Testimony to the NYC Traffic Congestion Mitigation Commission
Presented by Walter McCaffrey*
White Plains, NY
October 24, 2007

Thank you for this opportunity to comment on the need to address traffic congestion in the City of New York. Mayor Bloomberg deserves credit for helping to focus attention on the need to make headway. At the same time, the problem identifier receives no monopoly to propose fixes.

Keep NYC Congestion Tax Free represents a broad-based coalition including many community-based organizations that represent everyday New Yorkers. We take pride that our coalition proposes sound alternatives; we do more than say no to a controversial, regressive, exorbitant and complex congestion pricing scheme.

Keep NYC Congestion Tax Free devised a set of Alternative Approaches that will more effectively meet the need to alleviate congestion — and will do so at a lower cost. This makes much greater sense.

New Yorkers want and deserve such a cost-effective workable plan. Unlike the city plan, the alternatives to congestion pricing we proposed and detailed in our report — already presented to each member of the commission and state and city legislators — meet the test of equity, efficiency and economic sense.

Proponents of the tax scheme falsely argue that their plan addresses all sorts of maladies when most through drivers and truckers who pay Hudson and our East River tolls would receive offsets that negate the impact of the congestion tax on motorists and truckers who use Manhattan as a short cut; should not there be a higher toll for trucks that pass through? Proponents of the congestion tax never criticize the substance of our sound proposals; they just question our intent or want to blend our proposals into their sour mix.

The City plan — essentially and end run around tolling the currently free East River crossings — according to the public record — would provide at best $300 million out of $620 million the city asserts this tax program would raise for mass transit projects. This is after some $240 million in annual operating costs and $104 million the MTA expects to use for new service operations get deducted from the annual take. So as a revenue measure with less than 50% of the monies collected going towards transit projects, the city plan just fails dramatically.

So do not let Congestion Tax proponents seduce you with arguments on revenue; the London experience suggests the need to impose much higher congestion tax to achieve revenue. If revenue is the goal, look to other means. Many preferable (revenue) alternatives exists just waiting for policymakers to consider them. Some members of our coalition offer their own proposals and we would be glad to arrange meetings to explore those options.
And the city plan's exorbitant costs extend beyond the system's annual operation to the
construction of an elaborate and expensive infrastructure the system would require.

The lure of federal money, still speculative, and dependent on Congressional allocations
and authorizations offer no justification for bad and costly policies to address a problem. The
Alternative Approaches include measures that satisfy the requirements of the USDOT to qualify
for the federal funding. These measures emphasize value pricing and use of technology. This
gets done without any need to resort to expensive gimmicks such as the city's scheme.

The critical flaws in the City's proposal remain its failure to focus on the key causes of
congestion. These include:
- Taxis cruising the streets of Manhattan;
- The proliferation of black cars;
- City issued placards to people who have no need for them who clog our streets and tie
  up our curbside space;
- The failure to strictly enforce traffic and parking laws; and
- The 10,000 trucks that have no point of origin or destination in Lower Manhattan that
daily use our streets as a pass through, generating massive traffic jams.

Unlike the City plan, our “Alternative Approaches” identifies these and other specific
causes of congestion. More importantly, it offers realistic solutions to these problems.

Our plan incorporates the good ideas promoted by our Mayor with respect to traffic
mitigation. It also adopts many solutions to the problems of traffic in the Manhattan CBD
promoted by our most illustrious traffic experts such as Sam Schwartz, John Falcoccio, Donald
Shoup, Bruce Schaller, Jose Holguin-Veras, and Charles Komanoff, and organizations such as
NYU’s Rudin Center for Transportation, Rutgers University’s Voorhees Transportation Center,
and Transportation Alternatives.

The City scheme will adversely affect the City's economy; this includes $690 million in
lost economic activity, tens of millions of dollars in lost State and City taxes and as many as
8,700 lost jobs. And this does not reflect the impact of the Buy American waiver that can cost
Americans jobs! And in contrast to the false claims congestion tax proponents aired in
commercials and shilled in hundreds of thousands of glossy mailers, the city plan will shift
congestion and pollution to many locations in the outer boroughs. Disturbingly, many of those
locations already have more traffic congestion and pollution than Manhattan.

These bad results make it imperative to adopt our alternatives which will reduce miles
traveled in Manhattan by as much as double the amount as the city plan, and do so without
punishing those who can least afford to pay this regressive tax, or harming the City's economic
vitality and quality of life. It will keep the free tolls free.

Unlike the congestion pricing plan which focuses solely on vehicle miles traveled, this
alternative plan offers many additional traffic mitigating solutions that alleviate congestion
beyond the rigid vehicle miles traveled (VMTs) criteria employed by congestion tax proponents.
Each measure we proposed is focused and impacts at the "margins" but cumulatively the
measures significantly address VMTs and congestion.
Congestion is not solely a factor of the number of vehicles/vehicle miles traveled, but also is a function of inefficient traffic management. The alternatives outlined in this report focus on both reducing vehicle miles traveled and improved traffic management.

The mitigation alternatives identified in this report could generate approximately $428 to $545 million. This amount exceed the net monies claimed under the city plan without major capital investments or major increases in operating costs. The city plan will require a minimum investment of $233.5 million and yearly operating costs will be $240 million. Approximately 40 cents out of every dollar charged for the congestion tax will be lost to overhead. The October 22 Daily News expose questions the ability of the City plan to raise any net revenue – at all!

In contrast to the massive infrastructure (cameras, E-Zpass, SMART Authority, etc.) needed to sustain congestion pricing, the alternatives outlined in this report use currently existing infrastructure and resources. These conservative calculations on the incidental revenues raised by our alternatives do not reflect measures such as charging a market value permit fee for construction sites. This latter proposal makes clear that our plan raises over $1 billion in revenue. A commission member has ready access to the actual numbers of construction permits and should make that data available to the commission, elected officials and the public.

The City’s congestion pricing proposal follows a rigid all-or-nothing approach. This alternative plan incorporates a modular approach. The public, the Commission, and city and state legislators remain free to accept or reject any of the modules, and, each module has a range (providing the flexibility to fine tune each module. They can choose to implement any of the modules more or less aggressively).

Better and real alternatives exist to reduce traffic congestion more effectively and comprehensively without any need to implement a drastic plan which will disrupt and harm the lives of many residents, senior citizens, working people and small businesses in our City.

This report conclusively establishes irrefutably the City’s ability to achieve a reduction well in excess of 6.3% in vehicle-miles traveled, while raising revenue for mass transit, without resorting to a complex, expensive, inefficient and inequitable congestion pricing scheme.

Keep NYC Congestion Tax Free urges the New York City Traffic Congestion Mitigation Commission to fully review these and all alternative approaches before making any recommendations that will adversely affect our mass transit system and residential neighborhoods.

There exists no need to implement a drastic, costly plan with all of the strong solutions and innovative alternatives that have been promoted by many talented traffic experts and are well within our reach. An ‘all-or-nothing’ approach is a one-way street New Yorkers do not belong on.

Thank you.

-30-

*Corey Bearak delivered the testimony at Long Island hearing's at Hofstra University

(An attachment list of the alternatives from the executive summary follows on the reverse side)
Attachment

The Keep NYC Congestion Tax Free plan

Options that reduce VMT, congestion or both (2008-2009)
- Value pricing for curbside parking in the Manhattan CBD.
- Reforming the issuance, use and enforcement of parking placards.
- Reducing cruising for fares by medallion cabs.
- Implementing variable pricing on existing tolled crossings serving the CBD and restoring two-way truck tolls on the Verrazano Bridge.
- Increasing fines and more aggressive enforcement of existing parking and traffic rules (including “block the box” legislation).
- Reducing congestion caused by black cars and non-yellow for hire vehicles.
- More effectively regulating the use of streets for construction projects.
- Modernizing traffic signal systems.
- Implementing 51111 (A system to notify drivers of real time traffic conditions).
- Expanding express bus and ferry service.

Options for reducing congestion: beyond 2010
- Major transit system improvements.
- Bus Rapid Transit.
- Lower Manhattan bus depot.
- Incentives for off-peak delivery.
- Increased use of water transportation for movement of freight.
- Expanding the Lower Manhattan traffic management program to Midtown.
- Improving the distribution of information to motorists by state of the art technology.
- Encouraging greater use of bicycle transportation.

Additional options for reducing congestion.
- Allocating more curb space in the busiest commercial areas for loading and unloading.
- Requiring adequate space for off-street loading and unloading in all large new commercial buildings in the Manhattan CBD.
- Requiring City agencies with offices in the Manhattan CBD to develop plans to facilitate telecommuting and creating incentives for private companies to do the same.
- Developing additional park-and-ride capacity outside the Manhattan CBD, and maintaining or replacing existing facilities in areas that are being redeveloped (such as Flushing).
- Raising the monthly cap on transit subsidies that employers are allowed to provide as a tax-free employee benefit.
- Exploring the feasibility of using double-decker buses in place of articulated buses, which take up more street space.
- Introducing MTA Minivans to cover routes where full bus service is not viable.
My name is John Corlett, Director of Government Affairs for AAA New York. AAA New York is the local Triple-A affiliate serving more than 1.5 million members.

AAA New York shares everyone’s concerns about the City’s traffic congestion and air quality. We applaud the Mayor’s efforts to aggressively tackle the problem and do not underestimate the difficulty of the task. We also appreciate the Commission’s challenging task to design an effective congestion mitigation strategy by separating solutions that are effective from those that are not.

First, let me state explicitly that we strongly support key elements of the Mayor’s sustainability Plan, including implementation of Bus Rapid Transit, strengthened traffic enforcement – and the feasibility studies regarding the use
of HOTT lanes in freight intensive corridors. Further, we also recognize that the issue of congestion is only one of two major challenges facing the transportation network, the other being the massive costs associated with maintaining and improving the network and the lack of resources to make crucial capital investments.

However, those issues do not negate the significant concerns about the "workability" and fairness of PlaNYC's centerpiece, congestion pricing. Indeed, the idea of a toll cordon around Manhattan is a bold measure designed to have a marked impact on the City's environment. Nevertheless, there are serious questions regarding the efficacy of the proposal as well unintended environmental impacts congestion pricing, as proposed by PlaNYC, may generate.

Firstly, it is worth noting that New York City is somewhat unique in its geographic position, with Long Island to its east and positioned between Connecticut and New Jersey, it sits at the crossroads of several major
Northeast corridor routes. Indeed, supporters of the Plan have estimated that 30% to 60% of traffic in Manhattan's Central Business District is destined for points beyond Manhattan. In our statement of June 8, 2007 made before the state Assembly, a copy of which is attached, we warned that based on the absence of detailed and public environmental reviews, the proposal could result in significant traffic disruptions that might adversely impact air quality in areas adjacent to the pricing zone.

We asked for, and have not received, more detailed data with respect to the potential for diversion of traffic to critical ring roads, such as the FDR Drive and West Street information that has thus far been conspicuously absent from the public debate. Legislators expressed similar concerns at the June public hearings, and the response from city officials was equivocal. Simply put, City officials' replies that "they do not expect" this is not enough. In fact, such replies heighten the public's suspicion with regard to this
Alice in Wonderland -- "first the verdict and then the trial" approach to policy making.

Leaving aside the unintended impacts the plan may generate, the proposal creates a false expectation of improved traffic congestion. Confining ourselves for the moment to the specific details of the plan, which would exempt tens of thousands of livery vehicles and impose a pricing scheme half of the rate implemented in London, we are convinced that the traffic benefits of the plan will be imperceptible to drivers.

Congestion pricing experts have long understood that, to be effective, pricing schemes must be sufficiently high to alter drivers’ behavior.

Because the fees have to be punitively high to make a perceptible impact, congestion pricing raises obvious fairness and equity issues associated with the pricing of public spaces.
Leaving that issue aside, the need for this plan is also worthy of greater analysis.

Traffic and transportation policy experts all agree that the capacity of New York City’s road network is seriously reduced by traffic violations. Double parking, buses that do not pull to the curb, or traffic lanes blocked by construction, all account for a substantial reduction in capacity, especially around mid-day. At the same time, however, there is little evidence of innovative or effective enforcement techniques to curb such abuses.

The following traffic mitigation alternatives could be taken immediately, show measurable results, and increase capacity on the network without the problems inherent in the city’s plan:

- more innovative enforcement of violations that contribute to congestion by using modern technology. Video or electronic enforcement of ‘blocking the box’ violations, bus stop violations, etc.
- reform of the system for issuing parking placards to city employees and programs to encourage public employees to use mass transit;

- reducing congestion caused by black cars and other for hire vehicles;

- improving the distribution of information to drivers using modern technology;

- incentives for off peak freight delivery and facilitating freight rail movement (cross harbor tunnel);

- encouraging greater use of bicycle transportation;

- expanded bus and ferry service including BRT.

Finally, the city’s plan contains no concrete plans to relieve chokepoints in the road system. The only apparent goal of the plan is to maintain a “state of good repair” on
city streets, city speak to pothole repair. There are undoubtedly some congested areas that could be improved by relatively small changes to design or operating practices. Some solutions might be costly, such as rebuilding a highway interchange- or they may be relatively inexpensive-improving an entrance or exit ramp or retiming a traffic signal to provide more time on a high volume street.

In short, the proposed congestion-pricing plan may have complex, unintended, and adverse impacts. Other less costly and innovative approaches to traffic mitigation could be utilized without the same uncertainties. Accordingly, we encourage the Commission to not only conduct an assessment of the city’s plan, but to conduct a thorough vetting of the traffic data, models and assumptions underpinning the city’s plan.

Moreover, should the plan go forward, a firm sunset date should be established and extensive monitoring of
traffic and air quality be conducted to evaluate whether or not the plan has lived up to its promises.
Lawrence C. Salley  
Commissioner of Transportation  
Westchester County

Statement to the New York City Traffic Congestion Mitigation Committee  
October 24, 2007

Ladies and gentlemen!

I am Lawrence Salley, Westchester County Commissioner of Transportation.

Thank you for the opportunity to meet with you this evening and, on behalf of County Executive Andy Spano…Welcome to Westchester!

The County Executive regrets that he could not be here himself, but he has taken a personal interest in your deliberations and he asked me to appear in his place to offer any help that we can give you.

As you know he has already written to each of you outlining the County’s support for regional efforts to reduce traffic congestion and improve air quality through traffic management. The County also applauds the efforts of Mayor Bloomberg to initiate this process.

To save time I will ask that a copy of that letter be entered into the record of this proceeding and I will use this opportunity to just briefly review its contents for anyone who has not had a chance to read it yet.

We realize that there are several variations of the basic congestion pricing proposal and the effectiveness of the entire plan depends on the details of what, if anything, is finally implemented.

There are three general issues, however, that should be addressed in the course of your review:

- Regional Equity;
- Improved Transit Access; and
- Operating Cost Impacts.

All of the discussions about congestion pricing to date include credits for E-ZPass tolls paid to use existing toll facilities.

As a result, commuters using the MTA Bridges and Tunnels from the east would pay no congestion pricing fee whatsoever. Those using Port Authority bridges and tunnels from the west would pay a greatly discounted fee.

Commuters using the free East River and Harlem River Bridges, on the other hand, would bear the full cost of the congestion pricing plans.
Ironically, the eligible projects identified to date that would benefit from congestion pricing proceeds seem to overwhelmingly benefit commuters from the eastern and western suburbs.

We have seen estimates of expected road-to-transit trip diversions in the northern suburbs ranging from 2,500 commuters per day to 7,000.

While those numbers are small relative to the number of diversions anticipated in New York City, they would inundate the existing access systems for Metro North stations and overwhelm the bus service provided by the Westchester Bee-Line to Manhattan and to the Bronx subways.

We do not have any combination of parking spaces and/or buses that can accommodate those riders. Nor do we have any potential source of funds to create them.

Also, as the recent MTA impact study reports, any success in diverting trips from road-to-transit will impose a significant operating cost on the region’s transit system.

Although small by comparison to MTA’s operations, the Westchester Bee-Line system now carries about 40,000 riders in and out of Manhattan and the Bronx each weekday and about 5,000 more to and from Metro-North stations.

The funding source of “last resort” for transit in Westchester is the Westchester County property tax payer. This year that property tax burden was almost $30 million for the Bee-Line and another $24 million for Metro-North operations.

Without access to additional operating assistance, from the Congestion Pricing revenue stream or from some other source, much of the cost of carrying diverted commuters in Westchester will fall again on the most regressive of taxes, the local property tax.

Those are serious issues and we look forward to working with you in any way we can to help resolve them.

As County Executive Spano said in his recent letter,

“...The people of New York City and Westchester breathe the same air. They suffer together from the non-attainment of important clean air standards throughout our region…

"...we all would like to support a plan that improves our environment and fairly allocates the reasonable costs and benefits. Please give us the opportunity to do that.”

Thank you.