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**The City of New York
Community Board 8 Manhattan
Congestion Pricing Task Force
Wednesday, January 22, 2025, 6:30 PM
Conducted Remotely on Zoom**

Minutes

Present: Michele Birnbaum, Lori Bores, Alida Camp, Sebastian Hallum-Clarke, Ed Hartzog, Paul Krikler, Craig Lader, Barbara Rudder, Robin Seligson.

Approximate Number of Public Attendees: 30

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

Item 1: Congestion Pricing Status Update/Review of Recent Developments Regarding Implementation; Overview of Congestion Pricing Policies; Focus on Travel to/from Community District 8

Task Force Co-Chair Craig Lader provided an update on the status of congestion pricing, followed by an overview of the policies related to tolling that have gone into effect.

Since the Task Force last met in January 2024, there was a “pause” of congestion pricing issued by Governor Kathy Hochul that went into effect on 6/5/24. On 11/18/24, the Governor announced the “pause” was being lifted, with toll rates initially reduced by 40%. After the “pause” was lifted, a series of judicial decisions in response to various lawsuits didn’t result in any injunctions to prevent tolling from beginning, though there are ongoing legal and political efforts at the local and national level to halt congestion pricing. Tolling officially began on 1/5/25; as of the meeting date just over two weeks into tolling, no official data had been issued by the MTA in regards to vehicles tolled, revenues, or congestion impacts, and it was noted that it will take time for any new travel patterns or operational issue to become evident.

The toll rates were then described, along with the underlying policies that relate to them:

- As per the adopted 2020 New York State Budget in which congestion pricing (legally identified as the Central Business District Tolling Program) was enacted into law, the toll zone is defined as “south of and inclusive of 60th Street”.
- For passenger vehicles, tolls are assessed a maximum of once per calendar day and only when entering the toll zone; trucks are tolled each time they enter the zone.
- Peak periods are considered to be 5AM to 9PM on weekdays and 9AM to 9PM on weekends; other hours are considered off-peak. Legal holidays are tolled based on the day of the week in which they fall (i.e., Easter Sunday is a weekend, while Thanksgiving is a weekday).
- Passenger vehicles and motorcycles are assessed a toll only once per calendar day and only when entering the toll zone. Small and large trucks are assessed a toll each time they enter the toll zone.
- Toll-by-mail rates are generally 50% higher than E-ZPass rates, and E-ZPass accounts must be matched to the license plate of the vehicle being driven to receive the E-ZPass rate. This policy is the same regardless of the state or entity in which an EZPass is registered. It also means that a driver renting a vehicle is unable to use their personal EZ-Pass to receive the lower rate.

- Current base E-ZPass tolls (\$9 peak, \$2.25 off-peak for passenger vehicles) are in effect through 2027. Rates will increase in 2028 (\$12 peak, \$3 off-peak for passenger vehicles) and again in 2031 (\$15 peak, \$3.75 off-peak for passenger vehicles).
- Crossing credits are provided to vehicles entering the toll zone via a tolled river crossing. A \$3 credit is offered for vehicles entering on a Port Authority crossing (Lincoln and Holland Tunnels), and a \$1.50 credit is offered for vehicles entering on MTA crossings (Queens-Midtown Tunnel and Brooklyn Battery Tunnel).
- Crossing credits are only offered during peak periods and only on vehicles with E-ZPasses in which the account matches the license plate of the vehicle.
- There are six exemption programs, two of which require participants to register (the low-income discount plan and the individual disability exemption plan).

Taxis trips incur a \$0.75 toll upon entering the toll zone. Other for-hire vehicles such as Uber/Lyft and livery vehicles are assessed a \$1.50 fee per trip upon entering the toll zone. These tolls will also increase in 2028 and 2031. In regards to tolling policies that are of significant importance to residents and visitors to Community District 8, including the nuances of the Queensboro Bridge, the following was highlighted:

- All vehicles entering Manhattan via the Queensboro Bridge Lower Roadway are charged upon exiting the bridge, as they enter the street grid on 60th Street or on 2nd Avenue south of 61st Street;
- All traffic entering Manhattan via the Queensboro Bridge Upper Roadway are NOT charged upon exiting the bridge, as vehicles enter the Manhattan street grid north of 60th Street;
- There is no “free” manner of exiting Manhattan via the Queensboro Bridge if approaching from north of 60th Street, as all outbound entry points are physically located within the toll zone and thus assessed the congestion fee;
- Vehicles that use the Queensboro Bridge Upper Roadway and subsequently enter the street grid at 60th Street and points south will be tolled;
- The FDR Drive and West Street are not tolled and are considered “exempt roadways”. However, vehicles get tolled immediately upon entering the street grid at 60th Street and points south immediately upon exiting the FDR Drive/West St.
- It remains free to travel between Community District 8 and Brooklyn via the Brooklyn Bridge if the bridge is accessed directly to or from the FDR Drive without entering the Manhattan street network;
- There is no additional congestion fee assessed for trips accessing the Brooklyn Battery Tunnel via the FDR Drive/West St. However, the tunnel remains a tolled MTA facility;
- Any vehicle traveling to the other three tunnels (Queens-Midtown, Lincoln, and Holland) from Community District 8 will be assessed the congestion fee and the MTA/Port Authority crossing toll.

Meeting participants commented that the presentation helped them better understand many of the nuances of the tolling policies and offered additional questions and comments.

There were multiple points made regarding travel between Manhattan and Queens/Brooklyn, with the Queensboro Bridge a focal point of the discussion. Speakers expressed frustration that the toll zone appeared to be designed specifically to prevent free trips in the outbound direction and sought to have the Bridge exempted from the toll. There was also an anecdote regarding how the lower level of the Bridge may now be seeing more for-hire vehicle traffic due to tolling policies and further discussion and clarification on how vehicles can go to and from Long Island without being charged the congestion fee via the outbound Brooklyn Bridge and upper level of the inbound Queensboro Bridge.

Concerns were raised about the potential adverse economic impacts on businesses as a result of changes in driver behaviors that some speakers referred to as having witnessed or experienced, including garages being fuller and businesses having to pass on the cost of deliveries of goods due to the congestion fees being assessed to trucks.

There were discussions regarding the limited amount of additional transit service implemented by the MTA in conjunction with the start of congestion pricing, as has been the practice in other cities such as London where congestion pricing is in place. It was noted that although there are some bus routes that have received marginal increase of service, none are on routes serving Community District 8, and although the system has the capacity to

absorb ridership increases, there remain many times of day along many bus and subway routes where service is not provided or is too infrequent to be feasible for those who would otherwise consider shifting transportation modes due to congestion pricing. There was a suggestion that Access-a-Ride was an alternative option for persons eligible to use the service, but it was also noted that Access-a-Ride has drawbacks such as requiring advance reservations and being extremely expensive to operate, requiring large subsidies and that accessible taxis can be ordered on-demand via apps and can be an alternative means of transportation for those who can afford the fare.

The lower toll rates resulted in questions and concerns about whether the lower initial congestion pricing toll rates will generate the revenues that were originally required, and there were concerns raised about how the revenues would be used by the MTA (which by law goes into a lockbox specifically for Capital Projects, in which 80% goes to NYCT Capital Projects, 10% to the Metro-North Railroad and 10% to the Long Island Rail Road). Some speakers addressed ongoing fare evasion on MTA buses and trains, which remains a serious issue; it was noted that fare collection revenues support the MTA's operations rather than the Capital Budget that is supported by congestion pricing.

Item 2: Discussion on the Taxi & For-Hire Vehicle Surcharge in Effect Below 96th Street

Task Force Co-Chair Craig Lader provided a synopsis of the Taxi & For-Hire Vehicle Surcharge below 96th Street that has been in effect since being enacted as part of the Adopted 2019 New York State Budget, as questions have been raised regarding whether the Governor's decision to reduce the congestion pricing tolls by 40% when the "pause" was lifted should also apply to the Taxi & For-Hire Vehicle Surcharge. As CB8M passed a resolution calling for the removal of the \$2.50 taxi surcharge, we explored questions related to a pro rata reduction pending removal of the charge. For clarification, it was noted that although described as a "congestion fee", this fee is not associated with the "central business district toll program" that was enacted in the 2020 Adopted New York State Budget and was the focus of Item 1 of this meeting.

The Taxi & For-Hire Vehicle Surcharge law identified its congestion zone as "south of and excluding 96th Street" and assesses a \$2.50 fee on all taxi trips that begin, end, or pass through this area. The for-hire vehicle trip fee is \$2.75, and the fee for pooled trips (i.e., Uber Share) is \$0.75 per trip. The revenues collected through these surcharges was to be used to fund a "New York City Transportation Assistance Fund" that was also established in the 2019 Adopted Budget, which included a "New York City Transportation Assistance Fund", which shall be kept separate from and shall not be commingled with any other moneys of the authority" (MTA). That fund is comprised of a "Subway Action Plan Account," which was to support projects identified in the MTA's Fast Forward Plan that was developed in response to the so-called "summer of hell" that the NYC Subway system experienced in 2017, along with an "Outer Borough Transportation Account, and a "general transportation account." New York State law further states that the first \$300 million in revenue from the Taxi & For-Hire Vehicle Surcharge is to be deposited into the Subway Action Plan Account, with the next \$50 million of available revenues to be directed to the Outer Borough account and any remaining revenues then going into the General Transportation Account. An MTA budget was displayed that showed that the surcharge had been generating sufficient revenues to cover the full \$300 million to go into Subway Action Plan Account and was expected to generate about \$25 million for the other two funds annually through 2028.

Community Board 8 Manhattan passed a resolution in 2019 calling for the elimination of this fee for yellow taxis, as it was viewed as a fee that specifically targeted this district and was especially burdensome for yellow taxis that have struggled to compete with private for-hire vehicle apps and services.

There were multiple speakers who lauded NYC Taxi services and drivers, and there was a more extended discussion of MTA financial accountability and transparency as it relates to the fees collected as a result of this surcharge. A link to the MTA transparency page was provided during the meeting, and the MTA has monthly Board meetings that are open to the public. There is also an MTA Inspector General to independently oversee the MTA. It was noted that the Task Force previously asked for more frequent reporting than legally required on the congestion pricing plan's ongoing effects with more extensive metrics, including specifics for Community District 8. The Congestion Pricing law requires financial reports and performance data from the MTA be issued annually, with a public performance report due one year after implementation and every two years thereafter. There was also a question about external audits and the extent to which oversight is required for a state

“authority” such as the MTA. It was confirmed that Deloitte performs annual independent audits of the MTA’s financial statements.

Items 3 & 4: Old and New Business

There was no old or new business.

There being no further business, the meeting was adjourned at 8:28 PM.

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