



NYPIRG

Straphangers Campaign

a project of the New York Public Interest Research Group Fund

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**TESTIMONY
OF THE
NEW YORK PUBLIC INTEREST RESEARCH GROUP STRAPHANGERS CAMPAIGN
BEFORE THE
JOINT HEARING OF THE SENATE FINANCE AND ASSEMBLY WAYS AND MEANS
COMMITTEES REGARDING THE
FISCAL YEAR 2019-2020 EXECUTIVE TRANSPORTATION BUDGET PROPOSAL
JANUARY 30, 2019
ALBANY, N.Y.**

Good afternoon, my name is Jaqi Cohen and I am the Campaign Coordinator for the NYPIRG *Straphangers Campaign*. NYPIRG is a non-partisan, not-for-profit, research and advocacy organization. Consumer protection, environmental preservation, health care, higher education, mass transportation, and governmental reforms are our principal areas of concern. The *Straphangers Campaign* is a project of NYPIRG. Since 1979, the *Straphangers Campaign* has advocated on behalf of riders of public transport. We appreciate the opportunity to testify on the Governor’s executive budget on transportation.

Decades of failure by New York State to adequately invest in fixing and modernizing New York City’s transit system has caused it to reach its breaking point. Subway service is unreliable, buses are the slowest in the country, and paratransit is in desperate need of an overhaul, all while New York City’s population, job sector, and tourism continue to grow.

If New York City’s transit system grinds to a halt, so the rest of the city will soon follow. To repair the existing and ensure the future success of New York City’s vital mass transit system, the top priority of the Legislature must be to find new sources of progressive, sustainable funding, like congestion pricing, to support *Fast Forward*, and get subways, buses, and paratransit moving again.

Governor Cuomo’s FY 2019-2020 Executive Budget Proposal begins the process of funding the critical long-term repairs and modernization that New York City’s transit system so desperately requires with the proposal of a congestion tolling program. The Executive Budget Proposal also addresses the crisis facing New York City bus riders by expanding the authorization of bus-mounted cameras across routes to keep bus lanes free and clear of traffic violations

These are bold and necessary steps that the state must take towards mitigating New York City’s current transit crisis. But if the State is truly serious about reversing New York City’s transit woes, it will take even further steps to ensure that additional and sufficient funding is provided to the Metropolitan Transportation Authority (MTA) to enable the authority to fully implement its proposed *Fast Forward Plan*, and will enact legislation to regain public trust of the Authority by overhauling the MTA’s FOIL process.

MODERNIZING ANTIQUATED SUBWAY INFRASTRUCTURE

New York City's subway system is one of the oldest in the world, debuting its service in 1904. It still depends on outdated technology and infrastructure, utilizing signals put in place in the 1930s, and many outdated subway cars, many of which were built in the early 1960s.¹

Aging infrastructure and antiquated technology is in many ways directly responsible for the biggest issues plaguing our subway system. Recently, New York's subway system has seen a major decline in service, with a steady increase of subway car breakdowns, subway cars that are filled beyond capacity with riders, and delays that have more than doubled in the past five years alone. The subway system has suffered from both financial divestment and political neglect.²

The Metropolitan Transportation Authority (MTA)'s own performance measures illustrate the depth of the problem:³

- Subway on-time performance has fallen 26 percent between 1992 and 2016;
- New York's subway has the worst on-time performance of any major rapid transit system in the world, with just 65 percent of weekday trains reaching their destinations on time;
- Subway ridership has climbed 77 percent since 1992, but during most of the same period spending on maintenance has remained unchanged;
- The MTA bus system has lost over 100 million passenger trips over the last eight years due to slow bus speeds and unreliable service.⁴

In recent years, the rapid decline of subway service has had a significant impact on the lives of New Yorkers. A recent report by the Comptroller of the City of New York found that subway delays have caused 74 percent of subway riders to be late for a work meeting, 65 percent to be late for childcare pickup or drop-off, and 13 percent to lose wages. Additionally, poor subway service has only worsened New York City's ever growing congestion problem, prompting straphangers to either seek other transit options above ground (such as taxis and for-hire vehicles) or simply choose to walk.⁵

¹ Fitzsimmons, Emma G. "Key to Improving Subway Service in New York? Modern Signals." *The New York Times*. The New York Times, 01 May 2017. Web. 11 July 2017. <<https://www.nytimes.com/2017/05/01/nyregion/new-york-subway-signals.html>>.

² Fitzsimmons, Emma G. "Why Is Subway Service in New York Getting Worse?" *The New York Times*. The New York Times, 31 May 2017. Web. 10 July 2017. <<https://www.nytimes.com/2017/05/31/nyregion/why-is-subway-service-in-new-york-getting-worse.html>>.

³ Rosenthal, Brian M, et al. "How Politics and Bad Decisions Starved New York's Subways." *The New York Times*, November 18, 2017, see: www.nytimes.com/2017/11/18/nyregion/new-york-subway-system-failure-delays.html.

⁴ Stringer, Scott M., "The Other Transit Crisis: How to Improve the NYC Bus System". New York City Comptroller, November 2017.

⁵ "The Human Cost of Subway Delays: A Survey of New York City Riders," Office of the New York City Comptroller. Page 5. July 2017.

The answer to how to fix the subway is clear- the MTA must work to replace outdated, depression-era subway signals with communication-based train control (CBTC). CBTC is signaling technology that will allow trains to run more quickly and reliably, and enables New York City Transit to run more trains per hour on subway lines. Installing this new technology will mean better, faster, safer, and less crowded trips for subway riders each day. The legislature must commit to fully funding the re-signaling of the subways (see section on *Fast Forward* below).⁶

PRIORITIZING SURFACE TRANSIT- CLEARING BUS LANES

At 2.5 million trips each day, New York City's bus system is far and away the largest in the country, providing more trips on an average weekday than L.A., Chicago, and Philadelphia combined⁷. The City also has the slowest buses in America—a fact that bus riders here know from bitter daily experience. So slow, in fact, that the Straphangers Campaign gives annual awards for excellence in slowness and unreliability.⁸

The best way for the transit gap among communities to disappear is for more frequent and effective quality bus service to exist in where there are transit deserts. Building new subways or other rail is simply too slow and too costly to be the only solution, or even the main solution. For instance, the first phase of the Second Avenue subway – three stations – cost over \$4.5 billion⁹.

Connecting communities by bus service is a far more viable option. Yet as riders know from bitter daily experience, bus service currently is unacceptably slow and unreliable. While bus ridership has dropped dramatically in recent years, there is still a considerable number of New Yorkers for whom taking alternative transit is simply not an option.

As our city continues to grow, improving and expanding bus service is our best chance for a better commute for *all* New Yorkers, regardless of where they live, who they are, or how much money they make. In order to accommodate future population growth, reduce our carbon footprint, and increase transportation equity, we must have a robust bus system that prioritizes people.

⁶ "\$205.8M In Contracts Approved to Install Communications-Based Train Control System." *MTA | Subway, Bus, Long Island Rail Road, Metro-North*, www.mta.info/news-cbtc-new-york-city-transit-subway-1-7/2015/07/20/2058m-contracts-approved-install.

⁷ List of United States local bus agencies by ridership:
https://en.wikipedia.org/wiki/List_of_United_States_local_bus_agencies_by_ridership

⁸ Straphangers Campaign's "2018 Pokey and Schleppe Awards":
[https://www.straphangers.org/reports/2018/\[RELEASE\]%202018%20Pokey%20and%20Schleppe%20Awards%20\(1\).pdf](https://www.straphangers.org/reports/2018/[RELEASE]%202018%20Pokey%20and%20Schleppe%20Awards%20(1).pdf)

⁹ *Capital Dashboard | Home Page*. N.p., n.d. Web. 10 July 2017.
<<http://web.mta.info/capitaldashboard/CPDHome.html?AGY=z&PLN=M&RPT=sas>>.

Bus ridership has rapidly declined over the past several decades, with an over 16% drop in ridership since 2002. Buses move at incredibly slow speeds, at an average of just over 7 miles per hour citywide, with travel times continuing to worsen¹⁰.

As New York City's population continues to grow, improving and expanding bus service is its best chance for a better commute for *all* New Yorkers, regardless of where they live, who they are, or how much money they make. In order to accommodate future population growth, reduce our carbon footprint, and increase transportation equity, New York City must have a robust bus system that prioritizes its riders.

Utilizing bus lanes is one of the most effective ways a city can provide its transit riders with fast and reliable bus service. While there are over 100 miles of bus lanes across New York City, many of these lanes are rendered ineffective, with parked cars, trucks, and delivery vehicles often obscuring buses ability to travel efficiently. Without effective bus lanes, buses are forced to contend with worsening New York City congestion, some of the worst traffic in the country.

New York's best option for improving service along bus routes is by keeping lanes free and clear of parked cars, trucks, and congestion so that buses can move freely. Currently, state law only authorizes 16 out of 252 bus routes to use bus-mounted cameras to enforce bus lanes, but should expand authority to all bus routes citywide to utilize bus-mounted cameras to keep "bus only" lanes free and clear for buses, only.

OVERHAULING TRANSIT ACCESSIBILITY

In New York City, access to mobility means access to greater opportunity. Yet a significant number of New Yorkers are unable to benefit from our city's expansive transit network due to limited mobility, age, or disability. According to a recent report by the New York City Comptroller, 640,000 New Yorkers are currently living in "ADA transit deserts", meaning that even those New York City should strive to have a more inclusive, accessible transit network, not one that is largely unusable for thousands of its residents.¹¹

New York City Transit is responsible for one of the largest subway systems in the world, its system is by far the least accessible out of every major American city. Out of 472 subway stations, only 117, or around 23% are compliant with the Americans with Disabilities Act (ADA). That means that over 75% of all subway stations are inaccessible for people with disabilities¹². **The MTA has committed to accelerating the installation**

¹⁰ NYCDOT 2018 Mobility Report: <http://www.nyc.gov/html/dot/html/about/mobilityreport.shtml>

¹¹ "Comptroller Stringer: 'ADA Transit Deserts' Leave 640,000 New Yorkers Stranded Without a Single Accessible Station in Their Neighborhood." *Office of the New York City Comptroller Scott M. Stringer*, comptroller.nyc.gov/newsroom/comptroller-stringer-ada-transit-deserts-leave-640000-new-yorkers-stranded-without-a-single-accessible-station-in-their-neighborhood/.

¹² *Access Denied: Making the MTA Subway System Accessible to All New Yorkers*. TransitCenter, 2017, transitcenter.org/publications/access-denied/#introduction.

of new station elevators system-wide as part of its *Fast Forward* plan, but still needs additional new funds to make this plan a reality (see section on *Fast Forward* below).

New York City's paratransit program, Access-A-Ride (AAR), is similarly in a state of disrepair. A 2016 audit of the program conducted by NYC Comptroller Stringer's office found that in 2015 alone, 31,492 Access-A-Ride customers were left stranded without a pickup, and less than 50% of one car services' trips were on-time.¹³ AAR riders are subjected to long trips, unreliable service, and are often required to book trips at least 24 hours in advance of travel.

In 2017, many Access-A-Riders celebrated the creation of a new Access-A-Ride e-hail pilot program, which allows AAR customers to hail a yellow or green cab, on demand. This pilot has transformed AAR service for the better, providing shorter trips, easier trip-hailing, and more flexibility for its riders. Yet the program remains a pilot, with no clear plan for expansion or guarantee of permanency.

AAR riders deserve what all transit riders deserve, quick and reliable transportation options to connect them with their jobs, homes, schools, and other resources. The MTA should commit to expanding its successful e-hail pilot program to all AAR riders, and the legislature should guarantee that the MTA has the funding to do so.

SUPPORTING FAST FORWARD- A PLAN FOR MODERNIZATION

In 2018, New York City Transit released an ambitious blueprint called *Fast Forward*, detailing how the agency could work to overhaul New York City's ailing transit system within ten years. Notably, *Fast Forward* calls for the MTA to¹⁴:

- Replace outdated, Depression-era subway signals with communications-based train control (CBTC) on most of the subway's lines within ten years;
- Procure thousands of new subway cars equipped to utilize CBTC technology;
- Transform the existing local bus network by redesigning outdated routes, implementing new signaling technology, and installing all-door boarding on buses system wide to speed up boarding; and,
- Dramatically accelerate the pace that it is building new elevators at currently inaccessible subway stations.

Fast Forward is a plan that has garnered substantial support from transit advocates, as it is highly ambitious and gets to the core of many of the issues plaguing New York

¹³ Stringer, Scott M. "Reports." *Office of the New York City Comptroller Scott M Stringer*, 17 May 2016, <http://comptroller.nyc.gov/reports/audit-report-of-the-metropolitan-transportation-authoritys-oversight-of-the-access-a-ride-program/>.

¹⁴ "Fast Forward: The Plan to Modernize New York City Transit." *MTA New York City Transit*, <https://fastforward.mta.info/>

City's transit system. Yet this plan is simply a proposal until it has the full support of the New York State Legislature and the Governor, with the funding to back it.

ENACTING CONGESTION PRICING- NEW, EQUITABLE, AND SUSTAINABLE TRANSIT FUNDING

In order to successfully implement Fast Forward, Albany must pass a funding plan that is reoccurring, sustainable, and raises sufficient funding to keep the MTA from taking on more debt to continuing to burden riders.

Congestion pricing works by charging a fee to drivers traveling into a congested city region during times of day when traffic congestion is at its peak. The fee levied is often enough of a deterrent to reduce the number of private vehicles and trucks on the road, while also raising substantial new revenue that can be used to pay for transit upgrades and improvements. Congestion pricing has been implemented successfully in other global cities like Singapore, Stockholm, and London.¹⁵

Congestion pricing would have numerous transportation and environmental benefits for New Yorkers, as it has the potential to:

- *Raise new revenue for transit:* the 'Fix NYC' plan released in 2018 estimated that congestion pricing could raise over \$1.5 billion a year in new revenue to fund transit improvements and upgrades;
- *Improve up travel times for buses and paratransit:* Congestion pricing would improve travel speeds in Manhattan's Central Business District (CBD), which is currently home to some of the most congested streets in the country. Mitigating congestion in the CBD would drastically improve trip times for surface transit vehicles, like buses and Access-a-Ride carriers, traveling through the CBD an estimated 15 to 20 percent;¹⁶ and,
- *Improve air quality and reduce greenhouse emissions:* Public transportation produces fewer greenhouse gas and pollutant emissions per mile than private vehicles. By incentivizing more New Yorkers to travel using public transit over private vehicle, New York City stands to improve its air quality while reducing its carbon footprint.¹⁷

In most legislative districts across New York City, for every one car on the road heading into the CBD, there are 30 transit riders, over 8 million people who depend on New York's

¹⁵ "Fix NYC Advisory Panel Report 2018", page 12,

<http://www.hntb.com/HNTB/media/HNTBMediaLibrary/Home/Fix-NYC-Panel-Report.pdf>

¹⁶ "Report: Metropolitan Transportation Sustainability Advisory Workgroup", December 2018, page 25,

<https://ptnyc.org/wp-content/uploads/2018/12/2018-12-Metropolitan-Transportation-Sustainability-Advisory-Workgroup-Report.pdf>

¹⁷ "Transit's Role in Environmental Sustainability." *Federal Transit Administration*,

<http://www.transit.dot.gov/regulations-and-guidance/environmental-programs/transit-environmental-sustainability/transit-role>

slow buses and deteriorating subway service to travel throughout the city. Less than 4% of all New Yorkers living in the outer boroughs drive into Manhattan's CBD for work, compared to the 56% who rely on public transportation. Most New Yorkers living across the five boroughs depend on public transit, yet they continue to bear the burden of terrible service.¹⁸

The benefits of passing a sustainable congestion pricing plan are many, as it would help New York City reduce its carbon footprint and lower congestion on its busiest streets. **But most importantly, congestion pricing would provide an influx of stable funding for transit, funding needed to aid in repairing and modernizing New York City's ailing subway and bus service and ensure the success of *Fast Forward*.**

EQUIPPING A PUBLIC AUTHORITY WITH PUBLIC ACCOUNTABILITY

If the MTA is to overhaul its transit network, build new infrastructure, and bring New York City's public transportation network into the modern age, it will need support and trust from the public to ensure its success.

One clear way the MTA can win back trust is by reforming its outdated and opaque FOIL process. Currently, FOIL requests submitted to the Authority are processed differently among its 8 different agencies, requiring individuals to submit requests to each individual agency. Each of the MTA's agencies respond to FOIL requests via paper mail, as opposed to digitally. The outdated process through which the MTA collects and processes these requests has resulted in late responses to requests, incomplete records kept at the MTA, and a bureaucratic nightmare for those seeking to access information from the MTA that should be made publically available.¹⁹

The MTA could benefit by following the model set by its colleagues at the Port Authority of New York and New Jersey by adopting an Open FOIL platform. This would enable the MTA to easily process, track, and provide responses to the thousands of FOIL requests it receives each year, and relieve the public seeking information from the MTA of a tremendous administrative burden.

Given the size and scope of the Authority, it is critical that the MTA's foil process is transparent, accessible, and easy to navigate. To ensure greater accountability and transparency at the MTA, the legislature should pass legislation requiring the MTA to adopt Open FOIL.

¹⁸ "Congestion Pricing: An Analysis of New York State Legislative Districts." *Tri-State Transportation Campaign*, 29 Jan. 2018, <http://www.tstc.org/congestion-pricing-an-analysis-of-new-york-state-legislative-districts/>

¹⁹ "FOIL that Works- Increasing MTA transparency and accountability by putting FOIL online." *Reinvent Albany*, October 2018, <https://reinventalbany.org/wp-content/uploads/2018/10/FOIL-that-Works-MTA-FOIL-Report-October-2018.pdf>

