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The City of New York
Community Board 8 Manhattan
Congestion Pricing Task Force
Tuesday, September 12, 2023, 6:30 PM
Conducted Remotely on Zoom

Minutes

Present: Alida Camp, Sahar Husain, Craig Lader, Valerie Mason, John McClement

The meeting was called to order at 6:32 PM.

Item 1: Updates on the Central Business District Tolling Program since the May 30, 2023 Task Force Meeting

The following updates were provided on the Central Business District Tolling Program:

- Construction has begun on the tolling equipment at various locations around the toll zone.
- The State of New Jersey has filed a lawsuit to block the Central Business District Tolling Program from taking effect, challenging the FHWA decision to issue a “finding of no significant impact” (FONSI) resulting from the environmental review, and claiming that the project required a more stringent Environmental Impact Statement process rather than the Environmental Assessment (EA) that was performed.
- Staten Island has expressed interest in filing a lawsuit, concerned about financial impact and negative environmental effects.
- There are bi-partisan efforts between lawmakers in the suburbs of New York on both sides of the Hudson River to pass legislation that would effectively cut off federal funding for MTA Capital Construction transportation projects unless credits are applied to drivers already being tolled to cross into Manhattan on an MTA or Port Authority Crossing

Item 2: Summary of Traffic Mobility Review Board Meetings

The co-chairs provided a synopsis of the activities of the Traffic Mobility Review Board (TMRB), which is the board charged with determining the toll rates and ancillary policies related to tolling that are required to generate the necessary revenues that are mandated by the 2019 New York State Budget law that enacted the Central Business District Tolling Program (CBDTP) that is the foundation for congestion pricing. The TMRB met on July 19th and August 17th; both meetings were held in person and were open to the public but did not include opportunities for public participation; the meetings were also streamed live on the MTA’s website and YouTube page. It was noted that there was little advance notice given for these meetings to the public. Links to the recordings are posted on the Task Force page of the CB8 website.

The July 19th meeting featured a presentation from MTA staff providing the TMRB with a detailed overview of Congestion Pricing, and led to various key questions that staff reported back on at their second meeting in August. Much of the meeting was a review of the details of the law, including its purpose and need, and a synopsis of the EA's findings. MTA staff reiterated that the TMRB is charged with developing a proposed tolling structure that reduces traffic congestion in the Manhattan CBD, but primarily generating sufficient revenue to fund \$15 billion for MTA transit improvements and that they can recommend different tolls for different types of vehicles and for different times of day. It was emphasized that it must be done within the parameters set by the enabling legislation and incorporate any mitigation that was agreed upon as per the FONSI:

- Authorized emergency vehicles and qualifying vehicles transporting people with disabilities, subject to the disability definition, are exempted from the toll
- The price the overnight toll must be at or below 50% the standard toll, from at least 12AM to 4AM
- Passenger vehicles, NYC Taxis and For-Hire Vehicles (FHVs) may not be charged a toll more than one toll per day for passenger vehicles, but as noted below, whether there are fees and the cost of such fees on passengers are not yet determined.
- A 25% discount must be provided to qualifying frequent, low-income drivers after the first 10 trips per month

MTA staff described the TMRB's work as an exercise of finding a delicate balance to determine the best tolling policies that accomplish the following goals:

- The toll must change driver behavior and reduce congestion in the central business district (CBD).
- The goal is to keep tolls low but still in the range of the revenue target.
- Every discount and exemption requires higher toll rates overall.
- Higher toll rates encourage more people to avoid the CBD and the CBD toll.
- The recommended tolling structure should be within the bounds of what was studied in the EA.

Seven key areas were defined for the TMRB to set policy:

1. *Discounts by time period* - What time of day should the Standard Rate versus the overnight apply? Would a rate in between the Standard and Overnight Rate be beneficial, and if so, what should the discount be for each time period versus the standard rate?
2. *Discounts for those already paying a toll* - Should drivers already paying to use tolled facilities to enter the CBD get a discount (a crossing credit) on the cost of the CBD toll? It was noted that larger discounts would shift the revenue burdens towards New Yorkers and less towards vehicles traveling from NJ/CT.
3. *Toll Rates for Buses* - Are there certain types of buses that should be exempt or discounted? Should other buses pay the auto rate or a higher rate? Should buses be charged once a day or every time they enter the zone?
4. *Toll Rates for Trucks* - Should trucks pay a different rate than autos? Should large trucks pay more than small trucks? Should trucks be charged once a day or every time they enter the zone? It was noted that higher truck tolls increase diversions.
5. *Tolls for Government Vehicles* - 19,000 NYC, 4,200 MTA, 2,200 PANYNJ, and 2,700 other Fed/State Government Vehicles typically operate in the toll zone. Are there certain types of government vehicles that should be exempt from the toll, or receive some type of discount? Some government vehicles are specialized to deliver public services (e.g., sanitation trucks) while others are used for convenience (e.g., passenger vehicles used to reach a job site).
6. *Taxis/For Hire Vehicles* – A plan is needed for such vehicles.
7. *Other Discounts/Exemptions* – As documented in the EA, there are hundreds of requests for groups asking for discounts or exemptions.

The meeting discussion led to five areas in which MTA staff was asked to perform research and provide further information at the August 17th meeting:

- How would crossing credits affect the base auto rate for the CBD toll?
- How would different truck tolling structures affect the base auto rate?
- Could taxis and FHVs be subject to a per-ride surcharge for passengers instead of, or in addition to, a daily toll?
- Where do low-income drivers to the CBD commute from?
- How could different tolling periods accommodate overnight workers affect the base auto rate?

Regarding crossing credits, MTA staff explained that there is a direct correlation between the impact on the base toll and the extent of any credits offered. For example:

- A \$4 credit would result in an overall net increase in the base cost for all vehicles entering of \$2 to \$2.50;
- A \$7 credit would result in an overall net increase in the base cost for all vehicles entering of \$3 to \$4;
- A full \$14 credit would result in an overall net increase in the base cost for all vehicles entering of \$8 to \$9;
- The higher the credit, the more truck diversions would occur.
- The higher the credit, the more the burden of who pays the CBD toll shifts to New York State.

Regarding truck tolls, MTA Staff reported:

- The TMRB can recommend charging trucks the same toll as autos, or different tolls. They can also recommend charging trucks every time they enter the zone, or limiting the number of daily charges.
- CBD truck rates could follow existing tolling structures on PANYNJ and MTA tunnels crossings over the East River or Hudson River.
- CBD truck rates could be based on how much space they occupy on the street.
- About 7 out of every 10 trucks only cross the toll zone boundary once per day.
- Limiting truck tolls to 1x per day would increase base tolls for everyone by \$.25 to \$.75.

MTA Staff discussed the following related to FHV's/Taxis:

- In 2018, taxis & FHV's made up more than half of all vehicles in the CBD.
- Yellow taxi, green taxi and black car trips have been in steady decline since app-based FHV's came on the scene in 2015.
- Since 2019, the cost per mile of app-based FHV trips in the CBD has increased twice as fast as inflation, yet demand continues to grow. By contrast, per-mile taxi fares for trips in the CBD have tracked inflation, and demand has stabilized at half of pre-pandemic levels.
- A daily toll would likely not be borne by the customers whose travel behavior congestion pricing is aiming to influence.
- The question was asked as to whether taxis and FHV's could be assessed a per-ride surcharge instead of a daily toll? It was noted that the companies Uber and Lyft would probably not be assessed a fee. The drivers would pay once per day. The passengers are likely to be assessed a per-trip fee.

In terms of where low-income drivers who enter the CBD are coming from:

- 1.5 million people work in the CBD. Of those, 1.3 million take transit and 143,000 (9.5%) drive. Of those who drive, 16,100 live in low-income households (under \$50,000).
- Transit Desert only in Breezy Point within 5 Boros; acknowledgement that commutes more arduous for many who technically aren't in transit deserts because they live within a one-half mile walk of public transportation, especially during off-peak/overnight hours.
- 7 in 10 low-income drivers to the CBD live in New York City.
- 5,200 low-income drivers commute from outside NYC.
- About 1,560 low-income drivers to the CBD don't have direct access to transit. That's 0.7% of all low-income CBD commuters.

In response to the question of how different tolling periods may be able to accommodate overnight workers and how it would affect the base auto rate:

- Of the 1.5 million people employed in the CBD, approximately 48,000 (3%) are at work at 1am.
- Many different industries of late-night shift workers exist.
- There is an option to increase the duration of the off-peak period, but it would increase costs for others.
- Concerns continue to be expressed about being charged to both enter and exit the toll zone if arriving on one calendar day and leaving the next day; it was suggested that there must be the technological capability of ensuring those working overnight shifts who exit during the AM peak are charged a lower overnight rate.

No date has been announced for the next TMRB meeting, at which time the members are expected to make recommendations on tolling policies.

Following the presentation, there were numerous comments from the public expressing frustration with the process and the impending arrival of congestion pricing that may begin to be operational as soon as the spring of 2024. There were multiple participants who attended both TMRB meetings and/or a NYC Council hearing, and it was not appreciated that the TMRB was not accepting public input. Many concerns expressed at prior meetings were again highlighted, both in regards to overall opposition to congestion pricing along with specific issues, including how persons with disabilities will be impacted or may not be provided enough discounts or exemptions, the cost of FHV's and Taxis that is currently charged and the potential it may increase significantly. Some speakers were not entirely clear as to how the tolling program will work, suggestive of the need for additional outreach from the MTA. Speakers also requested more action and responsiveness from local elected officials. One speaker from Community District 3 discussed impacts on lower income populations, environmental justice communities, and how those living in the toll zone will be impacted adversely. He also noted that businesses in Chinatown would most likely suffer a significant loss of business from those not wanting to pay the congestion fee. It was also discussed how there was a missed opportunity by the MTA to introduce additional bus and subway service to coincide with the introduction of congestion pricing as other cities have done, and concerns were raised about the introduction and appearance of tolling infrastructure in historic districts such as Park Avenue and 5th Avenue.

Item 3: Elected Official Comments/Reports Regarding Congestion Pricing

There were no updates provided.

Item 4: Old and New Business

There was no old or new business discussed.

There being no further business, the meeting was adjourned at 8:59 PM.

Respectfully submitted, Alida Camp & Craig Lader, Co-Chairs