

Reinvent Albany
Analysis of FY 2019-2020 State Budget Proposals Related to MTA
March 14, 2019



Component	Executive Budget	Assembly	Senate	Reinvent Albany Position/ Comment
<p>Congestion Pricing</p>	<p>Part BB of TED establishes congestion tolling program in Manhattan Central Business District (60th Street and below, not including the FDR Drive) to be administered by MTA Bridges and Tunnels, with cooperation of the City of New York. Funds to be used for 2020-2024 Capital Plan via Congestion Tolling Capital Lockbox Fund.</p>	<p>Omitted in A2008-B TED</p> <p>Budget Book includes language that the Assembly “remains committed to discussing an MTA financing package” that is guided by principles including “The MTA requires a long-term, sustainable source of revenue...while decreasing congestion...Congestion pricing would impact regional commuters and the design of the tolling system should include offsetting credits for New York residents paying a toll before traveling into the Central Business District regardless of their point of entry into Manhattan. New revenues collected to support the MTA must also address transit inequities; support new strategies to improve service in transit deserts within the City of New York; and make investments to improve service frequency and connectivity on the commuter railroads...”</p>	<p>Omitted in S1508-B TED</p> <p>Budget resolution report states “The Senate supports a congestion mitigation plan that treats drivers fairly, reduces peak-hour congestion, incentivizes efficient commercial vehicle and business travel, dedicates revenues equitably, and is properly and transparently implemented. It is critically important that a congestion mitigation plan ensures fairness in treatment for transportation deserts, suburban residents, and residents who live in the congestion zone.”</p>	<p>Support. We support congestion pricing with as with as few conditions and exceptions as possible.</p>

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6-Person Expert Panel	Included within Part BB of TED ; 6-person panel would have broad powers to set congestion fees, and approve MTA capital plans and budgets, and reorganization plan, supplanting MTA board	Omitted in A2008-B TED	Omitted in S1508-B TED Budget resolution report states “The Senate awaits additional information on the Executive’s proposed ... transit expert panel.”	Oppose. Changes to the governance of the MTA should be made independently of the budget after full and thorough discussion by MTA stakeholders and the public. We strongly oppose creation of a new “super-board” on top of the existing MTA board and believe it will make MTA less accountable.
MTA Capital Program Funds	\$7.3 billion commitment for 2015-2019 plan included as appropriations in Capital Projects Bill , with new conditional language: “funds from this appropriation shall not be used or spent unless, (i) the legislature has enacted the chapter or chapters of law identical to the legislation ... submitted by the governor pursuant to article VII of the New York constitution as legislative bill numbers S.1508 and A.2008...”	A2004-B Capital Projects Budget removes conditional language for \$7.3 billion related to passage of congestion pricing and reorganization plan as presented in original TED proposal from Governor	S1504-B Capital Projects Budget removes conditional language for \$7.3 billion related to passage of congestion pricing and reorganization plan as presented in original TED proposal from Governor	Reinvent Albany supports ensuring delivery of the \$7.3 billion state commitment as soon as possible for timely completion of the 2015-2019 capital plan, without conditions. The MTA to date has only received \$805 million from the state for its 2015-2019 capital plan.

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MTA Reorganization/ Consolidation Plan	Included as Part EE of TED ; requires MTA to develop a plan to centralize operations between agencies, subject to approval of MTA Board and 6-Person Expert Panel	Omitted in A2008-B TED	Omitted in S1508-B TED Budget resolution report states “The Senate awaits additional information on the Executive’s proposed MTA Reorganization Plan....” and substitutes MTA RAIL Act (see summary on next page)	<p>Oppose. Changes to the governance of the MTA should be made independently of the budget. We are also concerned that the reorganization would take away fundamental management authority from New York City Transit President Andy Byford and shift it to MTA Headquarters (HQ). We note that MTA HQ has completely mismanaged the East Side Access project.</p>
MTA RAIL Act (MTA Revitalization, Accountability, Improvement and Legitimization Act)	N/A	N/A	Senate proposal to substitute for Part EE of TED : <ul style="list-style-type: none"> A. Requires “Independent Forensic Audit” B. Requires 20-Year Needs Assessment for 2025-2029 plan be submitted in 2023, and early for subsequent plans C. Exempts MTA from state bond issuance charges D. Gives 4 rider advisory council members a vote on the MTA Board (current NYCT, LIRR, MNR and Paratransit Advisory Councils); adds gender neutral language for “Chairperson” rather than “Chairman” E. Adds location within New York State to criteria for selection of vendors for rail cars and buses as well as general MTA RFPs for 2020-2024 capital plan and congestion pricing implementation F. Adds reporting requirement on performance metrics, including annual report of benchmarks vs other international metro transit systems 	<p>While we are encouraged by the Senate providing concrete proposals on MTA accountability and governance, we believe that changes to the governance of the MTA, such as adding additional board members, should be made independently of the budget.</p> <p>Rather than adding new reporting requirements, we support ensuring that the MTA fully complies with current reporting and transparency requirements, such as Executive Order 95 “Open data.” We have serious concerns about the MTA’s compliance with the Freedom of Information Law (FOIL) and suggest MTA use an OpenFOIL portal, like that used by Port Authority of NY and NJ. The Legislature should consider separate legislation to require compliance in these areas.</p> <p>The MTA is already required to have an independent audit (§1276-C of the Public Authorities Law). In 2009, with the enactment of the Payroll Mobility Tax, the Legislature was authorized to conduct an audit of the MTA (§1276-D). To our knowledge, this audit was not conducted.</p>

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Bus lane cameras	Included as Part GG of TED	Omitted in A2008-B TED Budget Book states “The Assembly does not include the Executive proposal to expand and make permanent the New York City bus lane photo enforcement program and to authorize the establishment of a new photo enforcement program...within a proposed congestion area and in designated bus corridors in New York City.”	Modified in S1508-B TED Budget resolution report states “The Senate modifies the Executive proposal to expand the bus rapid transit lane camera enforcement program and authorize camera enforcement for additional violations in the congestion zone to dedicate revenues generated by mobile cameras to transit deserts, state of good repair and accessibility needs and restores the five-year sunset.”	Support. We support bus lane enforcement cameras, which have been proven to speed up bus travel and reduce delays.
Dedicating and Moving Current MTA Fees Off-budget	Included as Part FF of TED	Keeps proposal in A2008-B TED	Keeps proposal in S1508-B TED Budget resolution report states “The Senate accepts the Executive proposal to move MTA Aid Trust Fund revenues off-budget and better dedicate MTA revenues to the Authority.”	Support. Reinvent Albany supports ensuring that current dedicated taxes to the MTA are delivered, as per the new Lockbox Law under Section 182 of the Executive Law.
NYCT Procurement Extenders	Included as Part RR of TED	Omitted in A2008-B TED Budget Book states “The Assembly does not include an Executive proposal to extend MTA procurement provisions related to public bidding and thresholds.”	Modified in S1508-B TED Budget resolution report states “The Senate modifies the Executive proposal to extend various procurement authorizations for the MTA for four years, and rejects extending the provision which has two years remaining on its authorization.”	Oppose. The rationale for these procurement changes has not been clearly stated in the Executive Budget proposal, and any MTA procurement changes should be considered holistically.