

THE ROOSEVELT ISLAND TRAM HAS BECOME A TOURIST ATTRACTION



Roosevelt Island Residents and Workers Need Priority Boarding of the Roosevelt Island Tram

New York Transportation Law § 102

*"No common carrier shall make or give any **undue or unreasonable preference** or advantage to any person or corporation or to any locality or to any particular description of traffic in any respect whatsoever, or subject any particular person or corporation or locality or any particular description of traffic, to any undue or unreasonable prejudice or disadvantage in any respect whatsoever." (My emphasis).*

It doesn't say there can't be a preference shown. It says there can't be an "undue or unreasonable preference**".**

The tram is no longer available to residents and workers - it has become a tourist attraction.

It is **reasonable to give residents and workers priority boarding and return the tram to its original intended use. Urban Transportation.**

RI has very limited reliable public transportation options, with over 12,000 residents and hundreds of workers - there's one subway station, with only one line, a very limited ferry service and the tramway. With the tramway inundated by tourists we are left with a single subway station and are facing a transportation crisis, often made worse when there is a subway shutdown.

Further, the RI Tram is funded by the residents through our land leases and not by New York City or New York State.

Our Position

RIOC has taken the position that it would be illegal to offer priority boarding of the Roosevelt Island Tram to island residents and workers based on this:

“No common carrier shall make or give any undue or unreasonable preference or advantage to any person or corporation or to any locality or to any particular description of traffic in any respect whatsoever, or subject any particular person or corporation or locality or any particular description of traffic, to any undue or unreasonable prejudice or disadvantage in any respect whatsoever.” New York Transportation Law § 102.

We disagree.

Giving island residents and workers priority boarding is not an “undue or unreasonable preference.”

It’s all about the phrase “*undue or unreasonable*”.

- **If the law had been written without that phrase**, then the RIOC position would be correct. No common carrier could give **any** advantage or preference. **However, that’s not what the law says.**
- The law appears to envisage some sort of exception as long as it is reasonable (not unreasonable, or not undue). Laws are drafted carefully and thought is given to each word.

The Roosevelt Island Tram is Urban Transportation

- “The original Roosevelt Island aerial tramway - the first tram in the country to be used for **urban transportation** – was opened in May 1976” (Source: RIOC website, emphasis added).

The Roosevelt Island Tram has ceased to be available to residents and workers as a reliable method of transportation

- A combination of factors has led to a massive increase in the use of the tram by tourists, particularly since the tram has recently appeared in a number of popular “Top 10 things to do in NYC” lists and videos.
- The platforms are crowded and lines often form outside the platform. What used to be the case only during certain limited times of day and certain times of year is virtually now a constant.
- Island residents and workers now struggle to get on to the tram, often starting in the morning till late into the night.
- Many people have given up on the tram while others struggle through the chaos
- This is particularly onerous for our neighbors who may be elderly or unable to walk or stand easily. The island is home to a lot of elderly folks and folks with limited mobility. The same is also true for families with young children.

Priority Boarding for residents and workers is *reasonable* given the change in ridership

1. Residents and workers are now excluded from one of their limited modes of transportation to and from home or work, children school, or nearby shopping places.
2. The tourists are **not using the tram as a mode of urban transportation**, but rather as an opportunity to get great pictures of NYC during the crossing. Almost all of the tourists turn around and head straight back to Manhattan. **That is tourism, not transportation.**

Precedents for this exist, such as:

- In 1976, “residents were issued priority passes for the tram and a minibus that travels from the tramway station through the island's Main Street.” due to the number of tourists displacing residents. Source: [NY Times](#).
- On December 7 2023, Governor Hochul announced preferential treatment for residents of Queens and The Bronx who use the Henry Hudson Bridge and Cross Bay Bridge with a Toll rebate program which is not available for those who do not live in Queens or the Bronx. [Release by NY State](#).

