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## NYC's next boondoggle: congestion pricing

We do not need a congestion tax to address traffic congestion on our streets. We need better enforcement of the conditions that slow our buses and traffic in general.

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by *Corey Bearak, Esq.*



City Hall, specifically Mayor Michael Bloomberg, wants to impose a “congestion fee” - really a “congestion tax” (and perhaps best called a driving tax) - on those who drive into Manhattan below 86th Street. This tax gets packaged as an environmental initiative and much of the outreach to members of the public – you and me – centers around a message that we must support the Mayor's 2030 PlaNYC or face public health impacts such as asthma, worse air pollution, global warming – you name it. All this to mask the Mayor's desire to collect some revenue to fund the expansion of the IRT #7 from Times Square to the new luxury developments planned on Manhattan's Far West Side.



Yet the supporters who drink City Hall's Kool Aid (to use a favorite phrase of a fellow civic leader who lives on the Far West Side and opposes the congestion tax) accept the packaging of a scheme doomed to fail on everything it promises to deliver. Let's look closely at this boondoggle.

**Congestion pricing is not the solution to this problem**

The Mayor's idea is touted as similar to that of London. Yet that plan, as explained by Deputy Mayor Nicky Gavron at a pro-congestion tax forum May 18 in Manhattan, took several years and much consultation with local civic groups before a final plan got announced. Here we get a pronouncement, not a consultation, that City Hall intends to charge cars driving into the Manhattan Central Business District (CBD) below 86th Street roughly \$8 between 6:00 a.m. and 6:00 p.m. The scheme would not charge travel along perimeter routes such as the FDR and West Side Highway if they do not leave those routes, as well as taxis, buses and emergency and handicap-licensed vehicles; and it will charge trucks \$21. It would require construction of a vast infrastructure using E-Z Pass technology and cameras for vehicles without E-Z Pass to impose the tax. Drivers paying bridge and tunnel tolls to enter the zone will be credited the amount of their round-trip tolls that day, up to \$8. Vehicles recorded by cameras must pay the tax by the phone, Internet or at participating retailers within 48 hours. The administrative costs alone will eat up nearly two of every five dollars the new tax would collect if imposed.

Fortunately, the Mayor cannot unilaterally impose his scheme. It requires state and local legislation. Concerned readers should communicate their displeasure with this tax plan to their state and city legislators and Governor Spitzer. And it would not hurt to dial 3-1-1 and urge the Mayor to abandon this idea.

The advocacy groups that embrace the Mayor's congestion tax want the revenue for mass transit projects they (and likely, we) support. Even if the money were not diverted to the Far West Side subway link that the City committed to build because the MTA would not make it a priority, better revenue options exist. This includes restoration of the commuter tax advocated by the Queen Civic Congress: The city would collect some one billion dollars from out of state workers and the suburban counties would keep the revenue its residents generate. More importantly, the City really needs to press D.C. and Albany for transit aid. When one of our brightest local lights chairs the House Ways and Means Committee and many other Members hold other senior posts in Congress, why not get for NYC what AZ gets? To not seek such funding represents an abdication; the lack of any plan to capture appropriate federal aid and relief for mass transit staggers the mind.

Nothing guarantees that allocation of the "taxes" generated from the congestion charge will fund needed transit improvements, such as subway expansion and Bus Rapid Transit, fast ferry service, as well as safer bicycling/ walking infrastructure. Assessing the congestion tax before implementing transit improvements is akin to telling a young family to move into a home, pay a hefty monthly mortgage and wait for the bathroom and kitchen to be built. Improvement should be in place first with or without restrictions on vehicles in parts of the city. Outer borough subways already run in excess of capacity during rush and often during non-rush periods and cannot handle any additional riders. And as to paying to ride a subway, I argue it should be FREE!

The Mayor and his advocacy supporters spin science that living and working near heavy traffic dramatically increases the health risk associated with air pollution. No one questions that risks of asthma attacks, cancer, heart disease and lung impairment worsen with proximity to heavy traffic. Citing "Health studies show that living within 500 to 1500 feet of major roads can aggravate asthma, increase hospitalizations and affect lung development" as a basis for restricting driving into Manhattan below 86th Street represents the grossest misuse of facts. The Mayor's congestion tax does nothing to alleviate traffic at pollution "hot spots". Instead, traffic will worsen at places such as Long Island City, East Harlem and the South Bronx, not to mention Jamaica. It does nothing to address the background pollutants found in greater concentrations along heavily trafficked corridors, particularly in Harlem and the South Bronx, home to our most vulnerable New Yorkers, including younger children at risk.

We do not need a congestion tax to address traffic congestion on our streets. We need better enforcement of the conditions that slow our buses and traffic in general. The means ending the overuse and inappropriate use of city, state, federal and international "permits" in no parking and restricted parking zones. It means keeping rush hour lanes and bus stops open, as well as attacking double parking. Better enforcement and regulation will do more to relieve clogged arteries like Flatbush Avenue, where travel occurs at a snail's pace. This will allow more reliable, faster bus service across NYC. Initiatives which could dramatically speed up interborough bus service need not be made hostage to any congestion tax scheme.

Dial 3-1-1, tell the Mayor: No congestion tax.

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