

## **New Yorkers Against Congestion Pricing Tax**

FOR IMMEDIATE RELEASE

Contact: Bill O'Reilly, 212-396-9117

[Bill@novemberteam.com](mailto:Bill@novemberteam.com)

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***Gone! Gone! Gone!***

***USDOT Validated Arguments & Advocacy v. Toll-Tax***

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

The Federal Government clearly validated our arguments and advocacy and followed the law to rescind the failed, regressive and harmful congestion pricing toll tax, according to New Yorkers Against Congestion Pricing Tax (“New Yorkers”). The coalition of residents and businesses from diverse neighborhoods around New York City demands that the MTA immediately shut down its toll-tax readers. New Yorkers initiated a lawsuit to demand that the FHWA require an Environmental Impact Statement (“EIS”) that showed the real impacts of Congestion Pricing on our communities and businesses. The grassroots group also asserted pending state and federal claims that New York State law requires a review relative to small businesses and job retention.

Transportation Secretary Sean Duffy’s [letter](#) to Governor Hochul makes clear “the scope of this pilot [Congestion Pricing] project as approved exceeds the authority authorized by Congress under VPPP [“Value Pricing Pilot Program”].” Secretary Duffy correctly points out this toll-tax using the “cordon-pricing” scheme charges drivers no matter what road they take. Secretary Duffy also emphasized our argument that “the imposition of tolls...appears to be driven primarily by the need to raise revenue for the Metropolitan Transportation Authority (MTA) system as opposed to the need to reduce congestion.”

The legal filings in state and federal courts and consistent advocacy of New Yorkers Against Congestion Pricing Tax emphasized the illegality of this toll-tax scheme and need for an environmental impact statement (EIS), not a flimsy assessment. Our pending Class Action lawsuit in SDNY emphasizes the MTA’s consistent failure to follow SAPA (the “New York State Administrative Procedure Act”); our Amicus filing in the Town of Hempstead suit that follows our SAPA arguments remains pending in State Supreme Court in New York County.

Our Attorney, Jack Lester Jacks states, the Federal Government has recognized what we’ve been saying from the outset: that there is no justification for a program that taxed people reliant upon vehicular access to Manhattan with no alternative. The failure of the TBTA/MTA to conduct a socioeconomic evaluation and assessment was a fatal flaw in the program that devastated working class New Yorkers, particularly emergency workers, teachers, health care providers and small business owners.”

New Yorkers Against Congestion Pricing Tax looks forward to all stakeholders collaboratively building a better road to cleaner air and improved mass transit can be found in an equitable manner that doesn’t burden environmental justice communities and hard working New Yorkers.

Rescinding this congestion pricing toll-tax that has been picking their pockets and cutting into their pocketbooks helps marginalized New Yorkers – whether or not they commute or live in or outside the congestion zone.

The rescission of the Congestion Pricing Toll Tax protects Environmental Justice Communities including the Lower East Side, Chinatown, and the South Bronx which faced increased traffic and pollution and incidence of asthma.

The MTA failed to release any preliminary toll-tax collections 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 state-mandated 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 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.*

