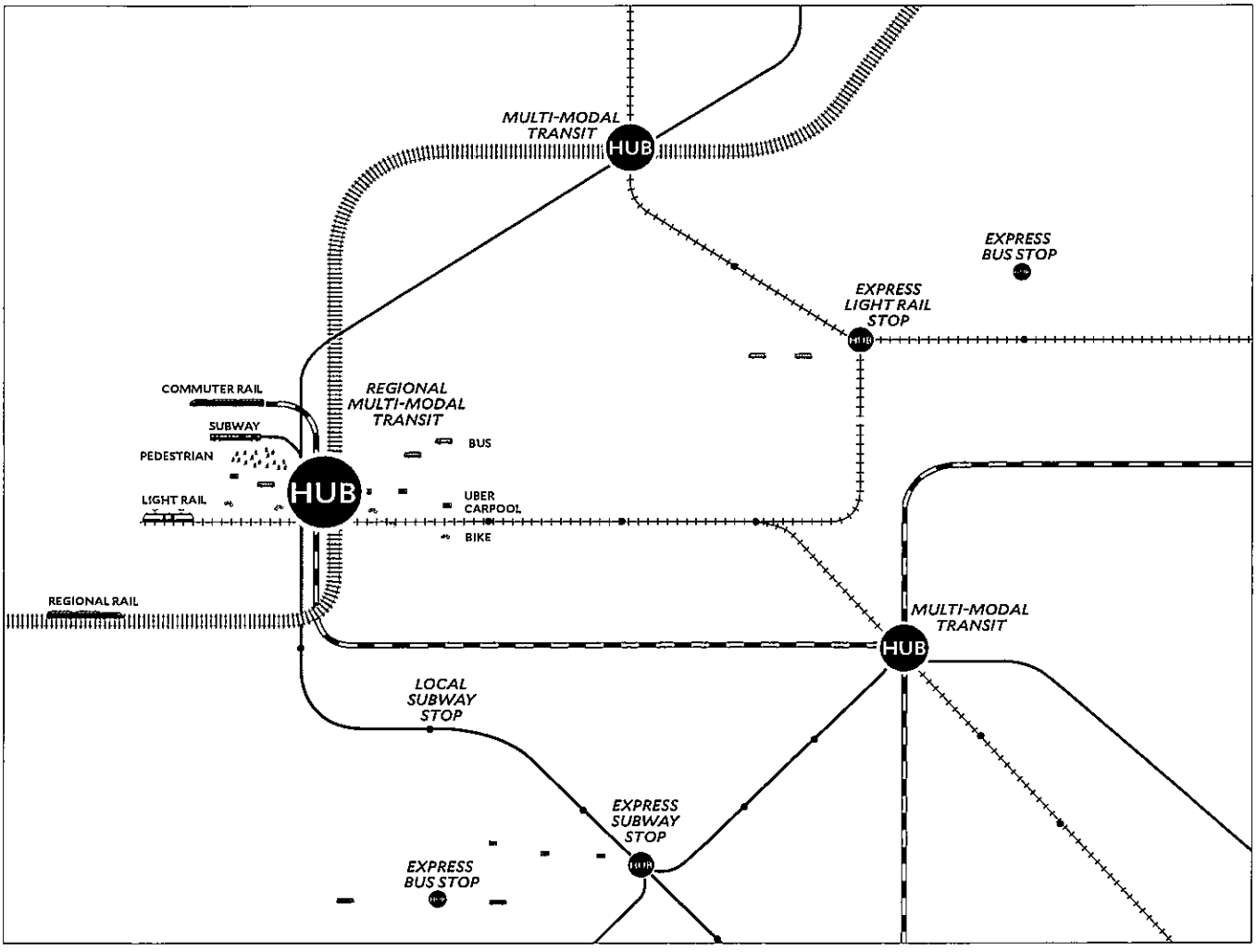
People are less likely to use transit if it takes much longer than commuting via car, or if they can't count on it to get them to work on time. **RUN** adds resiliency and reliability to the system as it exists now, and **RUN** will significantly cut travel time for mass transit users.

3. Will this get me where I'm going cheaply and comfortably?

Mass transit trips between the city and the suburbs – or between suburbs – often require multiple fares, and can be highly stressful. **RUN** creates an affordable, frictionless, and pleasant commute.

A unique feature of **RUN** is how it seamlessly integrates transit options at both the local scale and the regional scale into one cohesive network, where each part adds value to every other elements of the system. By creating outlying, multimodal transit hubs in the Bronx, in Queens, and in New Jersey, **RUN** allows the whole region to have easy access to any location anywhere that connects to those hubs. This unifies long- and medium-distance transit options with short-range ones.

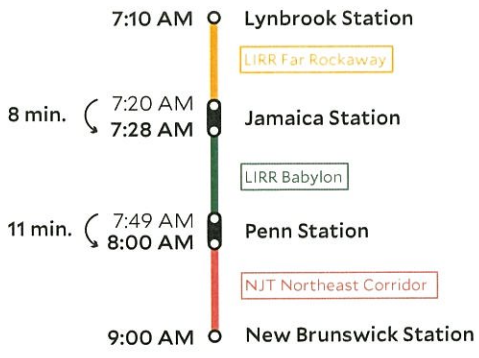
Below: Diagram illustrating the different scales and transfers between various modes of transportation made possible by ReThinkNYC's RUN proposal.



Example 1: Commuting from Long Island to New Jersey

Esther lives in Lynbrook, Long Island and is offered a job in New Brunswick, New Jersey. What would the daily commute from her Long Island home to New Brunswick look like?

Existing Conditions



Total # Transfers:	**2**
Total Travel Time:	**1 hr 50 min**
Total Wait Time:	**19 min**

RUN Conditions

Total # Transfers:	**0**
Total Travel Time:	**1 hr 33 min**
Total Wait Time:	**3 min***
Total Saved Time:	**27 min**

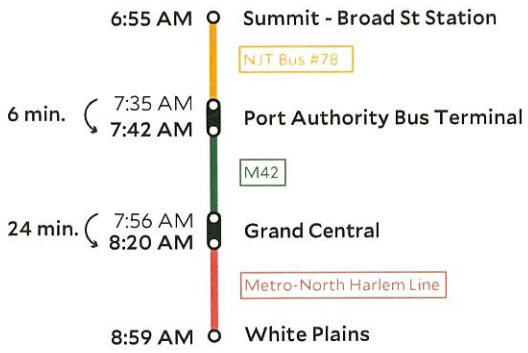
Top right: Travelling from Lynbrook, NY to New Brunswick, NJ at peak hour includes two transfers and a total wait time of 19 min.
Map data and transit directions: Google Earth.

Bottom right: With the Regional Unified Network, travelling from Lynbrook, NY to New Brunswick, NJ requires no transfers and has a reduced wait time of 3 min.
Base map data: Google Earth.

Example 2: Commuting from New Jersey to Westchester

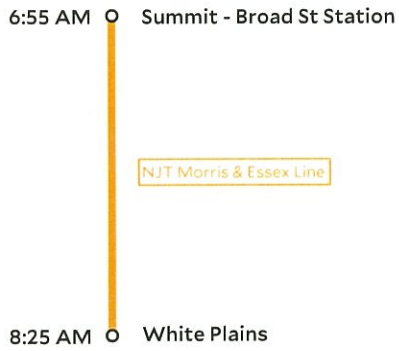
Paul lives in Summit, New Jersey and is offered a job in White Plains, NY. What would the daily commute from his Union County home to his job in Westchester look like?

Existing Conditions

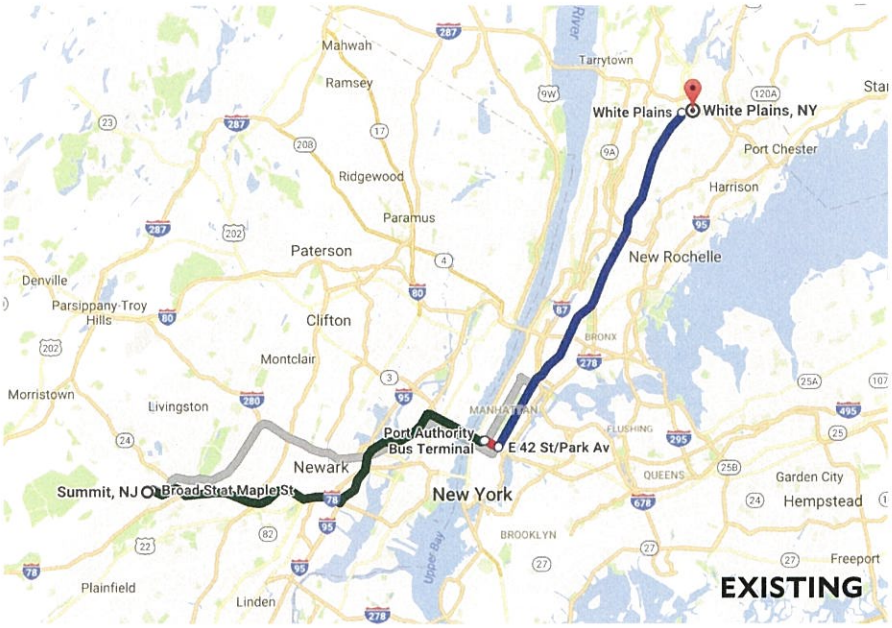


Total # Transfers:	**2**
Total Travel Time:	**2 hr 4 min**
Total Wait Time:	**30 min**

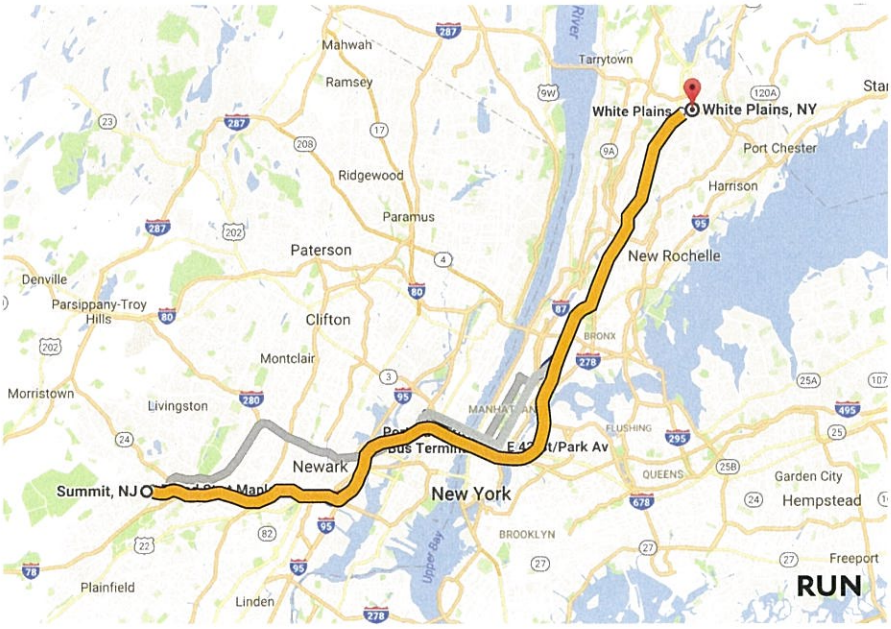
RUN Conditions



Total # Transfers:	**0**
Total Travel Time:	**1 hr 30 min**
Total Wait Time:	**3 min**
Total Saved Time:	**34 min**



Top right: Travelling from Summit, NJ to White Plains, NY includes two transfers and a total wait time of 30 min.
Map data and transit directions: Google Earth.

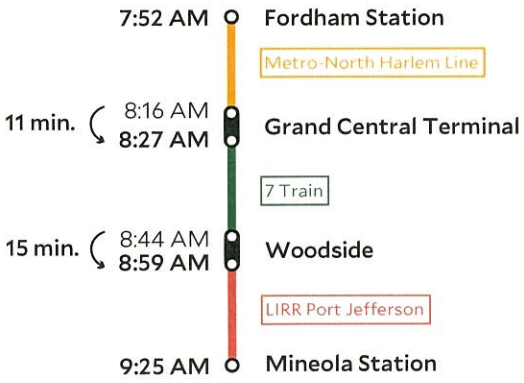


Bottom right: With the Regional Unified Network, travelling from Summit, NJ to White Plains, NY requires no transfers and a reduced wait time of 3 min.
Base map data: Google Earth.

Example 3: Reverse Commute to Long Island

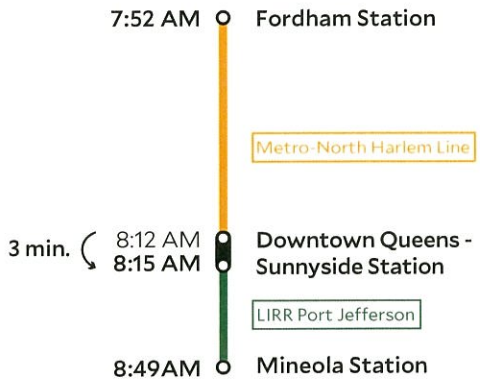
Jamie lives in Fordham in the Bronx and is offered a job in Mineola, Long Island. What would the daily commute from his Bronx home to Long Island look like?

Existing Conditions



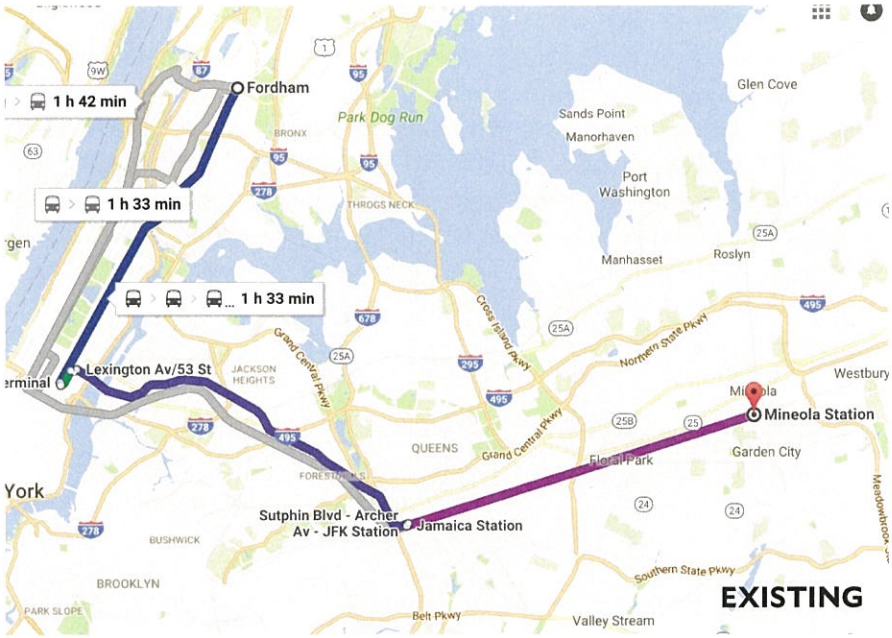
Total # Transfers:	**2**
Total Travel Time:	**1 hr 33 min**
Total Wait Time:	**26 min**

RUN Conditions

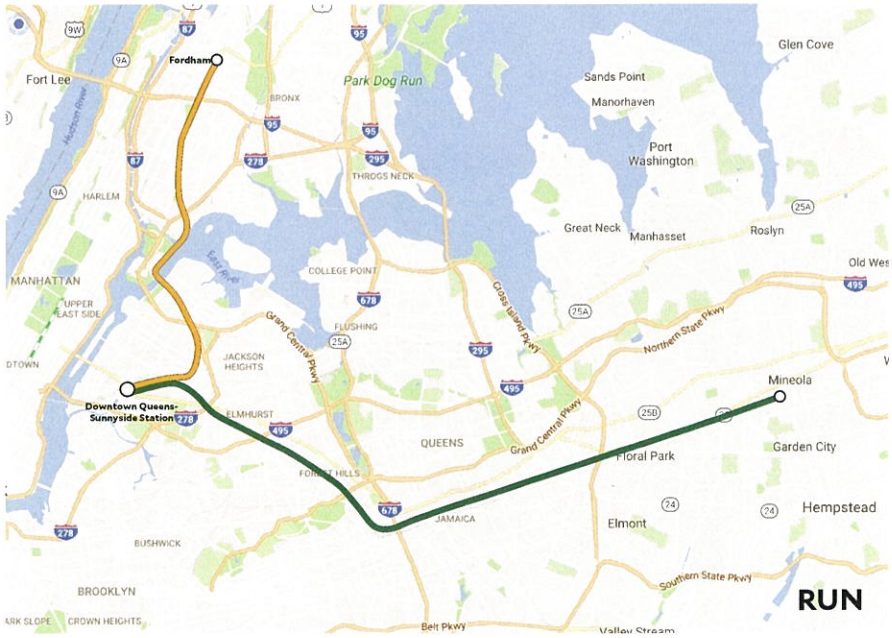


Total # Transfers:	**1**
Total Travel Time:	**54 min**
Total Wait Time:	**3 min**

Total Saved Time:	**39 min**



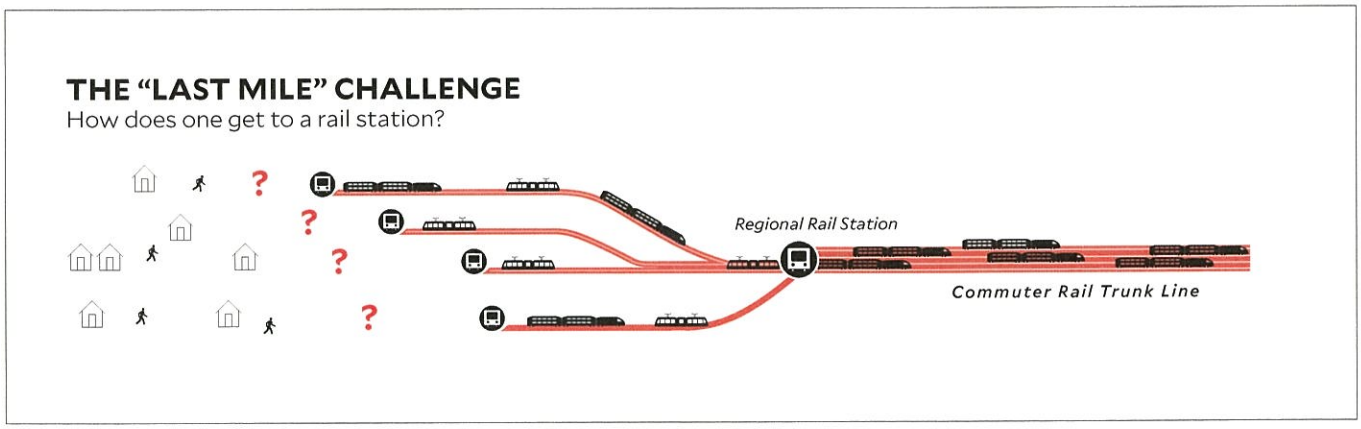
Top right: Travelling from Fordham to Mineola includes three transfers and a total wait time of 26 min.
Map data and transit directions: Google Earth.

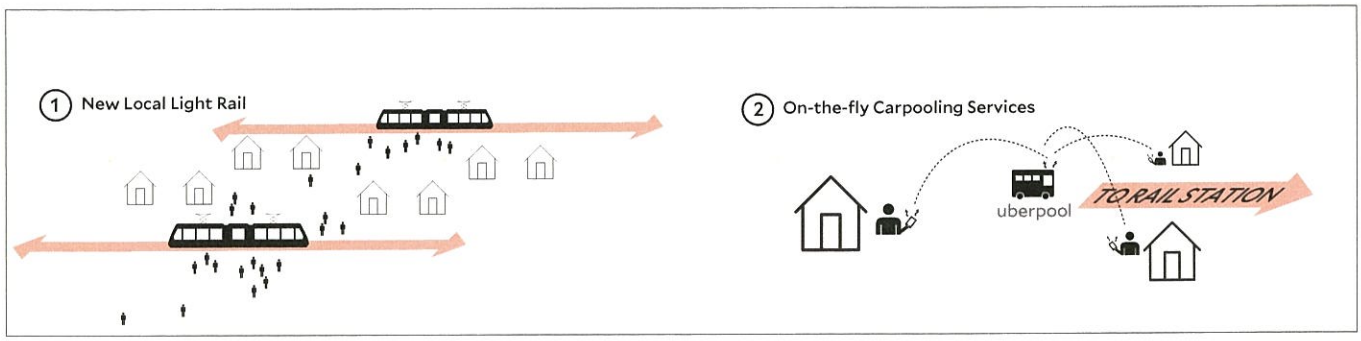


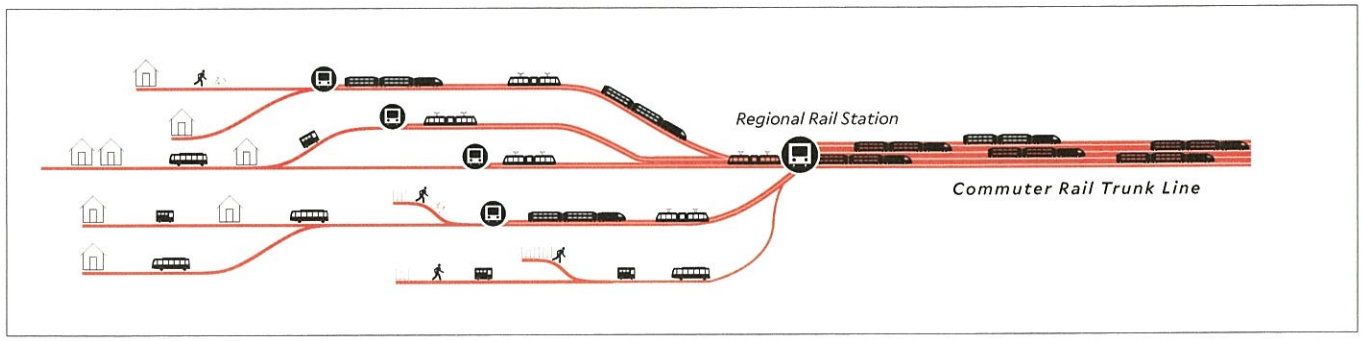
Bottom right: With the Regional Unified Network, travelling from Fordham to Mineola requires one transfer and a reduced wait time of 15 min.
Base map data: Google Earth.

First and Last Mile Problem

One of the major challenges for mass transit is getting people from their origin point to a station, or from a station to their final destination, known as the first and last mile problem. This is particularly true for regional- and national-scale mass transit. While centrally locating stations near important destinations can alleviate this problem, not every trip will start or end adjacent to a major hub. That's why seamless connections at a hub to local-scale networks like the subway or bus are so important. The easier, cheaper, and quicker it is to transfer to a local network, the more people will use the regional and national mass transit networks for a variety of trips instead of driving.







The New York metropolitan region's transit system is at a crucial inflection point. Billions of dollars have already been committed to pay for important but uncoordinated capital and infrastructure projects.

The question New York faces is whether to coordinate efforts and spend those billions of dollars wisely — and build a unified, interconnected transit system

OR

Instead, slap a band aid on a broken leg and perpetuate a transit system that doesn't serve its users.


NJ Lightrail
A1 Hoboken - EWR
B1 - B4 Newark - Edgewater, Closter, Harrington Park, Hoboken, Bayonne
C1 - C3 Secaucus - Edgewater, Hoboken, Bayonne
D1 - D6 Secaucus - Pompton Lakes, Paterson, Harrington Park, Closter, Edgewater
E1 - E8 Secaucus - EWR, Irvington, Roselle Park, Summit, Metuchen, Bound Brook, Perth Amboy
F1 - F2 Newark - Orange, Secaucus
G1 - G2 Secaucus - Paterson, Spring Valley
H1 - H2 Paterson - Passaic, Secaucus, Newark
K1 - K3 Secaucus - Orange, Denville, Pompton Lakes
PATH
extension to Secaucus
Commuter Rails
Amtrak
NJ Transit
Metro-North
Long Island Rail Road
MTA Subway
1 2 3
4 5 6
6 connection to 180St / Dyre Ave
7
7 extension to Secaucus
A C E
B D F M
G
L
N Q R W
Q extension to Port Morris/Pelham Bay Park
J Z
S
SIR
AirTrain
EWR, JFK, LGA
Secaucus
EWR
Paterson
Newark Penn
Pompton Lakes
Denville
Summit
Bound Brook
New Brunswick
Staten Island


RUN
Regional Unified Network
WESTCHESTER
THE BRONX
QUEENS
BROOKLYN
NASSAU
Long Island Sound
Jamaica Bay
Hudson River
East River
Central Park
Prospect Park
LGA
JFK
Port Morris
Penn Station
Grand Central
Times Sq
Sunnyside
Atlantic Terminal
Jamaica
Fulton St
Yonkers
New Rochelle
Wakefield - 241 St
Nereid Av
Van Cortlandt St
Woodlawn
Norwood - 205 St
Eastchester - Dyre Av
Inwood - 207 St
168 St
145 St
125 St
180 St
Pelham Bay Park
161 St - Yankee Stn
149 St - Grand Concourse
Edgewater
Astoria - Ditmas Blvd
Jackson Hts
Mets - Willets Pt
Flushing - Main St
Woodside
Forest Hills - 71 St
Middle Village - Metropolitan
Jamaica - 179 St
Jamaica Center
Van Wyck
Broadway Jct
East New York
Crescent St
Ozone Park Lefferts Blvd
Borough Hall
Lincoln Harbor
Hoboken
Howard Beach
JFK Federal Circle
Broad Channel
Canarsie
Flatbush Av - Brooklyn College
Franklin Av
Prospect Park
Church Av
New Utrecht Av
Bay Ridge - 95 St
Coney Island
Far Rockaway - Mott Av
Far Rockaway

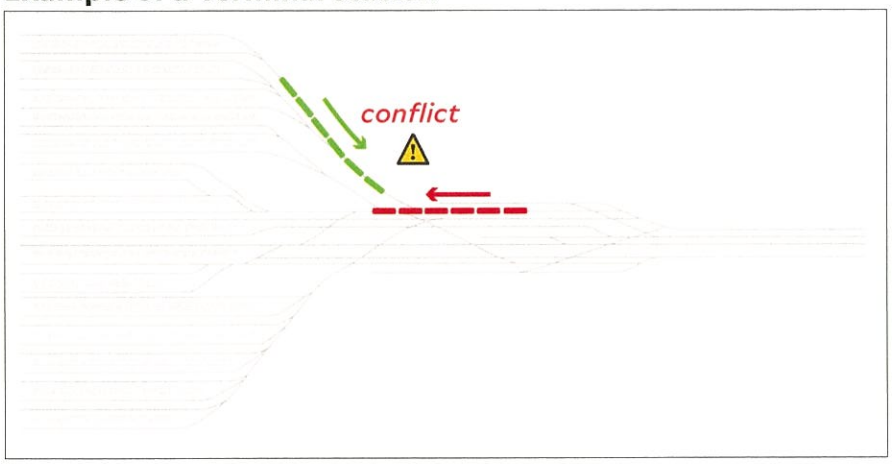
APPENDIX

Appendix A: Through-Running Details

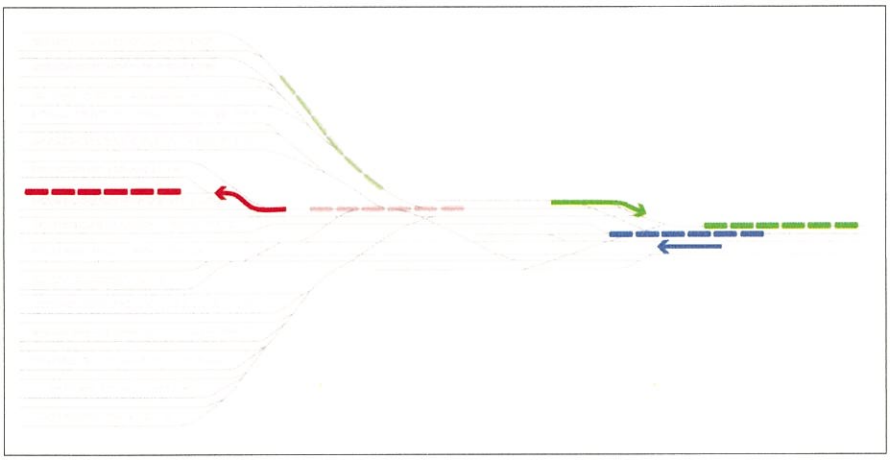
Terminal v. Through-Running Stations

Terminal stations, like Grand Central, are at the end of train lines. At these stations, trains come in from one direction, unload, are cleaned, and board new passengers before leaving to go back in the direction from which they came.

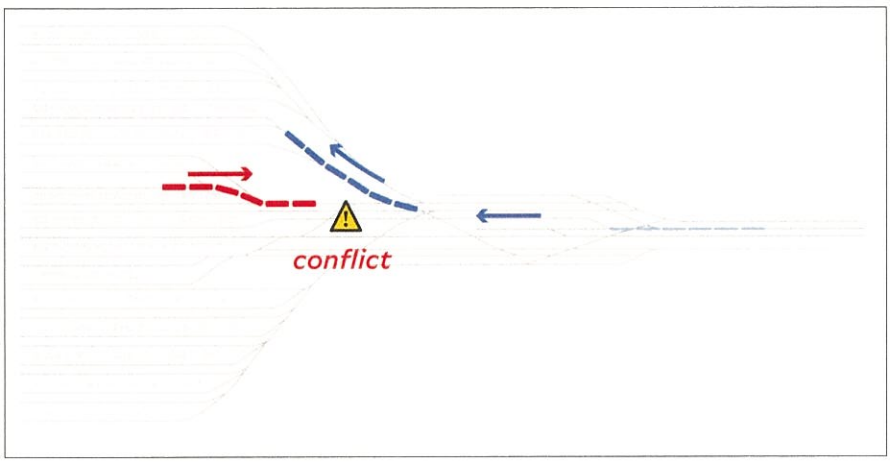
Example of a Terminal Station



1. As the red train enters the station, the green train must wait before exiting.



2. While the red train is at the platform, the green train leaves and a blue train comes in.

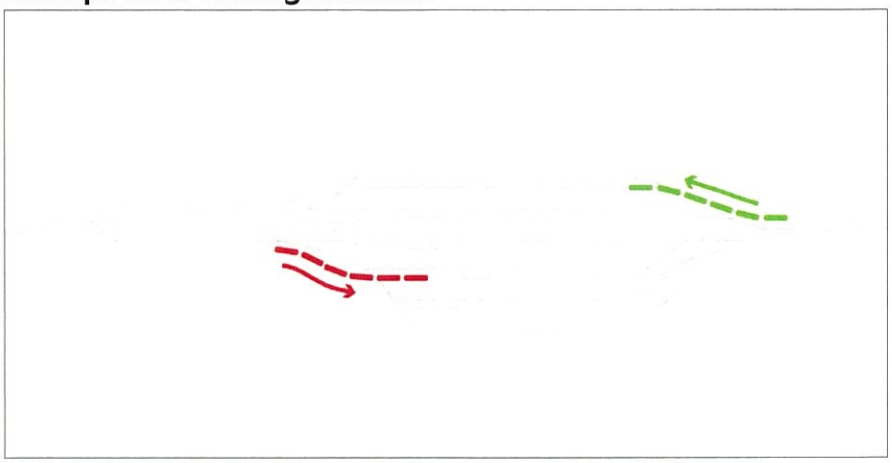


3. Now the red train must wait for the blue train to pass before leaving the station.

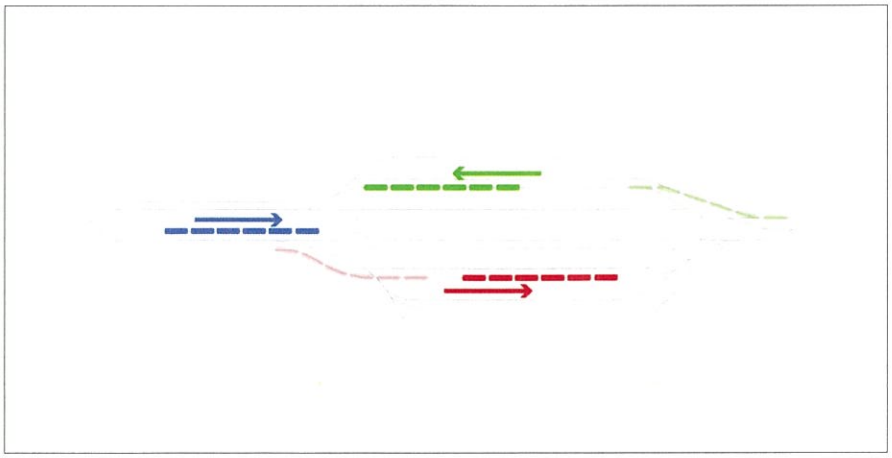
Through-running stations are all the intermediate stations between two terminals. At these stations, trains come in from one direction, unload and load passengers, and continue on in the same direction.

Example of a Through Station

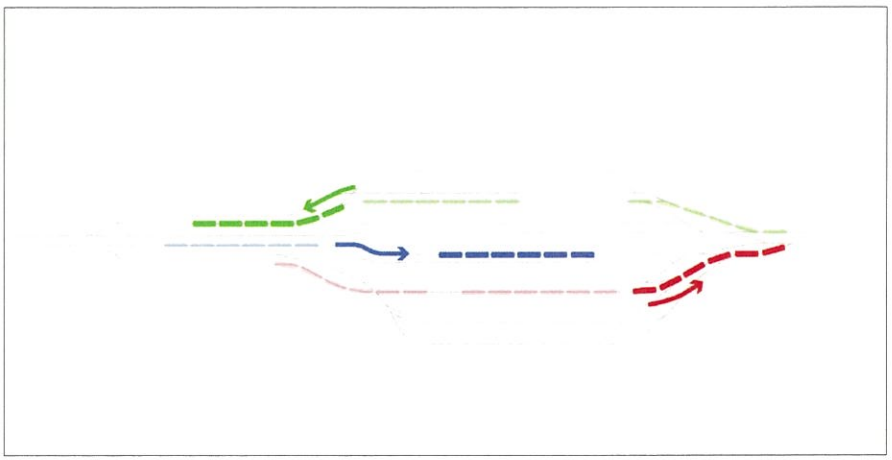
1. The red and green trains may enter from opposite directions without crossing paths.



2. While the red and green trains are at their platforms, the blue train enters.

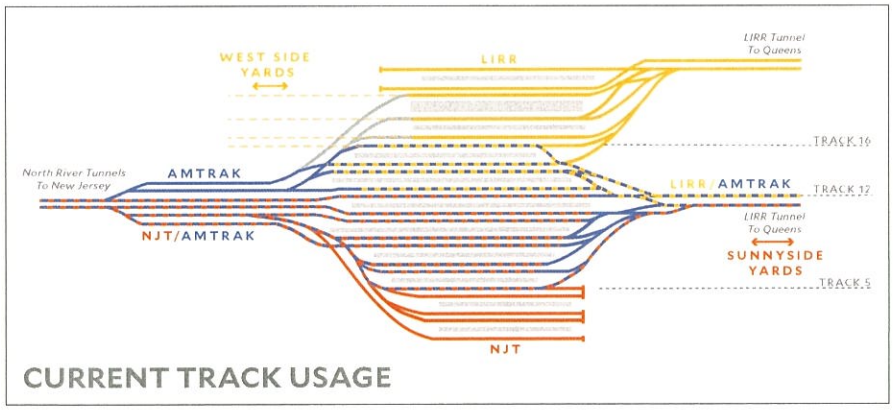


3. The red and green trains may leave the station without having to stop and wait for the blue train. Trains never block each other from moving.

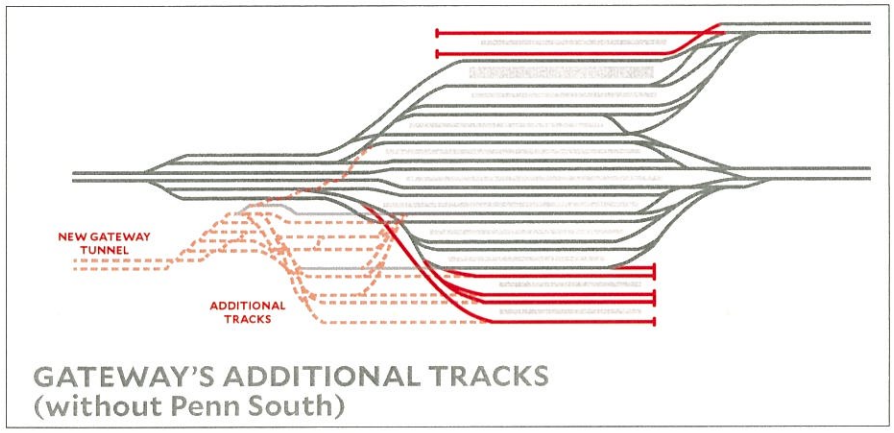


Understanding Through-Running at Penn Station

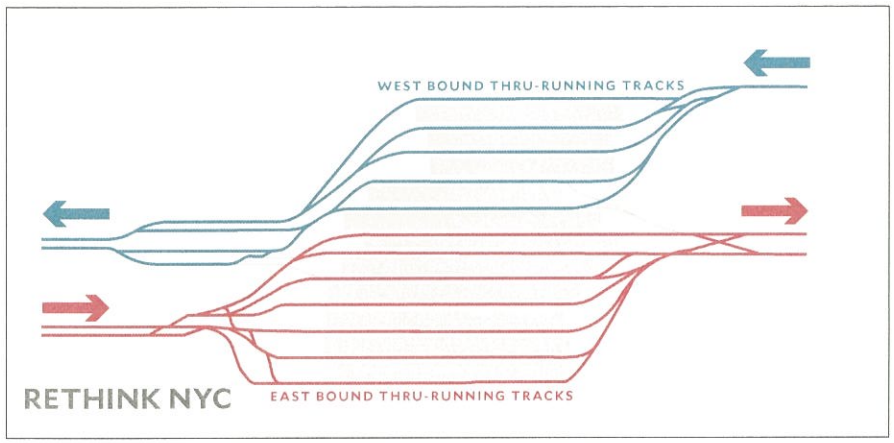
Through-running makes it possible to run more trains on fewer tracks. Penn Station is unusual in that it is laid out like a through- running station, but operated like two separate terminals: from the west for NJTransit and from the east for LIRR. Amtrak uses Penn as both a terminal station and as a through-running station. **RUN** ensures that Penn Station is able to operate at its maximum possible capacity by extending train service through Penn rather than terminating at it.



Left: NJTransit (orange) and LIRR (yellow) both use Penn as a terminal. NJT occupies the southern tracks (Tracks 1-12), and LIRR occupies the northern tracks (Tracks 13-21). Amtrak shares tracks with both NJT and LIRR, but runs some trains through the station. With four tracks from the east and two from the west, Penn is unbalanced, requiring LIRR and NJT to send empty trains to the West Side or Sunnyside Yards.

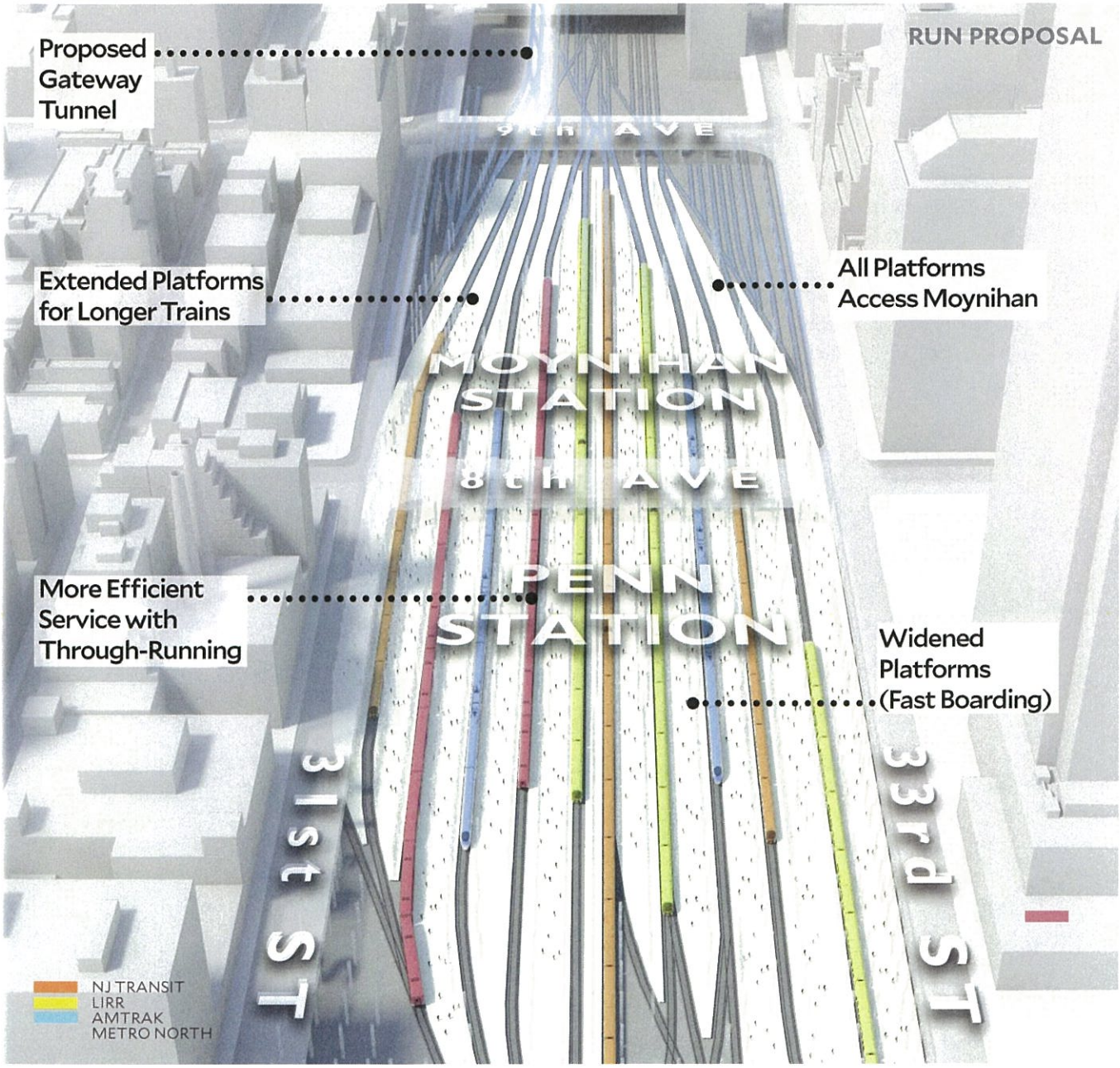


Left: Amtrak's Gateway Program adds two new tunnels from the west and would add new terminal tracks south of the existing Penn Station (Penn South). ReThinkNYC does not support Penn South.



Left: The RUN proposal will use the Amtrak Gateway tunnels to make Penn a through running station for NJT, LIRR, and Amtrak. This will improve efficiency and capacity at the station. By widening platforms, access to the track level will also be improved.

RUN will take advantage of the new Gateway tunnels to make Penn a symmetrical through-running station with existing tracks but new, wider platforms. Regardless of who's operating the train, every train coming from New Jersey or any other point west of the Hudson River will use the southern half of the station, and every train coming from Long Island, the Hudson Valley, or New England will use the northern half of the station. There will be two pairs of tunnels on both the east and west of Penn Station, each of which will have access to a total of six platform tracks. This will eliminate the need for trains to stop and wait for platform access, and allow 50% more trains to use the station every hour in the morning and evening rush.



Moving Terminals to the Edge of the Core

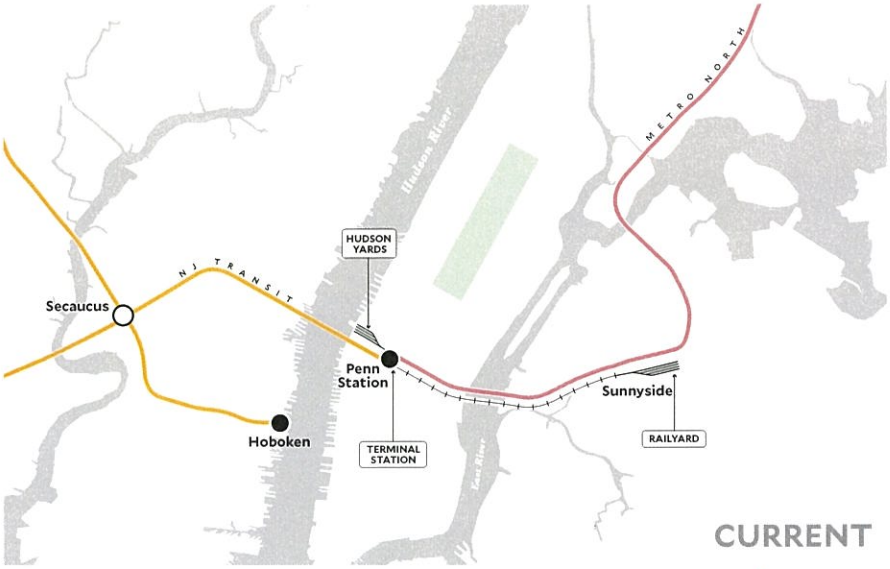
While it is possible for some limited paired service to begin immediately, differences between power systems and station design on each of the three commuter rail networks make this difficult (see **RUN** Phase II Project H for more details). **RUN** therefore includes some trains that, while running through Penn Station, terminate at the edge of the core at our new stations in Port Morris and Secaucus. This has three crucial advantages.

First, this eliminates the need for any trains to terminate at Penn Station. If trains are no longer reversing direction and cutting each other off, Penn Station can operate smoothly and efficiently.

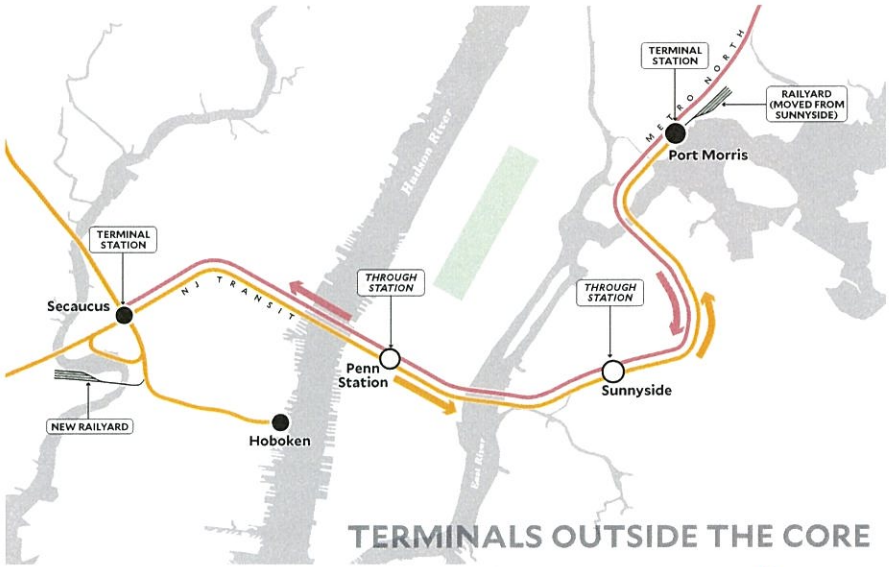
Second, it allows all three transit agencies to continue using their existing rolling stock for service to the core. With minor investments in closing two small gaps in third rail coverage on either side of Penn Station, existing Metro-North and LIRR trains can run to Secaucus; New Jersey Transit trains can already run to Port Morris.

Finally, it better matches demand for service to the suburbs. While **RUN** would increase demand for these types of trips, particularly by making it far easier to travel between suburbs on opposite sides of the core, there will always be more demand in one direction than in the other.

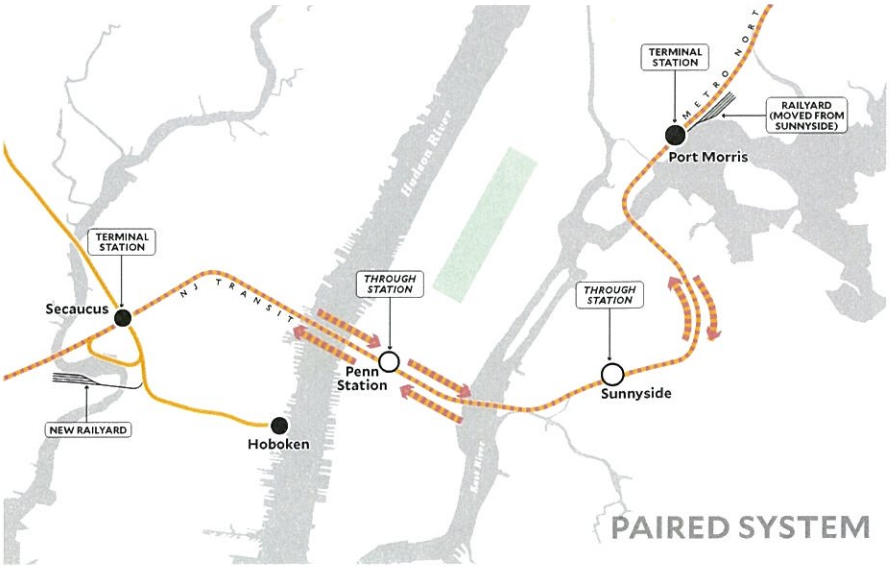
Right: This first image shows Penn Station once Penn Access is complete, as a terminal for NJT and Metro North.



Right: Building railyards at new terminal stations outside of the city core in Secaucus and Port Morris allows all trains to run through Penn Station. For example, a Metro-North line would run as it currently does, continue through Penn Station, and terminate in Secaucus Junction. An NJT line would also run as it currently does, continue through Penn Station, and terminate in Port Morris.



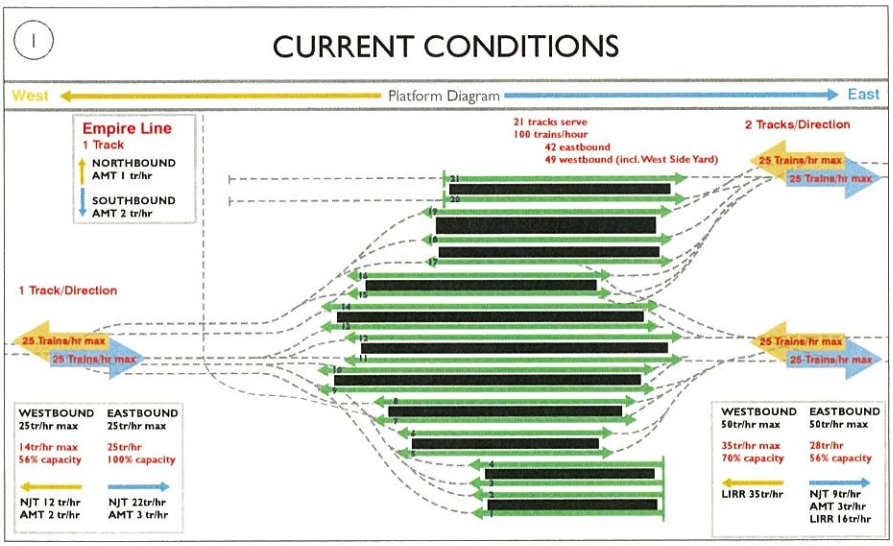
Right: In this example of a paired through-running system, NJT and Metro-North would share the same rolling stock. The systems would strike an operating agreement along the lines of that used for the Port Jervis and Pascack Valley Lines today, where New Jersey Transit operates trains on behalf of Metro-North.



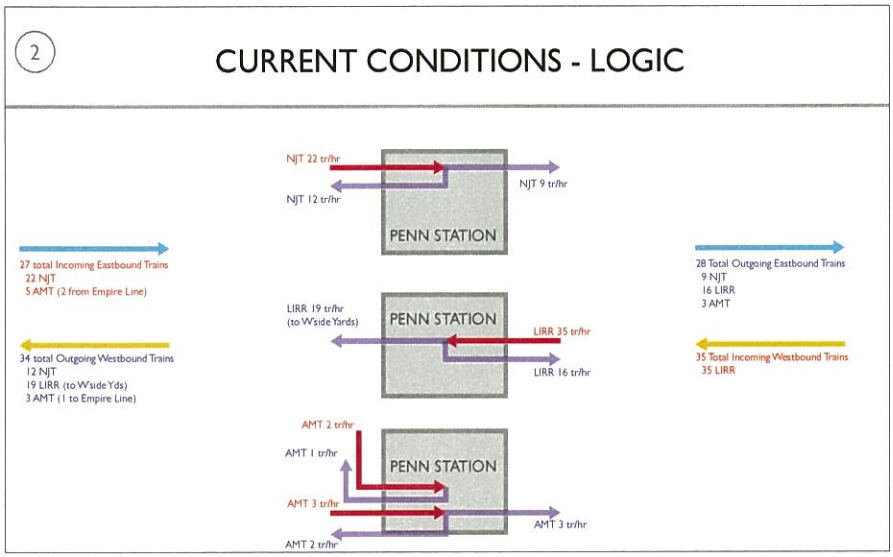
ReThink's Phased Implementation of Through-Running at Penn Station

With the new Gateway tunnels, through-running at Penn Station is not only feasible but critical to improving mass transit service throughout the region.

The following step-by-step analysis of current conditions and implementation plan considers typical rail traffic on a weekday peak-hour (7:30 to 8:30 AM). Note: Track diagrams not to scale.



Left: Tracks 1-4 are terminal tracks from the west. Tracks 5-19 are capable of through-running. Tracks 20-21 are terminal from the east. Tracks 14-21 can continue on to Hudson Yards. Each tunnel moves trains in both directions as needed, and each track moves trains in both directions as needed.

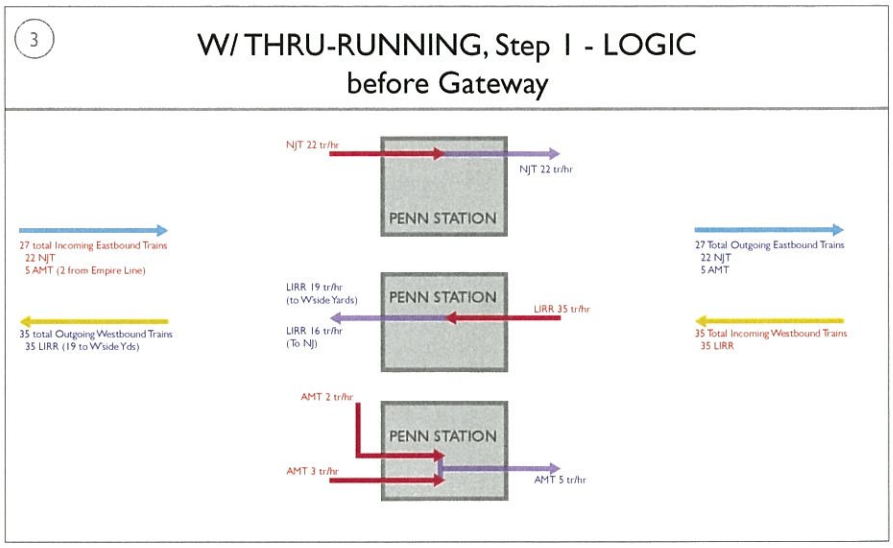


Left: Current train load at Penn Station with no through-running:

62 Total Inbound Trains
- 22 NJT
- 35 LIRR
- 5 Amtrak

62 Total Outbound Trains
- 21 NJT
- 35 LIRR
- 6 Amtrak

Right: With through-running at Penn Station, the track coordination become much simpler. After dropping off its passengers, each train continues in the same direction. Step 1 maintains the same train loads as current conditions.

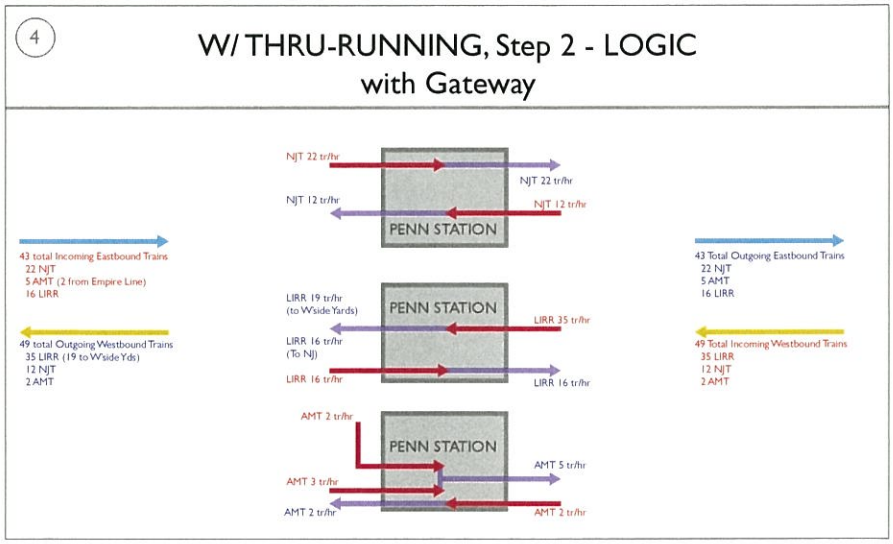


Right: To maintain reverse-peak service, extra trains are added in each direction.

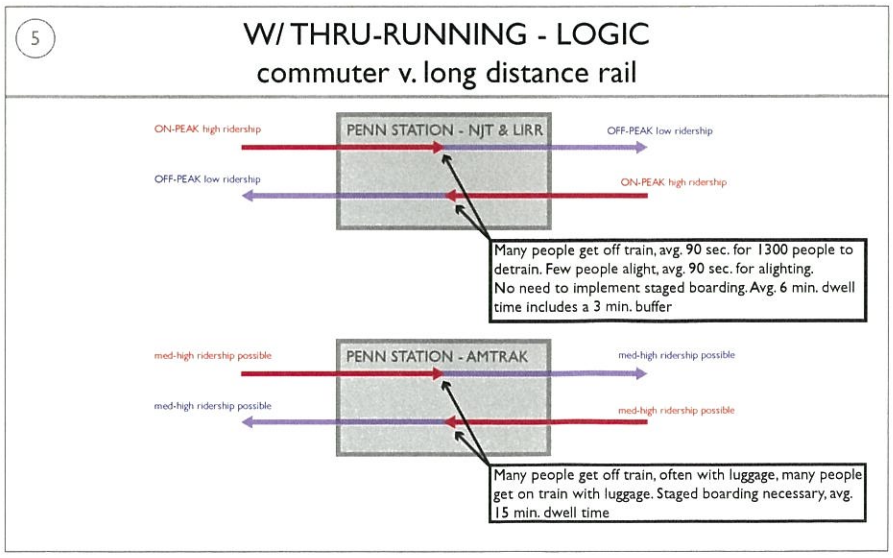
92 Total Inbound Trains*
- 34 NJT
- 51 LIRR
- 7 Amtrak

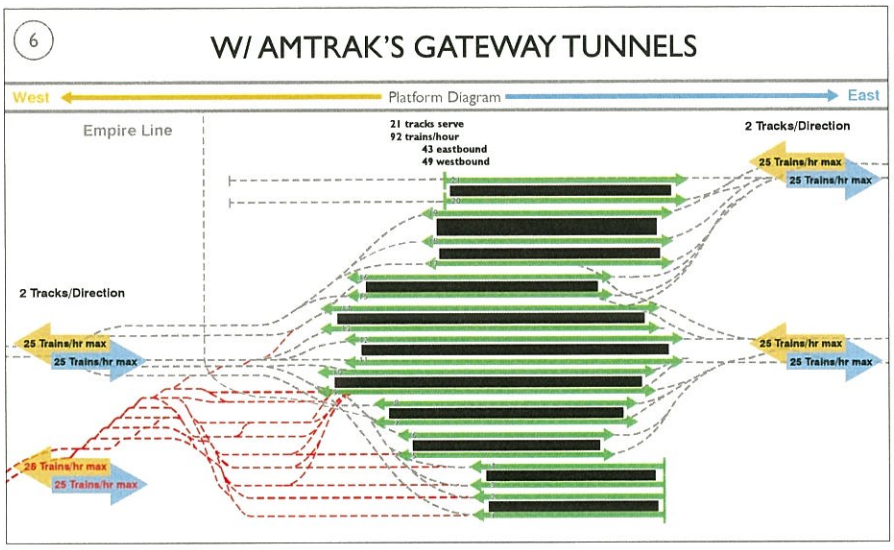
92 Total Outbound Trains*
- 34 NJT
- 51 LIRR
- 7 Amtrak

**Source: "Analyzing the Potential for Commuter Train Run-Through Service at New York Penn Station." Amtrak, 2014.*

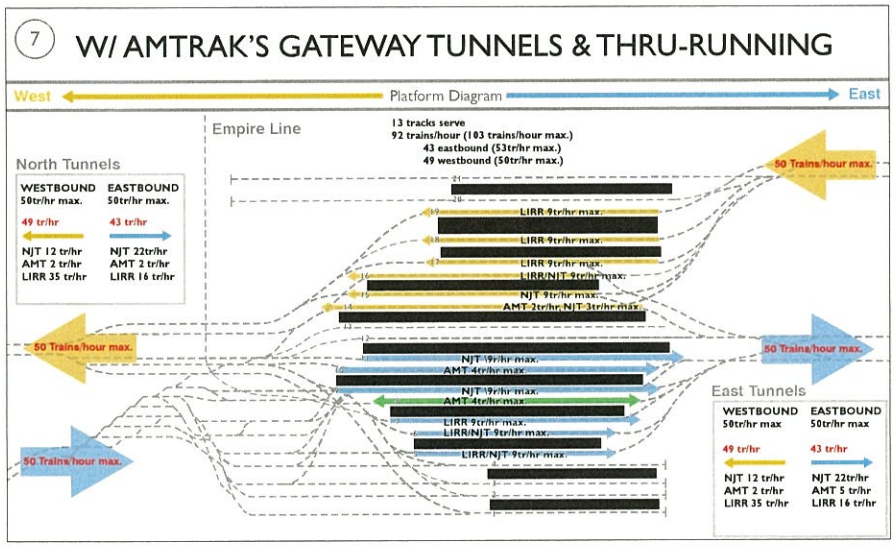


Right: Through-running trains take an average of 90 sec. to detrain and alight. With a 3-min. buffer, each train has an allowance of 6 min. dwell time. Staged boarding will not be necessary because of the disparity in passengers moving with and against rush hour traffic. Amtrak trains, however, have no peak direction, and passengers often have luggage. Therefore RUN allows Amtrak through trains a 15 min. dwell time, with less allotted for trains that are terminating or originating at Penn.

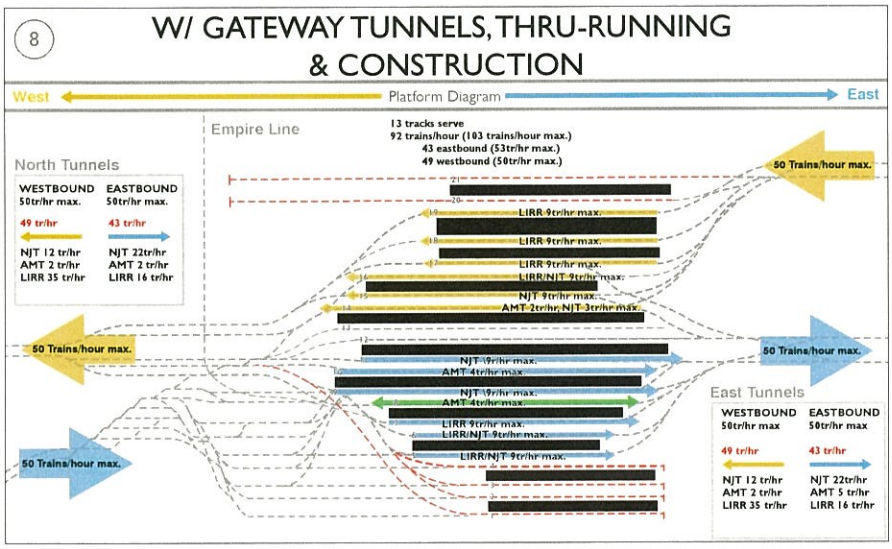




Left: The Gateway Tunnel will be constructed without disrupting service to the other tracks. After its completion, Penn Station will have nearly symmetrical access.

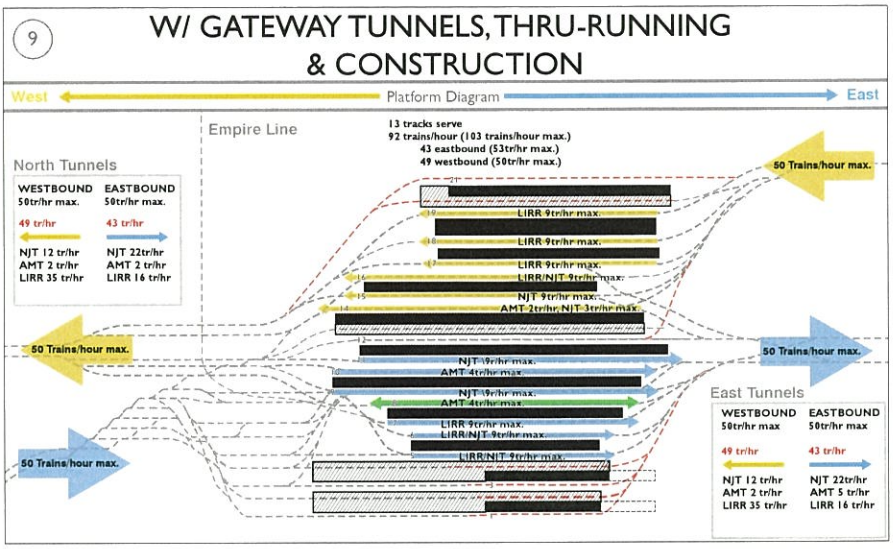


Left: We provide 15 minute dwell time for Amtrak trains, allowing for each track to service 4 trains per hour.

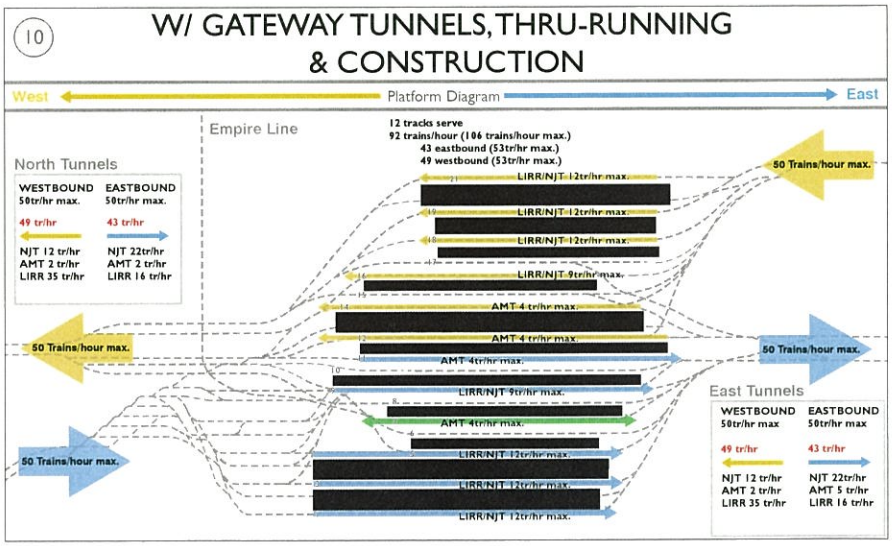


Left: With through-running under these parameters, the number of platform tracks required to service every scheduled train is lower than the number of platform tracks that would exist. This means tracks can be removed from service without reducing station capacity.

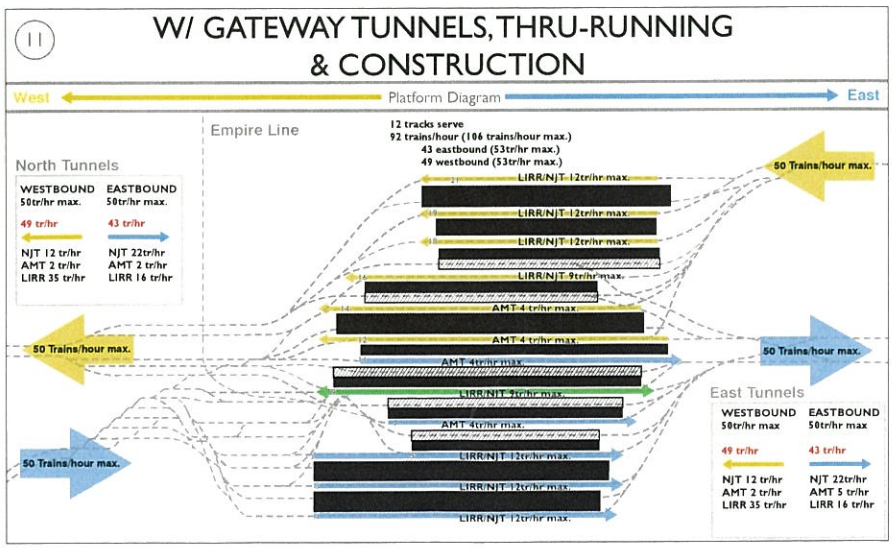
Right: New construction on tracks 1-4 and 20-21 will both turn the stub tracks into through-running tracks while also widening the platforms to decrease required dwell time for each train. By lengthening the tracks, it will be possible to add more vertical circulation.

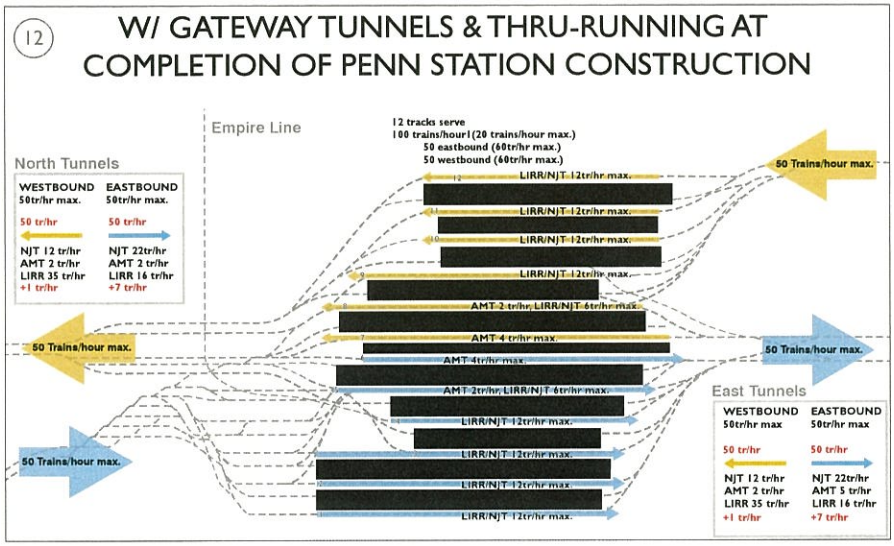


Right: With widened platforms, trains can run with shorter dwell times. Detraining and alighting will each take 90 seconds. Even with a 2-min. buffer, dwell times will be within 5 min/train allowance at widened platforms. Amtrak will still be alotted 15 min. dwell time.

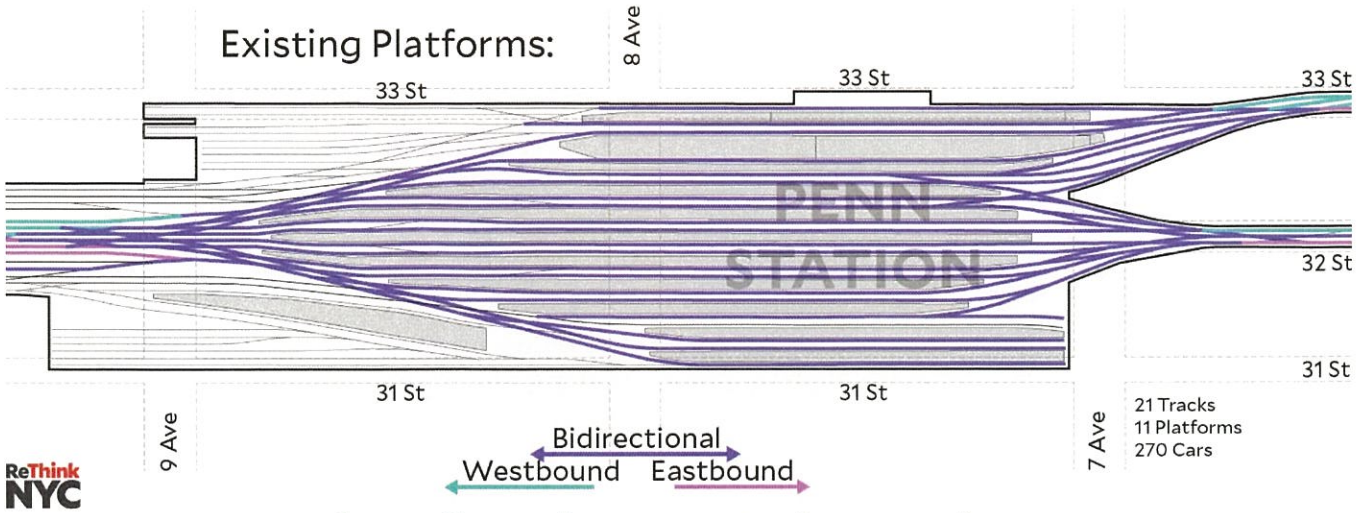


Right: Construction Step 2: Once construction on the original tracks 1-4 and 20-21 is completed, and their capacity has been increased, we begin reconstruction of the central platforms.

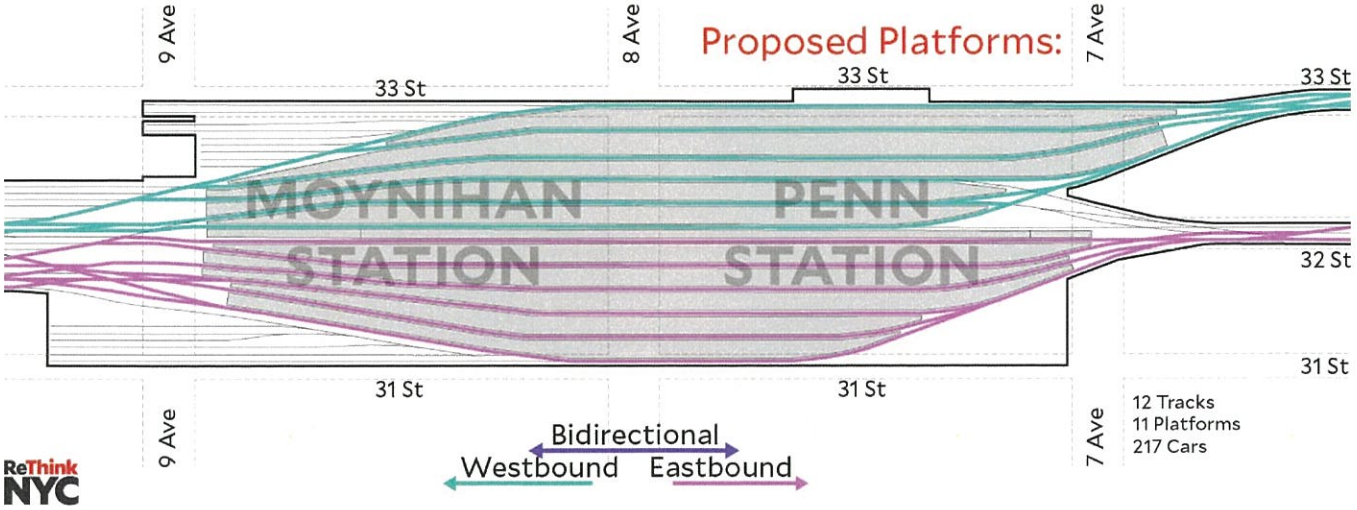




Left: At the end of this process, Penn Station will have 12 one-way platform tracks and 11 wide platforms. This allows us to max out the tunnel capacity under the East and Hudson Rivers, and ensures that Penn Station is no longer the limit/ bottleneck for service.



Today, all tracks carry trains moving in both directions.



With RUN, each track carries trains moving in one direction only.

Appendix B:
RUN Proposed Service

The following tables and map describe a proposed peak hour service pattern capable after Phase I of **RUN** is complete. This proposed table is based on our assumptions about existing ridership and track capabilities and is based heavily on existing service patterns; **RUN** is a flexible system that offers redundancy, and can achieve other service patterns at other times of day or in response to demand in ridership.

The service tables show the origination and termination stations of the existing rail operators. The service tables are sorted by the current operator at the originating station; if a service is paired, the current rail operator of its terminating station is notated in parentheses. The service map following the service tables is a graphic representation of the information in the service tables.

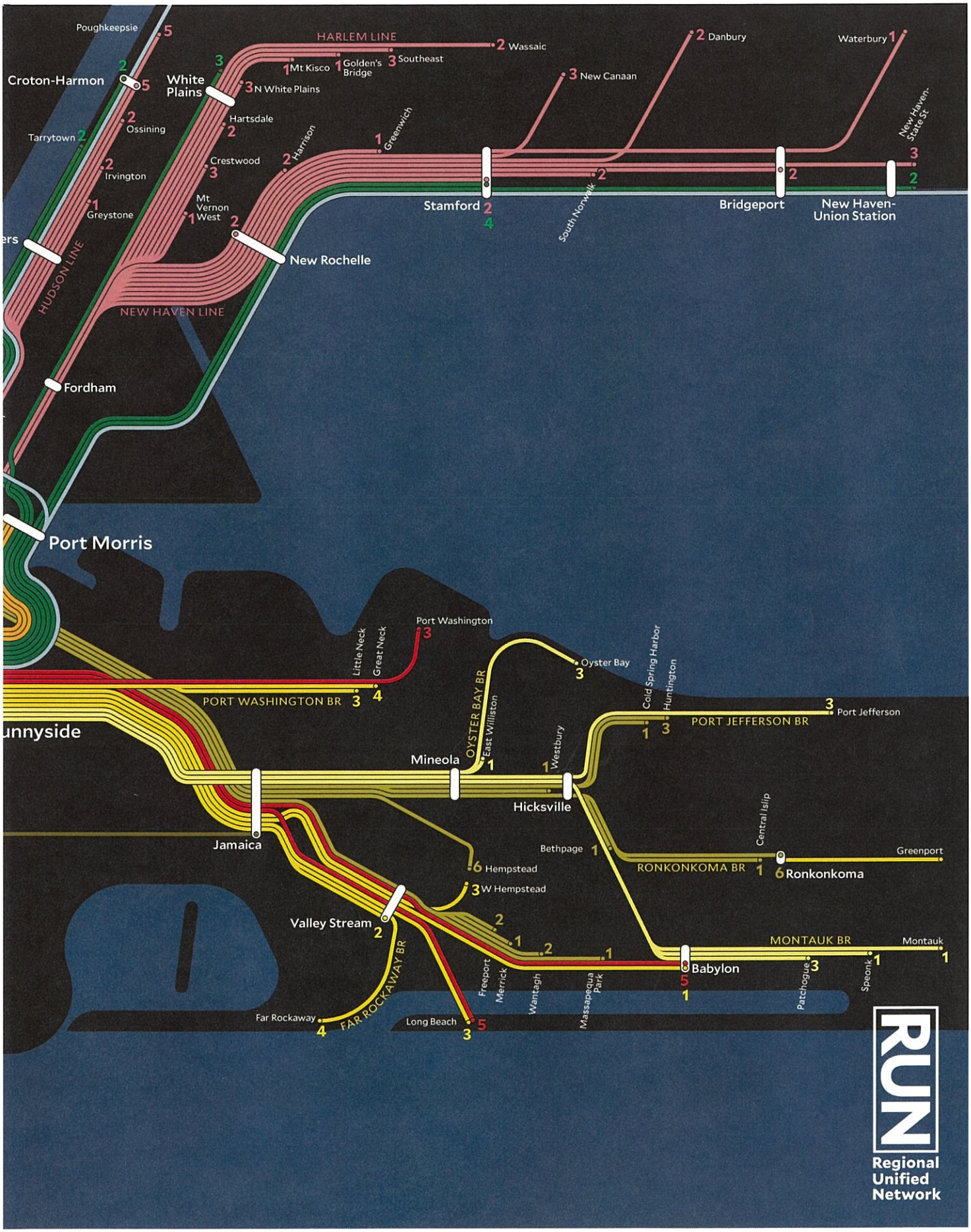
AMTRAK PROPOSED PEAK HOUR SERVICE			
LINE	**ORIGINATION**	**TERMINATION**	**TRAINS PER HOUR**
Keystone	Harrisburg Trans. Center	Sunnyside Station	1
Northeast Regional	Washington DC Union	Sunnyside Station	3
Acela	Washington DC Union	Boston South Station	2
Adirondak	Secaucus	Montreal Central Station	1
Acela	Boston South Station	Washington DC Union	2
Northeast Regional	Sunnyside Station	Washington DC Union	4
Adirondak	Montreal Central Station	Secaucus	1

LONG ISLAND RAIL ROAD PROPOSED PEAK HOUR SERVICE			
LINE	**ORIGINATION**	**TERMINATION**	**TRAINS PER HOUR**
Babylon	Babylon	Jersey Avenue (NJT)	5
	Babylon	Secaucus	1
	Massapequa Park	Grand Central Station	1
	Wantagh	Grand Central Station	2
	Merrick	Grand Central Station	1
	Freeport	Grand Central Station	2
Far Rockaway	Far Rockaway	Secaucus	4
	Valley Stream	Secaucus	2
Hempstead	Hempstead	Grand Central Station	6
Long Beach	Long Beach	Metuchen (NJT)	3
	Long Beach	Rahway (NJT)	2
	Long Beach	Secaucus	3
Montauk	Montauk	Hunter's Point	1
	Speonk	Hunter's Point	1
	Patchogue	Hunter's Point	3
Oyster Bay	Oyster Bay	Hunter's Point	3
	East Williston	Hunter's Point	1
Port Jefferson	Port Jefferson	Hunter's Point	3
	Huntington	Grand Central Station	3
	Cold Spring Harbor	Grand Central Station	1
	Westbury	Grand Central Station	1
Port Washington	Port Washington	Montclair State (NJT)	3
	Great Neck	Secaucus	4
	Little Neck	Secaucus	3
Ronkonkoma	Ronkonkoma	Grand Central Station	6
	Central Islip	Grand Central Station	1
	Bethpage	Grand Central Station	1
West Hempstead	West Hempstead	Secaucus	3

NEW JERSEY TRANSIT PROPOSED PEAK HOUR SERVICE			
LINE	**ORIGINATION**	**TERMINATION**	**TRAINS PER HOUR**
Northeast Corridor	Trenton	Stamford (MNRR)	4
	Jersey Avenue*North Brunswick	Babylon (LIRR)	5
	Metuchen	Long Beach (LIRR)	3
	Rahway	Long Beach (LIRR)	2
North Jersey Coast	Bay Head	Hoboken	2
	Long Branch	Tarrytown (MNRR)	2
	South Amboy	New Haven (MNRR)	4
Raritan Valley	High Bridge	Port Morris	2
	Raritan	Port Morris	2
Morris & Essex	Gladstone	Hoboken	3
	Hackettstown	Hoboken	2
	Dover	White Plains (MNRR)	3
	Dover	Port Morris	2
	Summit	White Plains (MNRR)	2
	Maplewood	Port Morris	2
Main/Bergen/Port Jervis	Port Jervis	Hoboken	2
	Suffern	Port Morris	2
	Waldwick	Port Morris	2
	Waldwick	Hoboken	4
Montclair-Boonton	Lake Hopatcong	Hoboken	2
	Montclair State University	Port Washington (LIRR)	3
	Montclair State University	Hoboken	2
Pascack Valley	Spring Valley	Hoboken	6

METRO-NORTH PROPOSED PEAK HOUR SERVICE			
LINE	**ORIGINATION**	**TERMINATION**	**TRAINS PER HOUR**
New Haven	New London	Stamford	1
	New Haven Union Station	Grand Central Station	3
	New Haven Union Station	South Amboy (NJT)	2
	Waterbury	Stamford	1
	Bridgeport	Grand Central Station	2
	Danbury	Grand Central Station	2
	South Norwalk	Grand Central Station	2
	New Canaan	Grand Central Station	3
	Stamford	Grand Central Station	2
	Stamford	Trenton (NJT)	4
	Greenwich	Grand Central Station	1
	Harrison	Grand Central Station	2
	New Rochelle	Grand Central Station	2
Harlem	Wasaaic	Grand Central Station	2
	Southeast	Grand Central Station	3
	Golden's Bridge	Grand Central Station	1
	Mount Kisco	Grand Central Station	1
	North White Plains	Grand Central Station	3
	North White Plains	Dover (NJT)	3
	North White Plains	Summit (NJT)	2
	Hartsdale	Grand Central Station	2
	Crestwood	Grand Central Station	3
	Mount Vernon West	Grand Central Station	1
Hudson	Poughkeepsie	Grand Central Station	5
	Croton-Harmon	Grand Central Station	5
	Croton-Harmon	South Amboy (NJT)	2
	Ossining	Grand Central Station	2
	Tarrytown	Long Branch (NJT)	2
	Irvington	Grand Central Station	2
	Greystone	Grand Central Station	1


NJ Transit
Hoboken - bound
Port Morris - bound
LIRR
Secaucus - bound
Grand Central - bound
Hunters Pt - bound
Metro-North
RUN
RUN North
RUN East
Port Jervis
Spring Valley
Suffern
Waldwick
PASSAIC VALLEY LINE
BERGEN COUNTY LINE
MAIN LINE
MONTCLAIR-BOONTON LINE
MSU
Hackettstown
Lake Hopatcong
Dover
Denville
MORRISTOWN LINE
GLADSTONE LINE
Gladstone
Summit
Maplewood
Secaucus
Newark Broad St
Hoboken
Penn Station
Newark Penn
Grand Central
125 St
Yonkers
Hunters Point
Atlantic Terminal
NORTHEAST CORRIDOR
RARITAN VALLEY LINE
High Bridge
Raritan
Rahway
Metuchen
New Brunswick
Jersey Ave
South Amboy
NORTH JERSEY COAST LINE
Long Branch
Bay Head
Trenton


Poughkeepsie
HARLEM LINE
Wassaic
Danbury
Waterbury
Croton-Harmon
White Plains
Mt Kisco
Golden's Bridge
Southeast
New Canaan
N White Plains
Hartsdale
Ossining
Tarrytown
Crestwood
Harrison
Greenwich
Irvington
Greystone
Mt Vernon West
Stamford
South Norwalk
Bridgeport
New Haven-State St
New Haven-Union Station
HUDSON LINE
New Rochelle
NEW HAVEN LINE
Fordham
Port Morris
Port Washington
Little Neck
Great Neck
Oyster Bay
OYSTER BAY BR
Cold Spring Harbor
Huntington
PORT WASHINGTON BR
PORT JEFFERSON BR
Port Jefferson
East Williston
Westbury
Mineola
Hicksville
Jamaica
Central Islip
Bethpage
Greenport
RONKONKOMA BR
Ronkonkoma
Hempstead
W Hempstead
Valley Stream
MONTAUK BR
Montauk
Babylon
Freeport
Merrick
Wantagh
Massapequa Park
Patchogue
Speonk
FAR ROCKAWAY BR
Far Rockaway
Long Beach
RUN
Regional Unified Network

Appendix C: Sources

Image Credits

Page 11:
(Top left "Diagram of the SEPTA Regional Rail network in Philadelphia and its environs." 6 January 2013. Image by CC User The Port of Authority, distributed under a CC-BY-SA 3.0 license. https://commons.wikimedia.org/wiki/File:SEPTA_Regional_Rail_Diagram.svg

(Right) "Four-segment panorama of Philadelphia skyline, as viewed from the South Street Brixdge." 23 July 2016. Photo by Tony Jin, distributed under a CC-BY-SA 3.0 license. https://commons.wikimedia.org/wiki/File:Philadelphia_from_South_Street_Bridge_July_2016_panorama_1.jpg

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(Left) "La Défense widziana z Łuku Triumfalnego." 24 April 2008. Photo by Arkadiusz Zarzecki, distributed under CC-BY-SA 3.0. https://commons.wikimedia.org/wiki/File:La_D%C3%A9fense_de_Paris_(1).jpg

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(Below) "Crossrail Regional Route Map." March 2014. Crossrail Limited. http://www.crossrail.co.uk/. Courtesy of Crossrail Limited.

(Right) "Canary Wharf after sunset." 17 August 2014. Photo by Aleem Yousaf, distributed under CC-BY-SA 2.0 license https://commons.wikimedia.org/wiki/File:Canary_Wharf_after_sunset_(14764524389).jpg

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(Left) "The original Penn Station in 1911, shortly after opening." 31 December 1911. Photo by Unknown - History of Stations. https://commons.wikimedia.org/w/index.php?curid=31806. Public Domain.

(Above) Library of Congress. "Pennsylvania Station (New York City), Main Concourse Interior." 1962. https://upload.wikimedia.org/wikipedia/commons/1/16/NYP_LOC2.jpg. Public domain.

Page 48:
(Left) MTA's 1968 Program for Action Plan. Image Credit: Metropolitan Transportation Authority.

(Right) MTA's 2007 Plan for the Second Avenue Subway. Image Credit: Metropolitan Transportation Authority.

Page 53:
(Above) "Morning Rush 01." 26 June 2002. Photo by Bosc d'Anjou, distributed under CC-BY-SA 2.0 license. https://www.flickr.com/photos/boscdanjou/6346323610/

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About

ReThinkNYC is ReThink Studio's inaugural project. By restoring the abandoned and underutilized infrastructure in New York, it is possible to unify the region's rail networks and provide connectivity throughout the region. ReThinkNYC is a comprehensive plan to expand New York City's "car-optional" region beyond Manhattan by unifying and reconfiguring the City and the region's disparate transportation systems into a single functioning network serving the greater New York City area. With its broad reach, ReThink's plan addresses not just rail connectivity throughout the region, but also economic disparity and the housing crisis that plagues the region.

ReThink Studio is a transportation planning start-up and think tank. Through the use of historical data, existing infrastructure, and technological developments, ReThink Studio proposes transit-oriented improvements that encourage the growth of car-optional cities and regions. We pride ourselves on designing elegant solutions to complex problems. This is done by looking at a rich variety of analogous examples, questioning underlying assumptions and thinking holistically. Presently, our focus is on developing ReThinkNYC, our regional plan for the New York City area. This project has inspired interest from all over the world.

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Peter M. Mazer
General Counsel

Testimony of Peter Mazer, General Counsel to the Metropolitan Taxicab Board of Trade and the MTBOT Driver Resource Center
Before the City Council Transportation Committee
June 5, 2017

Good morning. My name is Peter Mazer and I am the General Counsel to the Metropolitan Taxicab Board of Trade, the City's largest taxi trade association representing the owners and operators of 5,500 yellow medallion taxicabs and more than 20,000 taxi drivers. I am also General Counsel to the MTBOT Driver Resource Center which provides free legal services and free mandatory education classes to drivers that lease from MTBOT fleets.

Congestion is among the greatest challenges that taxi drivers face in their everyday lives. It has become increasingly difficult to move in this city and while there may be numerous factors that have contributed to congestion, there have been very few solutions implemented by the City. The evidence is clear. Try getting across town during rush hour, up 6th Avenue on a Friday night or navigate the crushing traffic on the Grand Central Parkway near LaGuardia Airport.

Yellow taxis are the most efficient non-publicly subsidized mass transportation vehicles in New York City. We move more people with less vehicles. Medallion taxicabs move nearly a half million passengers each day; that is more than the entire mass transit systems of all but seven U.S. cities. It is due in large part to the prevalence a great mass transportation network including yellow taxicab that New York has the lowest level of car ownership in the country.

However, as transportation expert Bruce Schaller pointed out in his February report "Unsustainable: The Growth of App-Based Ride Services and Traffic, Travel and the Future of New York City," app-based services, which are not capped or subject to environmental reviews like yellow taxicabs, have grown exponentially and unsustainably. Mr. Schaller concludes that "a continuation of TNC-led growth in travel is not sustainable for a growing New York" and acknowledges that ridership, mostly concentrated in Manhattan, and overwhelmingly single passenger, non-car pool trips, had tripled in the 18 months preceding the report's publication.

App-based services perform far fewer trips per vehicle than yellow taxicabs – and are far less efficient than yellow taxicabs. There are also far more app-based black cars now than yellow taxicabs, which remained capped at under 14,000. If the city were to add more yellow taxi medallions, it would perform an environmental review. However, no such review process exists for the more plentiful app-based vehicles. An app company can own as many bases as it wants and can affiliate as many vehicles as it wants. And the app-based companies exploited this policy and indeed opened as many bases as it wanted and affiliated as many vehicles as it could. This is great for the app companies – but really bad for congestion and for many of the drivers struggling to compete for a limited pool of fares.

This represents a fundamental policy shift – allowing private companies to determine how many vehicles are appropriate to hit the road rather than those City agencies and elected officials responsible for transportation and traffic policy and public safety. Well, we all see the result of this policy shift – congestion, congestion and more endless congestion with no relief in sight – just more vehicles and more congestion.

You don't need to be a traffic engineer to realize that adding 50,000 app-based vehicles to city streets in 3 years will cause more congestion in the most congested parts of the city. In fact, today there are over 90-,000 app-based for-hire vehicles on the road today. But traffic engineers like Bruce Schaller have compiled the data, and guess what, that is exactly what has happened. Additionally, the proliferation in app-based vehicles have led to thousands of drivers trapped in bad deals, where the only way they can make the hefty auto loan and insurance payments as well as the high commissions to the app companies is to cruise off the app and illegally pick up street hails – an exclusive right that yellow taxicab owners and drivers purchased from the city. Illegal street hails are a major contributor to traffic congestion as well as being dangerous for passengers and harmful to drivers who play by the rules.

The City has been unsuccessful in curbing this problem and it has spiraled out of control. And we applaud the chair for holding this hearing. Now we need to implement real reforms that will restore some level of sanity to the streets and help our city emerge the traffic madness.

Thank you.

Statement of AAA Northeast, Inc. before the New York City Council Committee on Transportation

New York, NY – June 5, 2017

Good afternoon. AAA Northeast, which serves a membership of over 570,000 drivers in the five boroughs, is pleased to testify at this hearing, and we would like to thank the Committee for holding it.

Congestion is a problem endemic to New York City, and not one that should be entirely eradicated. Indeed, some causes of congestion are worth celebrating. The economic recovery is abetting more employment and travel to the city, which increases vehicle miles traveled. Construction is booming.

Many of the major infrastructure projects that would make the biggest dent in congestion – or at least prevent it from becoming much worse – are outside the City's purview: Gateway, the Port Authority Bus Terminal, a Cross Harbor Freight Tunnel, and the MTA's transition to cashless tolling.

But the city should explore a variety of options to reduce the effects of congestion, including:

- Facilitating off-peak truck delivery
- Monitoring street cuts on "protected streets," which reduce the utility of the City's resurfacing efforts and temporarily remove lanes from use
- Reevaluating alternate side parking restrictions, which incentivize driving when a car owner might otherwise have taken an alternate mode of transportation
- Cracking down on illegal placard parking usage by making placards scannable
- Evaluating the addition of dedicated turning lanes at congested intersections
- Pushing the MTA to increase off-board fare collection on buses

The City must also continue its increased emphasis on blocking-the-box violations. In calendar year 2016, drivers received 31,686 tickets for blocking the box – 18,000 more than in calendar year 2015. These efforts should be targeted at troublesome intersections and done so as to not impede traffic further.

To enhance the deterrent effect of parking tickets, the City should work with the DMV to explore efforts to ensure that out-of-state drivers – particularly drivers from New Jersey – are not habitually flouting the law without penalty. Of the 63 cars with at least 50 violations of Violation Code 47 (double parking in Midtown) and of the 97 cars with at least 50 violations of Violation Code 46 (double parking outside Midtown) in 2016, none were registered in New York. (The top 10 VC 46 violators are listed below).

License plate	State	# of tickets	License plate	State	# of tickets
AM486F	NJ	195	AM710V	NJ	164
2194153	IN	177	AP841U	NJ	142
AL102T	NJ	168	XV216F	NJ	140
AK890K	NJ	167	XCSW16	NJ	138
AP980J	NJ	166	XBGV20	NJ	132

Thank you for the opportunity to comment.

REGION II
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FOR THE RECORD

Testimony to New York City Council

Congestion and congestion mitigation

June 5, 2017

Testimony of: Robert Paaswell, PhD, D. M. ASCE

Distinguished Professor of Civil Engineering, CCNY

To address the seemingly intractable problems of congestion, it is necessary to understand the causes. While we see the effects every day, we often forget that the impacts of the investments we make in transport and land uses are both the problems and solutions. And over the last decade we have seen:

- Substantial investments – post 9.11 in new buildings, both residential and commercial, leading to major population gains. These are seen as new residents (especially on subway platforms) and new workers in the core, lower Manhattan and increasingly on the far west side.
- Old street patterns and lack of alleys in Manhattan, which provide few outlets for traffic congestion relief.
- Lack of investment in public transport – especially SGR and increased capacity on existing lines and bus routes
- Increases in tourism and visitors adding to the crowds throughout all the Boroughs. Increased pedestrian traffic, especially in core areas, impacts congestion and safety.
- Increases in the FHV fleet, especially those controlled by smart devices (e.g. LYFT, etc) – which have added vehicles to the streets and decreased bus use.
- Increase in bicycle useage, stimulated by construction of bike lanes
- Increase in truck based deliveries, resulting from changing purchase patterns of households and firms.

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These are just a few of the causes, which, taken together have created serious congestion issues through out NYC. I would like to briefly discuss some remedies, ranging from those for which immediate action can be taken to those which require longer term planning and investments and perhaps new ordinances.

Short term, existing tools:

- I believe one of the greatest impediments to congestion relief is lack of enforcement of traffic and parking rules. Bus lanes MUST be kept clear of all vehicles, trucks, FHV, etc. Bus stops must be kept clear of cars and trucks "just standing there". Tickets and substantial fines should be issued at all times. The inability of busses to move freely decreases their attractiveness – when, in fact, we need more and improved bus service to meet growing demands for travel.
- Double parking, especially by trucks. Much of Manhattan's business is assisted by truck deliveries. Without alleys, these deliveries must be made by front door. To ease congestion, the following changes could be made, and enforced:
    - Truck only parking zones – electronically metered and reserved – on each street , especially during peak periods (8-10am, 4-7pm),
    - Or – no deliveries during peak hours. Encourage off peak and evening deliveries through incentives to store and building owners
- New Pedestrian Zones: One idea, I presented more than 20 years ago, was to make Broadway a pedestrian zone from Columbus Circle to Union Square. It would capture much midtown pedestrian traffic, have an enormous economic return and, if designed well, would have minimal impact of traffic. It is important to remember that there are always substantially more pedestrians in NYC than cars – so why defer to the cars.

Short term, new tools:

- An immediate tool to apply has been spoken of often, but must be considered more seriously – pricing. Pricing ranges from congestion zones (as in London) to substantially higher parking fees, to residential permits and new car special registration fees (as in Mass.)
- As noted above, rethink truck access to the 5 boroughs, especially Manhattan. There are 2 types of deliveries and schedules could be adjusted for each – commercial and residential. For some smaller deliveries, new modes (electric carts) are being tried.. Here the City Council and Community Boards could track the pattern of deliveries and note how many of them could be made during non peak hours. Residents must realize that trucks – which slow down traffic also slows down their travel time to work.

- Residential parking permits – works in many cities
- Street cleaning days – disallow double parking across the street – through tickets and high fines. The streets belong to all New Yorkers, who pay high taxes for any amenities they receive. It does not allow for cars to "reserve" spaces.

Longer term:

- Most long term improvements are based on transit improvements. Perhaps the most important improvement the region's collective systems (MTA, NJT, PATH,ConnDOT) and the FHV systems and the bike sharing system would be the development and use of a Single Electronic Fare Card (Mobile Ticket). Purchased and paid for on your smart device, this would be a major incentive to use a public mode. We are taking far too long here in NYC and the region to develop and adapt this. The NYC MTA Board members, acting as a powerful subunit of the MTA Board must demand this in a short period of time.
- While this should be a short term fix, improvements to the SGR of our subways and busses. There should be concerted MTA campaigns, line by line that will take months rather than decades. It takes new management approaches, integration of new skills, and dollars.
- There needs to be a new approach to cost-sharing for transit support. The public investments that led to the development of our miraculous subway system have led to incredible economic rewards. Those who receive the rewards should also share in the costs of maintaining the systems and building new systems (e.g., x-rail in London). Transportation Zones, occupant taxes, construction fees dedicated to the system and other ways MUST be debated and FOUND! Perhaps the stations can be "leased or owned) by RE developments. All around the world, transit costs are shared. Congestion won't be relieved in NYC unless transit is substantially improved and clearly mad the best alternative to getting around our city.
- New Investments: The patterns of development around the 5 boroughs clearly show we need new investments in transit: new busways, new rail lines – just to improve movement within the 5 boroughs for the journey to work, shop, go to school, or shows or shop. For the densities of NYC, public transit is important. Autonomous cars, connected vehicles – they aren't just a dream, they are coming. But they must be applied to the scale that moves the great numbers of people that travel every day. New transit lines (BQX) are examples of systems that are demanded, that make newer, less congested neighborhoods viable.

Thank you the opportunity to put on the table just a few simple ideas, all with the thought of easing congestion. I am available to discuss and and more in detail at your convenience.

Robert Paaswell, June 5,2017

Testimony of Harry Malakoff
340 West 28th Street, Apt. 21 B,
New York, NY 10001
June 5, 2017

According to a recent report in Crain's NY Business*, an estimated 25% of NYC car drivers improperly register their vehicles out of state. The main reason given that people do this is due to our very high auto insurance costs. According to Insure.com, the average car insurance in NYC is about $2,800 per year, compared to about $900 nationwide, or almost $2,000 more per year.

If we take the NYS DMV figure of 1,914,000 cars registered in NYC and use Crain's estimate of 25% more due to improper registration, we have just under ½ million additional illegally added cars. Many of these nearly ½ million vehicle owners would be highly motivated to give up their cars if their insurance costs increased by $2,000 a year. If even only 10% of such owners change to using mass transit, there would be 50,000 fewer cars on our streets!

You may ask: how do we bring this about? One easy way to enforce proper registration would be to enact resident only parking rules in the City. Many other US cities have such rules including Boston, Philadelphia, Washington DC, Dallas, Chicago and San Francisco. We would need state enabling legislation to implement resident only rules, but based on the environmental good that it would bring, it is a "no brainer".

There is another major additional benefit to enacting this change. According to Crain's, there would be revenue enhancement of $100 million per year to the City and State. The New Yorkers who practice this improper registration cheat the City and State of much needed revenue each and every year. The money would come to us without enacting one new tax or user fee. Newly collected sales taxes, auto use fees, registration charges, and parking ticket fines would make up this total.

In 1991 the NY Times** reported that Mayor Dinkins invited City residents to City Hall to make suggestions to improve the City. Fully 10% of the ideas submitted to the DOT urged the City to impose resident only parking. In October of 2007***,

the NY Times called for such a program in an editorial. The Times said "The City could get more cars off the street and raise badly needed money for mass transit improvements if it set aside spots for residents for an annual fee."

To summarize:

- enactment of resident only parking will likely result in a reduction of car ownership by city residents.
- the City and State would collect, according to Crain's, about $100 million more per year.
- many New Yorkers, including the NY Times, have advocated for such rules.

So, the Council should push hard for the City and State to enact such legislation, following the lead of dozens of US cities. Doing so would both reduce auto congestion and add about $100 million of currently uncollected monies to the City and State.

* Crain's New York Business, February 6, 2017
** The New York Times, August 9, 1991
*** The New York Times, October 22, 2017

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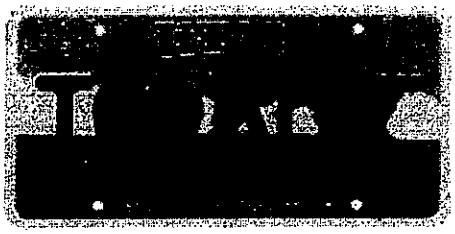
CRAIN'S
NEW YORK BUSINESS

New Yorkers are registering their cars in other states and cheating taxpayers out of millions

Meet Harry Malakoff. He's made it his life's work to drive out-of-state vehicles off city streets

Aaron Elstein

Published: February 6, 2017 - 12:01 am



Peter D'Amato

One evening more than 30 years ago, Harry Malakoff was cruising the streets around his West Side apartment looking for a place to park when a car with Utah license plates swerved in front of him and nabbed a vacant space.

"I got over it," the 70-year-old Malakoff recalled. "But I didn't forget."

These days the retired commercial real estate broker is a man on a mission: bringing to light the large number of New York City residents who drive cars registered in other states. Newcomers are required to register their cars with New York authorities within 30 days of moving to the state, but many don't bother. As a result, they cheat the state and city out of millions of dollars in revenue while making use of precious free parking spaces.

Data points

There are an **estimated 25%** of NYC drivers with cars registered out of state

The reported cost to the city in unpaid parking tickets by those drivers is **$73 million**

"I pay a lot to register and insure my Ford Fusion in New York," Malakoff said. "When someone else takes advantage of benefits, like free street parking, but doesn't help pay for them, I get mad."

Neither the city nor the state could provide an exact number of improperly registered cars on the road, but a 2011 state Senate report found that nearly 25% of all accidents in the state involving cars with Pennsylvania license plates occurred in Brooklyn—a number that suggests many of those cars' owners were New York residents, not visitors.

The report also found that motorists who live in New York but drive cars registered out of state cost the city $73 million in unpaid parking tickets and deprive the state of $1 million annually in fees for license plates, titles and vehicle registrations.

But those unpaid tickets and uncollected fees still take a back seat to the loss of potential sales tax revenue. A New Yorker who pays the average price for a new car—$33,560, according to Kelley Blue Book—must fork over about $3,000 in sales tax. Approximately 125,000 new cars were added to state Department of Motor Vehicles registration rolls in 2015. If up to 25% of residents' vehicles were purchased out of state, as the Brooklyn accident number suggests, New York could have lost out on more than $93 million in tax revenue.

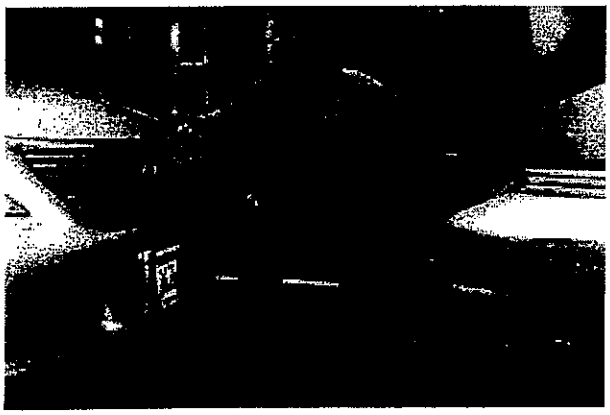
Insurance savings are tempting

The reason for the rampant tax evasion is simple: Registering a vehicle in New York means paying hefty insurance rates. New Yorkers statewide on average spend $1,182 annually insuring their cars, the third-most in the nation (behind New Jersey and the District of Columbia), according to the National Association of Insurance Commissioners, in part because fender benders are so common on the city's packed streets. In Pennsylvania, the average rate is about 30% less.

New Yorkers who drive out-of-state cars aren't driving just Malakoff crazy. The insurance industry for years has lobbied Albany to crack down. The state Department of Financial Services estimates that people who live in New York but register their car out of state cost insurers $19 million each year in underpriced premiums.

"Registration fraud and rate evasion continue to be serious problems in New York because there are no substantial consequences for individuals who lie about where their car is garaged," said Ellen Melchionni, president of the New York Insurance Association. "Real repercussions need to be put in place to discourage individuals from engaging in fraudulent behavior."

There has been talk of "real repercussions" for a long time, but little action. In 1987 New York state and city officials searched streets and garages at night and found that about 10% of cars were registered out of state. They estimated that the city was losing $20 million per year in sales tax, *The New York Times* reported, but nothing was done.



Buck Ennis

Malakoff inspects cars with out-of-state plates near his home on the West Side.

Three years ago, the issue returned to the fore when the state Senate approved a bill that would have made listing a false address on a car insurance or vehicle registration form a felony.

"This is no little white lie," said one of the bill's sponsors, Sen. Diane Savino, D-Staten Island. "If you live here but register your car out of state, you're not only committing fraud; you're also making things more expensive for your neighbors."

Nonetheless, the state Assembly never took up the issue. Several spokespeople for the bill's sponsors declined to comment on whether the measure will be resurrected this year.

No easy fix

It's easy to recognize the problem, but coming up with remedies is hard. It's the New York Police Department's job to ensure cars are registered properly, but state officials privately say such checks are not a high priority. (An NYPD spokesman didn't reply to requests for comment.) In addition, although some prosperous New Yorkers register their cars using a weekend-home address and could afford higher insurance bills, other drivers would struggle to pay rising premiums if forced to register their cars here. "Cracking down on out-of-state cars means higher costs for people," a state official said.

Even so, Malakoff questioned why the Legislature wouldn't approve a plan that would raise revenue without increasing taxes or fees already on the books. He reckons that lawmakers are reluctant to act because so many of their constituents drive cars that are registered in other states.

Malakoff has for the past 30 years urged the city to introduce parking permits reserved for locals, as a way to reward New Yorkers who register here. The idea was last rejected in 2012, after the city's transportation commissioner said parking permits would be costly to administer and contribute to a "sense of exclusion" in adjacent neighborhoods.

There's little for the exasperated Malakoff to do but walk the streets of his Chelsea neighborhood and count the out-of-state cars.

On a recent weekday morning, he discovered that nearly 30% of parked cars had out-of-state plates. It isn't always easy to determine which cars belong to visitors and which to residents, so Malakoff looked closely for clues. The windshield of a car with Texas plates displayed a tag from a university there that expired more than a year ago.

"This driver maybe doesn't live in Texas anymore," Malakoff said.

On West 21st Street, he found a silver Lexus with Wisconsin plates. It was a car he had seen during previous examinations.

"The driver doesn't live in Wisconsin; she lives in a building on this street," Malakoff declared. "I've seen her with her keys."

CRAIN'S
NEW YORK BUSINESS

The New York Times

ARTHUR OCHS SULZBERGER JR., *Publisher*

Mr. Mayor, for Your Consideration

There's a little dance that visitors and even many longtime New Yorkers do on emerging from the subway. A step forward, two back, one to the side, a glance up the street, then down — until, with any luck, bearings are found. So imagine the simple genius of the city's latest innovation, directional decals on the sidewalks outside subway exits.

We applaud Mayor Michael Bloomberg for acting on the idea, which was offered by a Times reader last year. Mr. Bloomberg has shown that he's not afraid to try what works, something he demonstrated again recently with his bold congestion pricing proposal, which would charge a weekday toll to most drivers on Manhattan's busiest streets. While that complex issue is being hammered out by an appointed commission, we'd like the mayor to consider a few other easy, common-sense changes to bring order to the streets of the Apple:

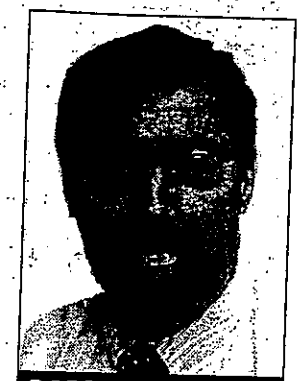
Taxi stands. Anyone who has tried to get a taxi in New York in the rain, particularly at rush hour, knows that the system is broken. Hailers maneuver along the street, and to alternate corners, to get an edge over other taxi-seekers who have been waiting longer. Taxis waste gasoline, and needlessly spew out fumes, as they cruise for fares. Taxi stands, which work just fine in Paris, could be strategically placed around New York. People and cabs would line up. It would be civilized.

Residential parking permits, for a fee. Relatively few New Yorkers take on the expense and hassles of owning a car in the city — which is good, since it encourages the use of public transit. But there are still plenty of drivers, including many from out of town, who take advantage of the city's generosity and park on the streets free. The city could get more cars off the street and raise badly needed money for mass-transit improvements if it set aside spots for residents for an annual fee. The mayor has not ruled out residential permits as part of a congestion pricing plan. But as cities from Berkeley, Calif., to Chicago and Baltimore have demonstrated, the idea works on its own.

Take away parking permits from city employees. Those vehicles that cavalierly park in front of hydrants or bus stops all too often do so with the impunity that comes with a privileged card placed on the dashboard. Virtually every city agency issues these permits, and there is no reliable count of how many are floating around. But they number in the thousands, including a lot of counterfeits. It's time to end the free parking. This is New York, not Monopoly.

GRIDLOCK SAM

All city parking rules are in effect today. Alternate-side street cleaning rules will be suspended tomorrow. TRAFFIC FORECAST FOR FRIDAY, JUNE 6, 2003



SAM SCHWARTZ

FROM THE MAILBAG:

Dear Gridlock Sam:

I can no longer stand it. On a daily basis, I see out-of-state plates on cars that never leave the boroughs. I live in Brooklyn and have seen Vermont, Wyoming, Virginia and Pennsylvania plates. How can these people get away with fraud, using Auntie's address anywhere but a New York locale? What laws apply here on vehicle registration and residency?

Michael, via E-mail

Dear Michael:

I'm with you, and so is Section 250 of the NYS Vehicle and Traffic Law. The law allows for a short transition period, at its longest 90 days, for new New Yorkers to get the necessary New York license and registration. People who register their vehicles out of state but live in New York are probably committing fraud with their insurance companies. If someone from NYS with a car registered out of state gets into a serious accident, the insurance company may try to deny coverage, and they'd be within their rights. But if that doesn't convince those rate evaders out there, how about one of my ideas — to give toll breaks to those living in NYC. We'll see how many of these people suddenly climb out of the woodwork and cry out that they, too, deserve the breaks!

Gridlock Sam

Sam Schwartz is a former city first deputy transportation commissioner. He is also a consultant to the private sector and government. Gridlock Sam is published Sunday through Friday. If you have a traffic question, write Gridlock Sam, Daily News, 450 W. 33rd St., New York, N.Y. 10001, or E-mail: gridlocksam@samschwartz.com

DAILY NEWS 6/5/03

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The New York Times

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ARTHUR HAYS SULZBERGER, *Publisher 1935-1961*
ORVIL E. DRYFOOS, *Publisher 1961-1963*

What Is So Rare as a Parking Space?

Ten percent of the suggestions made to the New York City Transportation Department at Mayor David Dinkins's recent invitation urged the city to develop a system for giving neighborhood residents priority space for parking their cars near their homes. While the proposal will surely end up being more complicated than it sounds, it is still a good idea.

In some city neighborhoods, residents cruise half the night before finding a convenient place to park. They conclude, rightly in many cases, that people from other neighborhoods, or even from other states, have pre-empted the most desirable spots. In other neighborhoods, daytime parkers, who continue their journey to work by other means, gobble up more space. Residents are afraid to use their cars because there may be no room to park when they return home.

One solution would be to issue neighborhood parking stickers. A sticker wouldn't guarantee residents a particular place to park, but it would certainly give them more choices. And a permit program could be easily policed. After a towing or two, drivers who don't own the required decal sticker would stop stowing their cars in front of other people's homes or small businesses.

Of course, the city would charge for this service — perhaps between $5 and $10 a month, a tiny fraction of what it costs to put a car in a garage or parking lot. And parts of the city, like commercial areas and heavily occupied areas like mid-Manhattan, would be exempt.

But in the appropriate neighborhoods, a sticker program would provide convenience and, even after enforcement costs, would raise a not inconsiderable sum of money for the benefit of all New Yorkers. There are two million cars registered in New York City. If only a fraction of their owners bought the entirely voluntary stickers, the rewards could be plentiful.

Living Here, but Registered There

New Yorkers Dodge High Fees with Out-of-State License Plates

By RANDY KENNEDY

In the West Village lives a man named Harry, and Harry is on a mission.

If he is secretive about his last name, you may understand why: For the last 15 years his abiding mission has been to try to land untold thousands of New Yorkers — including maybe you — into legal trouble.

"People would track me down," he explains.

Harry is not a vindictive or even particularly moralistic man. He is just a longtime city driver whose car is registered and insured, legally and quite expensively, in New York city and state. And yet all around him, eating up parking spaces, breaking the law and depriving the public coffers of revenue are hundreds of New Yorkers' cars bearing the license plates of almost every state in the union except New York.

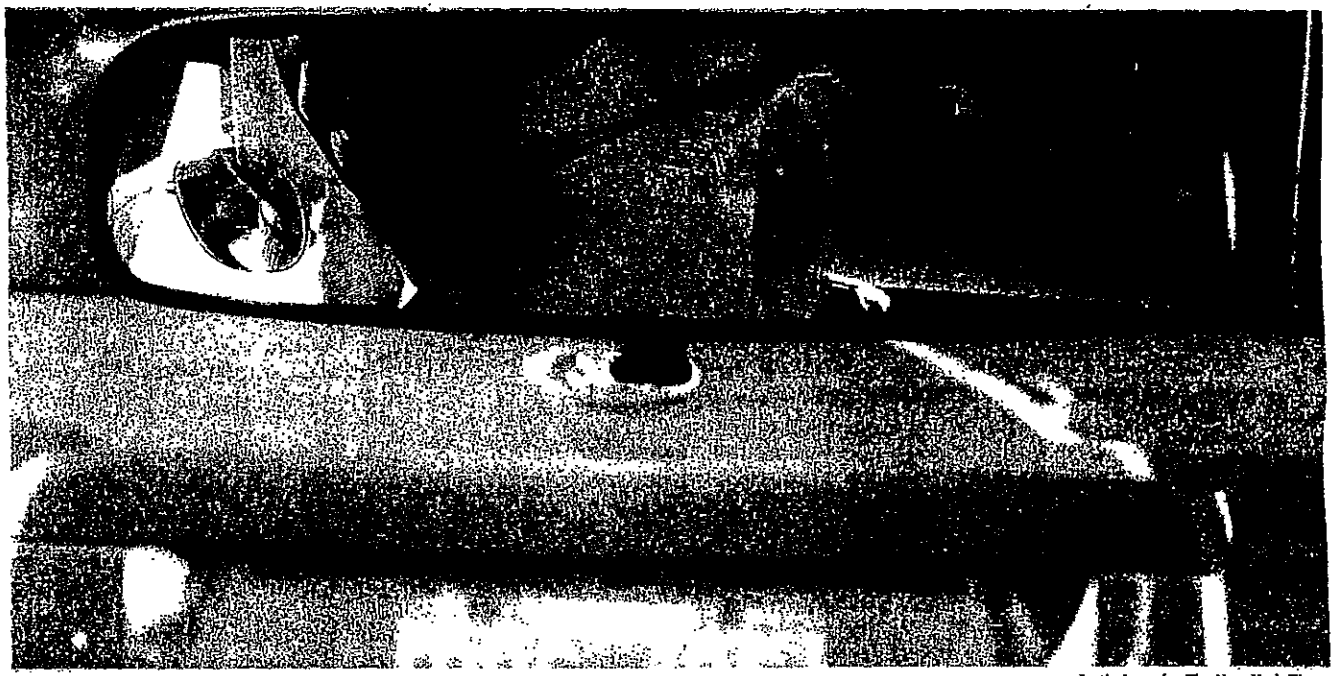
"Here's a New Jersey, there's a New Jersey," he said one morning, inching down narrow residential streets where tourists or commuters were very unlikely to be parked at 7 a.m.

"A Rhode Island," he added angrily. "A Vermont."

In just one hour of canvassing the West Village and Chelsea, his list of license plates sounded like the roll call at a political convention — from Maine to California to the great state of Oklahoma, with lots of Vermonts and Virginias parallel parked in between. On some streets, fully a third of the parked cars bore out-of-state plates.

"These people have the same right to park here as the rest of us who play by all the rules?" Harry asked.

They do not, but the illegally registered car has nonetheless been a fixture on New York streets for decades, as drivers go to great lengths — literally — to avoid fees, taxes and some of the nation's highest insurance premiums.



Justin Lane for The New York Times

On the streets of Lower Manhattan, Harry, above, finds many cars with out-of-state license plates that likely belong to people who live in the city. Illegal vehicle registrations cost the city and state millions, Harry says, and no one is enforcing the law.

In other words, in a city where casual lawbreaking seems like a birthright, the out-of-state plate has become the jaywalking of automotive crime. And while several other states and cities have begun cracking down on illegal registrations, saying that they drive up insurance rates, encourage fraud and hurt tax revenues, New York has continued to look the other way — even when both the city and state face huge budget shortfalls and could use any extra money they could find.

While no one knows the exact amount lost every year, it is probably not insubstantial. By registering a car out of state, using a friend's or family member's address, New Yorkers can not only evade registration fees — up to more than $50 a year, levied according to the weight of the car — but also a $5.50 license plate fee, a $5 title fee and a $15 annual city tax.

And there is the real money: sales tax. For example, by buying and registering a

Continued on Page B2

NY Times 1/3/03

City Residents Dodge Fees with Out-of-State Plates

Continued From Page B1

car in New Hampshire, with no sales tax, a New Yorker can avoid paying 8.25 percent of the car's price in New York state and city taxes, or $1,650 on a $20,000 car.

Those are not exactly the kinds of high-rolling figures that New York prosecutors generally pursue in tax fraud cases.

But still, all those cars can add up. In 1987, the only time that New York state and city officials briefly tried to ferret out illegal registrations, they searched streets at night and trolled through residential garages and found that about 10 percent of the cars they checked were registered out of state, some as far away as Alaska. At the time, they estimated that the city alone was probably losing $20 million a year in sales taxes as a result, a figure that would be somewhat higher now with more cars in the city.

In 1987, Abraham Biderman, then the city's finance commissioner, said: "All you have to do is walk down the street to see that everybody who has these out-of-state plates does not live out of state." Interviewed recently, Mr. Biderman said he could not remember exactly why the crackdown back then did not last, but he added, "The city could clearly use the money now."

Other cities and states have begun to try aggressively to get that money back. Oklahoma recently made it a misdemeanor, with a fine of up to $500, to register a car illegally. Oregon began an advertising campaign — "Illegal Registration: Don't Even *Think* About It."

And for the last decade, Massachusetts has maintained a toll-free anonymous tip line, 1-800-IPAY-TAX (1-800-472-9829), in which it essentially encourages state residents to turn in their own neighbors for illegally registering their cars.

"I think there's a fair amount of indignation out there among people who do the right thing," said David Shaw, a spokesman for the Massachusetts Registry of Motor Vehicles. The tips have led to the recovery of more than $235,000 — which the state's officials admit is just the tip of iceberg, considering that they believe more than $50 million a year is being lost.

In New York, state and city officials contacted over the last several months said that the issue was simply not a priority now. In fact, for the last decade, it appears that the only person consistently monitoring illegal registrations — at least in a handful of car-crowded neighborhoods in Lower Manhattan — has been Harry, who says he feels increasingly like a man crying out in the wilderness.

Over the last several years, he has tried crying out in many other places, too — town hall meetings, campaign forums, dinner parties — to draw attention to the situation. He has shoved envelopes of information into the hands of city commissioners on the street.

He has mailed piles of letters to state and city officials dating back to the mid-1980's, pointing out that New York Vehicle and Traffic Law 250, requiring state residents to register their cars in the state, is being routinely and blatantly flouted.

Once, for example, he found a familiar car parked on West 12th Street, one he was certain belonged to a neighborhood resident, bearing Pennsylvania plates and a handwritten note on the dashboard:

"Dear P. Officer:

"Pa. no longer requires emissions testing. Do not ticket."

The other morning, as he often does to infuriate himself, Harry climbed into his modest sedan and went sleuthing. Over the years, he has developed certain techniques for spotting his prey. When he sees out-of-state plates, for example, he always looks for an E-ZPass transponder on a car's windshield, a good sign that the owner of a car with Georgia plates lives far from Georgia. He looks for New York State AAA. decals and "I ♡ NY" bumper stickers. Sometimes he even gets out to peer inside parked cars, looking for mail or other signs that the car is a New Yorker's and then jotting down its license plate number.

A city driver takes to the streets in search of scofflaws.

"I just do this to amuse myself," he said, frowning and scribbling down the number of a car with Michigan plates and an ID card on the dashboard of its apparent owner, a New York City auxiliary police officer.

Those who count themselves among the offenders say there are many compelling reasons why they have decided to break the law, in fact thousands of reasons: city insurance premiums are among the highest in the country. In fact, it is usually even cheaper for them to insure their cars in New Jersey, which is known for its sky-high rates.

And for many New Yorkers who cannot afford insurance at all, illegal registration is the best way to get around it completely — they register their cars in states, most frequently in the South, that do not require that a car be insured before it is registered.

Harvey Weitz, a prominent New York personal injury lawyer who specializes in automotive cases, said he believes the situation not only helps drive up New York insurance rates but leaves many car-accident victims with nowhere to turn because those who struck them have no insurance.

"If there's an empty pocket, what can you do?" Mr. Weitz said. "Hard experience has told me that there's often nothing you can do."

Of course, there are other scofflaws who say that it is much less about money than about ease — in other words, about avoiding the tangle of New York bureaucracy at all costs. A woman from Park Slope, Brooklyn, said she has lived in New York for almost 15 years and insured her car in the city most of those, but has always kept it registered in a small Kentucky town where her parents live.

"My mom can just go down and get it done in 10 minutes," she said.

In fact, she added, she has never been quite sure that she is breaking the law: Her car was towed once and her husband went before an administrative judge, a little afraid that the Kentucky plates would present a problem.

"The judge just laughed," she said. "He said, 'Nobody cares where your car is registered.' "

The New York Times

NEW YORK BATTLES CAR LICENSE FRAUD

New Crackdown on Residents Who Register out of State

By WILLIAM R. GREER

For the last five months, tax investigators have searched streets by night and subpoenaed garages' customer lists seeking to track down New York residents who violate the law by registering their cars outside the state.

For many New Yorkers, out-of-state registration is a way to save hundreds of dollars in insurance premiums and sales taxes, both of which are considerably higher in New York than in New Jersey and Connecticut.

The crackdown is part of a broader effort to penetrate an underground and illegal economy that has long involved New Yorkers trying to beat the high cost of living in the city. In recent years, for example, the city has successfully prosecuted several merchants for sending luxury goods such as furs and jewels out of state so the buyer could avoid sales taxes.

10 Percent Involved

Since the automobile crackdown began, investigators from the city's Finance Department have found that about 10 percent of the approximately 40,000 cars parked in garages in the city and an equal percentage of those parked on the street are registered outside New York State. Of those, "a substantial majority" belong to city residents and must by law be registered in the city, according to Abraham Biderman, the city's Finance Commissioner.

Continued on Page 39, Column 1

Continued From Page 1

About 2,500 New York residents have been notified that they may be in violation of the law, and 1,500 more are to be notified in coming weeks.

"We are losing around $20 million a year as a result of this tax evasion," said Mr. Biderman, who is running the crackdown together with the State Department of Taxation and Finance. "Everybody knows that this is a major problem. All you have to do is walk down the street to see that everybody who has these out-of-state plates does not live out of state.

"We found people with plates in 45 out of 50 states, including Alaska. In the Stuyvesant Town garage, for example, where everybody lives in the building, there are almost 300 cars with plates from outside New York, about 10 percent of the cars. The same is true in almost every other residential garage in the city."

Once Mr. Biderman's staff obtained license plate numbers, they contacted the states where those cars were registered — the largest number were registered in New Jersey, followed by Connecticut and Florida — to get the names of the car owners. To find out where the owners lived, investigators checked income-tax records, telephone directories and, in some cases, building directories near where the cars were usually parked.

Asking for Explanation

So far, the department has subpoenaed records from 858 garages, where most of the spaces are rented by the month, in the city and observed "thousands of vehicles" during nighttime searches of neighborhood streets. It has also begun working with the Parking Violations Bureau to get the license plate numbers of out-of-state cars frequently ticketed.

In its notices, the department asks car owners to explain why they have out-of-state license plates yet live in New York City. In cases where the department confirms that the out-of-state registration is illegal, the letters will be followed by an assessment for the taxes not paid and a penalty.

New York City residents can legally register their cars outside the state only if they moved to the city in the last 30 days or if they maintain their principal residence outside the state. In order for a home to qualify as a principal residence, a person must vote there, send children to school there or live there for at least 183 days a year.

If a New Yorker owns a second home outside the state and keeps a car there, he can legally register it in that state only if it is never driven into the city.

Raising the Privacy Issue

A reporter was alerted to the crackdown after one New York resident called to complain that the city's tracking of his car, which is registered in Massachusetts, constituted an invasion. "They are obviously monitoring the movements of my car, which I thought was kind of startling," said the man, who spoke on the condition that he not be identified. "I find it chilling that matters have reached the point where people with computers will spend their time trying to figure out where you park your car. It seems to me there is a privacy issue here."

Mr. Biderman said the information about car registration that his staff collected would not be publicly released. "It is protected under tax secrecy," he said. "The information is confidential."

The notice being sent to car owners includes a questionnaire that asks for a "permanent home address" and where the car is registered.

If notices are ignored, the department has the authority, ultimately, to seize the car or an owner's other assets, Mr. Biderman said, although he said that was an "extreme measure" that he believed the department would not take.

Catching Up on Taxes

"We are not looking at this as a matter of prosecution," he said. "The major focus is on future enforcement."

The city levies a $15 annual "compensating use tax" on cars registered here. Car owners who have not paid that tax would be charged a penalty of $75, plus interest, for each year they did not pay, Mr. Biderman said.

The sales tax on automobiles would also have to be paid by violators. In New York, the tax is 8.25 percent, compared with 6 percent in New Jersey and 7.5 percent in Connecticut.

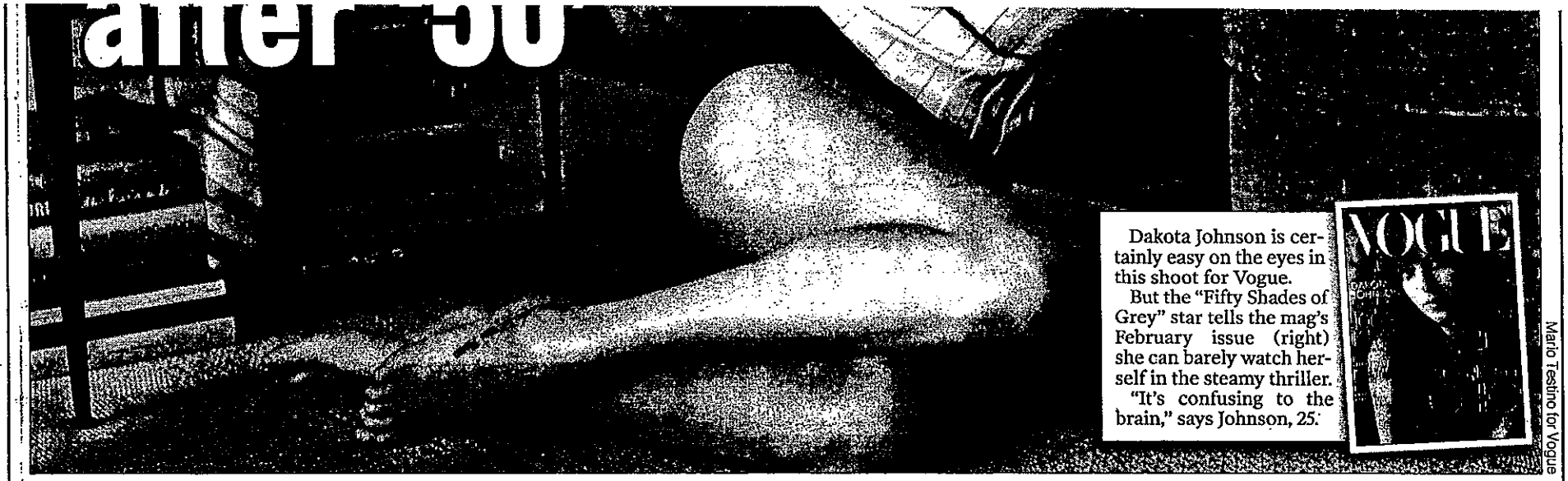
On a $10,000 car, for example, a New York buyer would pay $825. Owners will be asked to pay back that amount of tax, plus interest, on any cars bought in the state. If they purchased their cars outside New York and have legitimate part-time residences outside the state, they will be charged the difference between the New York State tax and what they paid in the other state.

The cost of registering a car in the state depends on its weight, $15 annually for 1,000 pounds, $22.50 for 3,000 pounds, $31.75 for 4,000 pounds.

Mr. Biderman believes that if city residents register their cars outside New York State, they may also be filing their income tax as nonresidents. He said the department was working with the state to find those people.

Many car owners say they register their cars outside New York, not to avoid sales or use tax or registration costs, but because it costs less to insure an automobile outside the city and outside the state.

The man who registered his car in Massachusetts, for example, said he would be unable to keep the car if he had to buy his insurance in New York. In Massachusetts, he said, he paid $350 for coverage, but such insurance in the city would cost $800 to $900 annually.



Dakota Johnson is certainly easy on the eyes in this shoot for Vogue.

But the "Fifty Shades of Grey" star tells the mag's February issue (right) she can barely watch herself in the steamy thriller.

"It's confusing to the brain," says Johnson, 25.

Mario Testino for Vogue

NY Post 1/20/15

Kids, hold the pizza

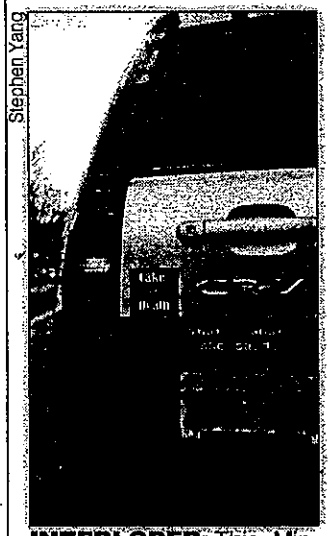
On any given day, a large proportion of US kids and adolescents eat pizza — and on those days, they tend to eat more calories and more saturated fat and sodium, according to data collected over the past decade.

On pizza-eating days, preteens ate an average of 83 more calories and teens an average of 230 more calories than on non-pizza days. Kids and teens also got three to five more grams of saturated fat on pizza days, and 100 to 400 more milligrams of sodium.

"What this is saying is kids are not adequately compensating in other parts of their diet when they eat pizza," said Lisa M. Powell, lead author of the University of Illinois study published in Pediatrics. *Reuters*

'SPACE' INVADERS

Ban night parking for non-NY cars: pol



Stephen Yang

INTERLOPER: This Minnesota-registered vehicle takes up a parking space in Queens on Monday.

EXCLUSIVE

By AARON SHORT and CARL CAMPANILE

Nights will be a living dread for out-of-state motorists if one New York lawmaker has his way.

Queens Assemblyman Michael Miller has proposed a law that would prohibit cars with out-of-state plates from parking overnight on city streets. The bill would make it illegal to park with non-New York plates from 2 a.m. to 5 a.m. Violators could have their vehicles towed.

"In the City of New York and other areas throughout the state, we have become inundated with out-of-state vehicles taking up parking spaces on public streets to the detriment of local residents," Miller said.

"By registering out-of-state, you are either committing fraud by not registering your vehicle in New York state or you are avoiding paying state Department of Motor Vehicles fees."

Under the Democrat's proposal, visiting out-of-town guests could apply for an "exemption sticker." A resident who owns property in another state — and has a car registered there — could also apply for an exemption.

According to Miller's estimates, one of every five parked vehicles in his district — encompassing Woodhaven, Glendale, Ozone Park and Richmond Hill — is registered outside New York state.

"We have lots of cars with Florida plates, Jersey plates, Massachusetts, Georgia, you name it," he said.

Miller said he's heard numerous complaints about out-of-state parking freeloaders, particularly from the Woodhaven Residents' Block Association.

"We want to have parking for residents who pay insurance and motor-vehicles fees here," Miller said. "It's only fair."

But the AAA is raising a red flag.

"To have a provision that prevents people from coming to New York City and parking on the street during some given hours seems totally shortsighted and unfair," said Robert Sinclair, New York spokesman for the nonprofit automobile service organization.

There are about 2 million cars registered in the city and 10 million in New York state.

ashort@nypost.com

DAILY NEWS Tuesday, June 12, 2007

Bloomberg eying resident-only parking permits

BY MICHAEL SAUL
DAILY NEWS CITY HALL BUREAU CHIEF

MAYOR BLOOMBERG is exploring the possibility of creating resident-only parking permits to help neighborhoods that may be flooded by drivers trying to avoid the fees that he proposed for entering parts of Manhattan.

City officials acknowledged yesterday that motorists would be charged an annual fee to acquire special resident-only permits, and the fee would be "in line" with similar permits in other cities around the country. Chicago charges $25, while Seattle charges $35.

Bloomberg spokesman John Gallagher insisted that the mayor's plan to charge cars $8 and trucks $21 to enter Manhattan south of 86th St. from 6 a.m. to 6 p.m. weekdays will reduce traffic and the level of emissions in all neighborhoods citywide, even those areas bordering the Manhattan fee zone.

But Gallagher and officials at the city Transportation Department said if neighborhoods experience an uptick because of the higher fees, residential-only permits will be considered.

Some of the neighborhoods that have requested the special permit include Manhattan above 86th St.; Long Island City, Astoria and Sunnyside in Queens; downtown Brooklyn, and Park Slope, Brooklyn.

It was unclear whether City Hall would consider granting permits to neighborhoods not directly affected by so-called congestion pricing.

City Councilman John Liu (D-Queens), chairman of the City Council's Transportation Committee, said he's skeptical the permits will solve the problems potentially created by the higher fees in Manhattan.

"It doesn't necessarily improve the situation, it just shifts the boundary of contention," said Liu (D-Queens). "It sounds great, but I think the implementation would be a hard stretch."

Meanwhile, powerful Assembly Speaker Sheldon Silver (D-Manhattan), who could thwart the mayor's proposal, said he fears the areas with the highest asthma rates won't benefit from the mayor's plan.

"In fact, some of those areas will become parking lots for the people driving around looking for parking spots in order to avoid congestion pricing fees," Silver said.

With Joe Mahoney

msaul@nydailynews.com

CHANGES

By Permit Only

BY ROGER RAPOPORT

IF YOU'VE TRIED parking lately in cities such as San Francisco, New Orleans, Washington, D.C., Philadelphia, or Boston, you may have seen signs like this one: TWO HOUR PARKING EXCEPT VEHICLES WITH AREA A STICKER. Drive a few more blocks and you'll find yourself similarly unwelcome in Area B or C. The warnings are part of the Residential Permit Parking boom. And for commuters accustomed to parking on quiet streets close to work, these alphabetized areas spell trouble.

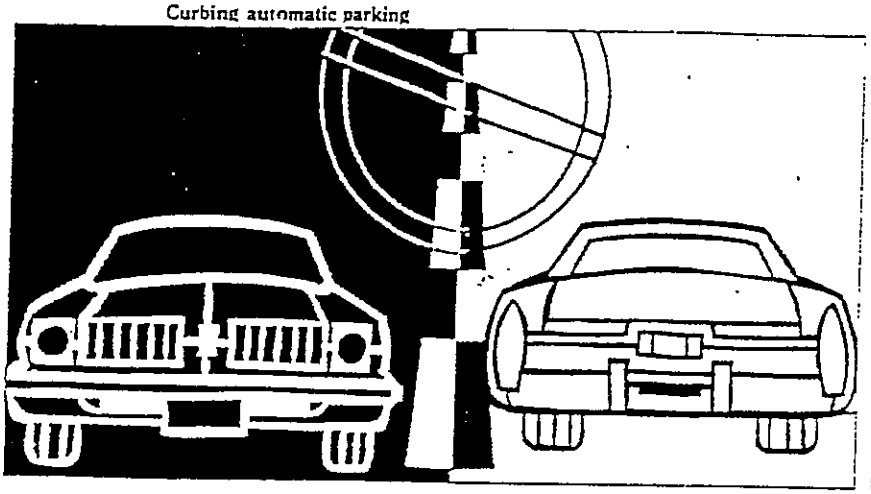
First introduced in this country a dozen years ago in Cambridge, Massachusetts, permit parking is popular in neighborhoods plagued by transient commuter cars. Residents are assigned permits that give them the unlimited right within the law to park in their own neighborhood. They may also purchase additional permits for visitors. But the public at large cannot buy these coveted stickers. As a result, their use of these spaces is generally restricted to two hours during the business part of the day.

Commuters, anxious to hold on to their neighborhood parking spaces, tried to throw the system out in an Arlington, Virginia, test case. But in 1977 the U.S. Supreme Court upheld the legality of permit parking. News of that victory promptly sparked groups, like San Francisco's Telegraph Hill Dwellers Association, to start permit parking programs in their own cities.

Most cities use permit parking selectively to relieve congestion in residential areas near downtowns, hospitals, universities, or transit stations. But some cities have taken the idea further. In Cambridge a court decision forced the city to extend permit parking to seventy of its 125 miles of streets. And the program is in force twenty-four hours a day, six days a week.

With permits selling for anywhere from three dollars (Cambridge) to twenty dollars (Berkeley, California), and with additional revenue generated by increased parking tickets, the programs are generally self-financing. And although commuters are forced out, the permits do provide more free space for short-term parkers, as well as having another important benefit: they force some displaced commuters to switch to mass transit or car pools. "It's a good system," says Cambridge resident permit parking supervisor Maryalice Monagle. "That's why more and more communities are combating parking congestion this way."

Curbing automatic parking



Pulling Principles out of Politics

by Martin Morse Wooster

PHILOSOPHY, ONCE THE queen of the humanities, has fallen on hard times. Psychologists now answer ethical questions; mathematicians struggle with the nature of reality. So some philosophers are collectively climbing down from the ivory tower and attacking current political issues using an innovative forum: a philosopher's think tank.

The University of Maryland's Center for Philosophy and Public Policy exploits its proximity to the nation's capital by using the government as a source of both contracts and ideas. It holds monthly Capitol Hill seminars devoted to the philosophic dimensions of issues currently before Congress. "The most dramatic session we had was on the Simpson-Mazzoli bill [restricting immigration]," center director Douglas MacLean says. "Here you had an issue with enormous moral problems. Is it right to tell refugees they can't come here?" The center also sponsors "working groups," held in conjunction with each research project; these groups have attracted the likes of Senator Tom Harkin of Iowa, former senator Paul Tsongas of Massachusetts, and New York representative Stephen Solarz.

The center's philosophers are preparing articles on such diverse subjects as feminist theories on censoring pornography and whether nuclear weapons are "special" enough never to be used. MacLean can't say whether his staff has influenced an issue, but for him, his accomplishments are higher than politics. "Everyone wants easy solutions to their own easy problems," MacLean says. "We want to show that answers aren't that easy after all."

The Book Is Back

BY TRAVIS CHARBENEAU

GOODBYE GUTENBERG, A 1980 book by Oxford futurist Anthony Smith, heralded a supposed trend toward the death of the book, predicting that readers would instead park themselves before their personal computer video display.

In fact, the book is alive and well. The Book Industry Study Group recently reported that total book sales increased from $5,601.9 million to $7,977.9 million in the four-year span from 1979 to 1983. Additionally, heavy readers (those who've read twenty-six or more books in the last six months) doubled between 1978 and 1983, from 18 percent to 35 percent of all book readers. Library visitation during the same period also increased, with more books per visit being withdrawn: 1.8 books in 1978; 3.2 books in 1983. On the flip side, only one book, Burke Campbell's novel *Blind Pharaoh*, was available during 1983 on the Source, the *Reader's Digest* computer database service. Of the twenty-four thousand Source subscribers at the time, fewer than one hundred logged in to read the forty-page novella. The conclusion seems to be that news and other data seem well suited to the electronic environment, but for escapism, even most nonfiction readers still prefer reading between the covers.

THE NEW YORK TIMES, TUESDAY, DECEMBER 8, 1987

Commuters Vie for Elusive Parking Spaces

Continued From Page B1

parking in front of fire hydrants," said the executive director of the Jersey City Parking Authority, John Vicari. "It is getting to be a hazard. There are fights — 'I was here first. No, I was.' "

The city's planning director, Richard Bass, said, "The big 'C' word used to be 'communist,' now it is 'commuter.' "

The Hoboken Parking Authority's executive director, Patrick J. Caufield, said: "Hoboken has become a park and ride. Cars would be here from 7 in the morning to 7 or 8 at night. It eliminates any turnover of spaces. It hurts businesses and retailers."

Hoboken is fighting back.

This year the City Council passed an ordinance that prohibits anyone who does not live in Hoboken from parking on the street for more than four hours on weekdays. Hoboken residents must apply for parking stickers.

City parking officials are mobilizing for more drastic measures. They have ordered three dozen "boots" — the heavy metal clamps that immobilize offending vehicles when attached to their wheels. The boots will be removed only after a violator pays a $25 fee in addition to a $25 parking fine.

"We don't want to boot vehicles," Mr. Caufield said. "But we will enforce this ordinance."

Still, parking spaces are so scarce that condominium developers in nearby North Bergen have sold them to homebuyers for $10,000 apiece.

Raymond E. Bulin, a realtor in Hudson County, conducted a study to determine the value of a parking space in residential neighborhoods here. His conclusion: an on-site parking space, like a driveway, can drive up the value of a property $20,000 to $25,000.

"We looked at the pattern of sales for houses without parking and with and we talked to a lot of purchasers, and that is what we found," he said.

Thomas F. X. Bender Jr., a pharmacist who owns two stores in Jersey City, said: "It's dog-eat-dog out there. People get so frustrated, they just put the car in an illegal space. Sometimes I see five cars at a time in the bus stop outside my store.

"Parking is at a premium. It's murder."

On 'Car Talk,' Sound Repair Tips, No Charge for the Humor

By LAURA MANSNERUS

"HI, this is Steve from New York," Steve says to Tom and Ray Magliozzi. Steve's 1970 Volkswagen bus seems to run on three cylinders, but that's all right. The problem is that the ignition absolutely will not work, and he has resorted to some agonizing methods of starting the bus. He wants to know if the Magliozzi brothers, whose "Car Talk" show is broadcast on National Public Radio, can guess what's wrong.

"What it is," Ray says, "is your starter bushing. That thing wears out after 25 or 30 years. We've seen this happen, oh, at least once." He recommends a whole new starter, $25 or $30. "Don't be a cheapskate," he says.

"Don't be a cheapskate?" Tom says in fake amazement. "You say this to a man who's driving a 20-year-old car?"

Every week, Tom and Ray Magliozzi hear about car problems:

"It seems to eat disk brakes."

"I drive a rust bucket."

"When I'm backing out of the driveway, it'll register 55."

The brothers offer diagnoses from their booth at WBUR-FM in Boston, as they have for 12 years. Since last year they have been heard weekly on National Public Radio as well, and more people are listening every week as more stations pick it up.

Since the show went national last Halloween, about 110 of N.P.R.'s approximately 350 stations have picked it up. ("Car Talk" is broadcast on WNYC-AM in New York City at 1 P.M. Saturday, on WPKT-FM and WNPR-FM in Hartford and New Haven at midnight Saturday, and on WRVO-FM in Oswego, N.Y., at noon Saturday.) The brothers also record 15-minute segments for "Weekend Edition" on National Public Radio.

The Magliozzis are unquestionably expert, but that does not necessarily explain their following.

For one thing, said Toby Tobiason, the program director at KTOO-FM in Juneau, Alaska, "the guys deal with people's emotional attachments to their cars."

For another, "this is not a program about automobile repair," said David Hosley, the station manager of KQED-FM in San Francisco.

"It's a comedy broadcast," he said.

Some station managers and program directors compare the show's appeal to that of Garrison Keillor's public radio program "A Prairie Home Companion," although there is nothing wry about "Car Talk." It opens with what Ray calls "hoedown music," and the Magliozzis introduce themselves as "Click and Clack, the Tappet brothers." With their voices, they express shrugs, rolling eyes, and slaps on the forehead, all in an East Cambridge accent (as in "thee-at's a prawb-lem"). Sometimes they make car noises.

They interview each caller. (Q: "Who works on this car, typically?" A: "A guy named Snake MacDougal.") Each caller, in closing, gets a "good luck" or "bye bye."

The brothers, graduates of the Massachusetts Institute of Technology, have not quit their daytime jobs. Ray, 39 years old, runs the Good News Garage in Cambridge, a business he and his brother started in 1973. Tom, 50, teaches marketing full time at Boston University's business school.

Doug Berman, the "Car Talk" producer, said the Boston audience was more than 40,000, "right up there with the N.P.R. news programs and way above everything else."

The first numbers on the national audience are only now trickling in. In San Francisco, Mr. Hosley said that, to judge from the raw numbers, "Car Talk" was not one of his station's most popular shows. "But it has the potential to be," he said. "The word of mouth on it is incredible."

"The people who grew up in Boston and New York like it," he said. "My own sense of it is that it's East Coast humor. It's this intense, yammering humor. Part of its wonderfulness is its Italianness. I think Italians think it's an Italian thing, people who are Jewish think it's Jewish, people who are Greek think it's Greek: everybody sitting around the table talking at once."

Michael Flaster, the program director for WKSU-FM in Kent, Ohio, reported a "tremendous positive response" to "Car Talk."

The Magliozzis' respect for their callers is considerable, but not unqualified.

"Boy, we get 'em, don't we?" Ray said after a recent caller hung up.

"He's a left-over hippie," said Tom. "There's nothing wrong with that." Their producer, Mr. Berman, winced.

The Magliozzis' respect for their callers' cars, on the other hand, is minimal. When a California woman called about her 1979 Honda Accord, Tom said: "That's a little chamber pot. That's not a real car."

And not everybody appreciates that kind of joke. "Obnoxious" and "insulting" are descriptions Mr. Tobiason has heard in Juneau. "Either people love it or they hate it," he said, adding that during the spring fund-raising drive, "Car Talk" received effusive praise, and was at the same time "tied with the opera for negative comments."

"People are pretty soft-spoken here," he continued. "It comes across as confrontational and a bit rude."

This seemed to perplex Ray. "Is that because we pick on people from Alaska?" he asked.

"Well, sure, we pick on people," he said later. "It's all in fun, though, just in fun. We get very little hate mail."

The brothers have their opinions about the audience. Californians are fun, they say, and Midwesterners have an air of desperation. They hesitate to draw conclusions about New Yorkers, because WNYC picked up the show only two months ago. But Mr. Berman, who helps screen the calls, said he thinks New York drivers "are definitely survivalist."

"There are no questions from New York about my intermittent windshield wiper doesn't work, or the heat isn't warm enough," he added.

The Magliozzis say they are fairly good at matching cars and personalities: cheapskates buy Mazdas; AMC owners are "real deliberate" ("On Tuesday, I decided to change the oil...."); left-over hippies stick with their Volkswagens, although that's less true as the number of each dwindles.

"There's the college-professor car," said Ray. "That's the Dodge Dart. But if you teach at Harvard Business School, it's a BMW. The nerdy M.I.T. engineer is the AMC type."

They constantly tell callers that rust kills, that small cars are dangerous and that salt should not be allowed on the roads. "Go to a junkyard," they tell people who need parts. Some are told to take their cars to one.

What amazes Tom is the money people pay for new cars: "How could anybody in his right mind? The other day I was driving a Cadillac something-or-other that was $29,000! Who could justify spending $29,000?" His own car is a 1974 Chevy convertible.

"They're just machines," said Ray, who personally appreciates a new car, like his 1987 Dodge pickup. "This is not brain surgery. It falls apart, you get another one."

The Magliozzis generally recommend something else first, though. Every week WBUR receives more than 100 letters, which they try to answer, and several hundred people call. These people want to keep their cars.

Steve from New York, for example, was "really desperate," he said in a telephone interview a few days after he talked to the Magliozzis. Steve, who did not want to be identified further because his Volkswagen is registered in New Jersey, said he had nothing but respect for his mechanic in Manhattan, but turned to "Car Talk" because three generations of solutions to the starter problem had not worked.

Now he turns the ignition to "on," pumps the gas once, takes the van out of gear and sets the hand brake, runs around to the back, grabs a wire that his mechanic rigged up and touches it to the positive post of the battery. The car starts.

"It's not dangerous unless you're wearing filmy clothing," he said. "Still, it would be nice if it started from the inside."

The Magliozzis' advice to get a new starter "made complete sense," he said, but when he presented the idea to his mechanic, it raised more questions.

THE NEW YORK TIMES, MONDAY, JUNE 21, 1982

NEW YORK

Day by Day

Driven From Manhattan?

Owning a car in Manhattan has never been a picnic, what with parking headaches, insurance costs and stratospheric garage rates. Now, it seems that a lot of people have given up even trying.

Over the last decade, while the numbers have stayed fairly constant in the other boroughs — up a bit in Queens, for example, down slightly in Brooklyn — car registration has dropped precipitously in Manhattan. There were 269,000 cars registered in the borough in 1969, according to the city's Transportation Department. The latest available figures, through 1980, turn up only 198,800, a decline of 26 percent.

Two thoughts (both unofficial and off the record) from the transportation authorities: Manhattanites have become more realistic and look to other means for getting around; or perhaps many more borough residents are cheating — keeping their cars here but registering them outside the city, where costs are lower.

Clyde Haberman
Laurie Johnston

NY Raid Hits Cars Registered in NJ

THE ASSOCIATED PRESS

New Jersey investigators fanned out over New York City and metropolitan Philadelphia early yesterday morning, identifying nearly 3,000 cars suspected of being registered in the Garden State to avoid higher rates.

The sweep, which identified more than 1,000, offending cars in the five boroughs, was the first since Gov. Jim Florio signed a law Thursday authorizing insurance officials to handle rate evasion as a civil offense with penalties up to $15,000.

Insurance Department actuaries think this type of cheating costs New Jersey $500 million a year, Louis Parisi, the director of the state's Division of Insurance Fraud Prevention, said yesterday.

"These people in other states wouldn't think about taking a gun and sticking up their neighbors for $500, but they think it's OK to steal in this fashion," Parisi said. "They're stealing from us, but they just aren't using a gun."

The Fraud Prevention Act aims to bring down rates for New Jersey drivers, whose premiums are driven up when out-of-staters submit claims on fraudulently registered cars.

Previously, bogus registrations were treated as criminal offenses that were difficult to prosecute because violators could not be caught unless they filed insurance claims, Parisi said.

The state no longer has to wait for violators to file claims but can charge them immediately with a civil offense, which means insurance officials can act more swiftly and impose stiffer penalties, he said.

Drivers in New York City and the Philadelphia area pay roughly four times more to insure their cars than New Jersey drivers do, he said. Many of the cars suspected of being illegally registered are luxury or sports cars, and owners can save as much as $7,000 by pretending they live in New Jersey, Parisi said.

Although auto insurance rates in New Jersey are among the highest of any state, they are generally lower than premiums in New York City and Philadelphia.

A total of 1,840 suspected rate evaders were identified yestereday in Philadelphia and the surrounding towns of Newtown, Yardley and Morristown, Parisi said.

A total of 1,097 were pinpointed in New York City's five boroughs. The larger number of cars identified in Pennsylvania is coincidental and does not reflect a greater problem there, Parisi said.

Cars bearing New Jersey license plates were parked in lots set aside for residents, so investigators are reasonably sure most are illegally registered, Parisi said. Owners' names will be checked against voter registration lists and tax data to see if they live in New Jersey, he said.

Twenty-nine insurance fraud investigators and supervisors started roaming the streets of New York City and the Philadelphia area around 6:30 a.m., jotting down license plate and vehicle identification numbers for two to three hours, Parisi said.

Four Men Arrested In B'klyn Shooting

Four men were arrested outside a Brooklyn roller-skating rink early yesterday after at least two members of the group fired at police officers, injuring one officer, according to police.

Det. Lou Llanis, a police spokesman, said yesterday that the four men, all of

officers," said Llanis. "One of the officers returned fire."

Officer William Williams was treated at Kingsbrook Jewish Medical Center for bruises from bullet fragments that ricocheted and struck him in the head.

Arrested were Roland Johnson, 20, of

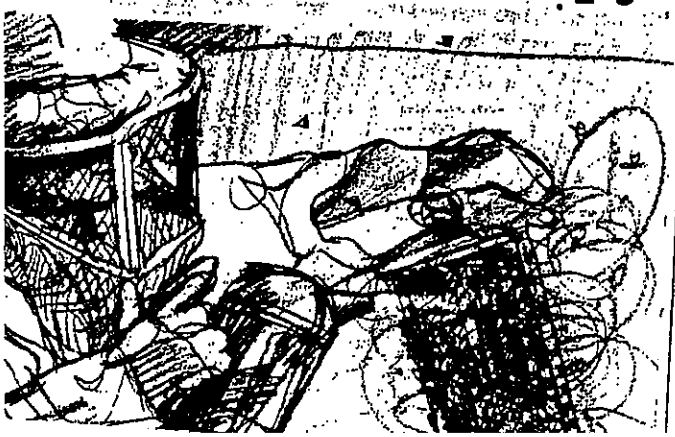
Newsday Jan. 5, 1992

Associated Press

ıg debris of the building by searchers using dogs. The early- blast started a fire that sent flames 20 feet into the air and ,a nearby hardware store. About 50 people were evacuated ıes nearby when a gas main ignited.

E R

'assion and Therapy



New Measure Will Punish Fraud in Car Registration

Some Out-of-State Drivers Will Face Fines

By WAYNE KING
Special to The New York Times

TRENTON, Jan. 2 — New Yorkers and other out-of-staters who try to beat high automobile-insurance rates by falsely registering their cars in New Jersey will face stiff fines — up to $15,000 — under a bill signed into law today by Gov. Jim Florio.

The new law makes it a violation of the state's Fraud Prevention Act for any out-of-state motorist to misrepresent his legal residence in applying for automobile insurance. First offenders can be fined $5,000, a second offense is subject to a fine of $10,000, and third and subsequent offenses, $15,000.

"People engage in this type of fraud to save money though New Jersey's lower auto insurance rates, so the best way to eliminate this type of fraud is to remove the economic incentive by fining violators," Governor Florio said in signing the bill in Newark today.

Although New Jersey residents complain about high insurance rates, they are still substantially lower than those paid in high-claim areas like New York City and Philadelphia, where investigators say rate evasion is most common.

Contrast in Rates

Rates in New Jersey, according to the Insurance Department, currently average about $1,000 a year, but insuring a car in New York City or Philadelphia can cost more than $3,000 a year because of the high accident and theft rate.

The most common method of evading the high rates charged in those urban areas is to register a car in New Jersey using an address of a vacation home on the Jersey Shore, or arranging with New Jersey relatives to use their addresses, particularly in rural or suburban areas where rates are lower.

Mr. Florio said such evasions cost New Jersey drivers about $100 a year in added premiums to make up for claims made against policies fraudulently written using New Jersey addresses.

The extent of the problem was suggested last May 20, when investigators from the New Jersey Insurance Fraud Division went into Philadelphia and several New York City boroughs to list and photograph vehicles bearing New Jersey plates between 6 and 9:30 in the morning. They recorded a total of 1,147 New Jersey plates, 663 in New York City and 484 in Philadelphia, many on expensive luxury cars. The disparity in insurance rates is biggest on more expensive cars because of the higher cost of

After investigators checked the vehicle registrations against other records — local tax rolls, credit reports, post office records, school registrations, utility bills, telephone directory listings, employment records, insurance applications, voter registrations and lease company records — to determine the actual residence of the owners, about 800 were found to actually live in New Jersey.

But without a specific statute specifically making such fraudulent registation a crime, rate evaders were only subject to civil penalties if they filed a claim against their insurance. The normal course of action when an insurer discovered fraudulent registration, usually after a claim was filed, was to rescind the policy and refund the premium.

Rate evaders who had not filed any claims could in theory be prosecuted criminally for theft by deception —

New Yorkers and others try to evade big insurance premiums.

getting a lower rate by lying about the address — but prosecution and proof were difficult, and in 1989, the most recent year for which statistics were available, only 23 people were indicted for theft by deception in such cases.

13,000 Cases Investigated

But the Fraud Division actually received more than 30,000 complaints of rate evasion between 1988 and 1990, when investigators began to focus on the problem. In 1990, about 13,000 cases were investigated, and nearly 40 percent involved rate evaders who had filed claims.

Investigators said 95 percent of the cases involved out-of-state residents fraudulently claiming New Jersey addresses.

New Jersey insurance officials also said the new law would allow insurance companies and law-enforcement officials broader authority to physically inspect vehicles for which applicants have requested insurance.

In some cases, the insured person simply lies on the application, creating a vehicle that does not exist, gets a policy, then reports the nonexistent car stolen and collects on the policy. Insurance companies refer to this

...cial ...tively. 5-14-98 NY POST

City bill would limit parking by non-residents

By ROBERT HARDT Jr.

Three City Councilmen are unveiling legislation today that would make it tough for outsiders to park their cars in certain neighborhoods.

The bill, drafted by Councilman Noach Dear (D-Brooklyn), chairman of the Transportation Committee, would create neighborhood parking districts where non-residents couldn't park for more than an hour.

Residents would be issued stickers for their vehicles.

"This issue is very simple," Dear told The Post. "Too many taxpaying New Yorkers are battling out-of-towners to park near their own homes."

Under the bill, more than half the residents of a block would have to agree to seek the one-year permits, which would cost $15 and be renewable for $10.

The permits would require residents to follow all parking rules.

Non-residents would not be allowed to park for more than one hour between 6 a.m. and midnight, Monday through Saturday, excluding holidays.

Residents with three or more outstanding parking summonses would not be allowed to renew their permits.

Streets that are primarily commercial or used by private institutions would be excluded from the legislation, and every resident could get one guest permit, which would cost $5 and be valid for 15 days.

Councilman Walter McCaffrey (D-Queens), who is also backing the bill, said that too many Long Island commuters are taking up valuable parking spots in Queens.

The third sponsor of the bill is Andrew Eristoff, a Manhattan Republican.

McCaffrey and Dear said several large cities are using the permit system with success, including Boston and Chicago.

Dear said that while he has not received a firm committal from the Mayor Giuliani to support the bill, he was hopeful it would get Hizzoner's backing.

NY TIMES 5/14/98

Mayor Opposes Parking Limits on Outsiders

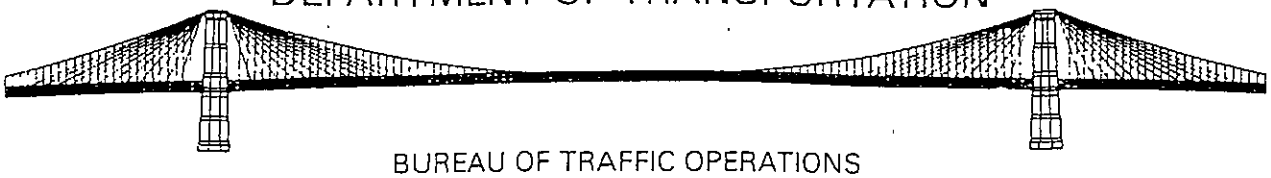
Three city councilmen proposed yesterday that parking spaces in New York City should be reserved for its residents, but Mayor Rudolph W. Giuliani said that the plan might be illegal.

The councilmen, Noach Dear of Brooklyn, Walter L. McCaffrey of Queens and Andrew S. Eristoff of Manhattan, proposed one-year permits for residents. Similar plans exist in Boston, Washington and Philadelphia. Under their proposal, nonresidents could park on neighborhood streets for only one hour, and only between 6 A.M. and midnight.

But Mayor Giuliani said he could not support the plan. "The bill that they're discussing is probably illegal and would require state legislation," he said. "Basically, you can't close down parking to other residents of the state — we're one state."

Mr. McCaffrey responded, "Plans like this have been upheld around the country by the Federal Constitution," adding that several upstate New York cities have such rules.

CITY OF NEW YORK
DEPARTMENT OF TRANSPORTATION



BUREAU OF TRAFFIC OPERATIONS
28 11 QUEENS PLAZA NORTH • LONG ISLAND CITY, N.Y. 11101
(718) 830-7500

ROSS SANDLER
COMMISSIONER

SAMUEL I. SCHWARTZ, P.E.
CHIEF ENGINEER / FIRST DEPUTY COMMISSIONER

ELIZABETH H. THEOFAN, P.E.
ASSISTANT COMMISSIONER

September 22, 1986

Mr. Harry Malakoff
54 Jane Street
New York, N.Y. 10014

Dear Mr. Malakoff:

This is in response to your letter to Department of Transportation Commissioner Ross Sandler.

With respect to out of state license plates please note that the State of New York has exclusive jurisdiction for the issuance of license plates.

As to residential parking permits the City of New York does not deem such permits to be in the City's best interest.

We wish to thank you for bringing this matter to our attention.

Very truly yours,

Leon Tracy

LEON TRACY, ESQ.
Bureau of Traffic Operations

LT/rf

cc: Comm. Sandler DOT # 49305
A/C Theofan

Finance

ABRAHAM BIDERMAN
Commissioner of Finance

The City of New York
Department of Finance
Municipal Building
New York, N.Y. 10007

September 10, 1987

Mr. Harry Malakoff
54 Jane Street
New York, New York 10014

Dear Mr. Malakoff:

I have received your letter dated August 20, 1987.

We appreciate and share your concern about the compliance of businesses and individuals with our tax laws. Certainly, those who cheat the City and State of substantial tax revenues place an unfair burden on the honest taxpayers. We vigorously pursue these tax cheats.

Our staff is studying your recommendation to implement a resident-only parking policy in residential neighborhoods in order to reduce the number of illegally registered cars.

Thank you for your interest and concern.

Very truly yours,

Abraham Biderman

AB:hj

cc: Kathleen Grimm
Deputy Commissioner
Audit and Enforcement Division

NEW YORK CITY
DEPARTMENT OF TRANSPORTATION
BUREAU OF TRAFFIC
28-11 QUEENS PLAZA NORTH L.I.C., N.Y. 11101

Ross Sandler
Commissioner

Samuel I. Schwartz, P.E.
Chief Engineer/First Deputy Commissioner

Dr. Michael F. Horodniceanu
Deputy Commissioner

Dr. Arnold J. Bloch
Assistant Commissioner

April 12, 1988

Mr. Harry Malakoff
54 Jane Street
New York, N.Y. 10014

#053304

Dear Mr. Malakoff:

Your recent letter to Commissioner Sandler regarding the feasibility of restricting parking to residents was referred to me for response.

Thank you for forwarding the various articles on parking issues. You may be interested to learn that the Planning Division recently conducted a comparative analysis of residential permit parking programs. We looked at how these programs operate in Boston, Washington, D.C., Seattle and Philadelphia and developed recommendations for a demonstration program in Queens to be refined later this year. It does appear that some type of enabling legislation is required before DOT can issue permits. If the demonstration is successful, we will expand the program to include other neighborhoods.

We will keep your request on file and also contact Mr. Tom Stanton of the City Finance Department and trade information on our mutual findings.

Thank you for expressing your concern about parking conditions in New York City.

Very truly yours,

DR. ARNOLD J. BLOCH
Assistant Commissioner

KZ/ivt
L055
cc: Comm. Ross Sandler

STATE OF NEW YORK
DEPARTMENT OF MOTOR VEHICLES
THE GOVERNOR NELSON A. ROCKEFELLER
EMPIRE STATE PLAZA
ALBANY, NEW YORK 12228

PATRICIA B. ADDUCI
COMMISSIONER

EDWARD A. SHERIDAN
DEPUTY COMMISSIONER AND COUNSEL

LEGAL DIVISION
JOSEPH R. DONOVAN
FIRST ASSISTANT COUNSEL

February 20, 1990

Mr. Harry Malakoff
380 West 12th Street
New York, NY 10014

Dear Mr. Malakoff:

Commissioner Patricia B. Adduci has referred your recent letter to this office for consideration and reply. You asked that action be taken against New Yorkers who register their vehicles in other states. You believe that up to 30 percent of the vehicles in New York City may be improperly registered in other states.

It is already a violation of law for a New York resident to register his vehicle in another state and use the vehicle in New York. However, proof is often difficult. Many people who live in other states legally drive their vehicles registered in those states in New York. Non-resident students from most states are exempt from registering their vehicles in New York. Enforcement of the existing law is difficult. It is necessary to show that the person is a New York State resident.

The Legislature has addressed the problem by recently adding a definition of "resident" to the Vehicle and Traffic Law. "Resident" means domiciliary, that is, one who lives in New York with the intention of making it a fixed and permanent abode. There is a presumption that a person who maintains a place of abode in New York for a period of least 90 days is a resident of this state. This legislation was intended to make it easier for the police to establish violations of law of the kind you are discussing.

I trust this information will be of assistance to you.

Very truly yours,

ARTHUR L. ALOWITZ
Assistant Counsel

ALA/ms

NEW YORK CITY
DEPARTMENT OF TRANSPORTATION
BUREAU OF TRAFFIC
28-11 QUEENS PLAZA NORTH • L.I.C., N.Y. 11101

Lucius J. Riccio, Ph.D., P.E.
Commissioner

Michael Primeggia
Deputy Commissioner

September 4, 1991

Mr. Harry Malakoff
380 W. 12th Street - Apt. 4E
New York, NY 10014

Dear Mr. Malakoff:

Thank you for sending me the articles on vehicle registration in conjunction with a proposal for a Residential Parking Permit (RPP) program. Many of the same articles were used for the study conducted by this Department in 1988.

As we discussed, I have been in contact with the Finance Department, and they are interested in our progress in updating that study. If RPPs are found to be feasible for New York, we would work with Finance to develop eligibility criteria which would be beneficial for them as well. Enclosed for your information is a description of Boston's RPP program. I'm sure you'll find it interesting.

I appreciate the interest you have shown. Please contact me again if you have additional comments.

Very truly yours,

Michael Primeggia

Enclosure

Finance

CAROL O'CLEIREACAIN
Commissioner of Finance

The City of New York
Department of Finance
Office of Tax Policy
Taxpayer Assistance Division
25 Elm Place
Brooklyn, N.Y. 11201

WILLIAM R. THOMAS
Deputy Commissioner

ISRAEL SCHUPPER
Associate Commissioner

ELLEN VINKEY
Director

November 22, 1991

Harry Malakoff
380 West 12th Street - #4E
New York, New York 10014

Dear Mr. Malakoff:

Thank you for participating in New Yorkers Speak with the Mayor day. The City of New York benefits when concerned citizens play an active role in its administration. We are especially pleased that you are interested in ensuring an equitable system of tax collection.

As you know, Glenn Newman, Deputy Commissioner for Audit and Enforcement, spoke with a Department of Transportation official. He indicated that the Finance Department would be interested in further discussing a resident only parking program, since it would assist us in insuring that sales tax, is properly paid and help insure payment of the New York City resident income tax.

Your idea to compare housing benefit program recipient information and New York City resident income tax filer information, to ensure that beneficiaries of housing programs are paying resident income tax, is also being forwarded to Deputy Commissioner Newman for consideration.

Once again, thank you for showing your concern and care for New York.

Sincerely,

Ellen Vinkey
Director, Taxpayer Assistance

CAU#136

cc: Mayor Dinkins/Community Assistance Unit
Glenn Newman
Ellen Vinkey

380 West 12th Street, Apt 4E
New York, New York 10014
August 15, 1996

Commissioner Christopher Lynn
New York City Department of Transportation
40 Worth Street
New York, New York 10013

Dear Commissioner Lynn:

I believe that the city and state of New York are being deprived of many millions of dollars in sales taxes, income taxes, and auto registration fees which resident New Yorkers are evading. They are doing so by claiming residence in other, lower tax jurisdictions. This includes registering their cars in other states. I have a method by which perhaps two-thirds of these taxes and fees could be collected.

If New York City were to adopt resident-only parking rules, most of these tax evaders would be forced to register their cars properly. Once they do so, the city and state could easily establish the right to resident income taxes and sales taxes on these people. The parking restrictions should apply only to alternate side spaces, and prevail only from 8AM to 6PM Monday through Friday. Businesses which depend on outside visitors would then be minimally impacted. Further, I propose that one sticker be available to all cars registered within the five boroughs. This would prevent neighborhood vs. neighborhood disputes and make administration far easier. My proposal would also greatly close the loopholes by which many people now evade New York State vehicle emissions standards.

I am enclosing a packet of background material which I have collected over the years. I believe that you are a commissioner unafraid to "rock the boat" if it means doing the right thing for the city. I would like to meet with you to discuss my ideas further. Please call me at my office at (212)594-8770. Thank you in advance for your help.

Sincerely,

Harry Malakoff

Enclosures

Texas Department of Transportation

VEHICLE TITLES AND REGISTRATION DIVISION • AUSTIN,TEXAS 78779-0001 • (512) 465-7611

August 18, 1998

Mr. Harry Malakoff
380 West 12th Street
New York, NY 10014

Dear Mr. Malakoff:

This letter is in response to your recent inquiry regarding registration.

A reciprocal agreement exists with all states. As part of this agreement, visitors may operate under Texas license plates for the length of time the plates are valid. However, establishment of residence or business, or gainful employment in the state of New York for 30 days is deemed residence and requires immediate registration.

Unfortunately, the Texas Department of Transportation is only a recording agency and not an enforcement agency. We do not have the authority to issue tickets or fines. Enforcement of the law falls under the jurisdiction of your local law enforcement.

If you have any questions, please contact me at 512/465-7620 or Mr. Harold Wiesenhutter at 512/465-7627.

Sincerely,

Martha H. Lockhart

Martha H. Lockhart
Branch Manager
Customer Information
Services Branch

MHL:PL

STATE OF NEW YORK
DEPARTMENT OF MOTOR VEHICLES
6 EMPIRE STATE PLAZA
ALBANY NEW YORK 12228

RICHARD E. JACKSON, JR.
COMMISSIONER

LEGAL DIVISION
NEAL W. SCHOEN
FIRST ASSISTANT COUNSEL

September 11, 2000

Mr. Harry Malakoff
380 W. 12th Street
New York, NY 10014

Re: Vehicles registered outside of New York State

Dear Mr. Malakoff:

The Department received your recent e-mail regarding your concerns over New York State residents who register their vehicles in other states. Your e-mail has been forwarded to our office for reply.

Whereas Vehicle and Traffic Law §250 requires New York State Residents to register their vehicles in New York State, improper registration is a matter for the local law enforcement to handle. Thus, any specific examples of improper registration should be brought to the attention of your local police department.

Thank you, however, for sharing your interests in this matter. If you have any specific proposals or suggestions that you think are appropriate for this Department's consideration, we would welcome the opportunity to review them.

I hope this information will assist you.

Very truly yours,

Deborah V. Dugan

DEBORAH V. DUGAN
Assistant Counsel

DVD/cs/hb

[518] 474-0871

NEW YORK CITY DOT
New York City
Department of Transportation

Iris Weinshall, Commissioner

40 Worth Street
New York, New York 10013
Tel: 212/676-0868
Fax: 212/442-7007

Web: www.nyc.gov/dot

May 19, 2003

Mr. Harry Malakoff
Apt. 4E
380 West 12th Street
New York, NY 10014

Dear Mr. Malakoff:

The Mayor's office has asked that I respond to your recent letter regarding a proposal to institute a Residential Parking Permit (RPP) program in New York City.

The Department of Transportation is currently looking into the feasibility of an RPP in New York City. However, we have considerable concern that implementation of an RPP in a highly populated area will be problematic, as the demand for on-street parking would likely far exceed the amount of parking spaces available. Such a proposal may be more appropriate in a low density neighborhood with a major trip generator. Nevertheless, the External Affairs division is currently doing an assessment of whether an RPP would be worthwhile to pursue. The assessment will be finished by September. Upon its completion the Customer Service division will inform you of the results.

Regarding the vehicle registration concerns you raise, I suggest that you contact the New York State Department of Motor Vehicles for more information on vehicle registration. As you know, it is the State that has responsibility for this function.

Once again, thank you for your letter and your continued interest in Residential Parking Programs.

Sincerely,

I. Weinshall

Iris Weinshall
Commissioner

IW:eb
CCU Log #5298
c: Chief of Staff Peter Madonia

GLENN NEWMAN
President

THE CITY OF NEW YORK
TAX COMMISSION

Municipal Building
1 Centre Street
New York, NY 10007

Telephone: (212) 669-4401
E-Mail: gnewman@taxcomm.nyc.gov

January 14, 2005

Hon. Edward I. Koch
Bryan Cave LLP
1290 Avenue of the Americas
New York, NY 10104

Dear Mayor Koch:

I received your letter of January 3, 2005 addressed to Ben Celaj of the Tax Commission who, due to the part-time nature of his duties will not be in the office for several weeks. The letter forwarded an attachment from Mr. Harry Malakoff regarding some tax enforcement initiatives. I am forwarding these letters to Commissioner of Finance Martha E. Stark.

As you stated in your letter, some of these ideas were pursued by former Commissioners of Finance including several during my tenure as Deputy Commissioner for Audit and Enforcement under Commissioners Grayson and Shorris. I am sure Commissioner Stark will find them of interest,

Thank you for sending the suggestions.

Sincerely,

Glenn Newman

OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN
THE CITY OF NEW YORK

1 Centre Street, 19th floor, New York, NY 10007
(212) 669-8300 p (212) 669-4306 f
431 West 125th Street, New York, NY 10027
(212) 531-1609 p (212) 531-4615 f
www.manhattanbp.nyc.gov

Gale A. Brewer, Borough President

Testimony of Manhattan Borough President Gale A. Brewer
New York City Council Committee on Transportation
On TOPIC tk.

June 5, 2017

My name is Gale Brewer and I am the Manhattan Borough President. Thank you, Chair Rodriguez, for holding this hearing on congestion, a topic of huge concern for constituents of Manhattan. Thank you as well for providing me the opportunity to testify today.

Manhattan's gridlocked traffic is as iconic as Central Park, the Chrysler Building, or MoMA but a lot less pleasant to be stuck in. The volume of people, cars, trucks, and buses traveling our streets each day is massive, contributing to a host of problems for the borough. A 2013 study by the U.S. Census Bureau found that commuters entering Manhattan cause its population to practically double each day, going from 1.58 million to 3.08 million, by far the largest fluctuation in the country.

But we don't really need statistics to tell us that Manhattan is facing an increasing problem with congestion. Ask anyone who's been behind the wheel of a car or truck; anyone who's hailed a taxi, hired an Uber, or boarded a bus; or anyone who's ridden a bicycle or motorcycle in the borough over the past five years. Every commuter has a story attesting to this worsening problem. As Borough President, I hear these stories almost daily—the carpooling office workers stuck for hours trying to enter the Holland tunnel, the frustrated taxi drivers and passengers struck in traffic after a concert lets out at Madison Square Garden, the bus riders delayed by increasingly slower rides across Manhattan.

Several years ago, in an effort to ascertain a complete view of congestion in Manhattan, I invoked, for the first time, the powers of the Borough President under NYC Charter § 82 part 5, to hold public hearings on matters of public interest. And while there was no consensus among the experts, policy analysts, and advocates who testified that day, there did appear to be a smart combination of efforts that could help us begin to make progress on this seemingly insurmountable problem.

I compiled these suggestions into a report titled "Unlocking the Grid," which was released last year by my office. Aside from long-sought infrastructure investments like new cross-harbor rail tunnels, my plan includes several lower-cost, outside-the-box ideas as well such as expanding "off-hours" truck deliveries and taking advantage of MTA's commuter rail routes for intracity commuters.

To pay for these improvements, however, we need to begin resourcing our public transit system in the manner a world-class city deserves. The best plan I've seen for doing so without dramatically raising prices on commuters is a "fair tolling" plan similar to that proposed by engineer Sam Schwartz's Move NY. Such a plan would overhaul toll prices in a more fair manner, adding new tolls to the currently toll-free East River bridges and a new toll for vehicles crossing 60th Street in Manhattan, while tweaking or reducing tolls on many existing toll bridges to increase fairness.

The effect will be to eliminate the incentive for "bridge-shopping," which creates congestion on and around the four East River bridges into Manhattan's core. The plan creates a two-for-one benefit, both spreading out traffic concentrated on toll-free routes, and raising toll revenue overall (despite the price reductions on many major bridges) which can be devoted to transportation infrastructure investments.

I strongly believe we need a plan like Move NY in order to address the problem of congestion, and call on Mayor de Blasio and Governor Cuomo to get behind this or another plan to address congestion. But we have to be practical as well. Too often, the conversation around traffic and transit solutions is focused on billion-dollar, multi-year infrastructure projects or politically intractable ideas. So we shouldn't let the perfect be the enemy of the good, and also focus our efforts on ideas that require little or no capital investment and which could be implemented quickly. These include the following ideas:

- **Encourage night deliveries**. A year-long NYC DOT pilot program involved 33 companies making deliveries between 7:00 pm and 6:00 am, resulted in travel speeds increased by as much as 75 percent, and a three-fold decrease in the amount of time trucks spent parked making curbside deliveries. This pilot should be rapidly expanded.

- **Expand "City Ticket" to make better use of commuter rail.** City Ticket is an MTA pilot program allowing intra-city travel on the Metro North and Long Island Railroad commuter rail lines for a reduced fare on weekends. This pilot program could be dramatically expanded to speed commutes and get more city residents using mass transit, by putting the reduced fares into effect seven days a week and integrating fare collection with the MetroCard system.

- **Increase the gas tax.** With gasoline prices at their lowest in years, now is the time to raise revenue to improve and expand mass transit service by increasing New York State's gasoline tax. States with avowedly fiscally conservative leaders, including Georgia and Utah, have already taken advantage of lower crude oil prices to raise gasoline taxes and invest in infrastructure.

Though I believe these policy proposals will go a long way toward helping curb our congestion problem in Manhattan, we must stay in continued dialogue around the issue. I look forward to working with my fellow elected officials, transportation experts, advocates, and community members to implement many of the above recommendations to get NYC moving again.

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Arthur Goldstein / TSA

Address: Ofc 605 3rd Ave, NY, NY.

I represent: TSA

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 6-5-17

(PLEASE PRINT)

Name: Bruce Schaller

Address: 94 Windsor Pl Brooklyn

I represent: myself

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 6/5/17

(PLEASE PRINT)

Name: Stefano Trevisan

Address: 310 Riverside Dr. #1906

I represent: Rethink Studio

Address: _____

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Adriana Espinoza

Address: _____

I represent: NYLCV

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☑ in favor ☐ in opposition

Date: 6/5/17

(PLEASE PRINT)

Name: ERIC McCLURE

Address: 423 4TH ST, BROOKLYN 11215

I represent: STREETSPAC

Address: 17 BATTERY PL. #204 NY NY 10004

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: DAVID POLLACK - TAXI DRIVER

Address: _____

I represent: PEOPLE City of NY

Address: 11 Hedgewood Lane, Huntington NY 11743

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 6/5/17

(PLEASE PRINT)

Name: Alex Matthiessen

Address: 413 Sackett Street #3 B'lyn NY 11231

I represent: Move NY

Address: Same

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Polly Trottenberg

Address: Commissioner

I represent: NYC DOT

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: MICHAEL SIMAS

Address: _____

I represent: PARTNERSHIP FOR NYC

Address: 1 BATTERY PARK PLAZA NY, NY

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Eric Beaton

Address: Acting Deputy Comm. For Transp. Planning and Management

I represent: NYC DOT

Address:

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 6/5/17

(PLEASE PRINT)

Name: Director Oleg Chernyavsky

Address: 1 Police Plaza

I represent: NYPD.

Address:

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 6/5/17

(PLEASE PRINT)

Name: Chief of Transportation Thomas Chan

Address: 1 Police Plaza

I represent: NYPD.

Address:

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 6/5/2017

(PLEASE PRINT)

Name: Kendra Hems, Barry Panicola, Zach Miller

Address: 7 Corporate Drive, Clifton Park, NY 12065

I represent: Trucking Association of New York

Address: same as above

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 6/5/2017

(PLEASE PRINT)

Name: Roderick Hills

Address: NYU Law School, 40 Wash. Sq. S., NY, NY

I represent: _____

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 6/5/17

(PLEASE PRINT)

Name: Peter Mazer

Address: Metropolitan Taxicab Board of Trade

I represent: General Counsel

Address: MTBOT -

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: 6-5-17

(PLEASE PRINT)

Name: Alec Slatky

Address:

I represent: AAA Northeast

Address: 1415 Kellum Place, Garden City, NY 11530

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: ROBERT PAASWELL

Address: UTRC/CCNY

I represent: SELF

Address:

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 1031 Res. No. _____

☒ in favor ☐ in opposition

[1ST ONE IN ROOM]

Date: 6/5/17

(PLEASE PRINT)

Name: HARRY MALAKOFF

Address: 340 W. 28th St., NYC

I represent: PRIVATE CITIZEN (SUBJECT OF RECENT RELEVANT ARTICLE IN CRAIN'S NY BUSINESS)

Address:

Please complete this card and return to the Sergeant-at-Arms