



## MEMO OF SUPPORT

### [A8857 \(Carroll\) / S8099 \(Comrie\)](#)

*Requires Cost Estimates and MTA Board Approval for 20-Year Needs Assessment*

March 19, 2024

#### **TITLE OF BILL**

An act to amend the public authorities law, in relation to the submission of a twenty-year capital needs assessment to the metropolitan transportation authority capital program review board.

#### **SUMMARY OF PROVISIONS**

Subdivision c of section 1269-c of the public authorities law is amended to require the twenty-year needs assessment (TYNA) to be adopted by the Metropolitan Transportation

Authority (MTA) Board by no less than a majority vote. In the event of a tie, the chair shall cast an additional vote.

Subdivision c of section 1269-c is also amended to require non-binding cost estimates by element for the next five-year period and the full twenty-year period necessary to:

1. achieve a state of good repair;
2. maintain the normal replacement of assets;
3. improve the system; and
4. expand service.

While the act will take effect immediately, it will not be triggered until the release of the next needs assessment in 2028.

### **STATEMENT OF SUPPORT**

The release of the MTA's twenty-year needs assessment is a [crucial step towards accurately planning and budgeting](#) the MTA's five-year capital program. The assessment lists many of the investments that must be made to bring to and keep the subway, bus, and commuter rail systems in a state of good repair, to increase service, and to improve network accessibility and resiliency. This legislation would require both five- and twenty- year cost estimates for each "element" of the MTA's capital programs, which are defined in law and include the categories of subway cars, tracks, and signals, among other items.

We believe the twenty-year needs assessment should include exactly how much must be invested over both five and twenty years to bring each element of the system into a state of good repair and maintain it at that level—including elements like subway cars, buses, tracks, elevators, and signals. Absent this, it is impossible for the public, Legislature, and Capital Program Review Board to know whether state of good repair projects are fully funded, and whether their priority has been reduced to fund higher profile expansion projects.

We also strongly agree with the State Comptroller's Office's [February 2024 report](#) on the MTA's capital needs, which says, "While not required by State law, the lack of costs in the latest TYNA makes it difficult to assess how much investment is needed, which is useful for allocating limited capital funding resources."

The bill also requires MTA board members to approve the authority's twenty-year needs assessments, a logical change given members' fiduciary duty to the authority in law, and the requirement in Public Authorities Law for the MTA Board to have a capital program oversight committee.

We urge the Legislature to pass and Governor Hochul to sign this bill to improve the MTA capital planning process.