

New Yorkers Against Congestion Pricing Tax

FOR IMMEDIATE RELEASE

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NJ Federal District Court Ruling Fails the Public Good; Puts Human Lives at Risk NJ Emergency Appeal Welcome and Has Much Merit

Statement by Susan Lee, President, New Yorkers Against Congestion Pricing Tax

New Yorkers Against Congestion Pricing Tax, the coalition of residents from diverse neighborhoods around NYC who initiated a lawsuit to demand that the FHA perform an EIS to show the real impacts of Congestion Pricing on our communities, finds Judge Leo Gordon's incredulous failure to issue a TRO (temporary restraining order) or Preliminary Injunction tonight, if left to stand puts people's lives at risk; we support New Jersey's emergency appeal. The MTA's own counsel stated mitigation – if it could work at all – would take five years. And since 2019, the MTA spent some one-half billion dollars and zero on mitigation!

We filed an Amicus brief supporting the Town of Hempstead state court action based on the MTA's failure to follow SAPA (the New York State Administrative Procedure Act). Our Class Action lawsuit raising SAPA also remains pending in SDNY. SAPA requires consideration of socio-economic impacts, including on small business and workers. It is especially important because the toll tax impacts marginalized New Yorkers who will be hurt by the Congestion Pricing Tax which would cut into their pockets and pocketbooks.

Thus ANY (emphasis intended) MTA attempt to proceed pending a final resolution would be both foolish and costly. We still say to the MTA: "not so fast."

The implementation of this toll-tax scheme would increase the costs of goods and services in every NYC neighborhood for small businesses and all New Yorkers whether they take public transit, ride a bike, walk, rely on for hire vehicles or drive a car; increase traffic and pollution and incidence of asthma in environmentally sensitive communities including the Lower East Side, Chinatown, and the South Bronx; and kill jobs that many lower income New Yorkers depend on – one cannot get more socio-economic than that!

Last Spring we proposed "[A 5-point Plan to Save Public Transit](#)," especially as a starting point. That plan includes funding MTA Capital Program the same way NYC and NYS fund their regular capital programs. Funding for public transit should be a priority in the same manner the city and state fund schools, hospitals, senior center, roads, libraries, museums and parks. Since Public Transit fuels the City economy that fuels the state economy that fuels the U.S. economy, the Federal government must provide a steady stream of capital funding to the MTA.

The federal government must come through with substantial funding for the Public transit system that fuels the economy of the city and state that fuels the national economy.

As to new revenues, look at the "[menu](#)" of one dozen alternatives identified by Keep NYC Congestion Tax Free.

Ultimately we still look forward to an outcome that leads to a path that protects New Yorkers from a deleterious, environment and economy killing toll-tax also harmful to public health and devotes public resources as appropriate and outlined above.

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New Yorkers Against Congestion Pricing Tax is a coalition of residents from diverse neighborhoods around New York City who have initiated a lawsuit to demand that the Federal Highway Administration perform an Environmental Impact Statement (EIS) to show the real impacts of Congestion Pricing (CP) on our communities. The federal government and the Metropolitan Transit Authority rushed an incomplete Environmental Assessment Statement (EAS) instead of applying the more extensive and comprehensive EIS. An EIS would properly examine the three E's: Environmental Impacts, Economic Hardship, and Equity.