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CONGESTION CRITICS GET \$USPICIOUS

By FRANKIE EDOZIEN

January 14, 2008 -- Opponents of congestion pricing warned yesterday that if the controversial toll plan is approved, there would be no guarantee the millions of dollars generated would actually go toward mass-transit improvements.

City Councilman David Weprin (D-Queens) said that even if the money is dedicated to fixing subways and buses, experience has shown that other transit funding would be slashed.

"We don't want a substitution. We don't want a situation like the lottery where 100 percent of the money is going to education and 100 percent that [was in the budget before] is now being taken out," he said.

"It's a political trick that has been used for a long time," said Walter McCaffrey, of Keep NYC Congestion Tax Free.

"How are you going to legally guarantee that there are no shenanigans? They are trying to invent a square circle. It simply cannot be done," he added.