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Regressive Toll-Tax Wrong Way To Fund Transit or Reduce Congestion

by *Corey B. Bearak**

The Sunday (January 21, 2024) Daily News featured “subscriber-only” non-sensical editorial and op-ed content that asserts as truth, false facts about the unfair, inequitable and regressive congestion pricing toll-tax scheme to access Manhattan below 60th Street. This is not unusual for those who advocate that scheme, which makes no sense in New York City, but it is essential not to let inaccuracies go uncorrected.

So in the words of the late great New York State Governor, Al Smith, *Let's Look at the Record*.

Absolutely nothing frivolous – despite the Daily News editorial assertion – about seeking to protect public health. Frivolity involves falsely asserting an intent to protect the environment by the diversion of passenger cars – most outfitted with catalytic converters – when buildings – ever hear of Local Law 97? – remain the cause of adverse air quality in the “zone”. As to the environmental impacts of the toll-tax scheme, [Lower East Side](#) resident and Al Smith (NYCHA) Residents Association president Aixa Torres, says, “This would be devastating – absolutely devastating. We have residents constantly going to the hospital; we have 9/11 respiratory issues in Alfred E. Smith [Houses] alone. The upper spectrum of the NYCHA residents [has] asthma.” Plaintiff Trevor Holland, a Two Bridges resident, added “This is an insult to our dignity and our right to a healthy environment. Residents in the area suffer increased rates of asthma and cardiovascular disease due to FDR traffic and city agency depots near their homes. The MTA’s plan will only worsen our health and our quality of life.”

As to cars idling and traffic jams and the like, just look at the App-based For Hire Vehicles (“FHV”) – mainly Uber and Lyft – which champion the toll-tax scheme; as personal passenger vehicle entry into Manhattan declined over the past decade, some one-hundred-thousand App-FHVs clogged Manhattan Streets. NYC Department of Transportation policies that closed or removed lanes of traffic also contribute to the congestion (no opposition to bus lanes where it makes sense and can work but do schemes that permit MTA buses to crawl one to two miles per hour faster make things measurably better?).

Despite a so-called transportation architect’s assertion, this driving tax scheme offers nothing discernible to protect public health and the environment; indeed, the opposite remains the rationale for the call by [New Yorkers Against Congestion Pricing Tax](#) for an Environmental Impact Statement in its class action lawsuit; this grassroots effort merits the support of all New Yorkers; you can visit its [website](#) to learn how. Trying to paint opposition to this scheme as conservative because it enjoys the support of the bipartisan [City Council Common Sense Caucus](#) flies in the face of the fact of [comments](#) by America’s foremost progressive: Senator Bernie Sanders stated, “I think that in a time of massive income and wealth inequality, you don’t want to be taxing working families and working people who might have an automobile and be traveling in the city.” Then co-chair of the City Council’s progressive caucus I. DanEEK Miller, in an [op-ed](#) that continues to resonate today, called it “a regressive and burdensome tax on working and middle-income families...”

If fewer passenger car drivers and their passengers visit Manhattan, it impacts, Broadway, restaurants and retail and anything else ancillary to those businesses; tax revenues decline; economic activity matters. The increased costs of frequent truck and auto deliveries will negatively impact the businesses of Plaintiffs Chinatown small business owner Paul Eng and Eastside Glatt Kosher Butcher Shop proprietor Baruch Weiss.

The transit organizer and the planner credited for the op-ed arguing the scheme will “advance racial justice” fail to note the scheme does NOTHING (emphasis intended) to address the transit deserts that exist in New York City neighborhoods of color including Southeast Queens once represented by the aforementioned Danek Miller. The scheme fails to improve transit service (unlike London, which added bus service before it imposed its toll-tax). The concept makes so sense for New York City; housing and plans for more infuse its so-called business districts.

Finally, a word about revenue. Better alternative exists. Find them in reports, statements and testimonies at KeepNYCFree.com. I outlined them in my numerous testimonies, including at the summer 2022 MTA “[EA Central Business District Tolling Program Public Hearing](#)”.

As I [blogged](#) Sunday morning (January 21, 2024) on Gotham Networking – where I co-chair its [GOtham GREEN®](#) group: “In closing, anyone remember the Westway project? As I discussed in this [interview](#) (at the 23:01 point), ultimately, its demise involved its affect on tiny snail darters; this class action lawsuit aims to protect human lives. Think about that! It remains something I feel strongly about, not just as a co-chair of [GOtham GREEN®](#), but as a public servant who [worked](#) to pass major environmental laws in the last 1980s and early 1990s.”

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See:

[Advocating for congestion fees: Traffic pricing will advance racial justice](#) (January 21, 2024)

[Advocating for congestion fees: The teachers union is offering a bad lesson](#) (January 21, 2024)

Editorial: [Congestion pricing countdown: Weak lawsuits can’t stop progress towards better transit and less traffic](#) (January 21, 2024)