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KEVIN BYRNE
Assemblyman 94th District

August 6, 2018

Joseph Lhota
Chair and CEO, Metropolitan Transportation Authority
MTA Headquarters
2 Broadway
New York, NY 10004

Chairman Lhota,

We, the undersigned representatives of the people from the lower Hudson Valley, write to you to express our frustration and dismay at the recent announcement that the Metropolitan Transportation Authority (MTA) will miss the end-of-year deadline to implement the positive train control safety technology set by Federal law. This information is contrary to what MTA Managing Director Veronique Hakim assured us only six months ago at our state Transportation Budget Hearing when she stated the MTA was “on track” to complete this project on time.

The MTA’s recent attempt to move the goal posts and assert that it is sufficient to qualify for an extension of the deadline is simply unacceptable. The deadline is as much set by public expectations, and we know of no waiver process for the commitments the MTA has effectively made to our constituents.

As you are well aware, starting in 2008, the Federal government mandated positive train control after a rail crash in Los Angeles killed 25 people. While an extension to implement was granted until the end of 2018, in addition to a billion-dollar Federal loan in 2015 to aid the MTA in implementation, it appears that this expected timeline is no longer a reality.

When our government makes a commitment to its people, the people need to know and trust that we will follow through, especially when it comes to matters of public safety. We find it extremely troubling that these types of broken promises occur despite continuous follow-ups from local, state and federal elected officials.

More concerning are recent reports of increased delays. According to an analysis published by The Journal News in December of 2017, Metro-North is on track to have fewer than half of its 224 locomotives outfitted with positive train control equipment by the end of 2018, meaning that Managing Director Hakim’s public statement to the State Legislature already took into account many of the delays that are now being cited for the recent extension request. Given the high priority we and Hudson Valley residents have placed on installing positive train control on Metro-North, and given the ample time and additional moneys the MTA has been allocated over the years towards facilitating this project’s completion, failure to meet the MTA’s own publicly-stated deadline in a timely fashion threatens to undermine the public’s willingness to support further investments in our mass-transit infrastructure.



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As you know, the 2013 Spuyten Duyvil derailment that claimed the lives of four passengers and injured over 60 more shined a massive light on Metro-North safety. Lives were lost, and others had their lives changed forever. We represent a large group of commuters, and they deserve proper assurances that everything humanly possible is being done to ensure the implementation of positive train control.

Looking ahead, our concerns now lie in the fact that the MTA is focusing on yet another extension. If the MTA could only demonstrate its commitment towards meeting its goals for project completion rather than just project extension, our worries and the worries of our constituents could be put to ease.

Given the importance of these concerns, we look forward to hearing back from your office with a concrete timeline on full completion of positive train control.

The public safety of our state, and our respective districts, is paramount. Thank you for your careful attention to this pressing matter.

Respectfully submitted,

Kevin M. Byrne
Member of the Assembly
New York's 94th Assembly District

David Buchwald
Member of Assembly
New York's 93rd Assembly District

cc: Hon. Donald J. Trump, President of the United States
Hon. Andrew Cuomo, Governor of New York
Hon. Charles Schumer, US Senator (NY)
Hon. Kirsten Gillibrand, US Senator (NY)
Hon. Eliot Engel, Congressman (NY16CD)
Hon. Nita Lowey, Congresswoman (NY17CD)
Hon. Sean Patrick Maloney, Congressman (NY18CD)
President Catherine Rinaldi, Metro-North Railroad



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Assemblyman 94th District
Putnam County

**The Assembly members below have
signed on to support this letter.**

James Skoufis
Member of Assembly
New York's 99th Assembly District

Karl A. Brabenec
Member of Assembly
New York's 98th Assembly District

Sandy Galef
Member of Assembly
New York's 95th Assembly District

Brian D. Miller
Member of Assembly
New York's 101st Assembly District

J. Gary Pretlow
Member of Assembly
New York's 89th Assembly District

Aileen M. Gunther
Member of Assembly
New York's 100th Assembly District

Steven Otis
Member of Assembly
New York's 91st Assembly District

Thomas J. Abinanti
Member of Assembly
New York's 92nd Assembly District



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Putnam County

A handwritten signature in cursive script that reads "Ellen C. Jaffee". The signature is written over a horizontal line that is part of a larger rectangular box.

Ellen C. Jaffee
Member of Assembly
New York's 97th Assembly District