

New Yorkers Against Congestion Pricing Tax

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Time to Rescind Failing Regressive Toll Tax Businesses Face Decline that Spurs Economic Decay Still Harms Public Health & the Environment Federal Action NOW! Can Save Us

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

Federal Government intervention offers an immediate opportunity to rescind the failing, regressive and harmful congestion pricing toll tax, according to New Yorkers Against Congestion Pricing Tax, the coalition of residents from diverse neighborhoods around NYC who initiated a lawsuit to demand that the FHWA require an Environmental Impact Statement (“EIS”) to show the real impacts of Congestion Pricing on our communities and asserts pending state and federal claims that New York State law requires a review relative to small businesses and job retention. Our Class Action lawsuit emphasizing the MTA’s consistent failure to follow SAPA (the “New York State Administrative Procedure Act”) remains pending in SDNY, our Amicus filing in the Town of Hempstead suit that follows our SAPA is pending in State Supreme Court in New York County. We urge the Federal Highway Administration to recognize the primacy and validity of our SAPA claim that the regressive nature of the tax requires a yet-to-be-completed review under state law relative its socio-economic impacts including on small businesses, workers and job retention. It is especially important because the toll-tax impacts marginalized New Yorkers – whether or not they commute or live in or outside the congestion zone – the most; these marginalized New Yorkers will be hurt by the Congestion Pricing Tax which would cut into their pockets and pocketbooks.

The FHWA must reject the MTA’s inadequate Environmental Assessment that admits the Congestion Pricing Tax would increase traffic and pollution and incidence of asthma in Environmentally Justice Communities including the Lower East Side, Chinatown, and the South Bronx; the Feds must insist on an EIS that fully examines the many adverse impacts of this failing, regressive and harmful congestion pricing toll tax.

The MTA failed to release any preliminary toll-tax collection to date and all estimates to date indicate this toll-tax-scheme is failing to raise any substantial net revenue to support the intended one-shot borrowing to be paid off annually over several decades. Obviously this scheme fails to meet its legal requirement to raise \$1 billion annually to fund \$15 billion in borrowing.

New Yorkers Against Congestion Pricing Tax has always pointed out how this congestion pricing scheme serves as nothing more than a handout to hedge fund-supported Uber and Lyft and its wealthiest riders at the expense of lower income and minority New Yorkers – including those who ride public transit, many living in transit deserts.

New Yorkers Against Congestion Pricing Tax always maintained the Congestion Pricing Tax 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. News reports already validated that businesses raised prices due to delivery cost hikes; observers report certain hubs of restaurant activity – even this time of year, such as Chinatown leading up to the Lunar New Year, experience slower business. This affects workers, this affects owners, this affects customers; this impacts the economy and taxes.

Last Spring, New Yorkers Against Congestion Pricing Tax released “[A 5-point Plan to Save Public Transit](#).” A key point included funding the MTA Capital Program the same way New York City and New York State fund their regular capital programs. Funding for public transit MUST be a priority in the same manner the city and state fund schools, hospitals, senior centers, roads, libraries, museums and parks. We query why some in public office fail to own up to that!

State officials can explore new revenues, including the “[menu](#)” of one dozen alternatives identified by Keep NYC Congestion Tax Free.

New Yorkers Against Congestion Pricing Tax consistently maintains that the federal government, which still can reverse, this regressive, inequitable, unfair and unsustainable congestion toll-tax scheme fails on every level, must come through with substantial funding for the public transit system which fuels the economy of the city and state that fuels the national economy.

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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.