

1 BEFORE THE NEW YORK STATE SENATE FINANCE  
AND ASSEMBLY WAYS AND MEANS COMMITTEES

2 -----

3 JOINT LEGISLATIVE HEARING  
4 In the Matter of the  
2024-2025 EXECUTIVE BUDGET  
ON TRANSPORTATION

5 -----

6 Hearing Room B  
7 Legislative Office Building  
Albany, New York

8 January 24, 2024  
9 9:49 a.m.

10 PRESIDING:

11 Senator Liz Krueger  
12 Chair, Senate Finance Committee

13 Assemblyman William B. Magnarelli  
Chair, Assembly Committee on Transportation

14 PRESENT:

15 Senator Thomas F. O'Mara  
16 Senate Finance Committee (RM)

17 Assemblyman Edward P. Ra  
18 Assembly Ways & Means Committee (RM)

19 Senator Timothy M. Kennedy  
Chair, Senate Committee on Transportation

20 Senator Leroy Comrie  
21 Chair, Senate Committee on Corporations,  
22 Authorities & Commissions

23 Assemblyman Kenneth Zebrowski  
24 Chair, Assembly Committee on Corporations,  
Authorities & Commissions

1 2024-2025 Executive Budget  
Transportation  
2 1-24-24

3 PRESENT: (Continued)

4 Assemblyman Jonathan G. Jacobson

5 Assemblyman Charles D. Fall

6 Assemblywoman Emily Gallagher

7 Senator Shelley B. Mayer

8 Assemblywoman Jessica González-Rojas

9 Senator Jessica Ramos

10 Assemblyman Steven Otis

11 Assemblywoman Jo Anne Simon

12 Assemblyman Robert C. Carroll

13 Senator John C. Liu

14 Assemblywoman Gina Sillitti

15 Assemblywoman Marcela Mitaynes

16 Senator Brad Hoylman-Sigal

17 Assemblywoman Taylor Darling

18 Senator Roxanne Persaud

19 Assemblywoman Rebecca A. Seawright

20 Senator Jeremy A. Cooney

21 Assemblywoman Patricia Fahy

22 Assemblyman Philip A. Palmesano

23 Assemblyman Jonathan Rivera

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1 2024-2025 Executive Budget  
Transportation  
2 1-24-24

3 PRESENT: (Continued)

4 Senator Kristen Gonzalez

5 Assemblyman John Lemondes

6 Assemblyman Erik M. Dilan

7 Assemblywoman MaryJane Shimsky

8 Senator Mario R. Mattera

9 Senator Andrew Gounardes

10 Assemblywoman Jodi Giglio

11 Assemblyman Michael Durso

12 Senator Julia Salazar

13 Assemblyman Matt Slater

14 Senator Michelle Hinchey

15 Assemblyman Brian D. Miller

16 Assemblyman Tony Simone

17 Assemblywoman Latrice M. Walker

18 Assemblyman Kenny Burgos

19 Senator Bill Weber

20 Assemblywoman Stacey Pheffer Amato

21 Senator Pete Harckham

22 Assemblywoman Yudelka Tapia

23 Assemblyman Brian Manktelow

24 Assemblyman John T. McDonald III

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 2 1-24-24

3 PRESENT: (Continued)

4 Senator Nathalia Fernandez

5 Assemblyman George Alvarez

6 Assemblyman Alex Bores

7 Assemblyman Brian Cunningham

8 Assemblyman Manny De Los Santos

9 Assemblywoman Monica P. Wallace

10 Assemblyman William Colton

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20	John Cooney, Jr. Executive Director		
21	Construction Industry Council of Westchester & Hudson Valley, Inc.		
22	-and-		
23	Walter Pacholczak VP of Government Affairs		
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3 LIST OF SPEAKERS, Continued

4 STATEMENT QUESTIONS

5 Kevin Chlad  
Director of Government  
6 Relations  
Adirondack Council

7 -and-  
8 Ronald L. Epstein  
President & CEO  
New York Construction  
9 Materials Association  
-and-

10 Mark Heefner  
President  
11 New York Aviation Management  
Association (NYAMA)

12 -and-  
13 Sawyer Bailey  
Executive Director  
AdkAction

14 -and-  
15 Kevin Byrne  
County Executive  
Putnam County 520 537

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1                   CHAIRWOMAN KRUEGER: Hi. Good  
2 morning, everyone. Welcome to today's budget  
3 hearing on Transportation.

4                   I'm Liz Krueger, chair of the Senate  
5 Finance Committee. My usual cochair for  
6 these hearings, Helene Weinstein, chair of  
7 Assembly Ways and Means, won't be with us  
8 this week due to knee surgery. But we have  
9 special guest star Assembly chairs every  
10 single day. So our special guest-star chair,  
11 doing double duty as the chair of  
12 Transportation and today the acting chair of  
13 Ways and Means for today's hearing, is of  
14 course Assemblymember -- oh, my goodness, I  
15 just --

16                   ASSEMBLYMAN MAGNARELLI: Bill  
17 Magnarelli.

18                   CHAIRWOMAN KRUEGER: I know,  
19 Magnarelli. I decided to call you Magee for  
20 a second. So sorry. And I know  
21 Assemblymember Magnarelli, and my brain isn't  
22 working yet.

23                   And it's actually technically the  
24 Assembly's day to run the hearing, so my

1           Assemblymember colleague will be starting us  
2           out.

3                         And also, for all the Senators and  
4           Assemblymembers, you will have many  
5           questions, we know that. If you can let --  
6           if you're in the Senate, let me know that you  
7           want to ask a question. If you're a Senate  
8           Republican, ask Tom O'Mara, our ranker on  
9           Finance. Let Senator -- oh, I made you a  
10          Senator -- Assemblymember Magnarelli know, or  
11          Assemblymember Ra know, and we start lists.  
12          And we try to balance between S and A, both  
13          parties.

14                        So with that, I will finish -- I guess  
15          I'm officially finished -- oh, one more  
16          thing. Ten minutes for questions if you are  
17          a chair of a relevant committee -- so today  
18          we have Transportation and Finance, Ways and  
19          Means. Five minutes if you're a ranker.  
20          Three minutes for everyone else for questions  
21          of the government panel.

22                        That includes -- this is the important  
23          part. Because you'll watch the clocks and  
24          you'll see the time. That's your questions



1 plus their answers. Some people like to do  
2 extensively long questions. Some people just  
3 like to make a speech. We are in politics.  
4 If you spend all the time asking your  
5 question or making a speech, you won't get an  
6 answer, because they won't have any time to  
7 answer.

8 So we will then ask everyone to please  
9 to put their answers in writing and share  
10 them with both committee leads, and then we  
11 will make them available to everyone.

12 But again, every day I get people  
13 going, You didn't let them answer. And so I  
14 just want to reemphasize, that three-minute  
15 clock is amazingly quick, and that's for you  
16 asking and getting answers. So think of it  
17 all as lightning rounds. And then of course  
18 you can do follow-up with anyone who's  
19 testifying.

20 Also, we only print out the testimony  
21 of the government representatives. All the  
22 other testimony, and there's a lot of it,  
23 gets put up on the Senate Finance site and  
24 the Assembly Ways and Means site, so people

1 can read it while they're here or can read it  
2 at their convenience from wherever they are  
3 in the State of New York.

4 That's the small business side. Now  
5 it's yours.

6 ASSEMBLYMAN MAGNARELLI: Thank you so  
7 much. She took half of my opening remarks,  
8 but that's good. Very good.

9 Anyway, good morning, everyone. I am  
10 William Magnarelli, chair of the New York  
11 State Assembly's Transportation Committee and  
12 cochair of today's hearing, along with  
13 Senator Liz Krueger, as she has already  
14 stated.

15 I'm filling in for Helene Weinstein,  
16 as she already mentioned. And I can't tell  
17 you how much I miss Helene, okay, being here.

18 Today we begin the second in a series  
19 of hearings conducted by the joint fiscal  
20 committees of the Legislature regarding the  
21 Governor's proposed budget for fiscal year  
22 '24-'25. The hearings are conducted pursuant  
23 to the New York State Constitution and the  
24 Legislative Law.

1           Today the Assembly Ways and Means  
2           Committee and the Senate Finance Committee,  
3           as well as the corresponding committee  
4           members in each house relevant to  
5           transportation, will hear testimony  
6           concerning the Governor's budget proposal for  
7           transportation.

8           I will now introduce participating  
9           members from the Assembly, and after that  
10          Senator Krueger will introduce members from  
11          the Senate.

12          In addition, ranking Ways and Means  
13          member Ra, next to me, will introduce members  
14          from his conference.

15          So far today -- and I'm sure we'll get  
16          more as the morning goes on -- we have  
17          Members Simone, Bores, Darling, Otis, Fall,  
18          Gallagher, Zebrowski, Burgos, Mitaynes,  
19          Dilan, Sillitti, De Los Santos, Carroll, and  
20          Shimsky. And if I've missed anybody, I'm  
21          sure we'll fill that in as we go along.

22          Liz?

23          CHAIRWOMAN KRUEGER: Thank you very  
24          much. I am joined by Senator Hoylman-Sigal,

1 Senator Liu, Senator Comrie, who is the chair  
2 of Corporations; Senator Kennedy, the chair  
3 of Transportation; Senator Persaud,  
4 Senator Salazar, Senator Harckham,  
5 Senator Fernandez, Senator Hinchey,  
6 Senator Gonzalez.

7 And I will now turn it over to  
8 Tom O'Mara, the ranker on Finance, to  
9 introduce his members.

10 SENATOR O'MARA: Thank you, Senator.

11 At this point we're joined by  
12 Senator Bill Weber, and expecting others to  
13 come.

14 ASSEMBLYMAN MAGNARELLI: Mr. Ra?

15 ASSEMBLYMAN RA: Thank you, Chair.

16 We are joined by Assemblyman Lemondes,  
17 who is our ranking member on the Corporations  
18 Committee, as well as Members Slater and  
19 Brian Miller.

20 ASSEMBLYMAN MAGNARELLI: I have three  
21 more members that have joined us: Members  
22 Alvarez, Simon and Tapia.

23 With that, I would just like to remind  
24 everybody of what Senator Krueger has already

1           said in terms of the time limits, simply to  
2           say that they will be enforced according to  
3           the clock.

4                        I should note that all written  
5           testimony has been submitted to the  
6           legislators in advance, so we ask that all  
7           witnesses please do not read from your  
8           written testimony to us. Instead, please  
9           summarize.

10                      Everyone, witnesses and legislators,  
11           should locate the time clock and keep an eye  
12           on it. Please note that when the clock is  
13           down to zero, you will be alerted that your  
14           time is up.

15                      Please be considerate and respect the  
16           Zoom clock so that everyone has a chance to  
17           be heard.

18                      Please note that these time frames for  
19           questioning include both questions and  
20           answers, as Liz has already said, so members  
21           are respectfully requested not to commence a  
22           new question with insufficient time on the  
23           clock to permit a witness to answer. Due to  
24           the length of our hearings, we have no

1 alternative but to strictly enforce these  
2 time limits.

3 I will now call the first witness,  
4 Mr. Janno Lieber, chairman and chief  
5 executive of the Metropolitan Transportation  
6 Authority.

7 MTA CHAIR LIEBER: Good morning. And  
8 thank you for hosting us.

9 Especially thanks to the Committee  
10 Chairs Krueger, Zebrowski, Kennedy,  
11 Magnarelli, and Comrie. I also want to  
12 acknowledge the rankers present,  
13 Senator O'Mara and Assemblymember Ra, as  
14 well.

15 I am joined today by MTA Chief  
16 Financial Officer Kevin Willens; his deputy,  
17 Jai Patel; Acting Chief Customer Officer  
18 Shanifah Rieara, for customer-specific  
19 questions; and New York City Transit  
20 President Rich Davey, who can answer any  
21 questions about the recent safety incidents  
22 as well as other New York City Transit-  
23 specific issues.

24 Now, listen. This is a budget

1 hearing, so I'm going to start with an update  
2 on the MTA's financial position. What a  
3 difference a year makes. This time last  
4 year, in 2023 when I was with you in this  
5 very room, we were facing an estimated  
6 \$2.8 billion annual deficit that was on track  
7 to grow to \$3 billion by 2026. Today, ladies  
8 and gentlemen, that number is zero. And we  
9 are projecting a balanced operating budget at  
10 the MTA through 2027, thanks to Governor  
11 Hochul, an amazingly transit-friendly  
12 governor, who since she took office has been  
13 a great friend to MTA riders. But also  
14 because of all of you, the New York State  
15 Legislature. On behalf of the MTA and our  
16 millions of daily customers, a  
17 billion-eight-plus rides a year, I want to  
18 thank all of you for setting the bar  
19 nationally on what it means to prioritize  
20 mass transit.

21 I know people got tired of hearing me  
22 talk about how for New Yorkers, transit is  
23 like air and water, that we need it to  
24 survive. But it is true. The lifeline that

1           you provided in 2023 has allowed us not only  
2           to keep running service at a high level, but  
3           to expand it significantly while also  
4           continuing to invest in the MTA network.

5                     Look at what we accomplished with your  
6           support in the past year. Top priority for  
7           MTA riders, frequency and reliability of  
8           service. And we've made huge strides on both  
9           fronts. Subway service, ladies and  
10          gentlemen, is the best that it's been in a  
11          decade. And we are raising the bar for even  
12          higher performance, on-time performance, in  
13          2024. And last year we actually improved  
14          frequencies on eight subway lines, cutting  
15          the headways, the time between trains, by 20  
16          to 25 percent. And we're on track to do that  
17          with several more lines this summer.

18                    Long Island Rail Road and Metro-North  
19          finished the year with a combined 96 percent  
20          on-time performance track record. Amazing.  
21          And since the operating of Grand Central  
22          Madison almost exactly a year ago,  
23          Long Island Rail Road has been running an  
24          additional 300 trains per weekday. It's a



1 40 percent increase in service on the  
2 Long Island Rail Road. And it includes  
3 robust reverse commuting service for the  
4 first time ever, which is really a huge  
5 positive jolt for Long Island's economy.

6 To give you context, that 300 daily  
7 additional trains on the Long Island Rail  
8 Road is almost the same number of trains that  
9 New Jersey Transit runs, total, into New York  
10 City every day. And we've done this while  
11 implementing CityTicket, which dramatically  
12 slashes prices on in-city travel for -- on  
13 Long Island Rail Road and Metro-North, while  
14 also keeping the cost of monthly passes for  
15 our Long Island Rail Road and Metro-North  
16 commuters below pre-COVID levels. Real  
17 value.

18 Customer satisfaction with  
19 paratransit, the Access-A-Ride service, which  
20 over the years has struggled, has soared in  
21 the past year. And we are actually  
22 tightening our on-time performance goals  
23 because we are exceeding the federal standard  
24 for on-time performance in paratransit.

1           We've been making huge progress  
2           implementing the historic 2020-'24 capital  
3           program. Over the last three years we  
4           averaged \$9 billion per year in contract  
5           awards. That's what you need to do if you're  
6           going to run a \$50 billion five-year program.

7           And equally important, we are knocking  
8           out our capital projects faster, better and  
9           cheaper than ever before, including 25 ADA  
10          station completions since 2020. That's four  
11          times the pace of ADA projects in prior MTA  
12          eras.

13          And notably, subway crime, something  
14          we're keeping a close eye on, all of us, is  
15          down 10 percent versus before the pandemic.  
16          Not widely understood because of the way it's  
17          covered in the news, but we are actually well  
18          below pre-COVID levels.

19          All of this has helped us to bring  
20          riders back to transit. Paid ridership on  
21          the subways is now roughly 70 percent of  
22          pre-COVID levels, and it's about 75 percent  
23          on the commuter railroads. But these numbers  
24          don't count customers who don't pay the

1 fare -- and there are many. Indeed, if you  
2 include the nonpaying riders, we're actually  
3 closer to 82 percent of pre-COVID ridership.  
4 So fare and toll evasion do represent one of  
5 the principal threats to our fiscal health  
6 going forward.

7 The ridership rebound has been  
8 amazing, even improbable. Who would have  
9 thunk it, given the advent of hybrid work and  
10 other changes wrought by the pandemic. For a  
11 while it seemed like people would never want  
12 to be in crowded spaces again.

13 Traffic on the MTA bridges and  
14 tunnels, the driving is higher than it was  
15 pre-COVID. Yet we are here. The Biden  
16 administration has made infrastructure once  
17 again a national priority, and New York is  
18 leading the way.

19 We are determined at the MTA to keep  
20 the positive momentum going by becoming a  
21 more efficient -- this is a budget hearing,  
22 so I'm going to emphasize a more efficient  
23 and lots more cost-effective agency. Part of  
24 the 2023 budget deal with the Governor called

1 for 400 million per year in cost savings  
2 without cutting service or layoffs. We've  
3 actually exceeded the goal, and we are now  
4 planning to have that efficiency level raised  
5 to 500 million next year. And all without  
6 layoffs or cutting service.

7 And we're doing it while, as I said,  
8 providing significantly more subway and  
9 commuter rail service and operating a new  
10 major terminal at Grand Central Station, and  
11 while also implementing increases to bus  
12 service as we implement our  
13 borough-by-borough bus redesign, which is  
14 actually going to grow frequency of bus  
15 service.

16 But here's the kicker, ladies and  
17 gentlemen. Even with all that extra subway,  
18 bus and commuter rail service, all of which  
19 is accounted for in the five-year plan, in  
20 real inflation-adjusted dollars the MTA  
21 budget has actually gone down by 3 percent  
22 since 2019. Let me say it again. The MTA's  
23 providing a ton more service but spending  
24 3 percent less than pre-COVID. That is good

1 government in action.

2 This is a new MTA. We're making good  
3 on our commitment to change the way we do  
4 business, growing ridership, improving and  
5 increasing service, reducing costs, pursuing  
6 transit equity -- these are our priorities.

7 Now, the commitment to efficiency and  
8 equity is also reflected in our work on the  
9 capital side. There, we're executing  
10 projects on budget and on schedule more than  
11 ever.

12 Folks, it is time to stop talking  
13 about the budget problems of East Side Access  
14 and other projects begun three or four  
15 governors ago. Please start judging the MTA  
16 by what we've done in recent years,  
17 especially during the hard times of COVID.  
18 For example, the \$2.5 billion Third Track  
19 Project on Long Island Rail Road,  
20 \$100 million under budget. The L Train redo,  
21 so controversial, three months early and  
22 \$100 million under budget. The ADA projects,  
23 those 25 projects we opened since 2020,  
24 \$250 million in savings versus estimates.

1 The Long Island Rail Road Penn Station  
2 Concourse, a \$700 million project, on time  
3 and on budget.

4 And just this week, we awarded the  
5 first contract for Second Avenue Subway Phase  
6 2, and we've already squeezed a  
7 billion-three, \$1.3 billion, and we're still  
8 looking for more savings. We're always  
9 looking for more savings.

10 Even our approach to how we expand the  
11 system reflects this intense focus on cost  
12 containment. Wherever we can, we look for  
13 ways to expand the system, not only by  
14 building new tunnels and systems from  
15 scratch, but by squeezing more transit out of  
16 our existing infrastructure. That's the  
17 strategy underlying Governor Hochul's IBX,  
18 the Interborough Express, which would  
19 repurpose an existing right of way -- which  
20 is mostly moribund -- but to connect Queens  
21 and Brooklyn riders, which is a huge path of  
22 travel that's largely undealt with. It's  
23 also the logic behind Penn Access, which is  
24 going to retrofit Amtrak's underutilized

1 Hell Gate Line to serve the East Bronx.

2 And we're paying for these projects,  
3 to a great extent, with the revenues from  
4 congestion pricing -- which you, back in  
5 2019, made the law of the State of New York.

6 MTA is doing what's necessary to  
7 prepare for implementation of congestion  
8 pricing, including increasing service  
9 installing the tolling infrastructure. As  
10 you all know, we did a 4,000-page,  
11 four-year-long environmental process which  
12 earned us federal approval and put us in a  
13 position to turn on the system, barring  
14 further interventions from pro-traffic  
15 litigants in New Jersey or elsewhere.

16 But let me be clear. If there are  
17 delays to congestion pricing, it will push  
18 back schedules of major projects, ADA  
19 accessibility, zero-emissions buses,  
20 signaling projects serving -- middle-class  
21 and working-class people on the A train may  
22 not get a signaling project because of the  
23 New Jersey lawsuit. So we're hoping for a  
24 quick resolution.

1           Listen, just in conclusion, with your  
2           support the MTA has made huge strides in  
3           recent years. But there's always going to be  
4           new and big issues facing our agency. Under  
5           Governor Hochul's pro-transit leadership, and  
6           with your support, we're going to keep  
7           tackling them.

8           ASSEMBLYMAN MAGNARELLI: This  
9           concludes --

10          MTA CHAIR LIEBER: And with that, I am  
11          thrilled to take your questions.

12          ASSEMBLYMAN MAGNARELLI: Thank you,  
13          sir.

14          CHAIRWOMAN KRUEGER: Close.

15          MTA CHAIR LIEBER: Thank you.

16          ASSEMBLYMAN MAGNARELLI: Close, that's  
17          right.

18          I'm going to save my questions for  
19          later. I'm going to call the first  
20          Assemblymember for questions: Chair  
21          Zebrowski, please.

22          (Discussion off the record.)

23          CHAIRWOMAN KRUEGER: We'd prefer DOT  
24          to also join you. Are they here? If they're



1 not here, clearly we can't have them join us.

2 But in general, if you please look at  
3 your chart list, it's -- a panel is whoever  
4 is on the panel together, that comes up  
5 together. So we will have to make an  
6 exception now.

7 (Discussion off the record.)

8 ASSEMBLYMAN MAGNARELLI: So can we  
9 call Chairman Zebrowski.

10 ASSEMBLYMAN ZEBROWSKI: All right,  
11 thank you.

12 Good morning, Chair, and to your team.  
13 Thanks for being with us. Thanks for our  
14 collaboration and work and the things you've  
15 done for the MTA and for New Yorkers.

16 Let me start with a few questions  
17 regarding just some of the things we achieved  
18 last year in the budget and, you know, what  
19 we've seen. First, the \$35 million for  
20 service improvements -- midday, weekday,  
21 weeknight service -- do you have a sense of  
22 how that money's been spent, whether -- if  
23 it's been spent, and whether we've seen any  
24 results from that yet?

1                   MTA CHAIR LIEBER: Well, as I said, we  
2                   have implemented the service increases on  
3                   eight of the 11 lines that were targeted for  
4                   those service increases, and we're able to  
5                   provide much more frequent service. And the  
6                   key is it's in the off-hours, you know, on  
7                   the shoulders, off-peak.

8                   You know, the system has very, very  
9                   frequent service in the peak hours. What you  
10                  did last year enables us to provide a little  
11                  more nights, weekends and so on, and we were  
12                  able to do that.

13                  Rich, anything to add?

14                  NYCT PRESIDENT DAVEY: Just  
15                  specifically, you know, the G, J and M  
16                  service; C, N, R; 1, 6. And then weekends  
17                  and nights, as the chair mentioned.

18                  This spring we're adding some more  
19                  service: It will be B, D, J, M midnights --  
20                  I'm sorry, mid-days and evenings, and on the  
21                  weekends the 3 and the 5.

22                  But as the chair said, we shrinking  
23                  the headways from 12 minutes, 10 minutes,  
24                  down to 8 minutes. Meaning the average, you

1 know, New Yorker's going to wait around  
2 4 minutes now for these services. Which, you  
3 know, they continue to tell us that's what  
4 they want, more service.

5 ASSEMBLYMAN ZEBROWSKI: Great. The 35  
6 million for safety investments, what's  
7 been -- how has that been spent, and what  
8 have we seen from that money, if anything?

9 NYCT PRESIDENT DAVEY: Yeah, so on the  
10 CT initiative we focused on a few areas, but  
11 specifically I'll talk about two. One is our  
12 gate guard initiative, which is, I think  
13 folks know, those emergency gates that can be  
14 legitimately used by folks who are -- you  
15 know, have a stroller, for example, or  
16 luggage, or may be in a wheelchair, for  
17 example.

18 But then others use that for nefarious  
19 purposes. They'll skip paying the fare.

20 What we've done is deployed unarmed  
21 gate guards at those 35 stations, to not only  
22 be the eyes and ears in the system, to report  
23 things to police if they see a crime, but  
24 also to deter folks from going through the

1 gate.

2 What we have seen there is a  
3 two-to-one payment back. So for every dollar  
4 we spend on that unarmed guard program, we  
5 see about \$2 back in fares at those stations,  
6 which is good.

7 Another piece that we've very much  
8 been focused on is cameras in our system.  
9 You know, I've often made the joke that we  
10 have more cameras than a Las Vegas casino at  
11 New York City Transit, and we're solving  
12 crimes and giving, you know, photos to  
13 police.

14 And so now we are rolling that out on  
15 our trains. And so we will, for the first  
16 time ever, have cameras in all of our trains,  
17 we hope by the end of the year -- I've  
18 challenged the team. But our commitment to  
19 the public and to you is by mid-next year.  
20 About 15 percent of the fleet now has cameras  
21 inside the trains.

22 So these are the tangible things we're  
23 working on to improve not only fare evasions,  
24 as the chair talked about, but also safety.

1 ASSEMBLYMAN ZEBROWSKI: So you  
2 mentioned the cameras, so just to stick on  
3 that for a second. So what have you seen  
4 recently or over a longer period of time in  
5 terms of crime statistics in the system?

6 MTA CHAIR LIEBER: As I said, crime is  
7 down 10 percent versus pre-COVID. And as  
8 important to your question about cameras,  
9 because we have 10,000 cameras throughout the  
10 system, both at the fare -- on the platform,  
11 spread throughout the stations, and now we're  
12 putting cameras inside.

13 What we're seeing is with violent  
14 crime, almost in every instance the NYPD is  
15 using those images to collar the person  
16 within a matter of 48 or, at most, 72 hours.  
17 So very infrequently, crimes in the subway  
18 system that are not resulting in arrests in  
19 short order. So that's been a good  
20 investment.

21 ASSEMBLYMAN ZEBROWSKI: All right.  
22 The 15 million for the free fare bus pilot  
23 program, has it been rolled out? How's it  
24 been going? Do you have any lessons learned

1           thus far from the program?

2                     MTA CHAIR LIEBER: Well, we've  
3           implemented it. We did five free buses. We  
4           did it analytically. Rich's team in  
5           operations planning really bore down, using  
6           the criteria that the Legislature put in the  
7           law, selected one route in each borough. And  
8           that has been in effect for three, four  
9           months now.

10                    It's premature for us to give a  
11           report. I think we want to follow what the  
12           legislation said and give you a report after  
13           a six-to-12-month period, when we've been  
14           able to evaluate not only ridership but where  
15           is the ridership coming from, what are the  
16           consequences through the whole system, and  
17           the benefits.

18                    So we're going to give an IOU, if  
19           that's okay --

20                    ASSEMBLYMAN ZEBROWSKI: Sure.

21                    MTA CHAIR LIEBER: -- on that issue  
22           until we've completed the work and the  
23           analysis.

24                    ASSEMBLYMAN ZEBROWSKI: Sure. Have

1           you seen any preliminary data regarding fare  
2           evasion with that pilot program? Or is that  
3           also something you'll subsequently be able to  
4           report?

5                     MTA CHAIR LIEBER: It probably just  
6           wouldn't be responsible for me to say. It's  
7           too early.

8                     But, you know, ridership is up.  
9           people like free, news flash. But -- but  
10          it's not clear where the ridership is coming  
11          from. And again, the goal is to sort of  
12          improve connectivity and mobility, and  
13          whether we're getting new riders and new  
14          connections and people having more access to  
15          jobs and education. So -- so we want to  
16          study that and give you a full report.

17                    ASSEMBLYMAN ZEBROWSKI: I know there  
18          was some fear of perhaps -- obviously you  
19          can't, you know, evade a free fare. But  
20          perhaps by having some free, that there might  
21          be more fare evasion on other bus lines. And  
22          perhaps that would be the part of the  
23          subsequent report?

24                    MTA CHAIR LIEBER: Yeah. I think --

1           you know, other places have definitely seen  
2           that. You know, confusion about free and not  
3           free does have some consequences. I don't  
4           want to draw conclusions at this point about  
5           that.

6                         But the bigger picture is we are  
7           really having a serious problem with, you  
8           know, fare evasion in the system, and we're  
9           trying to deal with it in a responsible way  
10          that addressed equity as well as, you know,  
11          making sure people understand they have to  
12          pay the fare.

13                        ASSEMBLYMAN ZEBROWSKI: The automated  
14          bus lane enforcement that was instituted, the  
15          additional cameras, how's that been going?  
16          How many? Has there been an impact on  
17          speeds? Tickets, how many tickets?  
18          Recidivism? Anything broadly on that we can  
19          report?

20                        MTA CHAIR LIEBER: Well, not yet. But  
21          I'll let the man who's gone out and given  
22          some of those tickets talk about it.

23                        Rich?

24                        NYCT PRESIDENT DAVEY: Thank you,



1 Chair.

2 So, you know, as you know, the  
3 legislation kicks in in May, so we've been  
4 preparing for that moment. And what we've  
5 been calling this is a transition from ABLE,  
6 which is Automated Bus Lane Enforcement, to  
7 the powers that you gave us, which is to not  
8 only ticket cars that are parked in bus  
9 lanes -- and appropriately, there are  
10 instances when it is appropriate to be in a  
11 bus lane, but a lot of people don't follow  
12 that; parked in bus stops, which is frankly  
13 an equity issue -- you know, a lot of our  
14 customers who are disabled or elderly need to  
15 get to that curb, and we have cars in the  
16 way; and then also double-parked cars and  
17 cars parked in bike lanes.

18 All of that we will be prepared to  
19 roll out. We'll be on 14 routes, about  
20 600 buses, as we grow the program.

21 On the recidivism rate, the good news  
22 is that behavior changes. So the ABLE  
23 enforcement we've had the last few years,  
24 80 percent of folks who get a ticket do not

1 get a second ticket. And an additional  
2 9 percent who get a second ticket don't get a  
3 third. So by the time you get two tickets,  
4 90 percent of New Yorkers or visitors say: I  
5 get it, I need to stay out of the bus lanes.

6 So we're excited about that.

7 And then to your point, where we see  
8 both bus lanes and enforcement, on average  
9 it's about a 33 percent improvement for  
10 speed. And that is realtime for New Yorkers,  
11 you know, the 2-plus-million who use our  
12 service.

13 So we're appreciative and excited  
14 about these tools you've given us, and we  
15 look forward to reporting out on what we  
16 expect will be success.

17 ASSEMBLYMAN ZEBROWSKI: Thank you.

18 Thirty-three percent is significant.

19 Fare evasion. I know you mentioned it  
20 in your testimony. Perhaps I missed it, but  
21 I have a couple of questions related to that.

22 You know, do you have global estimates  
23 for how much you lose a year in fare evasion?  
24 And specifically to this budget and the

1 Executive Budget proposal, I know there are  
2 some provisions related to combating fare  
3 evasion. And so do you also have any  
4 estimates for how these proposals would  
5 reduce those -- the current numbers?

6 MTA CHAIR LIEBER: Okay. Well, you  
7 know, fare evasion has grown significantly  
8 since pre-COVID. And there are many areas  
9 which you as the legislative body are  
10 wrestling with where, you know, there's sort  
11 of -- we've lost a little bit of rule  
12 compliance in many parts of our system,  
13 right?

14 So fare evasion has significantly  
15 increased. We are assuming that we, with  
16 your support, will be able to drive fare  
17 evasion back to roughly the level it was,  
18 which is about, you know, below half of what  
19 it is right now.

20 So we're -- our last report was that  
21 it's like \$700 million a year. We need to  
22 move that, if we're able, in order to  
23 maintain progress on the financial plan that  
24 we've laid out with you.

1           So we've done a ton. You know, part  
2 of is physical. We are, as of now, starting  
3 a pilot to delay that exit gate that is so  
4 much the superhighway of fare evasion in our  
5 system, realistically. We're working -- the  
6 Department of State has okayed, the Fire Code  
7 authorities have okayed us putting a delay on  
8 that. People aren't supposed to use that for  
9 exiting. When they do, it opens up, people  
10 come in improperly. So we're dealing with  
11 that.

12           We have the gate guards program that  
13 Rich has talked about. We have actually  
14 reconfigured the turnstiles -- it's a little  
15 technical --- so people can't back-cock, an  
16 old-fashioned New York way of fare evading.  
17 And there are a lot of other fiscal  
18 improvements. We have rekeyed all of the  
19 exit gates in the whole system.

20           So we have done a ton. But those  
21 proposals that are in front of you are part  
22 of our strategy to push back on fare evasion,  
23 but also to make sure we're doing it in an  
24 equitable way. A first- or a second-time

1 fare evader should be turned into a MTA  
2 customer rather than -- you know, we don't  
3 want to criminalize kids who do it once. We  
4 want a strategy.

5 ASSEMBLYMAN ZEBROWSKI: Thank you.

6 ASSEMBLYMAN MAGNARELLI: Thank you,  
7 sir.

8 CHAIRWOMAN KRUEGER: Thank you.

9 Our first questioner will be  
10 Senator Comrie, the chair of Corporations and  
11 Authorities.

12 SENATOR COMRIE: Good morning. I'll  
13 go right into questions and just give  
14 everyone acknowledgements and thank you all  
15 for being here, my colleagues and the MTA.

16 I'm concerned about making sure that  
17 there's a higher level of transparency with  
18 the MTA to ensure that we can increase  
19 ridership, that we can have safety, and that  
20 folks can understand the projects that need  
21 to be done before we start congestion pricing  
22 that you were talking about.

23 So -- but my first question -- oh,  
24 here we go. The mics are working now.

1                   My first question is, what has been  
2                   the return on the investment of the  
3                   \$9.4 million in the EAGLE Team which has been  
4                   dedicated to fare evasion?

5                   MTA CHAIR LIEBER: You want to take  
6                   that?

7                   NYCT PRESIDENT DAVEY: Thanks,  
8                   Senator.

9                   We believe the return has been  
10                  significant. So the EAGLE Team, as folks I  
11                  think know, are our unarmed civil enforcement  
12                  agents that we have within New York City  
13                  Transit that do that, also do graffiti, and  
14                  also work with the police in some special  
15                  investigations.

16                  But we have EAGLE Team members out on  
17                  our Select Buses. So those are the buses  
18                  that you have a receipt when you pay, you can  
19                  show the EAGLE team member that you in fact  
20                  have paid.

21                  And recently what we've done to  
22                  improve the fare evasion challenges we have  
23                  on local buses is to have EAGLE Teams in what  
24                  we call clusters. So places around the city

1           where there are multiple bus stops, who  
2           observe their payment. Or then if someone  
3           perhaps doesn't want to pay, they're  
4           encouraged to pay. And if there is a  
5           discussion about that, the EAGLE Team will  
6           then, you know, ask them for identification  
7           and produce them a summons.

8           SENATOR COMRIE: Do they make arrests?

9           NYCT PRESIDENT DAVEY: The EAGLE Team  
10          is not -- they are not -- they do not carry  
11          weapons. They cannot arrest. No, they  
12          don't. And --

13          SENATOR COMRIE: Then also, just --  
14          I've got to keep going because I've got a lot  
15          of questions and a little bit of time.

16          NYCT PRESIDENT DAVEY: Yeah, sorry.

17          SENATOR COMRIE: The new turnstiles,  
18          there's a video out on YouTube showing how  
19          people can easily bypass them. When is that  
20          correction going to be made?

21          MTA CHAIR LIEBER: There's already  
22          been -- there have already been physical  
23          improvements to that that prevent -- that are  
24          designed to prevent people activating the

1 gate from the wrong side. And we're seeing  
2 that there have been, you know, deterrents.  
3 The numbers have gone down.

4 Interestingly, because there's no gate  
5 there, that superhighway of fare evasion, as  
6 I always say, we're actually collecting more  
7 fares on a percentage basis at that, even  
8 though there is the problem that you  
9 described that we have addressed, and we are  
10 in the process of addressing.

11 But -- so that is -- you know, part of  
12 our strategy is to change the turnstiles, but  
13 also to experiment. You know, it's been a  
14 long time since New York really invested in  
15 changing the turnstiles to deal with modern  
16 conditions. So that's one that we're  
17 experimenting with, we're making some changes  
18 to make it better. But we're going to  
19 experiment with some others as well as we go  
20 forward, before we do a final procurement and  
21 selection of a new turnstile for the whole  
22 system. You'll see a lot in the system.

23 SENATOR COMRIE: But that particular  
24 problem has been fixed or --



1                   MTA CHAIR LIEBER: It has been. And  
2                   there's additional changes coming to that  
3                   fare array in the next couple of weeks.

4                   SENATOR COMRIE: Thank you.

5                   What is the -- can you give us a  
6                   detailed follow-up on the projects that have  
7                   been negotiated as part of the budget last  
8                   year that need to be in place before we start  
9                   congestion pricing, the ones that we've  
10                  agreed on? Capital projects, primarily.

11                  MTA CHAIR LIEBER: Capital projects.  
12                  So I think -- I'm looking at you and your  
13                  colleague Senator Kennedy. When congestion  
14                  pricing was enacted by the Legislature and  
15                  the Executive back in 2019, there was a list  
16                  of projects that we would get done. I'm  
17                  happy to go into it in more length with the  
18                  conference. But I have the list. It's like  
19                  six pages long.

20                  And I can say with confidence that  
21                  they're done.

22                  SENATOR COMRIE: Where can members  
23                  access that list?

24                  MTA CHAIR LIEBER: Okay, we -- I think

1 Will Schwartz is telling me we conveyed it to  
2 the Senate and to the various offices. So  
3 we're happy to get into it in more detail.

4 SENATOR COMRIE: All the members have  
5 reached it and gotten it? I know I've gotten  
6 it. I just want the public to see that --

7 MTA CHAIR LIEBER: We sent it to the  
8 central staff, I'm told.

9 SENATOR COMRIE: Right. I want the  
10 public to see that these projects are being  
11 done also. So if there's a way to, you know,  
12 make sure that people understand what is  
13 being done, how it's being done. You talked  
14 earlier about projects being done on time and  
15 under budget, including the Elmont Train  
16 Station, which I'm particularly proud of, the  
17 first train station in 40 years.

18 But in order to make sure that the  
19 public has faith in the system, or  
20 reestablish faith in the system, people need  
21 to know that these projects are being done.  
22 And we're getting feedback from people  
23 that -- you know, folks are upset about the  
24 Second Avenue Subway being expanded now, as

1           opposed to some other projects can be done.

2                     But can you speak about why that's  
3 being done now, the Second Avenue Subway  
4 project?

5                     MTA CHAIR LIEBER: Well, the  
6 Second Avenue Subway project is -- you know,  
7 people in East Harlem have been -- were  
8 promised a subway in the 1940s when they  
9 started knocking down the Second and Third  
10 Avenue elevated trains. And there have been  
11 a series of ground-breakings with Governors  
12 as far as, you know, Rockefeller and so on.

13                    So we don't feel bad about actually  
14 making good on that commitment. We're going  
15 to -- we are going to do it. We have the  
16 largest federal grant -- we got, from the  
17 Biden infrastructure program, a huge federal  
18 grant to make sure we can finally make good  
19 on our promise to East and Central Harlem.

20                    SENATOR COMRIE: That's federal money,  
21 outside of the MTA's --

22                    MTA CHAIR LIEBER: As you all put in  
23 the capital budget, this capital budget and  
24 the last one, there's a substantial state --

1           you know, piece that's coming from the state.  
2           But it is the biggest federal grant that's  
3           ever gone for a mass transit project.

4                     SENATOR COMRIE: Can you give us an  
5           update on the MWBE participation for  
6           workforce development and procurement  
7           participation on -- in major contracts?

8                     MTA CHAIR LIEBER: Yeah. The MTA is  
9           by far the largest MWBE agency in the State  
10          of New York. And I think it is, if not the,  
11          maybe the second largest nationally. We do  
12          over a billion dollars a year in payments to  
13          M -- minority, women and disadvantaged  
14          business enterprises. So we remain at that  
15          level, and we're committed to it.

16                    SENATOR COMRIE: And you can send us  
17          those specific numbers?

18                    MTA CHAIR LIEBER: Absolutely.

19                    SENATOR COMRIE: All right. And also  
20          the Outer Borough Transit Account, can you  
21          give us an update on how that's working?

22                    MTA CHAIR LIEBER: Yeah. The Outer  
23          Borough Account that you established a couple  
24          of years ago finally hit the levels where it

1           was able to make investments in discounts for  
2           some of the additional toll facilities that  
3           were identified in the original legislation,  
4           the Henry Hudson Bridge and the Cross Bay  
5           Bridge.

6                     And we continue to look, as -- and  
7           I'll let Mr. Willens talk about it -- as the  
8           capital account grows, we can make additional  
9           investments from that fund.

10                    Kevin?

11                    MTA CFO WILLENS:  Yes, the Outer  
12           Borough Account had roughly 37 million in it  
13           that has been deployed for the bridge  
14           rebates.  And in the last year, we've  
15           collected close to -- close to 50 million.  
16           So now the for-hire vehicle fees are at a  
17           high enough level where we're, you know, more  
18           comfortable that there will be an annual flow  
19           of money into the Outer Borough Account that  
20           can support the initiatives.

21                    SENATOR COMRIE:  Okay.  Well, there's  
22           still a debate, and I have a concern about  
23           the Outer Borough Account now being used for  
24           the bridge fees, which used to be covered out

1 of the general MTA budget from the Governor.

2 The Outer Borough Account was  
3 supposedly designed to make sure that we had  
4 new capital projects in the outer boroughs,  
5 not to redivert money.

6 MTA CHAIR LIEBER: I think you -- I  
7 think the Legislature has to approve the  
8 projects. So we're all ears, and we'll work  
9 with you on that.

10 MTA CFO WILLENS: And none of the  
11 Outer Borough Account money has been used to  
12 balance the MTA budget. It's --

13 SENATOR COMRIE: No, no. Not to  
14 balance. But we used to be able to get the  
15 money for the Verrazano and the Brooklyn  
16 and -- I'm sorry, Bronx and Queens bridges,  
17 they used to come out of the general account.  
18 So I'm hoping that we can get back to that so  
19 we can expand opportunities to improve  
20 service with the Outer Borough Account.  
21 Which was the original plan for it.

22 I'm running up on time. Just one last  
23 question for this round. What can you tell  
24 us about the G Train? We had a concern from

1           Senator Gonzalez about the need to -- with  
2           the G Train work that's being done, they have  
3           a concern about the timing. And there's  
4           also a -- they're asking to expand the number  
5           of cars on the G Train because areas over  
6           there are expanding, and the housing and the  
7           population is going to expand by threefold.  
8           So they wanted to ask about -- Senator  
9           Gonzalez asked me to talk about the  
10          possibility of expanding to more than eight  
11          cars. It's three cars now, I think.

12                   MTA CHAIR LIEBER: Yeah. I mean,  
13          we -- we're constantly monitoring ridership  
14          and always looking at -- if you have a  
15          capacity issue, we will add cars, absolutely.

16                   But the G Train issue that you raise  
17          has to do, I think -- in some people's minds  
18          it has to do with shutdown, the work that --  
19          you know, to do -- the signals on the G Train  
20          are from Franklin Roosevelt's era. They are  
21          really old. And it inhibits reliability  
22          dramatically. We want to bring that train  
23          into the 21st century.

24                   So we want to get the signaling done

1           when it's -- the choice is between a six-week  
2           shutdown during the summer and 80 weekends,  
3           which will really inhibit all the growth and  
4           development and vitality. The team felt  
5           strongly that a six-week shutdown was much  
6           more efficient, better for the community.

7                         We have a proven track record of being  
8           able to do effective shuttle bus service in  
9           that community along Manhattan Avenue.  
10          That's what we're going to do. But we'll  
11          keep working with people.

12                        SENATOR COMRIE: Thank you.

13                        ASSEMBLYMAN MAGNARELLI: Thank you,  
14          sir. Thank you.

15                        MTA CHAIR LIEBER: That is a hell of a  
16          noise, huh?

17                        SENATOR COMRIE: Yeah, it's tough.  
18          I'm a slow talker, so this is rough.

19                        CHAIRWOMAN KRUEGER: Can I just  
20          announce an additional number of Senators?  
21          And there may be more Assemblymembers by now.

22                        We have Senator Mattera,  
23          Senator Ramos, Senator Harckham,  
24          Senator Mayer and Senator Gounardes.



1                   And Assembly?

2                   ASSEMBLYMAN MAGNARELLI: And we have  
3 two more members who have -- are here in  
4 attendance: Member Seawright and Member --  
5 Jacobson, I'm sorry. Thank you.

6                   I'd like to call Member Ra at this  
7 point.

8                   ASSEMBLYMAN RA: Thank you, Chair.

9                   Thank you guys for being here, and  
10 your testimony.

11                   So just a couple of questions. One of  
12 the issues that I know came up in particular  
13 in the district I represent, when everything  
14 was implemented in the spring with new  
15 schedules, with East Side Access, was some  
16 changes with regard to access to Brooklyn and  
17 Atlantic Terminal. You know, the line --  
18 Hempstead Branch traditionally was one that  
19 went to Atlantic Terminal, and you always had  
20 to change at Jamaica to get to Penn Station.

21                   So what adjustments have been made  
22 over time as we've seen ridership and know  
23 what the demands are of going to the  
24 different places now?

1                   MTA CHAIR LIEBER: Yeah. I mean,  
2                   listen. What folks need to understand is the  
3                   ability to add 300 more trains was  
4                   contingent -- this was a decision made long  
5                   before I showed up -- on moving the Atlantic  
6                   Branch service to the side. Because having  
7                   Atlantic -- you know, Brooklyn trains cut  
8                   across the whole ladder in that whole Jamaica  
9                   complex inhibited the throughput. You know,  
10                  without getting too technical.

11                  So that decision was made. But once  
12                  we saw that there were issues with folks  
13                  being able to get conveniently to Brooklyn, I  
14                  think we've close to doubled the number of  
15                  through trains to Brooklyn, and particularly  
16                  from the branch that you mentioned.

17                  So what we've seen is much more --  
18                  much more satisfaction among our Brooklyn  
19                  customers. Those trains are not super  
20                  crowded. It's one of the issues we're  
21                  balancing.

22                  There is also very frequent, you know,  
23                  direct shuttle service to Brooklyn from  
24                  Jamaica, which seems to be working out pretty

1 well. Overall, the schedule seems to have  
2 settled down. People have gotten used to it.  
3 Much more passenger and customer acceptance.

4 ASSEMBLYMAN RA: Thank you.

5 And another issue that I've heard from  
6 some constituents about -- and your staff has  
7 actually been very responsive with regard to  
8 this -- was getting rid of the 20-ride  
9 package. I know it was something that was  
10 kind of piloted. Are there any thoughts  
11 about potentially bringing that back? I  
12 think, you know, for some, given the  
13 realities of, you know, office life now, that  
14 people just aren't going in quite as much,  
15 and that seemed to be a convenient option for  
16 many people.

17 MTA CHAIR LIEBER: Yeah. Listen, the  
18 board had a committee that looked at all the  
19 different fare issues. And the take-up of  
20 that particular -- although I know that, you  
21 know, members of this body have heard from  
22 folks -- the take-up of that particular fare  
23 option was not that large. And we really  
24 wanted -- the consensus was we really wanted

1 to keep the price of the monthlies down for  
2 the large group of customers who take the  
3 monthly. And we had to do it all within the  
4 scope of the 4 percent fare increase.

5 So the decision was made, as I said,  
6 by the board, in tandem with staff, to  
7 prioritize keeping the monthly tickets down  
8 below pre-COVID levels. And the usership of  
9 that hybrid-oriented 10 -- you know,  
10 20-ticket thing was disproportionately a very  
11 affluent ridership. So we wanted to  
12 emphasize the middle-class benefit of the  
13 monthly tickets, and also the single tickets.

14 ASSEMBLYMAN RA: And then more  
15 globally on the security end, I know we  
16 passed some legislation a few years ago to  
17 order the MTA to install and maintain  
18 surveillance cameras in subway stations, on  
19 platforms and other high-traffic areas.

20 How's the implementation of that  
21 going? Do you have any data with regard to,  
22 you know, how many cameras been installed?

23 MTA CHAIR LIEBER: Yeah. I mean,  
24 Rich, you should step in here.

1                   But listen, the number of cameras that  
2                   have been installed, even in the two years  
3                   since I've been in this role, is dramatic.  
4                   It's thousands and thousands of cameras  
5                   installed. And now we're doing the  
6                   installation in all 8,000 of our subway cars.  
7                   So cameras are a key to our security and  
8                   safety strategy.

9                   Rich?

10                  NYCT PRESIDENT DAVEY: And I think  
11                  throughout the system it's about 13,000, I  
12                  think, in the stations -- mezzanine,  
13                  platform. As the chair said, we're  
14                  implementing cameras in our subway cars.  
15                  Fifteen percent of the fleet now has cameras  
16                  in subway cars.

17                  Untold, by the way, is actually the  
18                  number of cameras we have in our buses, and  
19                  that's almost 48,000 cameras. So a  
20                  significant number of cameras as well.

21                  And of course, you know, as was  
22                  mentioned earlier, we're installing those  
23                  outward-facing cameras for our buses as well,  
24                  to ticket folks who may be, you know, parked

1 in bus lanes.

2 MTA CHAIR LIEBER: And just to  
3 emphasize the obvious, that all of the  
4 commuter rail cars in Long Island Rail Road  
5 have inward-facing cameras?

6 ASSEMBLYMAN RA: Thank you.

7 CHAIRWOMAN KRUEGER: Perfectly timed.  
8 Thank you.

9 Our next questioner will be Senator  
10 Tim Kennedy, the chair of the Transportation  
11 Committee.

12 SENATOR KENNEDY: Good morning.  
13 Thanks for your testimony. Thanks for your  
14 work.

15 I want to start by asking about the  
16 figures in capital spending, and just giving  
17 us an update on the capital spending in  
18 New York State. You know, this has been  
19 something we've been talking about for a long  
20 time -- the billions of dollars that are  
21 capital spending through the MTA, the jobs  
22 that are created with that. The focus on  
23 New York rather than other parts of the  
24 nation or outside of our nation.

1                   MTA CHAIR LIEBER: You've been a  
2 warrior on this issue from day one. And I'm  
3 thrilled to say that we continue on the path  
4 that you have reminded us that we need to  
5 stay on, which is 90 percent of our capital  
6 program, both materials and work, is spent in  
7 the State of New York. And we want to keep  
8 it that way.

9                   I would like -- you know, you and I  
10 were upstate in a couple of key locations.  
11 Plattsburgh is super-important, the  
12 concentration of activity there. Obviously  
13 Cornell, Rochester, Buffalo. Each of those  
14 have major MTA manufacturing and service  
15 facilities, and we want to continue to grow  
16 that.

17                   We are facing a challenge, though,  
18 because, you know, Nova Bus, which is a bus  
19 manufacturer in Plattsburgh, is a subsidiary  
20 of the Volvo complex, has sort of stopped --  
21 has announced that they're stopping  
22 operations in Plattsburgh. So we need more  
23 bus manufacturers in America, because we have  
24 zero-emission buses demand aplenty, in

1 New York especially. And we want to work on  
2 getting more of that activity into  
3 Plattsburgh and other places.

4 Rich is leading a national committee  
5 that the White House is actually involved  
6 with, as well as the Public Transit  
7 Association, focused on how do we grow  
8 zero-emission buses, clean bus manufacturing  
9 in the United States.

10 Rich?

11 NYCT PRESIDENT DAVEY: The only thing  
12 I would add, Senator, is that we have had  
13 conversations with other bus manufacturers  
14 who are currently not domestic about wanting  
15 to move to the United States and set up shop,  
16 potentially, in New York. But what we can do  
17 to facilitate that is qualify those folks.  
18 So we can say, you know, that bus that you're  
19 building matches our specifications and, as a  
20 result, you would be qualified to bid.

21 So, you know, as the chair said, we  
22 are looking for ways to continue to promote  
23 that competition. It's so critical. And  
24 it's a challenge I think all transit's



1 facing. But boy, we would love that to be --

2 SENATOR KENNEDY: How many  
3 zero-emission buses is the MTA expected to  
4 purchase in the next five to 10 years?

5 NYCT PRESIDENT DAVEY: I mean, we have  
6 a commitment to transition the entire fleet,  
7 which is about 6,000 buses, by 2040. If you  
8 do the rough math, we're going to have to buy  
9 about 200 buses or so a year to meet that.

10 We put our first order in this -- you  
11 know, in the last couple of months. I should  
12 also say, too, we're also looking at hydrogen  
13 buses. We have a grant we received from  
14 NYSERDA to look at hydrogen, and we're going  
15 to buy a couple of hydrogen buses as well.

16 But we're also retrofitting our 26 bus  
17 depots to ensure that we have the charging  
18 capacity. So we have -- we're doing a lot of  
19 work. But the entire fleet is scheduled to  
20 be replaced by 2040.

21 MTA CHAIR LIEBER: I just need to add  
22 that this is an area where congestion pricing  
23 funds are needed. We went -- we shorted what  
24 could have been a larger order of

1 zero-emission buses just last month because  
2 we didn't -- because of the uncertainty about  
3 the congestion pricing money. So it's just  
4 one example of how dependent we are.

5 SENATOR KENNEDY: Yeah, how do we  
6 improve on New York State preference, given  
7 the obligation you have to -- you know,  
8 making sure that it's purchased in the  
9 United States with federal dollars? How do  
10 we enhance New York State preference?

11 MTA CHAIR LIEBER: I don't think it's  
12 that complicated. We need -- we have the  
13 Nova Bus facility in Plattsburgh. We need to  
14 get a first-class zero-emissions bus  
15 manufacturer to select that facility, have  
16 the right business environment and incentive  
17 package to get them to make that decision and  
18 to choose other facilities.

19 New York is a great place to do  
20 business for so many reasons. We need more  
21 bus manufacturers to come. This is not as  
22 complicated as a railcar manufacturer, for  
23 example. We have two of those in the State  
24 of New York. We need more bus manufacturers

1 in the State of New York.

2 SENATOR KENNEDY: We do want to make  
3 sure that that Plattsburgh facility is  
4 utilized and we are putting people to work.

5 I want to put a focus also on Alstom,  
6 in Hornell. We visited there together. The  
7 hundreds of jobs that are supported there,  
8 the thousands of jobs across upstate,  
9 particularly because of the investment of the  
10 MTA -- I want to make sure that that is taken  
11 care of.

12 And we have prime real estate in  
13 Buffalo, at the Port of Buffalo, that will  
14 feed the entire -- not just the MTA, but the  
15 entire Eastern Seaboard.

16 And so I think it's important that the  
17 MTA continues to look at ways to take that  
18 90 percent to as close to 100 percent as  
19 possible.

20 The numbers support it. You know, for  
21 every billion dollars that are spent in  
22 capital funding, according to your records,  
23 it creates 7500 jobs. We want those jobs in  
24 New York. So thank you for your commitment

1 to that.

2 How do we make sure that we're  
3 focusing in, too -- you know, I know we have  
4 to make sure Alstom with the vacancy there --  
5 but, you know, on Hornell, on Alstom.

6 MTA CHAIR LIEBER: Well, I mean, right  
7 now, as you know, we're talking about a  
8 subway car procurement, a commuter railcar  
9 procurement with Alstom, and Hornell's not  
10 available because they have it scheduled up.  
11 That was good news, in a way. It was a  
12 disappointment to the MTA.

13 Listen, the longer-term issue, which  
14 is a national issue, but New York-specific,  
15 because we buy more railcars than the rest of  
16 the country combined, is that we don't have  
17 enough manufacturers. We have basically two  
18 manufacturers right now that are both  
19 capacity-limited, they have their own  
20 business issues because they're both  
21 international, Alstom and Kawasaki. I would  
22 love to see more Kawasaki activity in  
23 Yonkers. I would love to see more Alstom  
24 activity in all of their upstate locations.

1           And I think this is an area where the MTA has  
2           got to lead, so we are actually undertaking a  
3           major study of how do we grow the transit  
4           manufacturing industry to meet the  
5           21st century needs of the MTA and the  
6           country? Because right now the capacity is  
7           too limited if we're going to keep growing.

8                     SENATOR KENNEDY: Yeah, and again, I  
9           want to thank you for your efforts and  
10          leadership in that space. I know the numbers  
11          have improved. But I know there's a long way  
12          to go, and I think there's a lot of space to  
13          continue to improve.

14                    And I would just implore you to  
15          continue to do what you're doing, continue to  
16          make it a priority of spending in New York  
17          State, all across the state. I mean, we just  
18          have a great opportunity with the capital  
19          spending.

20                    I want to switch gears here. The  
21          contracts that were signed, I want to  
22          recognize the workforce that really makes the  
23          MTA run. And, you know, I want to thank the  
24          MTA for your work in negotiating these

1 contracts that will keep the system moving.  
2 I know it was a very smooth process. You  
3 know, that was kind of a joke, Janno, just  
4 for you.

5 (Laughter.)

6 SENATOR KENNEDY: But it was a smooth  
7 process for everybody else but you, Janno.

8 (Laughter.)

9 SENATOR KENNEDY: But really, you  
10 know, I want to recognize the workforce and  
11 your leadership in getting to a conclusion.  
12 And if you could speak on that.

13 But I also want to go back to fare  
14 evasion, because I think it's very important.  
15 I know you've talked about it, you touched on  
16 it. But the current scale of fare evasion,  
17 can you just give us an update on that?

18 And, look, the proposal in the budget  
19 talks about increasing the penalty from \$100  
20 to \$200. There's no simple way to resolve  
21 this. I know it's a complex issue. You  
22 know, you talked about the gates being open.  
23 Sometimes that gate's open for an exit  
24 because the turnstiles are broken. Like

1           there's a number of different reasons, and  
2           then people are coming in. But there's also,  
3           you know, turnstile jumpers. I know there's  
4           a lot of different reasons that fare evasion  
5           is happening.

6                     You know, if you could speak to what  
7           level of enforcement it's going to take to  
8           implement the proposal that you're looking at  
9           in the budget.

10                    MTA CHAIR LIEBER: Yeah. Well, we've  
11           increased it, but we're not -- we're not  
12           expecting some dramatic upsurge in  
13           enforcement. We do want to maintain the  
14           level of police presence in the system.  
15           Remember, the NYPD has a responsibility, by  
16           agreement, to police the whole system. Fare  
17           evasion is incidental to what they're doing  
18           on the platforms, on the trains, as they move  
19           through the station. So they're not standing  
20           there targeting fare evasion.

21                    But we want them to keep, you know,  
22           supporting us. Now, just bear in mind that  
23           probably there is one summons given out --  
24           and they're civil summonses, it's like a

1 parking ticket -- for every more than  
2 thousand of fare evasion instances, we know  
3 from the numbers. So we're not giving out  
4 summonses willy-nilly.

5 What I want to do, and what you're  
6 hearing from the Governor's proposal, is take  
7 the fare evasion enforcement system and to  
8 use it to turn people who make that mistake  
9 and turn them into customers. So that's why  
10 you're hearing from us about if someone signs  
11 up for Fair Fares, if they're low-income,  
12 they can waive the first ticket because we  
13 moved them into that system, and so on. So  
14 you're seeing that in the Governor's  
15 proposal -- equity, not just enforcement.

16 SENATOR KENNEDY: You've got half a  
17 minute. Can you give a quick comment on the  
18 union contracts?

19 MTA CHAIR LIEBER: Listen, we --  
20 there's a lot of noise, but the bottom line  
21 is we got -- for 35,000 MTA TWU Local 100  
22 workers, we got our agreement done, chop,  
23 chop. And it's a significant increase, and  
24 it was ratified very strongly. So we're on



1 the way to a new round, very successfully,  
2 starting with TWU.

3 SENATOR KENNEDY: Okay, thank you.

4 CHAIRWOMAN KRUEGER: Sorry, Janno.

5 Moving on. Thank you.

6 MTA CHAIR LIEBER: Thank you.

7 ASSEMBLYMAN MAGNARELLI: You all set?

8 CHAIRWOMAN KRUEGER: Yes.

9 ASSEMBLYMAN MAGNARELLI: All right,  
10 the next -- Member Fall, it's your chance to  
11 question.

12 ASSEMBLYMAN FALL: Thank you,

13 Mr. Chair.

14 Thank you, Chair Lieber, for being  
15 here and for your leadership. And I also  
16 want to thank your team for being very  
17 responsive to our constituent concerns  
18 related to Tompkinsville Station and  
19 quality-of-life issues we've had in Lower  
20 Manhattan. You guys have been on top of it,  
21 addressed it, and we truly appreciate that,  
22 including those Access-A-Ride issues that  
23 we've had.

24 I want to ask you about something

1           that's near and dear to my heart, the Bus  
2           Rapid Transit, BRT. I know the MTA released  
3           a Draft Environmental Impact Statement for  
4           the North Shore BRT in October. Is this a  
5           project that the MTA plans to pursue? And  
6           has the analysis completed so far indicated  
7           that this will be a viable project?

8                     MTA CHAIR LIEBER: So very quickly,  
9           the -- what you saw in this 20-year needs  
10          assessment, the most detailed document  
11          ever -- much more detailed than any document  
12          ever done -- is an evaluation neutrally of a  
13          lot of different projects that people are  
14          advocating for.

15                    The BRT fare pretty strongly in that  
16          discussion. It's premature to talk about  
17          what will and won't be in the capital program  
18          proposal. We are supposed to put that on the  
19          table in October. And obviously that is  
20          financially constrained.

21                    But I do know this. If we fall behind  
22          by letting the \$15 billion of congestion  
23          pricing go, and we start to roll down the  
24          hill backwards -- the Summer of Hell in 2017

1           when the system fell apart because we hadn't  
2           been investing in it -- we won't be talking  
3           about new projects.

4                     But if we are, that project is  
5           exciting. And part of it is, like I said  
6           before, it gets more transit out of existing  
7           right-of-way. It doesn't require only  
8           building a new tunnel. That's a plus.

9                     ASSEMBLYMAN FALL: Okay. That's  
10          something that's very important to us, and  
11          we've got strong support from our communities  
12          on it, so look forward to hearing more about  
13          it in the future, hopefully if you get it in  
14          the five-year capital plan.

15                    A few years ago we passed legislation  
16          related to the MTA Mentorship Program.  
17          Wanted to see what the current status of the  
18          program is, how it's been going. And can you  
19          shed some light on it?

20                    MTA CHAIR LIEBER: The Small Business  
21          Mentoring Program?

22                    ASSEMBLYMAN FALL: Yeah. Mentoring,  
23          correct.

24                    MTA CHAIR LIEBER: Listen, the Small

1 Business Mentoring Program is where we take  
2 very small, mostly construction businesses,  
3 overwhelmingly, you know, minority  
4 businesses, and try to help them both with  
5 training and also the opportunity to work on  
6 small projects to grow their capacity so they  
7 can move into competition for the bigger  
8 jobs.

9           You see I talked before about us doing  
10 a billion-plus of small minority business  
11 projects every year. If we can build the  
12 market, that's more people from those  
13 minority, women-owned and disadvantaged  
14 communities that can get into the benefit  
15 from the MTA capital programs. We use that  
16 as a path to growing new companies and new  
17 opportunities. We did about 70-plus small  
18 businesses projects last year, hit our goal,  
19 and we're going to continue to grow that  
20 program.

21           ASSEMBLYMAN FALL: Thank you.

22           ASSEMBLYMAN MAGNARELLI: Thank you.

23           CHAIRWOMAN KRUEGER: Thank you very  
24 much.

1                   And we'll next hear from Senator  
2           Mattera, the ranker on Transportation or  
3           Authorities.

4                   SENATOR MATTERA: Thank you, Chair.

5                   CHAIRWOMAN KRUEGER: Thank you. What  
6           are you the ranker on?

7                   (Mic problem; overtalk.)

8                   SENATOR MATTERA: Thank you, Chair.

9           It's great seeing you --

10                  CHAIRWOMAN KRUEGER: Nice seeing you.

11                  SENATOR MATTERA: -- and everybody  
12           here on the panel.

13                  And I just want to thank the CEO,  
14           Chair Janno, for taking these questions. And  
15           you answered everything very, very well.

16                  And I just want to commend and thank  
17           Will Schwartz for doing a great job on  
18           Long Island with all Suffolk County elected  
19           officials and being accessible all the time,  
20           even with me. He answers the phone right  
21           away, which, Will, I thank you for that.

22                  Lawrence Aviation is very, very  
23           important. The site is moving forward to  
24           make sure the MTA will be secure in this

1 property. And my thoughts, again -- you  
2 know, we've talked about this again, that,  
3 right, we get the property, there it is, we  
4 have electrification, hopefully, in the  
5 future. Please, no battery trains. No  
6 Band-Aid fixes here. Please, can you, I  
7 know, have an idea of when do we have a  
8 little bit of an idea that this could happen?  
9 Are you happy about the property that we're  
10 securing it with the MTA? So Ken.

11 MTA CHAIR LIEBER: First of all,  
12 you've been a great leader on this issue, and  
13 I just want to acknowledge the spirit of  
14 collaboration. I spoke to County Executive  
15 Romaine yesterday on my way up and just  
16 touched base with him.

17 The reason that that site that you  
18 mentioned is important is that it is the best  
19 opportunity to create a yard. And a yard is  
20 the precondition -- we see this on the  
21 different branches again and again. A yard  
22 is a precondition for the possibility of  
23 growing service. So it is the necessary  
24 first step.

1           So we have focused, as you and the  
2           town and others brought it to our attention,  
3           on the possible acquisition of that site.  
4           There's an agreement, it's being subject to  
5           all the lawyering and, you know, there's all  
6           kinds of little issues. We're going to keep  
7           working at it and try to move forward as best  
8           we can. I don't know everything about those  
9           specifics, but I do know that we have an  
10          agreement in principle, and we're  
11          collaborating with all the other agencies to  
12          try to work through the remaining issues.

13                 SENATOR MATTERA: Well, again, I thank  
14          you. We know how important it is. We care  
15          about the environment and electrification  
16          with these old diesel trains. So again,  
17          please, no battery trains. Let's go and do  
18          it the right way the first time.

19                 You know, I got a lot of -- you know,  
20          questions have been asked about obviously the  
21          congestion pricing. People are frightened to  
22          ride the trains, they really are. They're  
23          going into Penn Station. Can we -- we need  
24          to do a better job when you arrive into

1 Penn Station with the homeless situation.

2 Can you please elaborate on what's being done

3 and --

4 MTA CHAIR LIEBER: Listen, you and I  
5 should take a walk together through Penn,  
6 because I'm actually pleased with the  
7 progress that's been made. No secret there  
8 was some elected officials held a press  
9 conference two years ago about, you know,  
10 Penn didn't feel welcoming and safe. And  
11 there is a -- there has been a ton of police  
12 activity to change that. The MTA leads this  
13 interagency group, you know, there's Amtrak  
14 police and so on. We think we've made a lot  
15 of progress on Penn. I want to take a walk  
16 with you so you feel that as well.

17 SENATOR MATTERA: I receive photos,  
18 just so you know, of the homeless that's --  
19 that's -- you know, again, I feel sorry -- we  
20 have homeless shelters and everything like  
21 that. What are we doing to have the homeless  
22 go into the homeless shelters?

23 MTA CHAIR LIEBER: I mean, our police  
24 officers work closely with the social service



1 agencies to get folks -- that is no place for  
2 someone to shelter or to spend -- they need  
3 to get into services and treatment, in some  
4 cases, and we're aggressive about taking  
5 action on that.

6 We -- one of the advantages of Penn is  
7 with that brand-new concourse, it feels much  
8 wider open and much less cramped and creepy  
9 and disturbing. And we're seeing the  
10 passenger -- Senator Mattera, the passenger  
11 surveys are showing a much higher level of  
12 confidence and customer satisfaction than in  
13 the past. I want to take that walk with you.

14 SENATOR MATTERA: All right. Let's do  
15 some better advertising, then, to show the  
16 confidence. I don't see that. And actually,  
17 I was at a meeting -- get it out there,  
18 commercials, do something so people feel  
19 comfortable to ride our rail systems.

20 MTA CHAIR LIEBER: You bet.

21 SENATOR MATTERA: You know, and I know  
22 my colleagues did an amazing job speaking  
23 about the fare evasions, stuff like that.  
24 Did anybody look into Switzerland and South

1 Korea, their fare evasions, what they've done  
2 to put a system in place that's been working?  
3 Have you been looking over to other countries  
4 or other places that this issue is happening,  
5 because --

6 MTA CHAIR LIEBER: Yeah, you're  
7 absolutely right. We need to look at  
8 technology, we need to look at, you know,  
9 management. But we also need to work on  
10 educating New Yorkers, and that starts with  
11 kids in school who are routinely -- I see it  
12 all the time -- they have a MetroCard in  
13 their pocket given to them by the school, we  
14 have all these DOE MetroCards, and yet they  
15 jump the turnstile or go through the gate  
16 with pals.

17 We have to get those kids at that  
18 moment and educate them about -- and the  
19 ideas we're working on is getting them onto  
20 OMNY, because they've all got their phones,  
21 and make it easy so they don't have this  
22 separate fare medium of a MetroCard. So  
23 we're going to get it on the phone, get it on  
24 the -- and we're working with Chancellor

1 Banks and the DOE to educate those kids and  
2 make sure they don't get criminalized by  
3 having a fare evasion misjudgment.

4 CHAIRWOMAN KRUEGER: Thank you.

5 MTA CHAIR LIEBER: Thank you.

6 SENATOR MATTERA: Thank you.

7 ASSEMBLYMAN MAGNARELLI: Okay, next we  
8 have Member Simone, please.

9 ASSEMBLYMAN SIMONE: Good morning.  
10 Thank you, Chairman. How you doing, Janno?

11 I have three questions. What effect  
12 has planning for congestion pricing had on  
13 the MTA's capital plan for increasing  
14 accessibility by prioritizing elevators on  
15 23rd Street, where, of the five stations  
16 along that street, only one has an elevator  
17 on Park Avenue South. And to greatly improve  
18 ridership, particularly on Eighth Avenue,  
19 which is near one of the largest NORCs.

20 And secondly, train derailments have  
21 raised concerns, clearly. What measures has  
22 the MTA taken to assure present and future  
23 riders of the safety and reliability of the  
24 system, especially as we want to attract new

1 transit riders after congestion pricing  
2 begins? Which I'm a big supporter of,  
3 congestion pricing.

4 And thirdly, how would proposals to  
5 increase housing production near transit  
6 stations impact the MTA, and how is housing  
7 growth studied in relation to future  
8 operational and capital costs?

9 MTA CHAIR LIEBER: Okay. You asked  
10 some -- a few questions. I'll start with the  
11 ADA.

12 Never before has the MTA built  
13 accessibility as fast as we're doing right  
14 now. Yesterday the Rudin Center came out  
15 with a report and they lauded what we've been  
16 doing as we picked up the pace. It's four  
17 times the prior pace. We did 27 stations  
18 since 2020. No one's ever done anything that  
19 fast. We've got 41 under construction right  
20 now. We're going to finish 70 as part of  
21 this capital program.

22 We settled the litigation with the  
23 disability groups, which has been of long  
24 standing. And what they -- what we committed

1 to do, what they wanted, they said, Just keep  
2 going at this pace. That's what the  
3 disability community wanted.

4 So the selection of stations is done,  
5 with a lot of different variables. We should  
6 go talk about the specific stations that you  
7 have in mind. But it is done neutrally to  
8 make sure that people are as -- you know,  
9 people are no more than two stations away  
10 from an ADA-accessible station. There's a  
11 lot of input from the disability groups that  
12 looks at ridership and so on.

13 But we ought to talk about the  
14 stations. I know that Penn South Station is  
15 a -- you know, one of the biggest NORCs  
16 around. So let's talk about that.

17 The second question, the question  
18 about housing production. Listen, we have  
19 the capacity -- New York is -- the housing  
20 growth that has been talked about at the  
21 state level, at least the city portion of it,  
22 we have plenty of room in the system to  
23 accommodate that. And especially with the  
24 improvements to signaling and the capacity

1 growth, we can accomplish without -- even  
2 without building new subway lines, which  
3 we're doing some of. So I'm not concerned  
4 about that.

5 What we're doing is in the suburbs,  
6 where we have great big parking lots, we are  
7 working with the Executive on are there  
8 opportunities for taking a portion, for  
9 example, and building structure parking, like  
10 we did in Westbury or like we did in  
11 Harrison, so that you have -- you keep the  
12 amount of parking, but then you have a site  
13 to do a massive housing expansion. That's  
14 the model that we're pursuing --

15 ASSEMBLYMAN MAGNARELLI: Thank you.

16 MTA CHAIR LIEBER: -- it's working  
17 very well, and we're seeing other  
18 opportunities in Long Island Rail  
19 Road/Metro-North territory. But I ran out of  
20 time to answer your third question.

21 ASSEMBLYMAN SIMONE: Yeah, thank you.

22 CHAIRWOMAN KRUEGER: Thank you. No  
23 more time. But you can always respond in  
24 writing, and we'll share it with everyone.

1 Because we want all your answers.

2 MTA CHAIR LIEBER: Good. Will do.

3 CHAIRWOMAN KRUEGER: Thank you.

4 Senator John Liu.

5 MTA CHAIR LIEBER: We'll get to the --

6 I promise, Mr. Simone, we'll get to the

7 derailments at some point.

8 ASSEMBLYMAN SIMONE: Thank you,

9 Mr. Chair.

10 SENATOR LIU: Thank you, Madam Chair.

11 And thanks to the MTA team for joining us

12 this morning.

13 How are we doing on the 2024 capital

14 plan? Meaning 2020-2024 capital plan? It's

15 2024.

16 MTA CHAIR LIEBER: Yeah. So you know

17 this well. I said in my testimony we did an

18 average of \$9 billion a year in contract

19 commitments. It would have been over

20 10 billion if we hadn't had a delay due to

21 congestion pricing of that \$2 billion A Train

22 resignaling project. I am, you know, really

23 burned about this --

24 SENATOR LIU: Well, all right, let me

1 be a little quicker here. I think your CFO  
2 had given me the heads-up before this hearing  
3 that your \$30 billion contract you had out of  
4 \$54 billion.

5 MTA CHAIR LIEBER: Yeah.

6 SENATOR LIU: So what has been  
7 contracted?

8 MTA CHAIR LIEBER: Well, we could go  
9 through it. It's a ton of ADA stations,  
10 zero --

11 SENATOR LIU: Okay, ADA stations,  
12 which were just shy of \$10 billion?

13 MTA CHAIR LIEBER: Okay.

14 SENATOR LIU: What about bus  
15 procurement? How many buses have we gotten  
16 out of the 2500 new buses that were supposed  
17 to be bought?

18 MTA CHAIR LIEBER: I'm going to have  
19 to give you an IOU of specific numbers. But,  
20 you know, there's --

21 SENATOR LIU: Well, I'm not asking for  
22 an exact number. Like how, roughly, do --  
23 the MTA was supposed to buy 2500 new buses.  
24 They would buy 500 new buses? They would buy



1           2,000 new buses? They would buy any new  
2           buses?

3                     MTA CHAIR LIEBER: We have bought new  
4           buses.

5                     Do you want to talk about it?

6                     NYCT PRESIDENT DAVEY: We certainly  
7           bought new buses, and we'll get you the exact  
8           number. But we are spending -- well,  
9           respectfully, we're spending lots on buying  
10          new buses --

11                    (Overtalk.)

12                    SENATOR LIU: The reason why I asked  
13          about the buses --

14                    NYCT PRESIDENT DAVEY: --  
15          infrastructure to ensure that those new buses  
16          that are electric in particular --

17                    SENATOR LIU: The reason why I asked  
18          about the buses is there doesn't seem to be a  
19          whole lot of attention put on buses. I mean,  
20          your testimony so far has focused on really  
21          important things -- the subways, the commuter  
22          rails. But very little mention of bus  
23          service, which is clearly needed in large  
24          parts of the city, particularly in what are

1 called the outer boroughs -- or the better  
2 boroughs, as Chair Comrie likes to talk about  
3 them.

4 There needs to be more attention paid  
5 on buses.

6 MTA CHAIR LIEBER: So the one thing I  
7 would say is that unlike prior MTAs, when we  
8 said we were going to redesign the entire bus  
9 system of Queens, which serves more people  
10 than virtually any other county in the  
11 United States, we said we wouldn't constrain  
12 it by cost, we're going to spend more money  
13 on it.

14 And we've done that, in collaboration  
15 with the community in an unprecedented way  
16 that was acknowledged by --

17 SENATOR LIU: Let's use the Queens bus  
18 redesign as an example.

19 MTA CHAIR LIEBER: Good.

20 SENATOR LIU: I mean, how much more  
21 resource are you putting into bus service in  
22 Queens, as an example?

23 MTA CHAIR LIEBER: Twenty to  
24 30 million a year.

1                   SENATOR LIU: Thirty million  
2 dollars more per year.

3                   MTA CHAIR LIEBER: Twenty to 30 a  
4 year. It hasn't --

5                   SENATOR LIU: In operating the buses.

6                   MTA CHAIR LIEBER: Yeah.

7                   SENATOR LIU: All right. That's a  
8 good start.

9                   And then how is the free bus program  
10 doing? How is the ridership on the free bus  
11 program, the bus pilots?

12                  MTA CHAIR LIEBER: Look, like I said,  
13 it's sort of premature to --

14                  (Overtalk.)

15                  SENATOR LIU: You need six more  
16 months?

17                  MTA CHAIR LIEBER: No, you gave us six  
18 more months. And we're going to give you the  
19 answer in the exact time frame and process  
20 that you laid out for us.

21                  SENATOR LIU: My three months -- my  
22 three minutes is out.

23                  ASSEMBLYMAN MAGNARELLI: Thank you.

24                  SENATOR LIU: Can you send a letter

1 about how many buses have been procured so  
2 far.

3 MTA CHAIR LIEBER: Absolutely.

4 ASSEMBLYMAN MAGNARELLI: Thank you,  
5 sir.

6 The next member to ask a question is  
7 Member Alvarez.

8 ASSEMBLYMAN ALVAREZ: Thank you,  
9 Mr. Chairman.

10 It is my understanding that the MTA  
11 will be surveying riders on the fare-free  
12 routes about the quality of life. If this is  
13 true, what questions are being asked?

14 NYCT PRESIDENT DAVEY: We absolutely  
15 will be surveying our riders. I think in the  
16 legislation that you all passed it was  
17 specific about finding out who our riders are  
18 taking that free bus, why they are -- are  
19 they new riders, are they taking more trips  
20 or is it just their normal trip -- and then  
21 are there fare evasion impacts, as was asked  
22 by one of your colleagues, on other routes as  
23 well.

24 So we'll be both getting qualitative

1 and quantitative data. As the chair  
2 mentioned, we're required to run that pilot  
3 up to six to 12 months. We are in Month 4.5,  
4 I think, right now, or 5, so we still have  
5 some data left to collect.

6 (Overtalk.)

7 MTA CHAIR LIEBER: Shanifah Rieara  
8 does -- Shanifah Rieara runs customer  
9 service. We do major surveys of the entire  
10 system twice a year, and slightly smaller  
11 ones every month. So we're in the customer  
12 survey business every day, all day.

13 ASSEMBLYMAN ALVAREZ: You made some  
14 statement earlier that the CityTicket has  
15 been successful and increased accessibility  
16 and ridership, right? Do you have a specific  
17 breakdown by station for how the CityTicket  
18 program is being utilized, specifically in  
19 the Bronx?

20 MTA CHAIR LIEBER: I -- I didn't --  
21 can you clarify? I didn't understand it.

22 ASSEMBLYMAN ALVAREZ: You mentioned  
23 today, right, that the CityTicket has been  
24 successfully increased, right?

1 MTA CHAIR LIEBER: Yes. Yes.

2 ASSEMBLYMAN ALVAREZ: Do you have a  
3 breakdown by station specifically in the  
4 Bronx?

5 MTA CHAIR LIEBER: I don't have a  
6 breakdown by station. But what you're  
7 talking about -- thank you for mentioning  
8 it -- is that we have in effect cut the fare  
9 for in-New York City commuter rail travel,  
10 Long Island Rail Road and Metro-North, by  
11 about -- more than a third, close to  
12 40 percent. So people are paying five bucks  
13 to ride. They're saving a lot of time. And  
14 we're seeing a lot of uptake.

15 But we'll give you a  
16 station-by-station breakdown.

17 ASSEMBLYMAN ALVAREZ: Thank you.

18 So how often does the MTA inspect the  
19 infrastructure?

20 MTA CHAIR LIEBER: Depends on what  
21 type of infrastructure.

22 Rich?

23 NYCT PRESIDENT DAVEY: At least for  
24 New York City Transit, we walk all the track

1 at least twice a week. It's a federal  
2 railroad standard, so that is applicable to  
3 the railroads, but at New York City Transit  
4 we've adopted that.

5 For other switch points or others that  
6 are used more frequently, we will also  
7 inspect them more frequently. But it's at  
8 least twice a week for our track.

9 ASSEMBLYMAN ALVAREZ: Are those  
10 incidents of inspection available for the  
11 public?

12 NYCT PRESIDENT DAVEY: Are they --  
13 well, the actual inspection reports available  
14 to the public?

15 ASSEMBLYMAN ALVAREZ: Yeah, the  
16 report. The inspection report.

17 NYCT PRESIDENT DAVEY: No, we don't  
18 provide inspection reports available to the  
19 public, no.

20 ASSEMBLYMAN ALVAREZ: So in  
21 May 2023 -- I have 15 more seconds -- the  
22 New York State Comptroller reported that the  
23 New York State funds that we, the  
24 Legislature, appropriate will create an open

1 door for the MTA to ease debt and build  
2 stronger future budgets. Has this been the  
3 case? What can the MTA do better?

4 MTA CHAIR LIEBER: Many ways. But  
5 I'll have to answer you another time.

6 (Laughter.)

7 ASSEMBLYMAN MAGNARELLI: Thank you,  
8 folks. Thank you.  
9 Senator?

10 CHAIRWOMAN KRUEGER: Senator Brad  
11 Hoylman-Sigal.

12 SENATOR HOYLMAN-SIGAL: Thank you,  
13 Madam Chair.

14 Good to see everyone this morning.

15 I want to echo my colleague  
16 Assemblymember Simone's request for a  
17 timeline for the 23rd Street elevator project  
18 that we hope we can get on the books.

19 But I want to ask you about the  
20 congestion pricing lawsuit against New York  
21 by New Jersey. And as you know, we called  
22 out the judge, who had political conflicts in  
23 that case, and forced him to recuse himself.  
24 And now I think it's flipped to at least



1 three other judges at this point.

2 You know, it was Governor Murphy  
3 himself who said he would fix New Jersey  
4 Transit or die trying. Can you give us an  
5 update and what your understanding is at this  
6 point regarding New Jersey's lawsuit?

7 MTA CHAIR LIEBER: Yeah, well, Phil  
8 Murphy said he was going to fix New Jersey  
9 Transit if it kills him, and I'm not sure --  
10 he's not dying, and I'm not even sure if he's  
11 trying.

12 New York and New Jersey are not that  
13 different. We have 80 percent -- both of us  
14 have transit commuters. You and the Governor  
15 have invested in transit. We have a robust  
16 capital program, and you took on that fiscal  
17 cliff last year and the rest of the country  
18 is just waking up to the fact -- the  
19 operating budget deficits in New Jersey, they  
20 have not addressed it.

21 So it is disappointing that a governor  
22 that prided himself on Al Gore's endorsement  
23 has left New Jersey Transit unfunded, for  
24 reasons we don't fully understand.

1 Thirty-plus New Jersey environmental  
2 organizations have come in an amicus brief  
3 supporting the MTA and the federal government  
4 against New Jersey's own lawsuit. And  
5 instead of investing in transit, for reasons  
6 none of us understand, they've got a  
7 \$2 billion turnpike widening project that  
8 will just pump more cars to the  
9 Holland Tunnel, which has no more capacity.  
10 So they're creating a big old parking lot on  
11 their side of the river.

12 This is a mystery. The lawsuit -- the  
13 substance of the lawsuit is kind of  
14 frivolous, honestly. The -- you know,  
15 there's black-letter law that a 4,000-page,  
16 four-year environmental study approved by the  
17 federal government is a pretty strong case in  
18 that. And the constitutional stuff that  
19 they're trying to add is kind of frivolous.  
20 How can they toll the New Jersey Turnpike and  
21 the Garden State Parkway, collect 40 percent  
22 of that money from out-of-staters, but we  
23 can't toll our own roads? That's a  
24 fundamental sovereignty issue I hope the

1           Legislature recognizes.

2                   SENATOR HOYLMAN-SIGAL: Thank you.

3                   MTA CHAIR LIEBER: So we're

4 disappointed.

5                   SENATOR HOYLMAN-SIGAL: I hope one of  
6 my colleagues asks about the New York Post  
7 report that shows that Penn Station fixes  
8 could avoid the \$17 billion if the transit  
9 agencies actually worked together. I'd like  
10 your comment. Maybe Senator Krueger will be  
11 asking that.

12                   CHAIRWOMAN KRUEGER: He'll have to  
13 follow up with you in writing after the  
14 hearing, Senator. Thank you.

15                   ASSEMBLYMAN MAGNARELLI: Member  
16 Giglio.

17                   ASSEMBLYWOMAN GIGLIO: Good morning.

18                   So the Hampton Jitney is a private bus  
19 company in my district that transports  
20 500,000 passengers a year to and from  
21 New York City. Right now the rate is \$40 for  
22 a one-way ticket. There's concern that the  
23 cost of congestion pricing tolls will add  
24 significant costs to the company, which will

1           then be passed on to those who use this bus  
2           service for transportation.

3                        So my question for you is, isn't it  
4           true that those riding buses are already  
5           doing their part to reduce congestion in  
6           New York City?   Number one.

7                        And, you know, each Hampton Jitney  
8           trip has the potential to take more than  
9           50 cars off the road.   Studies have  
10          repeatedly shown that motor coaches are the  
11          most fuel-efficient, least carbon-polluting  
12          form of mass transit per passenger.   So why  
13          are they now going to be forced to pay extra?

14                       MTA CHAIR LIEBER:   Okay.   So the  
15          process the Legislature set up called for us  
16          to have a third-party board develop these  
17          toll structure proposals.   And what they said  
18          is all mass transit buses would qualify for  
19          an exemption.   I don't know if the Hampton  
20          Jitney technically has been included in that;  
21          I'll look into it.

22                        But the recommendation was I think to  
23          do what you are talking about, which is to  
24          have mass -- buses that are functioning as

1 mass transit be exempt from the congestion  
2 pricing toll. I don't know whether in the  
3 discussions that have taken place so far a  
4 private operation, you know, to a luxury  
5 destination like the Hamptons is -- has been  
6 determined to be a mass transit bus within  
7 the definition. I'll have to get back to you  
8 on that.

9 ASSEMBLYWOMAN GIGLIO: Yeah, because I  
10 believe it was only for bus companies that  
11 have contracts with the municipalities or  
12 with government agencies. So if they don't  
13 have a specific contract for that trip into  
14 New York City, then they're saying that the  
15 way it reads right now, they would not be  
16 exempt.

17 So it's -- it would be good to get  
18 clarification in the budget for those  
19 exemptions, especially with the Governor's  
20 proposal in the State of the State to provide  
21 housing around bus stations -- I mean, around  
22 train stations, which could become a severe  
23 parking problem if all of these riders,  
24 500,000 a year, are forced to park at the

1 Ronkonkoma Hub and then take the train into  
2 the city.

3 And there are many housing proposals  
4 around that hub, as you are aware.

5 MTA CHAIR LIEBER: Yeah. Okay. Well,  
6 we'll look into it. But I think you were --  
7 we both understand that the goal we heard  
8 from this TMRB was let's make sure that mass  
9 transit buses are exempt. I don't know about  
10 the Hamptons bus, whether that's in the same  
11 category. We'll check it out.

12 ASSEMBLYWOMAN GIGLIO: And how are  
13 collections with ADLs going for people that  
14 are riding the train that do not have a  
15 ticket, that do not have identification --

16 MTA CHAIR LIEBER: The short answer,  
17 because time's running out, is lousy, which  
18 is why we're changing --

19 ASSEMBLYMAN MAGNARELLI: Thank you.

20 MTA CHAIR LIEBER: -- we're changing  
21 the system to give real summonses for people  
22 who fare evade on the commuter rail.

23 ASSEMBLYMAN MAGNARELLI: Senator.

24 CHAIRWOMAN KRUEGER: Thank you.

1 Senator Julia Salazar.

2 SENATOR SALAZAR: Thank you for your  
3 testimony.

4 So my understanding is that the MTA  
5 was only able to spend \$6 billion total in  
6 capital projects in 2022. How does this  
7 compare -- and I understand you mentioned in  
8 your testimony that MTA is rolling out  
9 capital projects faster than ever before, and  
10 that's great. But how does that compare to  
11 progress that was made on MTA capital  
12 projects in 2023?

13 MTA CHAIR LIEBER: So what happened  
14 was -- and you all know this, but we had to  
15 slow down the capital program during COVID  
16 because we didn't know if we were going to  
17 have to cannibalize the capital program to  
18 keep the lights on and the service running.  
19 This was all done very openly.

20 So the result was that we had fewer  
21 projects underway than we would have  
22 otherwise. The first year and a half of the  
23 current capital program was suppressed  
24 because of COVID and that uncertainty. Once

1 we knew we were getting the money from  
2 Washington and we could spend the capital  
3 program like crazy, off we went. That's the  
4 answer. We spent mostly federal money, which  
5 was a smaller part than we would have liked.  
6 We didn't spend the state money as much.

7 SENATOR SALAZAR: Were you able to  
8 increase spending on capital projects in  
9 2023?

10 MTA CHAIR LIEBER: Yeah. So what  
11 happened -- I'm going fast -- is we ramped up  
12 quickly, which is we're having -- the last  
13 couple of years we've had 9 billion a year on  
14 average. We would have been, as I said,  
15 closer to 11 but for some of the congestion  
16 pricing related suppression of projects.

17 SENATOR SALAZAR: Thank you.

18 And I know you spoke already about the  
19 zero-emission hydrogen fuel cell buses. How  
20 exactly does the MTA track and report on its  
21 progress when it comes to achieving climate  
22 and environmental goals?

23 MTA CHAIR LIEBER: Well, we -- what  
24 we've done is in addition -- I mean, let's



1 just all stipulate that mass transit is the  
2 antidote to climate change. It's  
3 counterintuitive, but New York region is the  
4 greenest urban area in the United States  
5 because we're a mass transit region.

6 But we also have made a commitment to,  
7 by 2040, 85 percent reduction in our  
8 operating climate change impacts, and to  
9 become that much more efficient. So we can  
10 track our progress on that goal. I'll have  
11 to get back to you on the specifics.

12 Rich, anything you want to add on  
13 that?

14 That's what we're doing. We're using  
15 cleaner materials, we're using different  
16 technologies, all in an effort to reduce our  
17 operations impact on the climate.

18 SENATOR SALAZAR: Great. And in the  
19 environmental assessment for congestion  
20 pricing, there were projections of, just in  
21 certain communities, increased truck traffic  
22 right? Not overall, of course, but increased  
23 impact on certain communities and discussion  
24 of mitigation plans to try to address that.



1 looking at, and now we have a pilot up, so  
2 thank you for that as well. How will you be  
3 evaluating that pilot? What sort of metrics  
4 are you looking at? And when can we expect  
5 results?

6 NYCT PRESIDENT DAVEY: Yeah, thank  
7 you. So I think a few things.

8 You know, we're picking stations where  
9 we have significant camera coverage so we can  
10 observe, you know, passenger behavior. So  
11 passenger behavior will be one.

12 We'll obviously be doing surveys. As  
13 the chair mentioned, we do monthly surveys  
14 with subway customers, a small amount, and  
15 then pretty deep dives every six months to  
16 see what folks are saying.

17 You know, the goal is to make folks  
18 feel safer, right? And that's -- and to do  
19 it very quickly. I think our ambition for  
20 platform screen doors, while we still have  
21 it, is much more technically complicated and  
22 clearly more expensive. So if this works, I  
23 would expect, you know, that we'd be able to  
24 roll it out in a number of other stations.

1           But right now our commitment is four  
2           stations. We've done the one. I think  
3           Clark Street is being installed this  
4           weekend --

5           ASSEMBLYMAN BORES: Sorry, if I could  
6           just move on.

7           NYCT PRESIDENT DAVEY: Sure.

8           ASSEMBLYMAN BORES: But the perception  
9           of safety being the main metric.

10          MTA CHAIR LIEBER: Yeah, that's the  
11          real goal, is that people feel safer on the  
12          platforms.

13          ASSEMBLYMAN BORES: Great.

14          So you rightly point out in your  
15          testimony we shouldn't judge this MTA by the  
16          old MTA. Your team provided a great  
17          cost-containment study comparing what the MTA  
18          is doing versus other countries, which was  
19          really helpful, and I encourage you as much  
20          as possible what you can put out there.

21          There were a number of useful metrics:  
22          ADA accessibility costs per station, costs  
23          per track mile, costs per power station, per  
24          rider. Was that a one-time study? Or do you

1 regularly track those over time?

2 MTA CHAIR LIEBER: We don't -- right  
3 now, to be honest, that was a one-time study  
4 to try to do -- what I was saying before is  
5 let's stop talking about East Side Access,  
6 which was designed when George Pataki and  
7 Al D'Amato were making decisions about the  
8 MTA's future, and start to show what we're  
9 doing now.

10 But it's a legitimate point. We can  
11 continue to provide those on a regular basis.

12 ASSEMBLYMAN BORES: That would be  
13 super-helpful. Whatever you can do and  
14 follow up on it of how that's changed would  
15 help us just make the point that, hey, cost  
16 containment is going in the right direction.  
17 So thank you.

18 And then lastly I want to follow up on  
19 Assemblymember Simone's question on ADA  
20 accessibility. I know you said the  
21 disability community is saying "go at the  
22 same speed." My mom has multiple sclerosis;  
23 I know many in the disability community not  
24 saying "go at the same speed," but instead "I

1 want this a lot quicker."

2 You're doing a great job accelerating  
3 it. Could you commit, if you got all the  
4 funding that we're talking about, central  
5 business tolling in it, to move it from 2055  
6 to a little bit sooner?

7 MTA CHAIR LIEBER: Well, let's look at  
8 it together. If you want to discuss this, if  
9 we're serious about it, we'll take a look at  
10 it. I mean, we have to manage the number of  
11 outages and the impacts to service as well as  
12 everything else.

13 So let's talk about it. But we -- we  
14 want to keep up that commitment. And if we  
15 can go faster, that's great.

16 ASSEMBLYMAN BORES: Thank you.

17 ASSEMBLYMAN MAGNARELLI: Thank you,  
18 Mr. Chair.

19 CHAIRWOMAN KRUEGER: Thank you. (Mic  
20 off; inaudible.) Oh, I'm not on.

21 If you're sitting at one of the chairs  
22 without a microphone, if people usually who  
23 are on -- near the ends on either side, would  
24 get up, let you use their chair while you ask

1 your question, and then you can trade back.

2 Thank you.

3 SENATOR HINCHEY: Thank you very much.

4 And thank you for being here.

5 As you know, I represent the  
6 Hudson Line, which is an incredibly important  
7 part of the MTA region, and with the increase  
8 of severe storms that we've seen, there's I  
9 think been an uptick in the need for  
10 resiliency and reconstruction.

11 I thank you for always the quick  
12 attention to that matter on the Hudson Line,  
13 but I'd love to know how much money is  
14 dedicated for resiliency, especially on the  
15 lines that are right next to the  
16 Hudson River.

17 MTA CHAIR LIEBER: Honestly, what we  
18 did in -- the first phase of resiliency was  
19 focused on coastal surge. You know, after we  
20 all learned from Superstorm Sandy, we spent  
21 \$7 billion protecting the things that were  
22 most subject to coastal surge.

23 But now we -- because of these crazy  
24 weather events, again, and the continuing

1 impacts of climate change, we know the  
2 threats are more than just coastal surges --  
3 it's torrential rainfall, it's extreme heat,  
4 it's sea level rise. And the Hudson Line is  
5 in the cross-hairs.

6 So if you look through this very  
7 substantial 20-year needs assessment, backed  
8 up by the big old appendix, the resiliency  
9 gets its own treatment, and Hudson Line,  
10 again, again is the highlight in the next  
11 capital program we have to find a way to  
12 address. Because the Hudson Line is steps  
13 from the river --

14 SENATOR HINCHEY: Feet.

15 MTA CHAIR LIEBER: And meantime the  
16 embankments are steep and the torrential  
17 rainfall keeps creating mud slides, and we're  
18 losing the Hudson Line. We've gotta do it.

19 SENATOR HINCHEY: Right. Thank you.  
20 I appreciate that.

21 You say in the next capital plan.  
22 What would that look like? Can you give -- I  
23 mean, what is the scale or what's an -- or  
24 what's the plan --



1                   MTA CHAIR LIEBER: I'm not ready to  
2 talk about the dollars. But you have to --  
3 you're talking about basic structure. It's  
4 not a matter of like, you know, messing  
5 around with ballast and the track. You're  
6 talking about something along the lines of  
7 maybe even necessarily as ambitious as what  
8 they're doing on East River Park, where you  
9 have to, you know, raise the level and  
10 stabilize.

11                   We also have to go out and look at all  
12 those privately owned embankments and slopes  
13 to see if they're being properly maintained.  
14 That seems to have been one issue in one of  
15 those mud slides.

16                   So unfortunately we had to get really  
17 good at cleaning them up. I just want credit  
18 for the Metro-North personnel and the C&D  
19 personnel who keep restoring service on a  
20 dime. But in the meantime we need a strategy  
21 for attacking this problem. It's not going  
22 away.

23                   SENATOR HINCHEY: Thank you. No, and  
24 they've been great, and the attention to the

1 matter is quick and swift. And I think, you  
2 know, it harkens back to the importance of  
3 that line and connection that we have for our  
4 region.

5 So just to be clear, I mean, I think  
6 we're going to need a significant investment,  
7 I mean just even for the Hudson Line itself,  
8 to make sure that that can continue to run.  
9 Because without it, we won't -- I mean, the  
10 line will be out of service in a very short  
11 period of time. Is that fair?

12 MTA CHAIR LIEBER: Yeah, I can't  
13 project, you know, when mud slides are going  
14 to happen, but we all know that is a must-do.  
15 This is a must-do.

16 SENATOR HINCHEY: Thank you.

17 MTA CHAIR LIEBER: Along with  
18 investments in other parts of Metro-North --  
19 I want to say Senator Mayer's in my eyesight,  
20 and others. You know, we -- there's  
21 fundamental structure on Metro-North that  
22 needs to be attacked through our capital --

23 CHAIRWOMAN KRUEGER: Thank you.

24 Sorry.

1 ASSEMBLYMAN MAGNARELLI: Thank you,  
2 sir.

3 SENATOR HINCHEY: Thank you very much.

4 CHAIRWOMAN KRUEGER: Thank you.  
5 Assembly.

6 ASSEMBLYMAN MAGNARELLI: Member  
7 Shimsky, please.

8 ASSEMBLYWOMAN SHIMSKY: Thank you very  
9 much, Mr. Chairman.

10 And yes, Chairman, we're going to be  
11 tag-teaming the Hudson Line issues.

12 As you know, we are already having  
13 short-term issues with retaining wall  
14 integrity along the entire line, pretty much.  
15 We're looking at a point where the line will,  
16 we can predict, be underwater certainly in my  
17 adult children's lifetimes.

18 How are we envisioning the process to  
19 get the short-term and the long-term needs  
20 planned out and put in the capital plan?  
21 What's the time frame, not just on what we  
22 have to do but on the planning process  
23 itself? And can we take some of that  
24 3 percent in cost savings and invest in a

1 really robust and prompt planning process to  
2 make sure that we can save the Hudson Line?

3 MTA CHAIR LIEBER: So let me assure  
4 you, again, if you look at the document,  
5 there's no single project that -- in the  
6 resiliency area that gets more attention than  
7 the Hudson Line.

8 So the work is already going on. The  
9 planning team that produced this incredible  
10 piece of work is actually engaged in what you  
11 want -- what you're asking about, which is  
12 what are the initial investments we need to  
13 do, what is the phasing strategy.

14 In the meantime, we need to continue  
15 to invest in the Hudson Line because our  
16 friends in West of Hudson, West of Hudson,  
17 are subject to crummy New Jersey Transit  
18 service on the Port Jervis and the Pascack  
19 Valley Line, and we need the Hudson Line also  
20 to be able to accommodate them. You know,  
21 Chairman Zebrowski is not here now, but he  
22 and I have talked about the need to make sure  
23 that people can go to Irvington and  
24 North White Plains and use those stations

1 from West of Hudson as well.

2 ASSEMBLYWOMAN SHIMSKY: Okay. As I  
3 said, there's nothing more important than  
4 trying to keep our train system running. And  
5 to that point, one one of the new things that  
6 people are talking about in terms of  
7 infrastructure is "fix it first." Which  
8 means before we start expanding, we make sure  
9 that everything else is in good shape.

10 Where are we in terms of basic  
11 maintenance with things like tracks,  
12 elevators, stations and so on?

13 MTA CHAIR LIEBER: Well, again, I'm  
14 not going to go through item by item. But  
15 that's all enumerated, literally system by  
16 system, how much of those systems are in poor  
17 or marginal condition. You know, I'm not  
18 going to go through it, but the one thing  
19 that I'm seeing is fundamental structure in  
20 some of the Metro-North territory, the  
21 platforms, 25, 30 years ago they built  
22 hollow-core platforms which are being  
23 compromised. There's a lot of structural --  
24 you know, a lot of concrete spall. We can't

1 spare the platforms. We can't spare the  
2 track. We can't spare the signals. That's  
3 why 80 percent of our capital program is and  
4 must remain in a state of good repair, on top  
5 of all the good stuff we --

6 ASSEMBLYMAN MAGNARELLI: Thank you,  
7 Mr. Chair.

8 ASSEMBLYWOMAN SHIMSKY: Thank you.  
9 Thank you, Mr. Chairman.

10 CHAIRWOMAN KRUEGER: It's amazing how  
11 fast three minutes is.

12 Senator Weber.

13 SENATOR WEBER: Thank you, Chairwoman.  
14 And thank you for being here today.

15 You know, I represent Rockland County  
16 and, you know, Rockland County residents have  
17 always felt like the other redheaded  
18 stepchild of the MTA. And I'll explain why.

19 You know, County Executive Ed Day,  
20 Assemblyman Zebrowski, now-Congressman  
21 Lawler, we always talk about the value gap,  
22 right, the \$40 million value gap, as we call  
23 it, the amount of taxes and revenue that  
24 Rockland residents send up to the MTA versus

1 the services that we get. You know, we don't  
2 have a one-seat ride into New York City,  
3 which is extremely frustrating. And then we  
4 see the congestion pricing plan coming into  
5 effect, and you know, we have a lot of  
6 middle-class residents. We have a tremendous  
7 amount of cops, firefighters, schoolteachers,  
8 senior citizens who go to see their doctors  
9 in the city -- you know, people that can't  
10 afford and frankly can't, due to their  
11 scheduling, can't take the train into the  
12 city. Because, you know, being a cop or a  
13 firefighter or a teacher, you know, they're  
14 in the city and coming out of the city at  
15 different times.

16 And for far too long the services out  
17 of Rockland have been really inconsistent,  
18 unreliable. And obviously, as mentioned  
19 earlier by my colleagues here, they've been  
20 unsafe. You know, especially when you get  
21 into the city, whether it's real or  
22 perceived -- and I know you had indicated  
23 that a lot of the crime has gone down in the  
24 city areas, and I'll take you at that word

1 and I hope that's the case. And if so, I  
2 hope that trend continues.

3 But what we as Rocklanders see on TV  
4 every day and experience going into the city,  
5 it's still an unsafe ride into the city.

6 So I would like you to just maybe  
7 speak to what I talked about, and speak to  
8 the fact of are there any plans in the  
9 future, in the foreseeable future, to improve  
10 the lines and improve the stations in  
11 Rockland County, knowing that we're going to  
12 have this congestion pricing that's going to  
13 go in and we still have that, you know, not a  
14 one-seat ride into the city.

15 So I know I've explained a lot, but  
16 maybe you can just address this.

17 MTA CHAIR LIEBER: Yeah, understood.  
18 And listen, we're acutely sympathetic to the  
19 fact that Rockland County, the services that  
20 are West of Hudson -- I just talked about  
21 it -- Port Jervis and Pascack Valley Line are  
22 not first-class services. It's run by  
23 New Jersey Transit. I don't want to throw  
24 them under the bus more than I already have,



1 but it's not where we would want our  
2 customers to be, how our customers should be  
3 treated.

4 We've been great supporters of -- if  
5 they ever, you know, get done with the, you  
6 know, many billions on Gateway, that they do  
7 consider that Bergen Loop that would get a  
8 connection into New York City. I've been a  
9 supporter of it and I've advocated for making  
10 sure that there is room kept in designs of a  
11 future Penn Station for additional direct  
12 service from those West of Hudson lines.

13 In the meantime, you've heard me say  
14 it, we really want to improve connections  
15 from Rockland and West of Hudson into the  
16 Hudson Line, and we can talk more about it  
17 because we are passionate about that  
18 connection.

19 ASSEMBLYMAN MAGNARELLI: Thank you,  
20 sir. Appreciate it.

21 SENATOR WEBER: Thank you.

22 ASSEMBLYMAN MAGNARELLI: Member Simon.  
23 Jo Anne. We're going to have to go to -- oh,  
24 there she is. Okay, I'm sorry. Go ahead,

1 Jo Anne.

2 ASSEMBLYWOMAN SIMON: Thank you,  
3 Mr. Chair. You caught me mid-Tweet about the  
4 J Train.

5 (Laughter.)

6 ASSEMBLYWOMAN SIMON: It just so  
7 happens.

8 Thank you very much for your  
9 testimony, Chair Lieber.

10 I have a question for you -- a couple  
11 of questions for you. But one is about  
12 congestion pricing and if the proposed fares  
13 go through the way they are, how will the MTA  
14 mitigate the likely path-finding through the  
15 neighborhoods to go over the Brooklyn or  
16 Manhattan bridges, which will have a lower  
17 toll than the Brooklyn Battery Tunnel?

18 MTA CHAIR LIEBER: So because time is  
19 so short, I'm just going to say the incentive  
20 for toll shopping under the structures  
21 proposed by TMRB will be reduced. So --  
22 and -- no, it is. Numerically, it's cut in  
23 half, right? So --

24 ASSEMBLYWOMAN SIMON: Reduced but --

1           MTA CHAIR LIEBER: No, significantly  
2 reduced. And we're going to be cutting the  
3 number of cars that are coming to New York.  
4 So I -- respectfully, I don't -- you know, I  
5 don't think it's a guarantee that there's  
6 going to be more traffic through the  
7 neighborhoods. You and I are both  
8 Brooklynites. I don't think that with a  
9 reduced incentive and a reduced number of  
10 cars, which is what's projected and intended,  
11 that there necessarily will be more impact on  
12 the neighborhoods.

13           But you and I are going to talk about  
14 this and look at it, and there's going to be  
15 statistical evaluation up the wazoo.

16           ASSEMBLYWOMAN SIMON: Thank you.

17           The other question I have is, as you  
18 know, we have a significant problem with  
19 subway flooding, and certainly in my district  
20 that happens quite frequently. What is the  
21 MTA doing to work with the city with regard  
22 to the -- so the sewer capacity and the fact  
23 that things just bubble up and out.

24           MTA CHAIR LIEBER: No, I appreciate

1           it. Look, the MTA system pumps 14 million  
2           gallons of water every day on a dry day, and  
3           on these torrential rain days is pushing  
4           20 million gallons of water.

5                        So we have a great system for clearing  
6           water out of the subway. The problem -- and  
7           we also are working very closely with the  
8           city to close up all the nooks and crannies  
9           of how water gets in. Obviously it starts  
10          with making sure the drains are clear. And  
11          that, you know, the equipment for pumping is  
12          spread around to the right places and so on.  
13          We do that very, very well.

14                       But at the end of the day, when you  
15          have a major water reservoir being created,  
16          it's because the city sewer system can't  
17          release water quickly enough. And we are  
18          urging them to find ways to do that, even  
19          specific locations like your neighborhood,  
20          like the West Side of Manhattan, some of Tony  
21          Simone's subway stations, which chronically  
22          fill up with water because of the storm sewer  
23          system of the city. We want them to push the  
24          water out and get some mechanical support for

1 moving the water out of the system.

2 ASSEMBLYWOMAN SIMON: Well, sign me up  
3 to help.

4 And also a question about can we get a  
5 York Street repair in the capital plan. Very  
6 important issue, York Street, because we have  
7 one staircase, as you know.

8 MTA CHAIR LIEBER: I know all about  
9 it, but I ran out of time. We'll have to  
10 take that one offline.

11 ASSEMBLYWOMAN SIMON: Thank you.

12 ASSEMBLYMAN MAGNARELLI: Thank you.

13 CHAIRWOMAN KRUEGER: Thank you.

14 Senator Ramos.

15 SENATOR RAMOS: Well, buenos dias.

16 MTA CHAIR LIEBER: Buenos dias.

17 SENATOR RAMOS: I want to start by  
18 asking about casino revenue that's slated to  
19 begin in 2026. And whether we're still on  
20 pace for that or if there have been any  
21 delays.

22 MTA CHAIR LIEBER: Kevin?

23 MTA CFO WILLENS: Sure. You know, we  
24 do have the casino revenues planned for 2026,

1 even though MTA doesn't control that process.  
2 And the State Gaming Commission I know put  
3 out answers to all the questions, and  
4 there's --

5 SENATOR RAMOS: Well, the second round  
6 of questions is going to be -- expected to be  
7 done by the end of the month.

8 MTA CFO WILLENS: Right. And my  
9 understanding is that the RFPs are expected  
10 to be received for the 11 proposers sometime  
11 by maybe the end of the year, early next  
12 year.

13 SENATOR RAMOS: Okay. Well, thank  
14 you, that's an interesting timeline.

15 Let me ask now, you know, during the  
16 last budget hearing I expressed my concern  
17 that MTA bathrooms were still closed, and you  
18 shared with me recently that there's been  
19 progress on this front. Can you share how  
20 many are operational and what your plan is to  
21 make more operational in the future?

22 MTA CHAIR LIEBER: Rich?

23 NYCT PRESIDENT DAVEY: Yeah, I'm happy  
24 to. Listen, Senator, I don't have the exact

1 number off the top of my head. I think we  
2 have about -- I'm sorry?

3 MTA CHAIR LIEBER: Eighty-eight.

4 NYCT PRESIDENT DAVEY: Eighty-eight  
5 bathrooms? The 88 bathrooms -- and I think  
6 it's actually more. Maybe I haven't informed  
7 the chair of that.

8 We have a few more left that require,  
9 let's just say, a lot of tender, loving care,  
10 which we are implementing now. We wanted to  
11 make sure that the bathrooms were clean and  
12 welcoming to our customers. I would say in  
13 my tour of them last year, that was not the  
14 case. So we're really trying to be mindful  
15 of that.

16 And then, as you know, to protect our  
17 workers and make sure they're clean, they're  
18 open for 12 hours; we close them for one hour  
19 in the midday so our employees can get in  
20 there and clean them.

21 In terms of the future, we'll look to  
22 see, but our commitment was to reopen all  
23 that were closed during COVID, and that's our  
24 focus. We're pretty close.

1                   SENATOR RAMOS: And which ones are the  
2 most popular?

3                   NYCT PRESIDENT DAVEY: Which ones are  
4 the most popular? I have not followed the  
5 door meter as of late, but I think Flushing  
6 in particular, in Queens, is one of the most  
7 popular, if I recall.

8                   MTA CHAIR LIEBER: I think it's a  
9 question you know the answer to --

10                  SENATOR RAMOS: I do.

11                  MTA CHAIR LIEBER: It's 74th Street/  
12 Roosevelt.

13                  SENATOR RAMOS: It's 74th Street/  
14 Roosevelt, that's right.

15                  Okay, let's switch gears to the two  
16 recent train derailments and the tragic death  
17 of a transit worker. I want to ask how the  
18 MTA is actively addressing safety concerns in  
19 the aftermath of those incidents.

20                  NYCT PRESIDENT DAVEY: We're active,  
21 Senator. A couple of things. I mean, one  
22 is --

23                  MTA CHAIR LIEBER: 22nd.

24                  NYCT PRESIDENT DAVEY: -- 22nd. So



1 for the track worker, working closely with  
2 the NTSB, who is working with us on that,  
3 happy to talk to you offline on that one.

4 The first derailment was actually a  
5 collision of two trains. One was taken out  
6 of service because it had been vandalized.  
7 We make that move, that -- about 10 times a  
8 day. And so we need to get into that  
9 specific issue, and I'm happy to talk offline  
10 about the --

11 (Overtalk.)

12 CHAIRWOMAN KRUEGER: Thank you.  
13 Sorry.

14 SENATOR RAMOS: Is it possible to sign  
15 up for a second round?

16 CHAIRWOMAN KRUEGER: No, there are no  
17 more rounds, sorry.

18 ASSEMBLYMAN MAGNARELLI: Member  
19 Slater, please.

20 ASSEMBLYMAN SLATER: Thank you very  
21 much.

22 Thank you very much, Chairman, for  
23 being here and for all your hard work.  
24 Looking forward to seeing the Brewster Yard

1           Campus continue to move forward. I know that  
2           your agency has been fantastic with that.

3                     I represent Northern Westchester and  
4           Putnam County. And like Senator Weber said  
5           before, what I hear most from my constituents  
6           are concerns surrounding congestion pricing.  
7           And I know I only have a few minutes, so I  
8           just want to try to get some of these  
9           questions out of the way as quickly as I can.

10                    Right now, is there a plan that is  
11           being considered for exceptions for police  
12           officers who commute into New York City?

13                    MTA CHAIR LIEBER: That was not  
14           recommended by the TMRB. They recommended no  
15           specific rifle shot for specific worthy  
16           populations, because that would push up the  
17           toll for everybody. And they also thought it  
18           would just snowball and create more and more  
19           arguments.

20                    ASSEMBLYMAN SLATER: Understood.

21                    So no -- so nothing for police,  
22           nothing for New York City firefighters,  
23           nothing for municipal workers. My next-door  
24           neighbor works for New York City Sanitation.

1           So he will not receive an exemption because  
2           he's simply going to work.

3                     MTA CHAIR LIEBER:  The -- remember  
4           that 80-plus percent of the folks in  
5           Westchester are taking mass transit.  So the  
6           exclusive focus on folks who drive to the  
7           Central Business District I just think is  
8           misplaced, honestly.  But the answer is no,  
9           there are no special-treatment exemptions  
10          that have been proposed for any one group of  
11          worthy population.

12                    What you all said, there's a  
13          disability exemption and there is a  
14          low-income.  So if any of those folks that  
15          you're talking about qualify for low-income.

16                    And of course people, municipal  
17          workers who work off-hours will have the  
18          benefit of it only being \$3.75 in the  
19          overnights.

20                    ASSEMBLYMAN SLATER:  And when you're  
21          implementing or planning on implementing  
22          congestion pricing, and we read articles --  
23          like yesterday in Newsday there was one about  
24          how there is an estimated 224,000 MTA tolls

1 per month that are being dodged from fake and  
2 obstructed license plates. How are we going  
3 to avoid that type of gap with congestion  
4 pricing when we're currently seeing it in the  
5 system right now.

6 MTA CHAIR LIEBER: Well, we've  
7 actually brought down the number of  
8 unbillable transactions by doing everything,  
9 by making sure that the cameras pick up the  
10 license plates, that there are no duplicates  
11 in the system, people get the right bills,  
12 the right -- so we brought down the number of  
13 unbillables.

14 The one area that's going up is people  
15 covering their plates. Which is why the  
16 Governor has proposed a new -- a regimen in  
17 the law that focuses on -- that creates real  
18 penalties.

19 If you're trying to defraud the public  
20 by covering your plate, and especially since  
21 we're seeing people rolling around in  
22 Porsches who are doing -- owe the public  
23 \$10,000, \$20,000, \$30,000, they've got to  
24 come down. We did twice as many

1 interdictions on our bridges and tunnels as  
2 we did the year before, and we're going to  
3 keep at it. Because that is a fundamental  
4 unfairness.

5 ASSEMBLYMAN SLATER: Thank you very  
6 much, sir.

7 CHAIRWOMAN KRUEGER: Senator Gonzalez.

8 SENATOR GONZALEZ: (Mic off.) Oh, now  
9 we got it.

10 Great. Hello. Good morning.

11 MTA CHAIR LIEBER: Hello, Senator.

12 SENATOR GONZALEZ: Definitely  
13 appreciate your time being here. I'm excited  
14 about a lot of the improvements that you  
15 mentioned, as a straphanger my whole life.  
16 Definitely will be impacted in a  
17 three-borough district.

18 But today I wanted to talk a little  
19 bit more about fare evasion, because in your  
20 statement you mentioned that it's the single  
21 biggest threat to the health -- or fiscal  
22 health of the MTA.

23 So in the last year has fare evasion  
24 gone up, down, or has it stagnated?

1           MTA CHAIR LIEBER: So it's premature  
2           for us to -- you know, we do this with a sort  
3           of more and more specific sampling  
4           methodology. So I can't tell you exactly how  
5           it's gone in the year.

6           But when I made a speech about it two  
7           years ago, it was going up fast, and last  
8           year it was -- I think through the middle of  
9           last year it was 700 million a year. So it  
10          is a megaproblem that wasn't a megaproblem a  
11          couple of years ago. A different scale of  
12          problem, I should say, a couple of years ago.

13          SENATOR GONZALEZ: Got it, yes. So it  
14          seems like that's similar to the number you  
15          gave last year, which I think was 690  
16          million. So maybe it's increased a little,  
17          or stagnated. But what has increased, of  
18          course, since last year is the investment in  
19          surveillance and policing of our subway  
20          systems. As you mentioned, we have had an  
21          increase in the number of cameras, over  
22          60,000 across our system.

23          We also have increased policing in  
24          subway systems, and reports show that last

1 year alone, overtime for subway system  
2 policing for the NYPD went up from 4 million  
3 to 155 million. That additional 150 million  
4 only resulted in \$104,000 recovered from fare  
5 evasion. Is that correct?

6 MTA CHAIR LIEBER: Yeah. When that  
7 point was made, it was misleading, because it  
8 was as if all cops are doing with their  
9 overtime is fare evasion for us, and that  
10 couldn't be less true. What they're doing is  
11 policing the system.

12 We're not in the fare evasion -- fare  
13 evasion is not our first priority. Our first  
14 priority is stopping crime -- I mean, the  
15 NYPD is the executor, but for all of us the  
16 priority is stopping crime and making riders  
17 feel safe.

18 And you know what they tell us in  
19 every survey Shanifah does? What do they  
20 tell us, Shanifah?

21 MTA CCO RIEARA: We get feedback from  
22 customers all the time about the importance  
23 of seeing a uniformed police officer, with  
24 every survey that we do, whether it's our

1 customer -- biannual customer count or our  
2 monthly poll survey.

3 SENATOR GONZALEZ: Got it.

4 MTA CCO RIEARA: But to sort of build  
5 on that, we also --

6 SENATOR GONZALEZ: Apologies, I only  
7 have 30 seconds left.

8 I'm curious about your AI surveillance  
9 system. So you've implemented AI in seven  
10 stations, expanding it to 30 to track subway  
11 riders. Are you planning on sharing that  
12 data with the NYPD? And can you commit that  
13 that system, which biometric surveillance  
14 systems have proven to be discriminatory, we  
15 promise that there will be no increase in  
16 automated bias?

17 MTA CHAIR LIEBER: Well, we use -- we  
18 use AI not -- you know, not -- we don't have  
19 any facial recognition technology. I think  
20 that's the key issue.

21 What we're tryingt to do is to learn  
22 how riders are moving through the system and  
23 to serve them better, and have better  
24 operating systems.



1 ASSEMBLYMAN MAGNARELLI: Thank you,  
2 sir. Thank you.

3 SENATOR GONZALEZ: I would say  
4 policing has many people --

5 ASSEMBLYMAN MAGNARELLI: Thank you,  
6 Senator.

7 SENATOR GONZALEZ: Thank you. Thank  
8 you.

9 ASSEMBLYMAN MAGNARELLI: Member  
10 Darling.

11 ASSEMBLYWOMAN DARLING: Chairman and  
12 team, thank you for your work and being here.  
13 I represent Nassau County, and I want to go  
14 on record and say that many Long Islanders  
15 have shared with me that they are vehemently  
16 against congestion pricing and they feel  
17 financially targeted by this policy. Just  
18 wanted to go on record and say that.

19 And in regards to the LIRR, I remember  
20 a time when I could transfer at Jamaica and  
21 the train was waiting right on the other side  
22 of the track for me, like clockwork. And  
23 recently I had two experiences where I waited  
24 15 minutes for that connecting train, and one

1           experience traveling from Albany where I had  
2           about two minutes to run up a flight of  
3           stairs with a suitcase and run across three  
4           tracks to catch the train. And I instantly  
5           thought about our New Yorkers with  
6           disabilities and how they would have had to  
7           miss that and it would have been another  
8           20 minutes added on to their trip in  
9           inclement weather.

10                         So I just wanted to share those  
11           experiences and ask, how does the MTA plan to  
12           continue to address the issues that  
13           Long Islanders have concerns about,  
14           including, you know, reliability and cost,  
15           delays, with this proposed budget?

16                         MTA CHAIR LIEBER: Okay. I think --  
17           what I will tell you is we increased service  
18           by 41 percent and all of a sudden Long Island  
19           Rail Road ridership in the last year has  
20           surged, it's gone up dramatically.

21                         And we've also seen -- yes, there was  
22           a shakeout period on the new schedule because  
23           we were providing so much more service that  
24           clearly, from an operational standpoint, it

1           took a little while to get settled. But it  
2           has settled down. We have 94 -- 95 percent  
3           on-time performance this year, and last year  
4           it was just a tad under 94. So we've gotten  
5           back to the kind of performance that we want.

6                     The connection issue -- the idea is on  
7           the inbound, most people -- if you're going  
8           to Grand Central, even if you're going to  
9           Penn or even Atlantic, there are such  
10          frequent trains that we're not trying to  
11          schedule timed connections anymore, because  
12          you cannot run 900 trains if you're waiting  
13          in the station to make time connections.

14                    On the outbound, though, the point  
15          that you make is legit, and we're trying to  
16          make sure that trains that operate  
17          infrequently towards the East End do have  
18          more robust connection periods so that nobody  
19          gets left behind standing in Jamaica for an  
20          hour.

21                    So that is a work in progress. We've  
22          made progress on it, and we're going to keep  
23          at it.

24                    ASSEMBLYWOMAN DARLING: Thank you.

1           And just in regards to our New Yorkers  
2 with disabilities -- like, you know, I am a  
3 very active person, so travel is very easy  
4 for me. But on a day where, say, I don't  
5 feel that active or someone did not have  
6 those same abilities, I do not feel like the  
7 Long Island Rail Road has yet reached the  
8 level of accessibility that we would like to  
9 see.

10           MTA CHAIR LIEBER: Well, I'll just  
11 tell you that there's, you know, 110 stations  
12 out of 126 in the Long Island Rail Road --  
13 no, 113 of 126 are accessible. There's seven  
14 more that are under construction. They're  
15 in -- most of those are in Southeast Queens.  
16 And so we're getting pretty close to  
17 100 percent ADA accessibility on Long Island  
18 Rail Road; I'm very proud of that.

19           ASSEMBLYWOMAN DARLING: Thank you.

20           ASSEMBLYMAN MAGNARELLI: Thank you,  
21 Mr. Chairman.

22           CHAIRWOMAN KRUEGER: Thank you. Next  
23 is Senator Mayer from Westchester.

24           SENATOR MAYER: Thank you.

1           Thank you, Chairman. Thank you for  
2 being here.

3           Quick question about the toll rebate  
4 under congestion pricing for those who use  
5 the Henry Hudson Bridge. When I voted for  
6 congestion pricing in 2019, my recollection  
7 is that Westchester, particularly  
8 Southern Westchester drivers who use the  
9 Henry Hudson Bridge, would be given the  
10 rebate for the toll on the Henry Hudson  
11 Bridge.

12           Now it appears it's limited to Bronx  
13 drivers exclusively. Nothing against  
14 Bronx drivers, but there's a whole lot of  
15 people from Yonkers, Mount Vernon and  
16 Southern Westchester who use it every day.

17           Is there any opportunity to revisit  
18 that issue?

19           MTA CHAIR LIEBER: Yeah, you --  
20 respectfully, you guys are in control of  
21 that. We're implementing what was in the  
22 statute, in the end. So you're welcome to  
23 raise it, but it's -- I'm certain that we're  
24 implementing the statute as written.

1           SENATOR MAYER: Well, we'll go back  
2 over the statute. And I actually don't think  
3 the statute reflects those language -- I  
4 believe it is the understanding that occurred  
5 later, and I'm asking whether it can be  
6 revisited.

7           MTA CHAIR LIEBER: We're always open  
8 to discussions. As was reported earlier, the  
9 Outer Borough Transportation Account is now  
10 finally, you know, developing some capacity,  
11 so the Legislature is, you know, well within  
12 its rights to revisit what projects that  
13 money would be used for.

14          SENATOR MAYER: I think it was -- just  
15 to be clear, it was done outside of the  
16 legislative process --

17          MTA CHAIR LIEBER: Yes.

18          SENATOR MAYER: -- to my recollection.  
19 I'm happy to revisit it, and I look forward  
20 to that.

21          MTA CHAIR LIEBER: And I -- and I  
22 misspoke. My team is telling me that it was  
23 not in the statute, and there's another  
24 process.

1 SENATOR MAYER: Yes.

2 MTA CHAIR LIEBER: So I'll have to get  
3 on top of it.

4 SENATOR MAYER: Understood. I look  
5 forward to following up. Thank you.

6 CHAIRWOMAN KRUEGER: Thank you.  
7 Assembly.

8 ASSEMBLYMAN MAGNARELLI: Yes,  
9 Member Gallagher.

10 ASSEMBLYWOMAN GALLAGHER: So nice to  
11 see you, Chairman.

12 And I am a representative, as you  
13 know, of Northern Brooklyn, and we are along  
14 the most expanding housing corridor in the  
15 entire state. And we have a wonderful train  
16 that my district loves to ride. We are not  
17 afraid of the train, we love it. And we also  
18 support congestion pricing because we want  
19 this train to be upgraded, and that is the G  
20 Train.

21 And we are very grateful that the G  
22 Train is currently getting new signals. But  
23 that is resulting in a really painful  
24 schedule which I'm accepting because I know

1 without pain there can be no gain. But I  
2 want bigger gain from this shutdown, because  
3 I see the G as the new lifeline for New York  
4 City activity. Because we are growing in  
5 Queens and we are growing in Brooklyn, and  
6 the G actually connects all of these.

7 So we sent a letter to you, we just  
8 sent it this morning, so I'll give you a  
9 little preview. Twenty-two of us are asking  
10 for you to expand the G back to Forest Hills  
11 like it used to be, which got cut in 2010,  
12 and to finally let our G Train be an adult  
13 and grow to 10 cars instead of the four  
14 stubby little cars that we've had all these  
15 years.

16 So I'm wondering, are you willing to  
17 seriously consider this and not brush it off?  
18 Because I'm telling you, the ridership is  
19 going to soar. Since we released this  
20 letter, I've gotten so many emails and texts  
21 saying: Thank you! I used to be able to get  
22 to Queens in 10 minutes, and now I have to  
23 ride three trains and take 20 minutes or  
24 30 minutes, based on those trains.



1           So can we turn this six-week complete  
2 shutdown of our only train into the most  
3 expansive and amazing opportunity that Queens  
4 and Brooklyn have ever seen, even beyond the  
5 Interborough Express, which I'm also a big  
6 supporter of.

7           MTA CHAIR LIEBER: Okay. Yeah, this  
8 is a good question. So I'm thrilled that you  
9 recognize that a major signaling upgrade is  
10 going to happen, and the value of that to  
11 reliability. It also puts us in a position  
12 to run better service.

13           Those decisions -- you know, I'm  
14 looking at my friend here Mr. Davey. The  
15 operations plan, it has to be done on the  
16 stats. So you say -- and, you know, I  
17 respect it -- that the ridership growth and  
18 the housing growth warrants it. That is  
19 going to be the -- those are going to be the  
20 criteria that will be used to figure out  
21 where to run more trains.

22           We are -- as you've heard from us,  
23 we're running more service on the G  
24 throughout the day, weekends and so on.

1 We're going to look at what you've asked for,  
2 based on neutral criteria, and we're always  
3 thrilled to talk to enthusiastic subway  
4 riders like you.

5 ASSEMBLYWOMAN GALLAGHER: Okay, thank  
6 you.

7 ASSEMBLYMAN MAGNARELLI: Thank you.

8 CHAIRWOMAN KRUEGER: I want to see the  
9 letter also, please.

10 ASSEMBLYWOMAN GALLAGHER: Yes.

11 CHAIRWOMAN KRUEGER: Thank you.

12 Senator Persaud.

13 MTA CHAIR LIEBER: I'd like to see it  
14 after social media gets done with it, yeah.

15 (Laughter.)

16 ASSEMBLYWOMAN GALLAGHER: You know how  
17 we do things.

18 CHAIRWOMAN KRUEGER: Senator Persaud.

19 SENATOR PERSAUD: Thank you.

20 Thank you again for being here. I'm  
21 looking forward to you coming for us to do  
22 the walk-through in my district. I think MTA  
23 is tired of hearing me say some of these  
24 things that I say to them. But I want to

1 touch on something that the differently-abled  
2 population in my community has been asking,  
3 and that's the OMNY system.

4 Why is it that in the paratransit  
5 system they're not able to use the system?  
6 They still have to find cash when they call  
7 Access-A-Ride. Can you tell us about that?

8 And what will it take for that system  
9 to be added to paratransit?

10 NYCT PRESIDENT DAVEY: Yeah, so we're  
11 actively working on that, not only for our  
12 customers who use Access-A-Ride or E-Hail,  
13 but for our customers -- our student  
14 customers, for example.

15 We need to continue to migrate folks  
16 onto OMNY. Our expectation is we should be  
17 doing that this year. We actually have a  
18 pilot coming soon, if not already, for some  
19 of our paratransit customers, to ensure that  
20 they can use OMNY.

21 But it's a -- we want to make sure  
22 that the OMNY system, which I think, at least  
23 in my experience, has been one of those items  
24 we've implemented which customers love, to

1 make sure that all of our customers get it.  
2 But paratransit customers are at the top of  
3 the list next.

4 SENATOR PERSAUD: Okay, so you're  
5 starting a pilot this year is what you're  
6 saying?

7 NYCT PRESIDENT DAVEY: A pilot's  
8 certainly this year. Whether we're rolling  
9 it out to all paratransit customers, I'll  
10 have to get back to you with the exact  
11 expected date. But certainly piloting.

12 SENATOR PERSAUD: Okay, thank you for  
13 that.

14 You know, I have one of the free bus  
15 lines in my district, and I've seen the  
16 increase in ridership. So I'm awaiting the  
17 results of your study to let us know and to  
18 first decide what else we're going to do for  
19 our ridership across the city in terms of  
20 free service.

21 Can you tell me, also, what is being  
22 done -- I've taken the train in the past  
23 couple of months. You know, instead of  
24 driving into the city, I've taken the

1 A Train, the L Train and the No. 4 Train.  
2 And I have felt safe on the train. You know,  
3 some people may not feel that way. But for  
4 the most part, my constituents are telling me  
5 they are still feeling safe on the train.

6 But how is the MTA conveying that to  
7 the larger population, that the train is safe  
8 to ride?

9 MTA CCO RIEARA: So we are doing that  
10 in a number of ways, one component being that  
11 we have throughout the system is our use of  
12 our digital screens. So we have been  
13 running, over the past couple of months, a  
14 safety campaign which really displays what  
15 the chairman is saying as far as current  
16 stats and crime rates and showing the  
17 improvement, as well as, you know, working  
18 with President Davey with the use of station  
19 agents outside of the booth who are, you  
20 know, another great set of eyes and ears. So  
21 we're pushing that out to our customers.

22 SENATOR PERSAUD: Thank you for that.

23 My final thing, please fix the BM2 bus  
24 system. Thank you.

1 ASSEMBLYMAN MAGNARELLI: Thank you,  
2 Senator.

3 CHAIRWOMAN KRUEGER: Thank you,  
4 Senator.

5 ASSEMBLYMAN MAGNARELLI: Member  
6 Carroll, please.

7 ASSEMBLYMAN CARROLL: Good morning,  
8 Chair Lieber. Thank you for your testimony.

9 As you're aware, historically our  
10 commuter railroads have received a  
11 disproportionate amount of capital and  
12 operating funding compared to the New York  
13 City Transit.

14 With new funding streams like the  
15 Payroll Mobility Tax, which exclusively taxes  
16 New York City businesses, and of course  
17 congestion pricing, can you commit today that  
18 New York City Transit will receive its fair  
19 share of operating and capital funding going  
20 forward?

21 MTA CHAIR LIEBER: It's no secret to  
22 you that the allocation of capital among our  
23 different operators has historically involved  
24 the Legislature, and the board that has final

1 approval includes the Legislature. So, you  
2 know, that's not my commitment to make.

3 But you've seen what we've been doing  
4 in terms of investing in New York City  
5 ridership, including making it a lot cheaper  
6 to ride the commuter railroads within the  
7 City of New York, taking advantage of some of  
8 that space that we now have on the system to  
9 get people to shorter commutes who are riding  
10 from commuter rail stations.

11 ASSEMBLYMAN CARROLL: But Chair  
12 Lieber, I am correct that New York City  
13 businesses, New York City commuters, New York  
14 City residents pay the vast majority of the  
15 funding that goes to the MTA, and we receive  
16 a disproportionate amount of service and  
17 investment compared to the commuter  
18 railroads.

19 Can you commit to changing that? It  
20 is the MTA that writes the 20-year capital  
21 needs assessment, not the State Assembly and  
22 Senate. It is the MTA that decides service  
23 improvements along our subways, our buses and  
24 our commuter railroads.

1           Can you commit to bringing parity to a  
2           system where New York City consistently pays  
3           above its weight? And I will tell you right  
4           now, I will agree with Senator Persaud, I  
5           take the subway every day. It is safe. I'm  
6           happy that we have congestion pricing, and my  
7           constituents will pay more of it than any of  
8           the suburban members' constituents. If  
9           they're convinced that the subways are  
10          dangerous and that New York City is now being  
11          gated off, well, so be it. We're paying for  
12          it.

13                 Will you commit to the people who are  
14          ready to pay for the system that we're going  
15          to provide equal amounts? I'm not asking to  
16          shortchange Long Island or the suburbs. I'm  
17          just asking for parity in funding and  
18          service.

19                 MTA CHAIR LIEBER: It sounds  
20          reasonable. We've always emphasized, within  
21          the scope of the capital budget that we're  
22          given, prioritizing making sure that subways  
23          and buses and commuter rail service within  
24          the city is great.





1 Parkway. In one of the recent lawsuits on  
2 congestion pricing it was highlighted that  
3 more congestion will be coming to the Bronx,  
4 so this is a big concern for me, as my  
5 community has these major highways right  
6 through it.

7 Do you agree that congestion and  
8 ridership will increase going through the  
9 Bronx when congestion pricing starts?

10 MTA CHAIR LIEBER: So what the  
11 environmental studies show, using the  
12 worst-case scenario -- and we're obligated to  
13 do that under the law -- there was an  
14 increase between 100 and 400 trucks per day.  
15 And there was a specific mitigation plan  
16 proposed.

17 And I'm not going to go through all of  
18 it, but one thing that's great is to replace  
19 those refrigeration units, which are  
20 diesel-powered, in the South Bronx. That by  
21 itself would offset the impact of those  
22 additional trucks.

23 So we have complied with the idea of  
24 mitigating the impact that was identified for

1 the Bronx, and we're going to work with  
2 everybody in EJ community in the Bronx to  
3 make sure we get it done. We got their  
4 support with that commitment.

5 SENATOR FERNANDEZ: But you agree  
6 there will be more drivers coming through the  
7 Bronx.

8 MTA CHAIR LIEBER: But you heard the  
9 way that the system has been -- it's been  
10 addressed to offset that impact.

11 SENATOR FERNANDEZ: Okay.

12 The OMNY card system, there's been  
13 concern with privacy protection, knowing that  
14 you could use a credit card for it. What has  
15 MTA done to protect identity theft and any  
16 other cyberattacks on our riders buying  
17 through credit cards?

18 NYCT PRESIDENT DAVEY: I think we have  
19 a pretty robust cybersecurity program  
20 generally at MTA. We can get you more  
21 information specifically about that. But  
22 we're not tracking riders using credit card  
23 information at all.

24 I think what we have heard and found

1 from our customers is that they appreciate  
2 the ability to have, you know, multiple  
3 channels to use. Which is why we've seen  
4 now, I think, OMNY at about -- close to  
5 50 percent of our subway customers use OMNY  
6 on a daily basis, without really any OMNY  
7 machines yet. We're starting to put those  
8 out now.

9 So I think what we're hearing from our  
10 customers is they like it, it's a matter of  
11 convenience, and we haven't had any cyber  
12 issues as a result.

13 SENATOR FERNANDEZ: Okay.

14 With the turnstile upgrades that we're  
15 looking at, you put a prototype, correct, of  
16 the new doors --

17 MTA CHAIR LIEBER: That was one  
18 experimental prototype. There was one  
19 available, and --

20 SENATOR FERNANDEZ: How much does one  
21 experiment cost?

22 MTA CHAIR LIEBER: I don't have the  
23 answer offhand.

24 SENATOR FERNANDEZ: I would like to

1 know. Because if we're going to continue to  
2 experiment, I think that's a cost on our  
3 system that we should avoid.

4 MTA CHAIR LIEBER: Absolutely.  
5 Absolutely.

6 SENATOR FERNANDEZ: Thank you.

7 CHAIRWOMAN KRUEGER: Thank you.  
8 Assembly.

9 ASSEMBLYMAN MAGNARELLI: Member  
10 Seawright? Is she here? Okay.

11 Member Sillitti.

12 ASSEMBLYWOMAN SILLITTI: Hello.

13 MTA CHAIR LIEBER: Hello.

14 ASSEMBLYWOMAN SILLITTI: So last year  
15 we were in this same room and we talked about  
16 the train schedules and everybody's favorite  
17 line, the Port Washington Branch, and  
18 advocating for better service. So I wanted  
19 to start this year with a compliment.

20 The acting Long Island Rail Road  
21 president, Robert Free, has been really  
22 great. When we had an issue with the  
23 schedules -- again -- you know, he met with  
24 me, but more importantly, he listened to the

1 hundreds of riders and what they had to say,  
2 and there was a change and we got it fixed.  
3 And I really appreciate that.

4 So basically, you know, what I was  
5 asking for last year is kind of what I'm  
6 asking for again this year. You know, we  
7 still have a lot of work to do. The  
8 schedules still have some issues. And too  
9 many trains are still overcrowded. You know,  
10 we continue to make fixes, but at the end of  
11 the day -- we make fixes to the schedules; at  
12 the end of the day, we need more trains.

13 With the promise of East Side Access,  
14 you know, the commuters, we hoped we would  
15 see more trains, better service. And  
16 honestly, it really hasn't been the case for  
17 the Port Washington Branch specifically, in  
18 part because of our space limitations. We  
19 need significant capital improvements, and I  
20 know you touched on that today.

21 You know, unlike 10 years ago -- you  
22 know the history -- I believe the community  
23 and the locals are ready to make that  
24 investment and engage with you. You know,

1 everyone was excited about East Side Access;  
2 now that it's here, you know, our work isn't  
3 over.

4 So how do we get this into the capital  
5 plan? You know, how do we get this done? Do  
6 you need, you know, input from the riders?  
7 As you've seen, my constituents know how to  
8 mobilize. Tell me what you need to get this  
9 done.

10 MTA CHAIR LIEBER: I think the key is  
11 to work out an agreement that will allow us  
12 the use of -- to expand the yard. You and I  
13 are in total agreement.

14 I think that the constraints on the  
15 yard space are what has prevented us from  
16 running more trains on the Port Washington  
17 line, and we've got to solve that issue right  
18 away to get -- that's where the focus ought  
19 to be. The NIMBYism, you're right, is gone  
20 that prevented that from happening in the  
21 past. Everybody recognizes that not  
22 expanding the yard was a huge mistake because  
23 it didn't give the PW line the benefit of all  
24 this additional capacity that we have now,

1 thanks to Grand Central Madison, and we've  
2 got to attack it right away by solving that  
3 yard issue.

4 ASSEMBLYWOMAN SILLITTI: And this is,  
5 as you know, a very long-term project. So,  
6 you know, while we're working on that, you  
7 know, on the same track or the next track  
8 over, you know, really continue to work on  
9 fixing these schedules and making sure that  
10 it's, you know, working for everybody. And  
11 we're not quite there yet, but I think we can  
12 get there.

13 And certainly my commuters are ready  
14 and willing to tell you what they feel.

15 MTA CHAIR LIEBER: Yeah. We're seeing  
16 a lot of them at Grand Central Madison, the  
17 folks from those --

18 ASSEMBLYWOMAN SILLITTI: Yeah, no,  
19 they made the switch. They're liking it.

20 All right, thank you.

21 ASSEMBLYMAN MAGNARELLI: Okay. Well,  
22 thank you.

23 As the Senator had -- Senator Krueger  
24 had mentioned earlier, we're going to take a



1 10-minute break at this point in time so  
2 everybody can stretch out a little bit. So  
3 we'll see you back here in about 10 minutes.

4 (Brief recess taken.)

5 ASSEMBLYMAN MAGNARELLI: Senator  
6 Krueger.

7 CHAIRWOMAN KRUEGER: Thank you so  
8 much.

9 So climate change. Everything's about  
10 climate change, in my opinion, at this point  
11 in life. And you have a commitment to moving  
12 forward with your own plan. And I'm just  
13 curious, where are we on that?

14 There was recently a Comptroller  
15 report saying that we're behind, I guess, in  
16 a risk assessment and implementation measures  
17 to address extreme weather conditions  
18 specific to the MTA, and concern about  
19 preparedness, and where you are in the time  
20 frame in the sort of goals that have been set  
21 out by you.

22 MTA CHAIR LIEBER: {Mic issue.} I'm  
23 not sure I'm on. But --

24 CHAIRWOMAN KRUEGER: Yes.

1           MTA CHAIR LIEBER: We work really  
2 closely with the State Comptroller. But  
3 point of clarification, there is -- there was  
4 no schedule for such a risk assessment to be  
5 done. So when people started muttering about  
6 delays, there was no schedule.

7           But we are -- we have done this risk  
8 assessment, and so much of it is -- I keep  
9 coming back to it -- is reflected in that  
10 very detailed report, never been done before  
11 at this level of detail. Let's take a look  
12 at that and talk about specifics.

13           But what's new in that report that may  
14 not have come before the body in the past is  
15 looking at all of the risks, all of the  
16 situations that climate change creates --  
17 extreme heat, torrential rainfall, sea-level  
18 rise, as well as the coastal surge that Sandy  
19 taught us about.

20           So new threats that are moving  
21 quickly, and I think we've all got to find a  
22 way to deal with them in the next MTA capital  
23 program. That's the focus of that report.

24           CHAIRWOMAN KRUEGER: And you're right,

1 I don't think there was a specific timeline,  
2 there was just a sense that climate's beating  
3 us to the punch, so to speak, or the problems  
4 from climate.

5 Is there adequate funding within your  
6 next capital plan to address what you see as  
7 the critical priorities for remediation and  
8 improvements in your MTA system because of  
9 what's happening?

10 MTA CHAIR LIEBER: The envelope size  
11 of the next capital program has not been  
12 identified. Our purpose in doing that report  
13 was to raise everybody's understanding of the  
14 scale and seriousness and urgency of the  
15 threats. I think we provided that  
16 information.

17 We're now doing prioritization and  
18 pricing of the various interventions that are  
19 called for by that report, and that will  
20 factor into the next capital program.

21 CHAIRWOMAN KRUEGER: And I think that  
22 you've heard from a large number of people  
23 today already how crucial what you do is to  
24 every one of our communities in the 12

1 counties. And I know I represent the East  
2 Side and Midtown of Manhattan, and I sort of  
3 sometimes feel all of your riders come  
4 through my borough every day, and my district  
5 specifically. Perhaps they all don't, but it  
6 feels like that.

7 So what you do is, you know, top  
8 priority for the people of my district and  
9 all the businesses that people come to and  
10 all the places the tourists either come to or  
11 don't come to. So we are very, very  
12 conscious of making sure that you all have  
13 the tools to do everything you need, because  
14 frankly if you don't have a system that  
15 works, it all falls apart, at least from my  
16 perspective here in Manhattan.

17 So people have asked you a lot of  
18 concerns about congestion pricing, and people  
19 asked about the lawsuits, which I also don't  
20 really understand. But do you realistically  
21 think that you're going to be able to stay on  
22 schedule for starting?

23 MTA CHAIR LIEBER: The issue is the  
24 lawsuits. We have an infrastructure ready,

1 we have the back office. I'm sure there will  
2 be imperfections and we will hear about them  
3 when they -- if -- when they happen. But the  
4 contract is ready to go, we've planned this  
5 properly.

6 The issue is if we have legal  
7 uncertainty, we can't award contracts that  
8 are dependent on the congestion pricing  
9 money. That's the issue that we're  
10 struggling with right now.

11 CHAIRWOMAN KRUEGER: And as part of  
12 the sort of changes that were laid out by the  
13 MTA and agreed to with the Legislature,  
14 involving outer borough transit money and  
15 changes because of OMNY's rollouts, have you  
16 been able to hit all of your targets for  
17 service increases, based on those discussions  
18 and actually agreements in previous budgets?

19 MTA CHAIR LIEBER: I believe we have.  
20 I mean, the 35 million that was referenced  
21 earlier that was in last year's 2023 budget  
22 was what funded the increases that Rich  
23 enumerated. We're happy to talk about any of  
24 it.

1           I think we've been able to provide the  
2           service increases on top of the Long Island  
3           Rail Road 41 percent increase. And we  
4           implemented the Express Bus improvements for  
5           Staten Island, and we're going to grow the  
6           bus network as we do each of these  
7           borough-by-borough improvements, and those  
8           expansions and improvements are funded in the  
9           five-year plan. I just want to make that  
10          clear.

11           CHAIRWOMAN KRUEGER: Thank you.

12           So this is a follow-up to a question  
13          that another member couldn't get in, but it  
14          was a very good question. So we heard about  
15          concerns around the homeless population in  
16          the major Grand Central, Penn Station areas,  
17          on the subways. And you're not actually  
18          responsible for homelessness or all the  
19          problems associated, but I know that a lot of  
20          work is being done. And I agree that there  
21          are definitely improvements when people are  
22          riding the subways with concerns.

23           But a concern that was raised here --  
24          or couldn't be raised, because Senator Ramos

1           actually ran out of time -- was we do see  
2           children in the subways basically panhandling  
3           or selling candy. And I know that there are  
4           outreach teams working within the subway  
5           system for homeless people.

6                     Is anybody looking into, when you see  
7           children, often very young children, almost  
8           by themselves, walking along subway tracks or  
9           the trains, selling candy -- does anybody  
10          match-make with social services or with  
11          education, why aren't they in school  
12          somewhere?

13                    MTA CHAIR LIEBER: So this is a recent  
14          program that we too have noticed as well.  
15          And what we've done, we started a dialogue  
16          with the Department of Education. The most  
17          natural intervenor is the folks who are  
18          supposed to be making sure that those kids  
19          are in school. And we do have SOS, the  
20          Governor has set in motion this SOS program  
21          for outreach to the homeless. They've also  
22          tried to make sure that when you see a kid of  
23          that kind, that those people are identified,  
24          get information, and you try to connect them

1 with service, or at least to begin a process  
2 of figuring out what they need and what's  
3 missing and putting them in that position.

4 So we've made some progress. I'm not  
5 going to take you through the stats. But  
6 because of our end-of-line homeless outreach  
7 operation, which happens in the middle of the  
8 night at a lot of stations, we track the  
9 scale of the population that's sheltering in  
10 the system. And it's actually gone down a  
11 little bit, but it has by no means gone away.

12 And we're acutely aware of the fact  
13 that there are new groups of unsheltered  
14 people who are -- who may seek shelter in the  
15 system, and we're trying to make sure that  
16 they get into services or treatment if it's  
17 appropriate, and most important, housing, in  
18 the long run. We're working on that with the  
19 city and all of the social service agencies  
20 every day.

21 CHAIRWOMAN KRUEGER: You and I have  
22 actually discussed this, but I'm going to  
23 raise it again because I don't think there's  
24 been a change in policy.



1           It was one thing to allow people who  
2           are taking bicycles or electric bikes onto  
3           the subways or buses so that they perhaps can  
4           get to, you know, the last mile to the train  
5           and taking their bike with them on the train.  
6           But full-sized motorcycles driving along the  
7           platforms and using the elevators which we're  
8           very happy we're seeing more of them because  
9           they're crucial for disabled New Yorkers.  
10          They're not motorcycle elevators, and yet as  
11          I mentioned to you, I wait for an elevator  
12          and then it opens up and then a giant  
13          motorcycle or two come out or go in.

14                 And I think that you had changed the  
15                 policy that somehow implies that that's  
16                 allowed. So clarify what we're going to do  
17                 about that.

18                 MTA CHAIR LIEBER: What's allowed is  
19                 bikes and e-bikes, and with a specific  
20                 prohibition on charging anytime you're  
21                 anywhere in the system. And that's something  
22                 that we're aggressively enforcing, especially  
23                 on the railroad. I've never seen someone try  
24                 to charge on the subway car, but we have seen

1           that on the railroad, and we're being  
2           aggressive about that.

3                     Listen, you know, the size of the  
4           vehicle that you're describing, they don't  
5           belong on the subway.  If it's gas-powered,  
6           they are especially prohibited.  Haven't seen  
7           a lot of it, haven't heard a lot of it, but  
8           you've seen it and we've let the folks who  
9           are doing enforcement know to be on the  
10          lookout.  If that starts to happen, we're  
11          going to push, push, push on that.

12                    CHAIRWOMAN KRUEGER:  So I actually  
13          asked an NYPD because they were standing  
14          there, and I said "Stop them."  He said,  
15          "They're allowed now."  So maybe it needs a  
16          discussion also with NYPD that we're not  
17          talking about either electric or gas, actual  
18          motorcycles.  It's really scary if you're  
19          standing on a platform and suddenly there's a  
20          motorcycle coming at you.  You have nowhere  
21          to jump.

22                    MTA CHAIR LIEBER:  You want to --

23                    NYCT PRESIDENT DAVEY:  The officer was  
24          misinformed.  I mean, that's all I can say.

1 We will report that. Our station agents are  
2 now out of the booth, they're doing some more  
3 station rounds today. They know that if they  
4 see that kind of vehicle -- and it's a  
5 vehicle, it's not a bicycle, they should  
6 report it. Because as you said, it's a  
7 safety issue for our customers, a safety  
8 issue on the train -- God forbid if there's  
9 some malfunction with this, you know, moped  
10 or scooter or motorcycle. There's just no  
11 place for them whatsoever.

12 CHAIRWOMAN KRUEGER: And I know that  
13 the Governor I think put in her budget  
14 something about trying to address people who  
15 are hiding their license plates, which I know  
16 impacts tolls but it also -- these are  
17 motorcycles, no question about it, and they  
18 don't have license plates.

19 And my time is up. Thank you.

20 MTA CHAIR LIEBER: I wish we could get  
21 that level of self-enforcement in the subway  
22 system.

23 (Laughter.)

24 ASSEMBLYMAN MAGNARELLI: Next we'll

1 have Member Otis, please.

2 ASSEMBLYMAN OTIS: Thank you, Janno,  
3 for the good testimony.

4 I have one basic question and one  
5 little comment on -- the little comment is on  
6 congestion pricing. We've heard from a few  
7 individuals who basically get off of work in  
8 the city after 1:00 a.m. and they're sort of  
9 saying there needs to be some dispensation.  
10 These are generally healthcare workers or  
11 security workers, and so they're sort of at a  
12 loss of affordability in terms of paying the  
13 charge. So I throw that out there.

14 But my basic question relates to  
15 Metro-North and the quantity of cars on  
16 particular trains. What's the story in terms  
17 of new cars being brought online? And the  
18 story in terms of monitoring where we have  
19 now some certain trains, popular trains,  
20 where there are not enough seats for the  
21 passengers that get on, and how you track  
22 that and your agility in being able to  
23 respond to those demands.

24 MTA CHAIR LIEBER: So it's been most

1           like high-profile that we've been doing a lot  
2           of monitoring and adjustment on Long Island  
3           Rail Road since that new schedule was put in  
4           effect.

5                     We do it also on Metro-North.  
6           Metro-North has unbelievably high-quality  
7           on-time performance, having 98 percent this  
8           year, 97 last year. And we're -- what we do  
9           is we look at every train and if there is a  
10          pattern of a train being over capacity, there  
11          are adjustments made, usually by moving, you  
12          know, the car -- increasing the size of the  
13          car consists.

14                    One of the problems that we're having,  
15          though -- and I think we all know this -- is  
16          that people's expectations of personal space  
17          have changed. And part of that is the middle  
18          seat, which was never too popular, is really  
19          like off-limits. So we're having more  
20          standees. We're trying to get people more to  
21          use the seats that are there so there isn't  
22          as much sense of overcrowding.

23                    But we're looking at it very, very  
24          carefully all the time. If you have a

1 particular train you're concerned about, let  
2 us know, we'll take another look at the  
3 numbers.

4 ASSEMBLYMAN OTIS: And in terms of new  
5 cars, availability of those on order, where  
6 do we stand?

7 MTA CHAIR LIEBER: Absolutely. So  
8 we're in negotiations, we want to buy, you  
9 know, new 9-As, the number of the car that  
10 would serve both commuter railroads. We're  
11 in negotiation with Alstom. It's no secret  
12 that procurement was outstanding for a long  
13 time. As I said, I want to buy cars from  
14 Alstom. It's a New York-based operation. I  
15 also need to buy cars that we can afford.

16 So we're working on that, and we'll  
17 come back to you. But the goal is to have  
18 new -- a procurement that will give us a lot  
19 more new commuter railcars in the near  
20 future, a couple of years.

21 ASSEMBLYMAN OTIS: Thank you very  
22 much. I yield back the rest of my time.

23 CHAIRWOMAN KRUEGER: Thank you.

24 So the chairs of committees are

1           allowed three-minute second rounds, so I'm  
2           going to call up Senator Tim Kennedy.

3                         SENATOR KENNEDY: Thank you,  
4           Chairwoman Krueger.

5                         Chairman and team, thank you again for  
6           your testimony.

7                         I want to just talk about -- I know  
8           you've mentioned the ridership and the  
9           difficulty of getting back to pre-pandemic  
10          levels. What is, say, the 10-to-20-year  
11          outlook on getting back to those levels? And  
12          what are your thoughts on sustaining  
13          operations without new state or federal  
14          revenue assistance?

15                        MTA CHAIR LIEBER: Our financial plan  
16          that I keep talking about, the five zeros,  
17          balanced budgets, is based on increasing  
18          ridership, paid ridership, by another  
19          10 percent from where we are today, in a  
20          couple of years. So that's some combination  
21          of more riders and also, hopefully, less fare  
22          evasion.

23                        So we are attacking that every day.  
24          That's how we would judge our access.

1           I do not think that we should worry  
2           that we don't have the crush loading that we  
3           had -- particularly on subways, but sometimes  
4           on commuter rails -- before COVID. This is a  
5           good problem to have. And the levels that  
6           we're talking about shooting for that give us  
7           the balanced budget, are, you know, robust  
8           ridership, and it supports the region  
9           economically. So we're not concerned.

10           But we're concerned about getting to  
11           the numbers that we've got in the financial  
12           plan.

13           SENATOR KENNEDY: Thank you.

14           And does the MTA anticipate any  
15           additional federal funding to assist with the  
16           deficit?

17           MTA CHAIR LIEBER: Well, there's new  
18           representation coming from the western part  
19           of the state --

20           (Laughter.)

21           MTA CHAIR LIEBER: -- and we're very  
22           hopeful that more federal funding will come  
23           along with those changes in governmental  
24           representation in Washington.



1           SENATOR KENNEDY: Thank you.

2           MTA CHAIR LIEBER: To be -- kidding  
3           aside, yeah, we have done well with the Biden  
4           infrastructure plan. Senator Schumer, God  
5           bless him, guardian angel of the MTA in  
6           Washington, you know, keeps saying that we  
7           should plan on 10 billion total come the end  
8           of the Biden infrastructure money going out.  
9           But a lot of it is competitive grants, so you  
10          don't know if you're going to get it.

11          So right now it looks like we've  
12          nailed down, you know, four or five,  
13          including the additional formula money. But  
14          we have to succeed in the different grant  
15          categories, which are competitive, in order  
16          to hit that \$10 billion number, which is part  
17          of our capital plan.

18          SENATOR KENNEDY: And just last  
19          question, on those same lines, because we've  
20          been dealing with these issues, deficits and  
21          filling in the hole with funding and  
22          different revenue sources. What could the  
23          MTA do with federal funding toward  
24          operational expenses within the MTA?

1           MTA CHAIR LIEBER: Listen,  
2           historically operating budget -- operating  
3           assistance has not been a great reliable  
4           source of funds for the MTA because it comes  
5           and goes based on who's in power.

6           But there is a proposal on the table.  
7           We support it.

8           CHAIRWOMAN KRUEGER: Great. I'd like  
9           to see that, if you could get it to us.

10          CHAIRWOMAN KRUEGER: Thank you.

11          ASSEMBLYMAN MAGNARELLI: Thank you.  
12          Member Seawright. Is she here? Not  
13          here, okay.

14          Member Jacobson. Member -- there he  
15          is, okay.

16          I'd also like to take the opportunity  
17          to just say that Member Pheffer Amato,  
18          Member Walker, Member González-Rojas, they've  
19          all joined us as well. Thank you.

20          ASSEMBLYMAN JACOBSON: All right,  
21          thank you. Good to see you again.

22          As you know, I represent a district in  
23          the Hudson Valley, and I have the  
24          Poughkeepsie and Beacon train stations in my

1 district. So I'd like to bring up about the  
2 Beacon Train Station, because as you know,  
3 we've had extensive flooding in the parking  
4 lot on the side near the river. And I did  
5 get a call back from someone in your office,  
6 and they said, "What do you want me to do  
7 about it? It's climate change."

8 Well, I think we have to do something  
9 about it. I think that we'll end up with the  
10 whole Metro-North under the river if we don't  
11 plan on that. And the least we can do, when  
12 it comes to that parking lot, is close it for  
13 that day or starting the night before if we  
14 think we got -- you know, we're going to have  
15 a bad storm.

16 And unfortunately we get a lot of bad  
17 storms, and they're worse all the time. So  
18 could you tell me what you're going to be  
19 doing?

20 MTA CHAIR LIEBER: Listen, it sounds  
21 like somebody was a little flip in the  
22 response. That's not my attitude towards  
23 that issue, which is if you have people who  
24 are parking their cars and then coming back

1 to find that they're flooded and that  
2 they're, you know, the car's underwater with  
3 damage and all that, that's not good.

4 So we ought to plan for it. We ought  
5 to plan to close those areas if that has been  
6 the experience. You know, it's hard to  
7 project when torrential rainfall is coming in  
8 this new climate change era. But I'm happy  
9 to work with you. I think the folks at  
10 Metro-North are fully capable of doing that.

11 We've also, you know, agreed that  
12 we've got to open up some other areas to make  
13 sure that people park in the right areas if  
14 there is a risk. So we'll work with you on  
15 that issue.

16 But the bigger issue which we're all  
17 talking about is how to make sure to protect  
18 that Hudson Line.

19 ASSEMBLYMAN JACOBSON: I understand.  
20 But I just think I know -- I know most of  
21 your responsibility is in the five boroughs.  
22 I understand that. But the thing is, we've  
23 got to play it all over, otherwise you're  
24 going to have the whole system underwater.

1                   MTA CHAIR LIEBER: The Hudson Line is  
2 very much on our minds, be assured of that.

3                   ASSEMBLYMAN JACOBSON: And one other  
4 thing I asked last time, would it be so much  
5 to have a portable toilet at the Beacon  
6 Station that we could put there so people can  
7 have it? Because the stench is terrible.  
8 And people love coming to Beacon, but the  
9 stench is terrible when you arrive.

10                  MTA CHAIR LIEBER: Sounds eminently  
11 reasonable. I don't want to waste the  
12 Legislature's time, but let's talk about  
13 portajohns.

14                  ASSEMBLYMAN JACOBSON: That would be  
15 good, because when I brought this up with  
16 your representative, he was worried about  
17 homeless people coming down and -- I don't  
18 think they're going to be tracking down that  
19 hill.

20                  MTA CHAIR LIEBER: I live in Brooklyn;  
21 we have -- you know, we've addressed the  
22 problem, so.

23                  ASSEMBLYMAN JACOBSON: Okay. Well,  
24 it's the little things that have quality of

1 life.

2 MTA CHAIR LIEBER: Yes.

3 ASSEMBLYMAN JACOBSON: Thank you.

4 ASSEMBLYMAN MAGNARELLI: Thank you.

5 CHAIRWOMAN KRUEGER: Thank you.

6 And a second round for Chair Comrie,  
7 three minutes.

8 SENATOR COMRIE: Thank you. I want to  
9 start with where I'm going to end it,  
10 Penn Station. As you know, my favorite beef  
11 is that we are not doing this Penn Station  
12 with throughway and throughput. And a Post  
13 article that came out at Christmas talked  
14 about the project expansion, that the cost of  
15 the project is expanding.

16 Why can't we play with each other's  
17 trains and have the similar offices and  
18 shared facilities so the project wouldn't be  
19 so expensive? And why are we not figuring  
20 out a way to do like other countries do where  
21 they can share national, local and  
22 metropolitan trains within the same station  
23 with the same people using the facility?

24 MTA CHAIR LIEBER: So just to be

1 clear, New York's use of Penn Station, we're  
2 not having problems with our capacity.  
3 Right? We are now running hundreds and  
4 hundreds of Long Island Rail Road trains.  
5 Customers are happier every week with our  
6 performance.

7 And we've improved it by doing that  
8 amazing Carter project, which has changed  
9 the --

10 SENATOR COMRIE: I've only got three  
11 minutes. So why has the cost been estimated  
12 to go up?

13 MTA CHAIR LIEBER: I don't know  
14 what -- respectfully, I just -- I don't  
15 understand, what are you asking me to comment  
16 on? The future of the Penn Station  
17 project --

18 SENATOR COMRIE: The future of  
19 Penn Station.

20 MTA CHAIR LIEBER: -- mostly being  
21 driven by Amtrak and New Jersey Transit, who  
22 want to expand trackage capacity.

23 You know the Governor has said let's  
24 focus on the piece that impacts New Yorkers,

1 existing Penn. That's her approach, and  
2 that's what -- the orders I'm operating  
3 under.

4 SENATOR COMRIE: We're spending so  
5 much money, I still think we need to upgrade  
6 our stations to have through running and  
7 other things that other major countries have  
8 as well. So I still want to continue to bang  
9 that drum until I can get you guys to change  
10 your mind.

11 Just on a second issue, the PCAC  
12 initiative to figure out how to expand the  
13 Fair Fares and to come up with an expansion  
14 of the CityTicket and also clear ticket fares  
15 throughout the system so that we can get more  
16 people to understand how they can access the  
17 trains, how to pay for the trains at a  
18 certain level, and a better way to expand  
19 knowledge of that.

20 And then also I had another question  
21 regarding the cost for project labor and  
22 ensuring that all construction projects have  
23 project labor agreements with the building  
24 trades and apprenticeship programs that are



1 embedded in all contracts that are going  
2 forward.

3 And also Senator Ramos had a second  
4 question about who did the work on the  
5 platform barriers and the 700 million {sic}  
6 pilot turnstiles at Parsons-Archer. Who did  
7 the work, where are these contracts from, and  
8 was union labor used?

9 MTA CHAIR LIEBER: Okay. So --

10 SENATOR COMRIE: I know you can't get  
11 back and answer me now, but --

12 MTA CHAIR LIEBER: I can't answer  
13 everything, but I'll just say this. The  
14 CityTicket, under this Governor, we just  
15 dramatically cut the cost of traveling on the  
16 railroads inside the city. That's changing  
17 people's lives. It's 80 percent of the PCAC  
18 agenda on price.

19 But Lisa Daglian is our close partner,  
20 and we're always going to keep working.

21 CHAIRWOMAN KRUEGER: Thank you. I  
22 have to cut you off. Thank you.

23 ASSEMBLYMAN MAGNARELLI: Member  
24 Mitaynes, please.

1 ASSEMBLYWOMAN MITAYNES: Thank you.

2 Stand by, I'm on the move. That's a  
3 line I use on social media to communicate  
4 with my followers, my dependency and youth of  
5 public transit.

6 So my question is, as no available  
7 funding opens up through the Outer Borough  
8 Transportation Account, would the MTA be  
9 supportive of a project such as extending the  
10 B81 proposed route or an alternative route in  
11 the Brooklyn bus network redesign to  
12 Manhattan to meet the growing needs? I say  
13 specifically because of the transit desert  
14 communities of Red Hook and Flatbush to  
15 Lower Manhattan.

16 MTA CHAIR LIEBER: Okay, so thank you  
17 for the question. I'm a Flatbush person  
18 myself.

19 I don't know the specifics of those  
20 lines, but the Brooklyn bus redesign, which  
21 has been a draft plan which has been on the  
22 table for about a year, we're doing that  
23 incredibly extensive outreach. You're  
24 obviously a very important voice in that

1 process, and we're going to come back and  
2 look at the whole picture as part of getting  
3 back to you. It's not cost-constrained.  
4 We're planning to spend more money on  
5 Brooklyn buses. But I can't answer the  
6 specific one without looking at the whole  
7 package.

8 Rich?

9 ASSEMBLYWOMAN MITAYNES: Thank you.

10 NYCT PRESIDENT DAVEY: And I would  
11 just say, as we did in the Bronx and as we've  
12 proposed in Queens, you know, our -- the  
13 drafts we put out have never been the final  
14 word. We've taken feedback from elected  
15 officials, stakeholders, and most  
16 importantly, our customers. I expect what we  
17 have out for Brooklyn right now will not be  
18 what we ultimately implement in the future.

19 ASSEMBLYWOMAN MITAYNES: Thank you.

20 Of the local buses, Select Buses,  
21 Express Buses and subways, which ridership  
22 has the highest percentage of people who own  
23 a car and could otherwise drive?

24 MTA CHAIR LIEBER: I don't know.

1 ASSEMBLYWOMAN MITAYNES: What  
2 percentage of seats are filled, on average,  
3 on Express Buses? Are they full, 80  
4 percent --

5 MTA CHAIR LIEBER: Not full. They  
6 are -- we're operating in the 30s. But we're  
7 not a million miles off of where they were  
8 before COVID. So we have a lot of room on  
9 the Express Bus system. And I -- I take it  
10 sometimes myself back to my part of Brooklyn,  
11 and it's a great ride. But we do have to  
12 bear in mind we've got a lot of capacity  
13 there, and they're, you know, expensive to  
14 subsidize for all of us with the resources we  
15 have.

16 ASSEMBLYWOMAN MITAYNES: The MTA has  
17 been running a pilot of bicycle racks on city  
18 buses in Staten Island to Bay Ridge. Can you  
19 share the latest progress and your plans for  
20 expanding the bike rack on the front of  
21 buses, the pilot?

22 MTA CHAIR LIEBER: All those buses  
23 where, you know, people need to get over a  
24 bridge in order to get where they want to go,

1 we want to have bike racks on those.

2 And I think we put them on the two  
3 lines that cross the bridge, right?

4 NYCT PRESIDENT DAVEY: That's right.

5 And we will continue to look to see if  
6 we can add more bike racks. It has to do  
7 with sort of the space within depots. But as  
8 the chair said, we're prioritizing those  
9 routes we know that are routes where folks  
10 can't take their bikes over bridges, as an  
11 example.

12 MTA CHAIR LIEBER: But the MTA has  
13 added bike access to almost every bridge that  
14 we operate, so we're prioritizing that.

15 ASSEMBLYMAN MAGNARELLI: Thank you,  
16 Mr. Chairman.

17 ASSEMBLYWOMAN MITAYNES: Thank you.

18 ASSEMBLYMAN MAGNARELLI: Thank you,  
19 sir.

20 Member Palmesano, please.

21 ASSEMBLYMAN PALMESANO: Yes, thank  
22 you, Mr. Chairman, for being here today.

23 As you know, I represent Alstom, in  
24 Hornell, New York. I want to thank you and

1           your team for visiting in the summer of '22  
2           so you could see firsthand the great  
3           workforce and the great work they're doing to  
4           address rail manufacturing, including  
5           high-speed rail, here in New York and across  
6           the country.

7                     My message obviously is about the  
8           critical importance of keeping MTA projects  
9           being executed in New York State. You know,  
10          we're very fortunate to have that industrial  
11          base of manufacturing, engineering, project  
12          management, and supplier -- a big huge supply  
13          base. The jobs and economic benefits that go  
14          along with that are well known, and we don't  
15          want to put that at risk.

16                    There are 700 workers at the Hornell  
17          site. There's union partners, machinists,  
18          they're doing projects for Amtrak, Chicago  
19          and Philadelphia, but none for the MTA at the  
20          moment. And we know MTA projects are really  
21          a proven engine for creating jobs upstate,  
22          and we want to continue that.

23                    So that brings me to two of my  
24          questions. I'll get them both out there for

1 the time. One is we know that there's a new  
2 generation of subway vehicles being proposed  
3 in the future of New York City Transit, the  
4 R262 contract. I wanted to know what the  
5 time and status of that would be. That's one  
6 area.

7 The other area, as I'm sure you're  
8 pretty familiar, and your team might be  
9 familiar with the Brightline high-speed rail  
10 contract that's being determined very soon  
11 for high-speed rail from Las Vegas to  
12 Nevada -- and Alstom's one of the bidders on  
13 that contract -- and many on this panel, I  
14 believe, given that both Transportation  
15 chairs have weighed in on the competitor's  
16 waiver from the Buy American requirements.

17 So my other question is, what can you  
18 do or the Hochul administration really do to  
19 support Alstom's pursuit of this rail  
20 contract that would not just support the  
21 hundreds of workers in New York and in my  
22 district, but also help support the  
23 industrial capacity to help serve you and the  
24 MTA for years to come?

1                   Is there anything you can do there?

2                   And we'll maybe --

3                   (Overtalk.)

4                   MTA CHAIR LIEBER: So we're not --

5                   obviously the economic development

6                   decision-making is not, you know, our

7                   bailiwick.

8                   But I'll say this. I want a strong

9                   operation in Hornell. So for them to get a

10                  lot of good contracts from around the country

11                  is a great thing, even if it displaces

12                  capacity that I might want to use for the

13                  R262s or otherwise.

14                  So we support that. But, you know,

15                  the -- you obviously are going to work with

16                  the economic development authorities of the

17                  State of New York on that. We want them to

18                  be strong and to be expanding that.

19                  ASSEMBLYMAN PALMESANO: So would

20                  the -- on the Brightline, is that something

21                  the Hochul administration would join us in

22                  submitting comments? Because that would be

23                  vital because that would not just be

24                  supporting those jobs there, but --



1 MTA CHAIR LIEBER: I'm sure you  
2 understand that that is not among the many  
3 things that are on my job description.

4 ASSEMBLYMAN PALMESANO: Sure.

5 MTA CHAIR LIEBER: Deciding whether  
6 Florida has a contract in New York State is  
7 not among them.

8 But as long as Hornell is producing  
9 railcars, I want them to get a lot of  
10 business and be strong.

11 ASSEMBLYMAN PALMESANO: Yeah, because  
12 that Buy American provision is critical. And  
13 that's why we want to support that, because  
14 of that base, so.

15 Thank you. Appreciate it,  
16 Mr. Chairman.

17 ASSEMBLYMAN MAGNARELLI: Thank you.

18 Member González-Reyes.

19 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Ro-has.

20 Thank you all.

21 So this cast is precisely why I'm an  
22 advocate for public transportation and  
23 pedestrian/cyclist safety. I got hit by a  
24 car a few weeks ago.

1           And talking about pedestrian safety,  
2           we got to pass the MTA Bike Access bill and  
3           the Strategic Planning bill to ensure -- to  
4           develop a strategic plan to improve bicyclist  
5           and pedestrian access on bridges and  
6           stations. So thank you for your partnership  
7           on that.

8           Can you share an update on where we  
9           are in the implementation of that  
10          legislation?

11          MTA CHAIR LIEBER: Well, we just last  
12          month -- I'm not going to get all the details  
13          right, but I'm going to refer back because  
14          time is short. We did an extensive  
15          presentation on the changes that we are  
16          making with many, many MTA bridges to make  
17          those walkways, to the extent they exist, put  
18          them where they don't exist and to expand  
19          them and make them safer for both pedestrians  
20          and bicycles where they do. So there's a lot  
21          of planning going into that.

22          And we're also well on the way to  
23          having bike racks at every subway station so  
24          we're literally knocking out the last few

1 with the city DOT. And we've also done a big  
2 push on that in the suburbs. Even where we  
3 don't control the real estate, we're working  
4 with localities to make sure they have  
5 adequate capacity for bike parking and  
6 storage.

7 And we're trying out some of this  
8 secure bike parking that makes people even  
9 more inclined to use their bikes for that  
10 last-mile connection.

11 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Thank  
12 you.

13 I know someone asked about the data  
14 around the free bus pilot, and I know you  
15 don't have it ready yet, but I know  
16 President Davey was quoted in the  
17 December 2023 Our Town NY article about  
18 seeing about somewhere between a 7 and  
19 20 percent increase on buses. When would  
20 that data be transparent and shared with the  
21 public and --

22 MTA CHAIR LIEBER: I think I said  
23 it -- you may not have been present. But  
24 what I said, it's like the Legislature said

1 this is a six-to-12-month pilot, and we're  
2 collecting data and we're going to be back to  
3 you in that six-to-12-month time frame, it's  
4 just premature.

5 Yes, we are seeing ridership grow, but  
6 it's not fair to not perform the analysis  
7 that everybody called on us to do and to give  
8 you full data.

9 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: And  
10 then in my last few seconds, concerning the  
11 finances of the MTA, I imagine it would be  
12 best to have just more sustainable funding.

13 I have a bill that would remit the  
14 internet sales tax into a lockbox that would  
15 go directly to the MTA, as opposed to going  
16 through this process. Would that be helpful  
17 for financial planning? It's part of the MTA  
18 package of bills.

19 MTA CHAIR LIEBER: We'll take a look  
20 at it, but obviously, you know, I just don't  
21 know enough about it to respond. And we  
22 obviously have to talk to the administration.

23 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Thank  
24 you so much.

1 ASSEMBLYMAN MAGNARELLI: Thank you.

2 Member Burgos, please.

3 ASSEMBLYMAN BURGOS: Thank you,  
4 Chairman Lieber, and the rest of the team at  
5 the MTA.

6 As you're aware, I've been engaged  
7 with your team and the Governor's team along  
8 with Senator Comrie over the past year  
9 regarding the grave injustice happening in  
10 our state when it comes to cashless tolling  
11 and the E-ZPass system.

12 I won't go into every problem we've  
13 discussed in the interests of time, but for  
14 the record, I've talked to many New Yorkers  
15 who have been burdened with bills reaching  
16 tens of thousands of dollars, often leaving  
17 them in debt collections, losing their car  
18 and subsequently their livelihood.

19 Now, I want to be clear, this is not a  
20 defense for scofflaws who cover their plates  
21 or deliberately ignore toll bills. Both of  
22 these issues are true, and should not be  
23 conflated.

24 There are three tolling authorities in

1 New York State, but it's very apparent the  
2 overwhelming majority of people dealing with  
3 this issue are the ones who cross the MTA's  
4 seven bridges and two tunnels in New York  
5 City. With the congestion pricing plan set  
6 to be implemented very soon, I have great  
7 concern that these same issues will only  
8 expand if sweeping changes are not made.

9 Chairman Lieber, how many toll  
10 transactions does the MTA process annually?

11 MTA CHAIR LIEBER: Two and a half -- I  
12 think it's \$2.5 billion worth. I'm going to  
13 pull out the --

14 ASSEMBLYMAN BURGOS: About 320 million  
15 transactions, right?

16 MTA CHAIR LIEBER: You obviously know  
17 the numbers, then.

18 ASSEMBLYMAN BURGOS: Approximately how  
19 many drivers use the cashless tolling system  
20 as opposed to an E-ZPass tag?

21 MTA CHAIR LIEBER: I think we're  
22 80 percent E-ZPass, plus or minus.

23 ASSEMBLYMAN BURGOS: Eighty percent  
24 E-ZPass, about 20 percent using cashless

1 tolling, plus or minus.

2 MTA CHAIR LIEBER: Somebody will  
3 correct me if I'm wrong, but I think -- more  
4 or less.

5 ASSEMBLYMAN BURGOS: Okay, thank you.

6 Now, the other two tolling authorities  
7 in New York have a penalty system for unpaid  
8 tolls. However, they differ vastly. The  
9 Port Authority typically adds on a \$50  
10 violation per unpaid toll, while the Thruway  
11 Authority charges a very reasonable \$50 per  
12 billing cycle, a maximum of \$600 per year.

13 The MTA, on the other hand, charges a  
14 \$100 per toll violation, an amount more  
15 egregious than even the most predatory  
16 creditor out there.

17 How much does the MTA collect in these  
18 \$100 fees?

19 MTA CHAIR LIEBER: Listen, I don't  
20 know the answer. But our average penalty fee  
21 is 30 bucks. So I don't really know where  
22 the data's coming from.

23 And, you know, I'm -- all this is --  
24 obviously you want to talk about this in some

1 detail. The answer is, number one, we are  
2 absolutely prepared to work with all of the  
3 members of the Legislature on customer  
4 service. I don't necessarily fully disagree  
5 with you about fees. But the bottom line is  
6 people have to pay their tolls, and the  
7 interventions we've been doing, increasing  
8 dramatically, are focused on people who are  
9 massive scofflaws or who are intentionally  
10 covering their plates.

11 We don't want to burden people who  
12 just overlook a bill. So let's talk about  
13 it, and let's focus --

14 (Unintelligible overtalk.)

15 MTA CHAIR LIEBER: -- on the fact that  
16 90 percent of the people from the Bronx --  
17 90 percent of the people from the Bronx are  
18 taking mass transit. So the demonization of  
19 the effort to collect tolls so that we can  
20 pay for mass transit --

21 ASSEMBLYMAN BURGOS: Yes, but a \$30  
22 average fee is not including the ones that go  
23 to debt collection. That's not calculated  
24 into your numbers. And there are many people



1           who go into debt collection receiving these  
2           bills. I've seen bills \$40,000, \$50,000,  
3           \$60,000, and it's not uncommon.

4           MTA CHAIR LIEBER: Let's --

5           ASSEMBLYMAN BURGOS: And again, I'm  
6           not defending the scofflaws. That is not my  
7           goal here.

8           MTA CHAIR LIEBER: Well, that's my  
9           problem right now. So before we get into  
10          tolls, you're going to hear me talk about  
11          what is basically a theft from the public,  
12          and it's grown.

13          ASSEMBLYMAN BURGOS: Thank you.

14          ASSEMBLYMAN MAGNARELLI: Thank you,  
15          Mr. Chairman.

16          Member De Los Santos, please.

17          ASSEMBLYMAN DE LOS SANTOS: Good  
18          afternoon, Chairman.

19          I'd -- so if I'm not mistaken, we are  
20          in our final year of the MTA 52.1 billion  
21          capital program executed from 2020 to 2024.  
22          One of the initiatives of this program was to  
23          add ADA elevators to more train stations, MTA  
24          train stations.

1           What's the forecast to add ADA  
2           elevators in all train stations, particularly  
3           in the one in my district in Marble Hill,  
4           225th Street, where accessibility is an issue  
5           for our elderly folks? And we're still  
6           struggling understanding how that station,  
7           specific train station, did not become a  
8           priority for ADA elevators.

9           MTA CHAIR LIEBER: So the answer is --  
10          I think you've heard me say it -- we are  
11          doing ADA stations at four times the pace of  
12          the MTA in the past. We have an agreement  
13          with the disability community about  
14          continuing that pace until we're completed  
15          with all of them.

16          But all -- but the prioritization,  
17          what order we go in, hinges on issues like  
18          trying to make sure we never have more than  
19          two stops away, so people do have access to  
20          some ADA station. But we'll work with you on  
21          figuring out where that station may be. I  
22          just don't know the answer. But it's  
23          something we study a great deal, about how to  
24          prioritize as we're building out the whole

1 system.

2 ASSEMBLYMAN DE LOS SANTOS: Given the  
3 reality as it is right now, can you commit to  
4 make that a reality moving forward, the 225th  
5 train station?

6 MTA CHAIR LIEBER: No. I can commit  
7 to -- I can commit to keeping up the  
8 incredibly fast pace of ADA station building  
9 that we're doing. The prioritization is  
10 something -- listen, you may be right, it may  
11 be something that ought to be up the priority  
12 chain. I just don't know the answer as I sit  
13 here, about when it's scheduled.

14 ASSEMBLYMAN DE LOS SANTOS: In  
15 addition to that, what promotion has the MTA  
16 done for the fare-free pilot program?

17 MTA CHAIR LIEBER: The fare-free pilot  
18 program. Rich, you want to talk about that?  
19 Or Shanifah?

20 NYCT PRESIDENT DAVEY: Sure.

21 So we've done a lot of promotion.  
22 Obviously we sent out -- all of our buses are  
23 signed with free fare, and we have obviously  
24 the technology, obviously, in the windows,

1 for example, and then in the buses  
2 themselves.

3 We've had it on our websites so  
4 customers know. And given that it was  
5 described earlier, we have seen a bit of an  
6 uptick in ridership. We have a lot of data  
7 that we have to collect. But suffice to say  
8 customers know about it.

9 ASSEMBLYMAN DE LOS SANTOS: Who's  
10 responsible for ensuring that those  
11 promotions come to underserved communities so  
12 that residents are well informed of the pilot  
13 program?

14 NYCT PRESIDENT DAVEY: So yeah, as you  
15 know, the Legislature instructed us to pick  
16 five routes across each of the five boroughs.  
17 So we did that. We looked at, as was asked,  
18 you know, demographics, how folks might  
19 interact. So that was implemented four and a  
20 half months ago --

21 ASSEMBLYMAN MAGNARELLI: Thank you  
22 very much.

23 ASSEMBLYMAN BURGOS: Thank you.

24 NYCT PRESIDENT DAVEY: Sure.

1 ASSEMBLYMAN MAGNARELLI: Member

2 Seawright.

3 ASSEMBLYWOMAN SEAWRIGHT: Thank you,  
4 Mr. Chairman and Chair Krueger, and thank you  
5 for your leadership.

6 I represent Roosevelt Island and chair  
7 the People with Disabilities Committee. And  
8 on Roosevelt Island right now there are two  
9 elevators in service. One is out. Many of  
10 the residents are people with disabilities.  
11 They're not able to walk up and down the  
12 stairs for two levels.

13 And so I'd like to know, you know,  
14 what the MTA is planning to do to bring some  
15 relief for these citizens. As well as the  
16 F Train shuttle that runs every 20 minutes.  
17 There will be no shuttle service at all in  
18 three weekends in February.

19 The tram that services the island is  
20 the same. Residents have been telling me  
21 that the line can stretch all the way to  
22 Third Avenue, and it's just not feasible.  
23 RIOOC has stopped the Red Bus shuttle service  
24 on the island to Manhattan and doesn't have

1 the capacity to run a shuttle because of the  
2 strong demands on the island.

3 The MTA, we've seen, has been very  
4 reluctant to offer adequate supplemental  
5 service for the residents. So if you could  
6 just address this, I would appreciate it.

7 MTA CHAIR LIEBER: So a couple of  
8 things. One is we're -- we are on schedule  
9 with the completion of that trackwork in the  
10 63rd Street Tunnel. I'm very pleased about  
11 that. And I actually -- our feedback, since  
12 we have been working with the community and  
13 some of your folks, is that people are --  
14 broadly speaking, it's disruptive, but  
15 they're satisfied with the shuttle service  
16 that we've implemented, number one.

17 Number two, we have driven up the  
18 availability rate of our elevators -- it's  
19 been a priority for us across the system --  
20 to a much higher level than it was before.  
21 Many fewer are out of service at any one  
22 time. We do have to replace elevators  
23 periodically as part of the capital program.

24 Anything else that you can offer on

1 the specifics of why that elevator is down?

2 I don't know the answer.

3 NYCT PRESIDENT DAVEY: Well, that's  
4 literally waitlisted on our website. There's  
5 one elevator down because we're doing capital  
6 work, so it will be up and running by the end  
7 of February.

8 But back to the question of service,  
9 though. You know, we have a staff and --

10 ASSEMBLYWOMAN SEAWRIGHT: Well, let me  
11 just stop you for a second. Back to that, is  
12 there any kind of plan? Like I said, it's an  
13 island with a lot of people with  
14 disabilities. Is there any kind of plan to  
15 offer any kind of supplemental addition or  
16 service or how to deal with this?

17 NYCT PRESIDENT DAVEY: Yeah, so you  
18 just click and there's the travel  
19 alternatives for that particular elevator.

20 So -- but again, happy to have a  
21 conversation if there's a particular customer  
22 or set of customers who have issues.

23 I will say if we do see crowding, we  
24 try to send more buses out. We have been

1 laser-focused having, you know, operating  
2 staff on the ground. But as the chair said,  
3 you know, we're -- you know, take just a step  
4 back, we're ripping out 40-year-old track.  
5 And the good news is this will be done. And  
6 I know that it's not easy for our customers  
7 to sort of wade through this. My hope is we  
8 won't be back for another 40 years by the end  
9 of March.

10 ASSEMBLYWOMAN SEAWRIGHT: There's also  
11 other --

12 ASSEMBLYMAN MAGNARELLI: Thank you  
13 very much. Thank you.

14 Member Walker.

15 ASSEMBLYWOMAN WALKER: Good afternoon.

16 So I would like to plus-one my  
17 comments with those of my colleague  
18 Member Burgos, in the fact that there are a  
19 number of my constituents who come into the  
20 office on a regular basis with exorbitant  
21 fees associated with the bridges and tunnels  
22 around New York City -- most of them to the  
23 tune of \$5,000 or more, and many of them  
24 being either threatened by or in the process



1 of being adjudicated through some level of  
2 debt collection. To wit, we believe it's a  
3 huge problem. It's a civil rights issue.  
4 It's an attack on the poor. And we're  
5 watching now and there are sort of economic  
6 ramifications to it, but now as a part of  
7 this proposal we are watching law enforcement  
8 ramifications become more pervasive.

9 And I would love to continue to have  
10 this conversation with you in terms of how do  
11 we address removing transportation barriers  
12 to the poor when they have to do things like  
13 get to school, get to work, get to  
14 appointments, and sometimes having to make a  
15 tough decision as to whether or not they can  
16 afford the transportation fee, or to show up  
17 to some other very important matter that they  
18 have to get to, up to and including court.

19 So I look forward to speaking with you  
20 on that. And I did hear you mention  
21 Senator Schumer, who announced at the  
22 Broadway Junction some of the federal  
23 investments that he's made. With the planned  
24 rapid transit project known as the

1 Interborough Express, we understand that a  
2 number of stops will be made or proposed to  
3 the IBX. However, Broadway Junction is not  
4 included as one of those stops. Can you  
5 please explain to me why?

6 Secondly, thank you very much for a  
7 pilot project which is a free bus ride  
8 through the B60, which is included in my  
9 community, which again addresses poverty. It  
10 is scheduled to end on March 30th. I'd like  
11 to know more about how successful the program  
12 has been and whether or not in this budget we  
13 can plan for that to be more permanent as  
14 opposed to a pilot project.

15 MTA CHAIR LIEBER: So just in the  
16 interests of time, because we're running out,  
17 I think we've said a couple of times we're  
18 going to give you a proper report on the  
19 thing. The thing's been -- the experiment's  
20 only been going for a few months now. You  
21 asked us to study it between six and 12  
22 months, and then we're going to give you a  
23 full and complete report on it in the next  
24 few months when that work has been done.



1           their fault or the system's fault, whatever  
2 happens to build up those bills.

3           So then for me, I want to know what  
4 we're doing about toll evaders, and what we  
5 can -- we as a Legislature can do to increase  
6 that enforcement. Is it hiring more TBTA  
7 superior officers? Is it a regular basis?  
8 And I'm talking about the ones I see on a  
9 daily basis. Unlike some of my colleagues,  
10 you know, I go over my bridge about eight  
11 times a day, and you can see just plain,  
12 straight out, scraped-off plates, covered  
13 plates. And what can we do to pull those  
14 folks over, who should be able to take their  
15 car, have a violation. As opposed to, you  
16 know, Mrs. Smith, Mr. Rodriguez, who for  
17 whatever reason got themselves with a \$5,000  
18 bill. The fees are incessant. But we have  
19 to look at the people that are breaking the  
20 law, and I'd like to work closely with you on  
21 that.

22           MTA CHAIR LIEBER: Yeah, so very  
23 quickly, we gave out 3300 summonses last year  
24 for covered plates, a dramatic increase. We

1 intercepted 50 percent more vehicles than we  
2 did last year.

3 The challenge is that we need -- as  
4 the Governor has proposed, we need, you know,  
5 stronger enforcement tools, a little more  
6 bite to the law of when you cover a plate, we  
7 can't actually confiscate the illegal plate,  
8 which is crazy, if people are using these  
9 James Bond devices to cover their plates and  
10 so on.

11 So we need a few more tools to get at  
12 it. And we are -- we're confident -- we also  
13 need to work with the city, because some of  
14 this is when people are faking plates on our  
15 facilities, they're faking plates or using  
16 illegal fake temporary plates and are  
17 arrested -- see, that's frequently used in  
18 crime. It's a huge crime issue.

19 So we need to be able to work with the  
20 city to identify those plates and pull them  
21 down in short order. So you've got a  
22 specific detailed proposal from the Governor  
23 in the budget proposal --

24 ASSEMBLYWOMAN PHEFFER AMATO: Is there

1 an estimate -- I'm sorry. Is there an  
2 estimate of how much lost revenue? I mean,  
3 that's what we're talking about. We're  
4 trying to make an equitable -- you know,  
5 that's what my -- Member Burgos was saying  
6 that other authorities, they charge \$50 a  
7 month, but that lost revenue, it shouldn't be  
8 on the back of our -- sometimes, you know,  
9 our constituents who have --

10 MTA CHAIR LIEBER: The unbillable,  
11 we've actually knocked down that number,  
12 although the covered plates piece of  
13 unbillable has gone up. That's why we're  
14 highlighting it so much.

15 So, you know, there's significant  
16 dollars. It's 30 -- I think \$34 million for  
17 unbillable projected in 2023, and that  
18 includes a lot of the covered plates.

19 ASSEMBLYWOMAN PHEFFER AMATO: Thirty-  
20 four million?

21 MTA CHAIR LIEBER: Thirty-four  
22 million.

23 ASSEMBLYWOMAN PHEFFER AMATO: Okay.  
24 And I have 10 seconds left --

1                   MTA CHAIR LIEBER: And we've upped our  
2 success in recovering from recidivists,  
3 people who don't pay significantly. Like  
4 68 percent of that, of the big owers, we've  
5 collected on. And so we're growing our  
6 success in collecting, but we need more  
7 tools.

8                   ASSEMBLYMAN MAGNARELLI: Thank you,  
9 sir.

10                   (Overtalk.)

11                   ASSEMBLYWOMAN PHEFFER AMATO: -- I'll  
12 just say QueensLink, QueensLink, QueensLink.

13                   (Laughter.)

14                   ASSEMBLYMAN MAGNARELLI: Thank you.  
15 Member Cunningham.

16                   ASSEMBLYMAN CUNNINGHAM: How you  
17 doing, Mr. Chair? Thank you so much.

18                   You mentioned Flatbush earlier, where  
19 I represent. Think about this summer with  
20 the catastrophic rainfall, climate change,  
21 and some of the capital repairs needed at  
22 that and other stations. Just wondered what  
23 the MTA's plan is in regard to capital  
24 repairs, particularly with climate change.

1                   MTA CHAIR LIEBER: Which -- which --  
2                   in general, capital repairs with respect to  
3                   climate change?

4                   ASSEMBLYMAN CUNNINGHAM: Generally,  
5                   yes, but also Parkside --

6                   MTA CHAIR LIEBER: I'm going to just  
7                   wave this around a little more. This is like  
8                   an incredibly detailed analysis of the whole  
9                   system. Six million components looked at for  
10                  their vulnerability to climate change and  
11                  their criticality to the system, and giving  
12                  us a pathway how to fix it in the next  
13                  capital program. No one's ever done anything  
14                  remotely like this.

15                  So I'd refer both of us back to that.

16                  But, you know, if you're talking about  
17                  Newkirk Plaza or some of these areas that  
18                  chronically are overwhelmed by water in these  
19                  torrential rainfall situations, we have --  
20                  you know, you and I should talk about it.

21                  But we do have a strategy for dealing  
22                  with specific stations, but the broader issue  
23                  is the city's incapacity in its storm sewer  
24                  system. When it goes beyond an inch and



1 three-quarters in an hour, they run out of  
2 space to get water out of the system. We  
3 become the backup reservoir. That screws the  
4 system up. But we're getting pretty good at  
5 pumping it out.

6 We still need the city to work with us  
7 on some localized improvements, and that's  
8 what we should talk about with you.

9 ASSEMBLYMAN CUNNINGHAM: Thank you.  
10 So we'll definitely circle back with the  
11 Q Train and Parkside Avenue, to be more  
12 specific about the train station.

13 MTA CHAIR LIEBER: Parkside. Okay,  
14 Parkside, yeah. We're --

15 ASSEMBLYMAN CUNNINGHAM: We're in the  
16 same neighborhood.

17 MTA CHAIR LIEBER: This is my line. I  
18 know.

19 ASSEMBLYMAN CUNNINGHAM: Got it.

20 And the other question is really about  
21 the app service. I find myself not using the  
22 MTA app as much as I use Google or other  
23 ones. What improvements are you making,  
24 particularly with folks --

1 (Overtalk.)

2 MTA CHAIR LIEBER: You know, we  
3 have --

4 ASSEMBLYMAN CUNNINGHAM: -- in  
5 technology?

6 MTA CHAIR LIEBER: Shanifah, take it  
7 away. We're with you.

8 MTA CCO RIEARA: Again, yeah, we are  
9 all in alignment with that.

10 And that is something, you know,  
11 similar to our riders on the railroad got; we  
12 launched TrainTime over a year ago. We want  
13 to bring the transit app into the modern-day  
14 history. So we are working on releasing,  
15 within the next month or two, a new version  
16 that we hope to sort of touch on, you know,  
17 all the functions and features that our  
18 customers want, with the goal of continuing  
19 to look at it, and continue to build on that  
20 as we move along.

21 ASSEMBLYMAN CUNNINGHAM: And I guess  
22 to follow up on that question, particularly  
23 with OMNY service now in almost full effect,  
24 if you would, how is the integration with the

1 app and now being able to pay for your  
2 transportation through the app going to work,  
3 if possible?

4 MTA CCO RIEARA: Well, that's further  
5 down the line.

6 But, I mean, we are now focused on  
7 OMNY penetration and getting people to use  
8 OMNY. We have lots of customer messaging.  
9 There's no shortage of -- you enter the  
10 system, OMNY is everywhere. And we have  
11 moved away from the concept to the  
12 physical -- just encouraging people to tap.  
13 Because before, people were like, what is  
14 OMNY? Do I have to sign up for something?  
15 Do I have to download something?

16 So we are now really focusing on the  
17 mechanics and letting people know how to use  
18 it.

19 ASSEMBLYMAN CUNNINGHAM: Thank you so  
20 much. I'll be in touch.

21 ASSEMBLYMAN MAGNARELLI: Thank you  
22 very much.

23 This concludes the questioning of the  
24 MTA. Well done. Thank you very much for

1           being here. We appreciate it. And I'm sure  
2           there may be some follow-ups from various  
3           people, and we'll get in touch with you. We  
4           appreciate all your time.

5                     MTA CHAIR LIEBER: So and just in  
6           closing, may I just remind everybody that we  
7           are doing tours, regularly, of the system to  
8           try to familiarize everybody with the  
9           conditions that we're all talking about that  
10          are reflected in this 20-year needs  
11          assessment.

12                    So Mr. Comrie, thank you for coming to  
13          several of those. We just invite everybody  
14          to come and take a look at -- because this is  
15          going to be an important capital program. We  
16          want you to see what we're all dealing with  
17          as we head into next year.

18                    CHAIRWOMAN KRUEGER: Okay, thank you  
19          very much.

20                    MTA CHAIR LIEBER: Thank you.

21                    CHAIRWOMAN KRUEGER: And we want DOT  
22          to come on in.

23                    ASSEMBLYMAN MAGNARELLI: DOT, come on  
24          down.

1                   CHAIRWOMAN KRUEGER: And also, please,  
2 if any legislators have questions for the  
3 MTA, take them out in the hallway so we  
4 aren't delaying moving forward with the  
5 Department of Transportation.

6                   (Off the record.)

7                   ASSEMBLYMAN MAGNARELLI: Commissioner,  
8 you're sitting there all by yourself. I'm  
9 impressed. I am very impressed.

10                  Listen, if you're ready to go, we're  
11 ready to start. The floor is yours, ma'am.

12                  DOT COMMISSIONER DOMINGUEZ: Good  
13 afternoon, Chairpersons Krueger, Kennedy,  
14 Magnarelli, and members of the Legislature.  
15 On behalf of Governor Kathy Hochul, I'd like  
16 to thank you for inviting me here to talk  
17 about the State Department of Transportation,  
18 our people, the communities we serve, and how  
19 the work that we do makes a positive  
20 difference in the lives of all New Yorkers.

21                  I'd like to begin by saluting the  
22 dedicated members of the DOT team, who are  
23 always there, regardless of the challenge.  
24 For the last two weeks our crews have been

1 working around the clock to clear relentless  
2 amounts of snow in Watertown and the North  
3 Country, and certainly in Buffalo, where I  
4 saw firsthand the great lengths they'll go to  
5 ensure the safety of the communities that  
6 they serve.

7 Our people are the heart and soul of  
8 our agency. They make me enormously proud,  
9 and they deserve our thanks.

10 I like to think of transportation  
11 across New York as an integrated system. No  
12 matter if it's transit, rail, aviation, roads  
13 and bridges, or bike and pedestrian pathways,  
14 all these systems are working together to  
15 better the lives of New Yorkers. At the  
16 heart of all of this is the Department of  
17 Transportation. And thanks to your support,  
18 we accomplished a great deal last year.

19 Because of Governor Hochul's  
20 leadership and your continued support,  
21 New York is investing more in its  
22 infrastructure than at any time in our  
23 history. Our department is busy putting  
24 these investments to work.

1           In 2023 alone, we improved 1586 lane  
2 miles along state and local highways. That  
3 represents \$754 million of investment in our  
4 roadways. The resurfacing included over  
5 500 lane miles of improvements that were  
6 funded from Governor Hochul's Pave Our  
7 Potholes program.

8           Additionally, New York State DOT  
9 replaced or improved 2,833 bridges statewide,  
10 totaling \$1.7 billion worth of investment  
11 that enhanced safety, improved  
12 sustainability, and boosted resiliency  
13 against severe weather impacts.

14           In the face of a litany of challenges  
15 this past year, DOT executed projects across  
16 the state under our five-year capital plan  
17 while planning forward for the future of  
18 New York's transportation system with the  
19 kickoff of our statewide master plan,  
20 currently in development and in process.

21           From the Bronx to Buffalo, New York is  
22 reconnecting communities in innovative ways  
23 to carry out Governor Hochul's vision not  
24 only for what transportation is, but what it

1           could be and what it will be.

2                       This past summer we announced the  
3           completion of Phase 2 and the beginning of  
4           Phase 3 of our Hunts Point Improvement  
5           Project, which rehabilitated and created new  
6           connections on key sections of the  
7           Bruckner Expressway and Bruckner Boulevard to  
8           establish a more direct route to the Hunts  
9           Point Market and also to provide a shared-use  
10          path to create added opportunities for  
11          walking and biking.

12                      We broke ground on the transformative  
13          Interstate 81 Viaduct project in Syracuse,  
14          which will reconnect the city's divided  
15          neighborhoods and create a community grid  
16          that will enhance mobility throughout the  
17          region and improve access to the city's  
18          downtown destinations.

19                      We're also advancing reconnecting  
20          communities projects like the Kensington  
21          Expressway in Buffalo and the replacement of  
22          the Livingston Avenue rail bridge in the  
23          Capital Region, both of which will create a  
24          greener, more sustainable transportation



1 system that will enhance quality of life for  
2 the communities that they serve.

3 And this year the Executive Budget  
4 provides nearly \$7.6 billion for the third  
5 year of a record \$32.8 billion, five-year  
6 capital plan to facilitate capital  
7 improvements on highways, bridges, rail,  
8 aviation infrastructure, non-MTA transit, and  
9 DOT facilities. In the first year of the  
10 five-year capital plan, \$230 million was  
11 provided to enhance nine regional airports  
12 upstate, and an additional award of  
13 \$49 million was made in 2023 for  
14 36 public-use airports across New York.

15 Additionally, the Executive Budget  
16 provides \$8.8 billion in mass transit  
17 operating support, including \$551 million to  
18 non-MTA downstate transit systems and  
19 \$323 million to upstate transit systems, a  
20 5.4 percent increase in transit operating  
21 assistance.

22 We're also working aggressively to  
23 implement the goals of the Climate Leadership  
24 and Community Protection Act. In partnership

1 with NYPA and NYSEDA, DOT is a national  
2 leader in leveraging the \$175 million  
3 New York will receive over the next five  
4 years for the National Electric Vehicle  
5 Infrastructure program, to further advance EV  
6 charging infrastructure on our interstate  
7 highways. This December, New York became one  
8 of two states to open the nation's first  
9 NEVI-funded EV charging stations.

10 Smart climate policies also mean  
11 building a resilient infrastructure for the  
12 future, which is why we're investing  
13 \$1 billion in bridges and culverts under the  
14 capital plan through the Bridge NY program.  
15 The first round of Bridge NY funds made  
16 available went to 115 bridge projects and  
17 101 culvert projects. The second round  
18 kicked off this past November, and  
19 municipalities are making their project  
20 recommendations right now.

21 The department also has initiated a  
22 statewide culvert resiliency program, known  
23 as CROSS, which will ultimately improve  
24 resiliency at 422 locations around the state.

1           Building for a greener future also  
2 means encouraging other forms of  
3 transportation beyond cars. That's why we're  
4 advocating and advancing DOT's Active  
5 Transportation Plan, which will focus on how  
6 we enhance and develop pedestrian and bicycle  
7 infrastructure.

8           Last year DOT received \$5 million for  
9 Complete Streets planning that is now being  
10 used to support projects in communities  
11 interested in improving bicycle and  
12 pedestrian opportunities in underserved  
13 communities across the state.

14           Let me also mention that DOT inspects  
15 our bridges across New York State every two  
16 years to make sure that not only are they  
17 safe, but that they are in good working  
18 order. And after the pandemic-related  
19 delays, we've posted all the results of those  
20 inspections and the conditions on our  
21 website, and they are available.

22           Let me close where I began, with our  
23 workers, because nothing is more important to  
24 us than the safety of our DOT team members.

1 In April, legislation adopted by the  
2 Legislature and signed by Governor Hochul  
3 allowed DOT to work with the industry,  
4 organized labor, and the Thruway Authority to  
5 kick off the Automated Work Zone Speed  
6 Monitoring Pilot Program to help enforce  
7 speed limits in highway construction and  
8 maintenance work zones across the state.

9 Through the end of December, the  
10 department issued more than 102,000 notices  
11 of violations to motorists, including one who  
12 was clocked at going 139 miles per hour --  
13 139 miles per hour on Route 104 in the  
14 Town of Irondequoit. This was matched by a  
15 similar speed on Long Island, on the  
16 Long Island Expressway.

17 We're currently collecting and  
18 analyzing all the data, but our workers are  
19 already reporting a noticeable reduction in  
20 overall speeds at our work sites. I look  
21 forward to continuing this pilot program in  
22 the coming construction season, because we  
23 know it's making a difference. And we'll be  
24 reporting back to the Legislature on our

1 findings.

2           What I've laid out today is just a  
3 small sample of the work our team at the  
4 New York State Department of Transportation  
5 undertakes each day as we fulfill our mission  
6 to provide a safe, reliable, equitable, and  
7 resilient transportation system that connects  
8 communities, protects the environment,  
9 enhances quality of life, and supports the  
10 economic well-being of the State of New York.  
11 We're proud to be a partner in building a  
12 better future for all New Yorkers.

13           Thank you again for the opportunity to  
14 join you today. I'm happy to answer any  
15 questions.

16           ASSEMBLYMAN MAGNARELLI: Thank you  
17 very much, Commissioner.

18           And I'm going to start off the  
19 questioning here, and not really on -- thank  
20 you for all the things that you covered. I'm  
21 sure there's a lot of questions there. I'm  
22 sure I have a lot of questions. But I'm  
23 going to get to a couple of things that are  
24 kind of questions to me, okay?

1           First of all, in the Governor's budget  
2           there is a proposed sale of property in the  
3           Town of Babylon. Okay? And this is a kind  
4           of an ideal -- a theoretical, philosophical  
5           problem. There's a proposed Article VII  
6           provision that would authorize DOT to  
7           transfer and convey certain state-owned  
8           property within the Town of Babylon,  
9           Suffolk County, upon such terms and  
10          conditions as the commissioner deems  
11          appropriate.

12           Are the parcels identified in the  
13          Article VII considered surplus property? And  
14          if they are surplus property, why aren't they  
15          being handled through the surplus property  
16          process already in place? What does the  
17          department plan to do with this property? Is  
18          there already an agreement to use this land,  
19          and if so, what?

20           The language of the proposal lacks a  
21          number of provisions which were included in  
22          prior chapters involving a DOT land transfer  
23          and conveyance -- for example, specifying the  
24          entity to which the transfer is being made, a

1           stated public purpose, a set time for  
2           application and closing, and reversion of the  
3           land to the state if the land ceases to be  
4           used for state public purposes.

5                     Is there any reason for omitting these  
6           provisions? And if so, could you walk us  
7           through it? Also, we'd like to have a copy  
8           of the tax map showing the two parcels  
9           proposed to be transferred by this  
10          Article VII. That we could do later. But  
11          basically you see what I'm getting at.

12                    DOT COMMISSIONER DOMINGUEZ: Mm-hmm.

13                    ASSEMBLYMAN MAGNARELLI: So can you  
14          fill us in?

15                    DOT COMMISSIONER DOMINGUEZ: Sure.

16                    I think the overall intent of the  
17          legislation is to make sure that there's  
18          provisions in law to actually do any transfer  
19          of DOT property correctly. And under the  
20          provisions of law right now, there has to be  
21          some additional clarification. So that was  
22          the intent, was to try and make sure that we  
23          had it in --

24                    ASSEMBLYMAN MAGNARELLI: But, I mean,

1 any other state --

2 DOT COMMISSIONER DOMINGUEZ: We're  
3 happy to work with you --

4 ASSEMBLYMAN MAGNARELLI: -- state  
5 agency or -- for example, the Department of  
6 Education or whatever, if they own a piece of  
7 property, it has to go through a certain  
8 process. And the people of the State of  
9 New York have to know who you're selling it  
10 to, what are the terms, what are the purposes  
11 for which we're giving away this land -- I'm  
12 not saying giving away -- or selling land.  
13 What are the terms.

14 So you're basically saying this is  
15 just a change, you want an overall change.

16 DOT COMMISSIONER DOMINGUEZ: What  
17 we're looking for is to make sure that we  
18 have the opportunity to look at whatever  
19 conveyance may be available.

20 And so we would do it in full  
21 transparency. Happy to work with you on the  
22 legislation and how it actually is phrased.  
23 But making sure that any conveyance of DOT  
24 property not only looks at current state



1 provisions, but also the federal provisions.  
2 We also have to abide by that in case any of  
3 the property was actually purchased with  
4 federal dollars.

5 So we're looking for a framework to  
6 make sure that we actually convey it  
7 properly.

8 ASSEMBLYMAN MAGNARELLI: Okay. I'm  
9 not getting any specifics on the sale of  
10 property to Babylon -- from Babylon or to  
11 Babylon or whatever.

12 DOT COMMISSIONER DOMINGUEZ: Well, I  
13 think part of it is to actually look to  
14 see -- it's not just the Town of Babylon, but  
15 there's other opportunities across the state  
16 to look at --

17 ASSEMBLYMAN MAGNARELLI: Can you tell  
18 me what the reason for this is at this point  
19 in time?

20 DOT COMMISSIONER DOMINGUEZ: Well, as  
21 the Governor outlined in her proposal, in her  
22 State of the State proposal, there are state  
23 properties across the state that could be  
24 looked at for either housing or other

1 opportunities to actually make sure that we  
2 are addressing the economic development  
3 concerns, other -- wider.

4 ASSEMBLYMAN MAGNARELLI: And I don't  
5 think I have a problem with those types of  
6 purposes if in fact we're going to build out  
7 more units for the people of the State of  
8 New York. But I'd like to know who's going  
9 to own those units, what is the sales price  
10 of the property, the particulars of what is  
11 going on in that.

12 DOT COMMISSIONER DOMINGUEZ: So, sir,  
13 I don't think any of those have been  
14 developed at this point in time, to my  
15 knowledge. I think this is simply a  
16 conveyance mechanism to make sure that should  
17 something be developed in the future, there's  
18 legislation in place to make sure that the  
19 State Department of Transportation has the  
20 legal authority to actually transfer  
21 property.

22 ASSEMBLYMAN MAGNARELLI: Okay. But  
23 you're taking away the oversight that's  
24 already built into the laws to look at these

1 things before the property is transferred.  
2 And so -- I mean, that's the proposal.  
3 You're not doing it, Commissioner. But I  
4 mean that's the proposal in the Article VII,  
5 is basically to say the commissioner can make  
6 the determination. Okay?

7 Right now there are procedures that  
8 have to be gone through, and you're looking  
9 to bypass those procedures.

10 DOT COMMISSIONER DOMINGUEZ: I'd be  
11 happy to sit down and go through with you --  
12 I know you're a property expert. I know you  
13 are. I know that you're a real -- literally,  
14 real property expert. But to be clear on  
15 what the intent and the purpose is. It's not  
16 to bypass. It's literally to provide some --

17 ASSEMBLYMAN MAGNARELLI: I think  
18 that's what I'm asking. You know, what is  
19 the intent. I'm not saying anything's wrong  
20 here. But maybe there's a procedure whereby  
21 the Legislature and the public gets to know  
22 beforehand --

23 DOT COMMISSIONER DOMINGUEZ:  
24 Absolutely.

1 ASSEMBLYMAN MAGNARELLI: -- what's  
2 being transferred.

3 Okay, another question, something  
4 that's really bothering me. I was reading in  
5 a New York Times article I think this  
6 weekend -- I believe it was this weekend.  
7 Sometimes I save these things too long -- but  
8 talking about dangerous driving. Now, you  
9 alluded to what happened when we put up the  
10 pilot program in the work zones, okay? All  
11 right. Based on recent articles, it appears  
12 that there are greater traffic fatalities,  
13 incidents of speeding, distracted driving,  
14 et cetera, et cetera, et cetera. It's not  
15 only on our state highways, it's on our city  
16 streets.

17 What is the department doing to combat  
18 these trends? Has the department noticed an  
19 increase in these statistics too?

20 DOT COMMISSIONER DOMINGUEZ: We have.  
21 This is a nationwide trend. And I can tell  
22 you the level of distraction across the board  
23 is manifested in a whole bunch of different  
24 ways, from the excessive speeds that I just

1 noted in our work zones -- and again, we're  
2 grateful to the Legislature and  
3 Governor Hochul for the opportunity to  
4 pilot automated work zone speed enforcement.  
5 We really do think it's making a huge  
6 difference.

7 When we look at bridge hits across the  
8 state, people are not paying attention -- or  
9 if they are, they're paying attention to  
10 their GPS device and it's giving them  
11 incorrect information. There is an enorm --  
12 and pedestrians, even, are not paying  
13 attention when they're walking across the  
14 street.

15 In the post-COVID environment we have  
16 seen an incredible amount of distracted as  
17 well as aggressive driving.

18 ASSEMBLYMAN MAGNARELLI: Aggressive  
19 driving, that was the article. It was mostly  
20 aggressive driving. And, you know, venting  
21 on the road, so to speak.

22 DOT COMMISSIONER DOMINGUEZ: So part  
23 of what we're doing is not only making sure  
24 that we're taking a very holistic approach as

1 we design roadways, whether that's a  
2 Complete Streets view of everything to make  
3 sure that pedestrian, bike, motorist, truck,  
4 everyone's got a clear view from geometric  
5 levels as well as, you know, safe crossings,  
6 crosswalks, lighting, et cetera -- that whole  
7 view, that holistic view of roadway  
8 construction. But more importantly, to help  
9 with education and information sharing and  
10 enforcement.

11 So I can tell you we're working with  
12 the Governor's Traffic Safety Council and  
13 other entities to make sure that the level of  
14 enforcement and awareness for people is  
15 there. So whether that's e-bike safety on  
16 speeds or bridge hits -- we've got a task  
17 force looking at that, to actually do some  
18 additional enforcement and education -- but  
19 also just general awareness for people who  
20 are using our roadways. Our VMS signs, we're  
21 trying to do everything we can to bring  
22 awareness to the driver to pay attention.

23 ASSEMBLYMAN MAGNARELLI: I agree with  
24 you wholeheartedly. You know how I feel

1 about cameras: Bring them on. I'm okay with  
2 that. You know, I don't understand -- we  
3 need to get speed down in many places. I  
4 think being distracted and speeding  
5 definitely don't work together. So I  
6 appreciate those comments.

7 Next I'm going to turn it over to my  
8 good Senator next to me, Senator Krueger.

9 CHAIRWOMAN KRUEGER: Thank you very  
10 much. Good afternoon.

11 And I'm going to hand it over to our  
12 Transportation chair, Timothy Kennedy.

13 SENATOR KENNEDY: Thank you,  
14 Chairwoman. Commissioner, welcome. Thank  
15 you. Thank you for your testimony. Thank  
16 you for your work. You and your team have  
17 been great partners and have been very  
18 responsive anytime myself and my team have  
19 reached out. So we certainly appreciate that  
20 responsiveness and your partnership and  
21 leadership.

22 I've got a lot to talk about with you,  
23 so I'm going to get right to it. You know,  
24 in 2022 we approved the \$32.8 billion

1 five-year capital plan. Can you provide us  
2 with an update on the implementation of that  
3 plan and speak to the new needs that have  
4 arisen?

5 DOT COMMISSIONER DOMINGUEZ: So with  
6 regard to the capital plan, indeed it was a  
7 record-level capital plan, 32.8 billion to a  
8 committed five-year capital plan.

9 One, we're very grateful.

10 Two, it represented an increase of  
11 about \$9.4 billion, or 40.2 percent, over the  
12 prior five-year capital plan. It provided  
13 steady funding, which the Department of  
14 Transportation is executing on. It provided  
15 an unprecedented level of state support for  
16 local governments -- so \$6.1 billion over the  
17 five-year period, which is about a  
18 3.4 billion increase over the previous plan.

19 So what I mean by local, I mean CHIPS,  
20 PAVE, EWR, all of those dollars increased  
21 under this five-year capital plan. It  
22 allocates about a \$1.4 billion amount over  
23 the period for renewal and modernization of  
24 not just our roads and bridges, but also



1 public transportation, passenger rail and  
2 freight rail, as well as airport  
3 infrastructure.

4 And in the process, DOT is executing  
5 on that. We've gotten Year 1 down, Year 2  
6 down in the first and second years of the  
7 five-year program. We have about  
8 5,474 rehabilitated or improved bridges,  
9 117 bridges have been completely  
10 reconstructed, 3700 lane miles of pavement  
11 have been constructed and improved in the  
12 first two years.

13 And what we anticipate for this coming  
14 year is about 100 bridges are going to be  
15 constructed, and 2700 bridges are going to be  
16 improved.

17 SENATOR KENNEDY: Thank you,  
18 Commissioner. Let me continue, because we're  
19 short on time.

20 Talk to me and us about the  
21 inflationary pressures that have impacted the  
22 execution of the plan.

23 DOT COMMISSIONER DOMINGUEZ: Well,  
24 like everything, you know, inflation has

1           impacted the world of transportation and  
2           certainly transportation infrastructure,  
3           along with supply chain issues.

4           That said, it has not stopped the  
5           department from executing on the capital plan  
6           as laid out, both Year 1, Year 2, and now  
7           we're in the process of executing Year 3.

8           SENATOR KENNEDY: That said, do you  
9           believe that further funding is necessary to  
10          execute the plan?

11          DOT COMMISSIONER DOMINGUEZ: What  
12          we're doing right now is monitoring the  
13          inflationary rates. We've seen that  
14          inflation has steadied over the last  
15          half-year, and look to see what the overall  
16          impacts are on the course of the program.

17          And again, execute what we have. It's  
18          a funded capital plan. And work with the  
19          Legislature as we -- you know, and we're  
20          doing it according to the provisions of the  
21          MOU.

22          SENATOR KENNEDY: So it's a five-year  
23          plan, and inflation that has been in the  
24          double digits -- some estimates, over

1           20 percent -- that would cut into a capital  
2           plan greatly.

3                       So, you know, we have been working  
4           diligently to identify a number. We believe  
5           that number is \$400 million -- I know that  
6           we've been in conversations about this, and  
7           others -- in order to rectify that inflation  
8           hole that's been created. Is that a number  
9           that you think you could work with to help  
10          that gap that's been created?

11                      DOT COMMISSIONER DOMINGUEZ: Senator,  
12          I think, as I said before, what we're trying  
13          to do is work across the board to monitor the  
14          impacts of inflation and see how that will  
15          actually play out over the course of the  
16          entirety of the five-year capital plan,  
17          because many things happen, and work to see  
18          exactly what the funding levels would be  
19          across the board.

20                      SENATOR KENNEDY: Thank you.

21                      So last year we increased CHIPS  
22          funding and State Touring Routes funding by  
23          \$100 million. That was taken away in the  
24          budget that was proposed. Obviously we want

1 to see that restored. We are going to be  
2 working to restore that. I think the  
3 communities need it. And I think a  
4 demonstration of the need for that isn't just  
5 on the conditions but also when you see the  
6 weather patterns that you cited in your  
7 testimony -- again, thank you for your  
8 leadership in responding in Buffalo and  
9 Western New York. Just last week we know  
10 that the DOT came in to be very helpful to  
11 the local community.

12 That being said, it's those quick  
13 thaws, quick freezing moments that are, you  
14 know, wreaking havoc on our roads and our  
15 infrastructure. But this isn't just Western  
16 New York, this is statewide.

17 Do you feel that you have the proper  
18 amount of funding necessary to resolve these  
19 local road issues already?

20 DOT COMMISSIONER DOMINGUEZ: I know  
21 that at the end of last session the  
22 Legislature and the Executive agreed to the  
23 add that you referenced for those programs.  
24 You know, I expect that anything along those

1 lines will again take place amongst the  
2 Legislature and the Executive for those  
3 dollars.

4 SENATOR KENNEDY: So we have to  
5 negotiate it. We expect to do that. Thank  
6 you.

7 I want to switch gears here. You  
8 mentioned the recent reports that were put  
9 out. Can you just speak to those again and  
10 the conditions and what you're seeing and,  
11 you know, just sort of the makeup of the  
12 report that was released?

13 DOT COMMISSIONER DOMINGUEZ: So we  
14 have a variety of reports that we look at  
15 across the board for the Department of  
16 Transportation. The one that you're  
17 referencing is the Graber Report; it's on  
18 bridge conditions. We were delayed in  
19 getting the report out. It is now posted on  
20 our website, it's fully -- it's up there.  
21 And it does speak to the state of the overall  
22 condition of our bridges.

23 I will say that the bottom line is  
24 that the Department of Transportation in

1 New York State, we inspect our bridges every  
2 two years. We have eyes on them. We want to  
3 make sure that they're safe, and that goes  
4 for local bridges as well. And I will say  
5 that, you know, I sit at the national level  
6 as well; there are a lot of states that don't  
7 inspect bridges as frequently as we do.

8 So we collect an enormous amount of  
9 data, and we're very informed on our asset  
10 management practices, so we look at what  
11 needs to be addressed based on what we're  
12 finding, the safety factors, et cetera. So  
13 that's -- it helps us inform how we actually  
14 allocate our dollars and how we actually  
15 allocate our priorities.

16 SENATOR KENNEDY: Thank you.

17 The New York State Public Transit  
18 Association has been coalescing around a  
19 15 percent increase in STOA for non-MTA  
20 regions of the state. What's been proposed  
21 is less than that. Has the DOT looked at  
22 revenue enhancements to meet that higher  
23 number to achieve a larger increase for STOA?

24 DOT COMMISSIONER DOMINGUEZ: Well, as

1           you know, the non-MTA areas -- first of all,  
2           MTA, as you heard directly from them this  
3           morning, they've got different ways of  
4           actually collecting monies directly from  
5           localities to actually fund their programs in  
6           different ways than the upstate systems do.

7                     And so when you talk about on-budget,  
8           off-budget revenue collections, it is  
9           different. And we have provided, over the  
10          years, and have had a lot of consultation  
11          with the upstate transit systems on how  
12          exactly we can further improve and look at  
13          some other revenue sources.

14                    I think that discussion needs to  
15          continue. There's -- you know, there's a  
16          larger debate here on how do you actually pay  
17          for these systems. But I think this  
18          Executive Budget that Governor Hochul put  
19          forward is a huge step in the right direction  
20          with the increase that she did put forward, a  
21          5.4 percent increase for upstate transit  
22          systems.

23                    SENATOR KENNEDY: Yeah, look, a  
24          dedicated revenue source is so important

1           because we know what we've seen already with  
2           the rental car fee that goes directly into  
3           public transit. It has certainly boosted the  
4           amount of funding that upstate transit's been  
5           able to achieve on a year-to-year basis.

6                     Along those same lines as well, as it  
7           pertains to public transit -- and I'm just  
8           going to talk very hyperlocal here in the  
9           last remaining moments here -- the NFTA has  
10          the only light rail outside of the City of  
11          New York in the State of New York, and that  
12          rail is looking at a new five-year capital  
13          plan for \$150 million. They are also looking  
14          at a need for a sustained level of funding.  
15          What can we do to make that happen?

16                    DOT COMMISSIONER DOMINGUEZ: I'll say  
17          that, you know, the --

18                    ASSEMBLYMAN MAGNARELLI: Sorry,  
19          that's -- you're going to have to get back to  
20          the good Senator.

21                    SENATOR KENNEDY: We'll come back to  
22          it. We'll come back to it in Round 2, okay?

23                    DOT COMMISSIONER DOMINGUEZ: Yeah.

24                    ASSEMBLYMAN MAGNARELLI: Next we're



1 going to have Member Miller, who is sitting  
2 in for the ranking member on the  
3 Transportation Committee, so he will be  
4 taking the place of the chair.

5 Mr. Miller.

6 ASSEMBLYMAN MILLER: Thank you,  
7 Mr. Magnarelli.

8 Thank you, Chairman. We've had many,  
9 many conversations about CHIPS, about  
10 bridges, about highways. And I know the  
11 Senator talked about CHIPS funding over  
12 there, but I'm going to talk about it some  
13 more.

14 And I'm just going to make a  
15 statement, and I've heard this when I first  
16 came here to the Assembly. We barely fund  
17 our highways and bridges to manage the  
18 decline. And that's how I've felt for a long  
19 time in New York State. You know, we've been  
20 on a decline, and we need to fund our bridge  
21 and road programs in a much higher rate.

22 So the questions. You know, the  
23 Governor's proposed a 10 percent decrease to  
24 CHIPS funding. With inflation about

1           25 percent, construction and materials, are  
2           you concerned that the Executive Budget has  
3           no increases to and actually reduces the  
4           support for local roads and bridge programs?

5                     You know, I come from the town  
6           supervisor at the county level, and our  
7           localities rely on these CHIPS programs for  
8           all their highway work. What's your feelings  
9           on it?

10                    DOT COMMISSIONER DOMINGUEZ: Well, I  
11           can tell you that -- I'll state what I stated  
12           before, which is that when you look at the  
13           totality of this five-year program that we  
14           have, capital program, it is truly historic.  
15           I understand what you're saying about the --  
16           you know, there was an add last year.

17                    But the bottom line is is having five  
18           years' worth of consistent funding that -- in  
19           an agreed-upon MOU between the Legislature  
20           and the Executive on how to spend those  
21           dollars statewide, is truly a good place to  
22           be, in the sense that we know what the assets  
23           are, we know what the condition is, we are --  
24           we have planned for where we're going, we

1 know how we can spend. There's certainty in  
2 that process both for the state and for the  
3 local entities, local DPWs.

4 And we can take on those assets' road  
5 and bridge conditions across the state by  
6 having that certainty in the funding. And  
7 with that, we can plan accordingly. And  
8 that's what we've done.

9 ASSEMBLYMAN MILLER: Okay, just  
10 looking at the five-year plan, and not having  
11 a crystal ball in front of us, you know, a  
12 lot of the planning engineers, whoever, were  
13 able to come up with a dollar figure, not  
14 based on a 25 percent increase in materials  
15 and construction costs. And, you know, the  
16 cost of petroleum has gone up, which reduces  
17 the amount of lane miles that we can pave.

18 Do you feel that should have been  
19 adjusted or there should have been an  
20 adjustment along the way a little bit?

21 DOT COMMISSIONER DOMINGUEZ: We  
22 actually, for New York State DOT, and working  
23 with our contractors, we have actually  
24 adjusted for some of those inflationary costs

1 for fuel and materials in our prices,  
2 recognizing what's happened over the course  
3 of this last year.

4 ASSEMBLYMAN MILLER: Okay, we're going  
5 to switch over to my second favorite topic,  
6 which is bridges and structures. I know we  
7 had a discussion on this the other day.

8 The Governor has proposed \$200 million  
9 for BRIDGE NY this year, the same as last  
10 year. Is this efficient, given that 1580 of  
11 the bridges throughout the state, 9 percent  
12 of our bridge assets, are  
13 classified structurally deficient?

14 DOT COMMISSIONER DOMINGUEZ: So, first  
15 of all, that number represents 100 million  
16 more, year over year, in this five-year plan.  
17 It's a billion dollars worth of investment in  
18 bridges. It is the most significant  
19 investment in bridges statewide that we've  
20 ever seen.

21 We're matching the federal dollars  
22 that we received from the bipartisan  
23 infrastructure legislation with a record  
24 amount at the state level. And it's truly a

1 historic level of investment.

2 Given that, we actually have to,  
3 again, utilize our asset management system to  
4 make sure that those dollars are going to  
5 make sure that we're addressing the safety  
6 issues first across our entire inventory of  
7 bridges.

8 ASSEMBLYMAN MILLER: Okay. We all  
9 know that we're going to see a sea of orange  
10 here in a few weeks asking for additional  
11 CHIPS funding put back there, and hopefully  
12 we can get back there, Commissioner. And I'm  
13 sure you agree on that.

14 Thank you.

15 ASSEMBLYMAN MAGNARELLI: Done.

16 CHAIRWOMAN KRUEGER: Okay, so now we  
17 are handing it over to our Authorities chair,  
18 Corporations and Authorities, Leroy Comrie.

19 SENATOR COMRIE: Good afternoon,  
20 Commissioner. Happy New Year.

21 I wanted to -- can you tell us if the  
22 department is meeting its MWBE goal of  
23 30 percent, and what percentage is being  
24 achieved? And can you provide the

1 participation rates by DOT region?

2 DOT COMMISSIONER DOMINGUEZ: Sir, I  
3 can tell you that we are -- we're doing a lot  
4 on our MWBE and DBE goals. We are getting  
5 closer every year, but the percentage of  
6 increase is incremental, and we're working on  
7 it right now.

8 Two of the things that we have done is  
9 create a WorkSmart NY program where we're  
10 literally going to every single community  
11 around the state to engage our MWBE partners  
12 and talk to them specifically one on one, and  
13 in forums, to talk about how we do business  
14 with New York State DOT. We've put  
15 provisions in some of our very large  
16 contracts that we're executing right now to  
17 really go aggressively after both diversity  
18 hiring goals as well as MWBE participation in  
19 some of our larger contracts like the  
20 Syracuse contract on I-81.

21 All of that said, we've got more work  
22 to do. We're also executing a mentoring  
23 program this year to try and make sure that  
24 we're working -- we're matching those larger

1 companies with companies that are interested  
2 in doing transportation work. Because there  
3 is opportunity, and we need to grow that  
4 opportunity.

5 SENATOR COMRIE: And you can send us  
6 the specific numbers later.

7 DOT COMMISSIONER DOMINGUEZ: Yes.

8 SENATOR COMRIE: Thank you.

9 Two other questions. I thought I had  
10 10 minutes.

11 CHAIRWOMAN KRUEGER: You do.

12 SENATOR COMRIE: Okay, good.

13 Can you tell us so that we can make  
14 sure that New Yorkers that are now getting  
15 these automatic speed ticketing fines -- how  
16 are they notified of this ticketing issue?

17 DOT COMMISSIONER DOMINGUEZ: The  
18 automated work zone speed cameras? There's a  
19 notice of violation that's sent, it's a  
20 picture that's taken of the license plate,  
21 and it's sent directly to the license plate  
22 owner.

23 SENATOR COMRIE: Okay. And will there  
24 be an opportunity for those speed camera

1 locations to be discoverable on Google Maps  
2 or --

3 DOT COMMISSIONER DOMINGUEZ: Every day  
4 that we are working -- every day that cameras  
5 are posted in a work zone, it is -- we put it  
6 on our website, New York State DOT website.  
7 Everybody can see exactly where the cameras  
8 are going to be statewide during construction  
9 season. So it's very transparent.

10 SENATOR COMRIE: And just another  
11 question on ticketing and fines.

12 Have we been able to integrate your  
13 fine issues and ticketing resolution with the  
14 Thruway Authority and MTA? As has been  
15 stated by a few members earlier, we have a  
16 major problem with people getting really  
17 major fines and fees that are leveraged upon  
18 them when they miss or a credit card has  
19 expired and they're not aware of it.  
20 Sometimes they wind up with thousands of  
21 dollars in fees, and then the fines are  
22 triple that, and they just can't afford to  
23 pay it.

24 DOT COMMISSIONER DOMINGUEZ: We don't



1           have the same type of system that the MTA and  
2           the Thruway are using. We're doing an  
3           immediate notice of violation, and it's  
4           basically a ticket with a set amount and it  
5           goes directly to the person that received the  
6           infraction.

7                     And then we're working through local  
8           government, local county judges for  
9           enforcement, as opposed to some of the  
10          infractions where if you don't pay, some of  
11          the other collection services that the  
12          Thruway and MTA have.

13                    SENATOR COMRIE: So people wind up  
14          with thousands of dollars in fees. Is there  
15          a percentage or a process for them to be able  
16          to eradicate some of the fines?

17                    DOT COMMISSIONER DOMINGUEZ: There is,  
18          but I don't have the details of it and I'll  
19          have to get back to you.

20                    SENATOR COMRIE: Thank you.

21                    And just help me out, what's the  
22          stated percentage of good repair that you  
23          estimate that's within the state roadwork  
24          now?

1 DOT COMMISSIONER DOMINGUEZ: How much  
2 we're collecting?

3 SENATOR COMRIE: No, just the  
4 percentage of roadways that are in a state of  
5 good repair within the state or that need  
6 repair coming. Of the roadways and bridges  
7 especially upstate, how many of them are in a  
8 state of good repair?

9 DOT COMMISSIONER DOMINGUEZ: Right now  
10 the state of good repair for our roads across  
11 the board is -- we probably have close to  
12 75 percent of our roads are in good or  
13 excellent condition.

14 SENATOR COMRIE: And then I ask this  
15 question every year. Are you embedding fiber  
16 into your roads, especially upstate where  
17 they need last-mile, first-mile opportunities  
18 for wifi?

19 DOT COMMISSIONER DOMINGUEZ: We are.  
20 We've been working very aggressively with  
21 fibre companies in particular to carry out  
22 the Governor's statewide initiative to  
23 include broadband and fiber-optic  
24 opportunities for people both in rural and

1 urban areas. And so we've streamlined our  
2 processes in a number of ways in working with  
3 the fiber companies, including putting  
4 surveys online --

5 SENATOR COMRIE: Do you have an  
6 estimate of how many -- how much roadway was  
7 done, how many miles were done with fiber  
8 optics?

9 DOT COMMISSIONER DOMINGUEZ: I don't,  
10 but I can get back to you.

11 SENATOR COMRIE: And can you explain  
12 DOT's policy on projecting asset use, the  
13 level of service, when prioritizing funding  
14 and preparing capital plans?

15 DOT COMMISSIONER DOMINGUEZ: I'm so  
16 sorry, sir, I'm having a really tough time  
17 hearing you.

18 SENATOR COMRIE: Can you explain DOT's  
19 policy on projecting asset use, called level  
20 of service, when prioritizing funding and  
21 preparing your capital plan?

22 DOT COMMISSIONER DOMINGUEZ: So our  
23 level of service literally goes through --  
24 it's one of the components that we look at in

1           our asset management process. So how many  
2           vehicle miles traveled, the -- you know, the  
3           density of the population, a whole bunch of  
4           factors that go into it.

5                     SENATOR COMRIE: And what percentage  
6           of capital projects that you're doing  
7           currently use design-build procurement?

8                     DOT COMMISSIONER DOMINGUEZ: Well, it  
9           depends on the project itself and whether or  
10          not -- you know, we look at what the  
11          parameters are, how we can best get what we  
12          need for the project in terms of best use of  
13          taxpayer dollars, the efficiency of the  
14          design process, and the construction process.

15                    But it's traditionally used for I  
16          would say some of our bigger projects, to  
17          make sure that we can get some of the best  
18          ideas out there as well as the best,  
19          efficient use of our funding.

20                    SENATOR COMRIE: And --

21                    DOT COMMISSIONER DOMINGUEZ: I don't  
22          have a percentage. Is that what you asked?

23                    SENATOR COMRIE: Yeah.

24                    DOT COMMISSIONER DOMINGUEZ: But I can

1 get you one.

2 SENATOR COMRIE: Thank you.

3 And just on also -- one of your  
4 initiatives from a previous budget involved  
5 accelerating construction lettings from the  
6 fourth quarter to the third quarter. Is  
7 that -- are you still doing those,  
8 accelerating letting statewide? And do you  
9 have any information on the results of that  
10 change? And was the state able to deliver  
11 more projects at reduced cost using that  
12 methodology?

13 DOT COMMISSIONER DOMINGUEZ: What  
14 we're doing right now is trying to get our  
15 program out as quickly as possible. So we  
16 have accelerated a number of projects this  
17 year. And we're getting third quarter out  
18 right now, and we're working on fourth  
19 quarter as well.

20 Fourth quarter is going to be  
21 extremely heavy. A lot of projects are  
22 coming out in the fourth quarter of this  
23 fiscal year.

24 SENATOR COMRIE: And can you talk

1 about the STOA funding? I want to support my  
2 upstate colleagues in making sure that we can  
3 ensure that all of our upstate highways are  
4 cleared and cleaned and maintained. Can you  
5 tell us about how effectively the STOA  
6 funding was used last year?

7 DOT COMMISSIONER DOMINGUEZ: I can't  
8 hear you. The what kind of funding?

9 SENATOR COMRIE: The STOA funding.

10 DOT COMMISSIONER DOMINGUEZ: STOA.  
11 STOA funding is being used across the board  
12 to make sure that we're working with our  
13 upstate transit colleagues on specific areas.  
14 So last year we had some specific investments  
15 on -- for some of the upstate transit  
16 projects. All of that has been invested.

17 We've also got an Innovative Mobility  
18 Fund that the Legislature passed, and we're  
19 executing that right now. You'll see some  
20 announcements on that this spring.

21 But it's a great way forward on -- the  
22 Governor continues to invest in upstate  
23 transit funding.

24 SENATOR COMRIE: Thank you. And we

1 want to continue to see that increased as  
2 well. It's an important part of our state's  
3 opportunity to encourage tourism and upstate  
4 travel. So I hope that we can get that  
5 increased as well.

6 I'm done.

7 DOT COMMISSIONER DOMINGUEZ: I  
8 apologize, sir. It just --

9 SENATOR COMRIE: Thank you. Thank you  
10 for your service, Commissioner. Thank you.

11 CHAIRWOMAN KRUEGER: Thank you.  
12 Assembly.

13 ASSEMBLYMAN MAGNARELLI: Member Fahy.

14 ASSEMBLYWOMAN FAHY: Thank you, Chair.

15 Thank you, Commissioner. Appreciate  
16 all the work you're doing -- especially, as  
17 you mentioned, in meeting our climate goals.  
18 And it seems like we have a weather-related  
19 disaster every week or two, so thank you for  
20 the work of you and your very busy team.  
21 Much appreciated.

22 Just a couple of other things. Thank  
23 you as well for noting the traffic safety and  
24 your emphasis on speed, which is a huge

1 issue, given the increase in pedestrian and  
2 bike deaths. Also thank you in your  
3 testimony for mentioning the Livingston  
4 Avenue Bridge, the long-overdue bridge, as  
5 well as public transit and our need for  
6 increased funding there.

7 A couple of questions, and I know  
8 we've mentioned these a few times before, but  
9 I think it would help to get on the record a  
10 couple of updates.

11 The I-787 and the canal project, the  
12 reimagining, if you will. I'm so thrilled to  
13 have got \$5 million from a couple of years  
14 ago that we were able to get in the budget,  
15 and the engineering feasibility study is  
16 underway. Can you give us just a quick  
17 update on the next steps there and when you  
18 expect to see that? And then I've got a  
19 couple of other just updates as well.

20 DOT COMMISSIONER DOMINGUEZ: Well,  
21 we've been progressing the study. And so we  
22 will look to have some additional public  
23 engagement here this spring. But things are  
24 going well. I mean, we've had the



1 opportunity to talk to folks and we're on  
2 schedule, on budget, and look forward to  
3 continuing to develop that.

4 ASSEMBLYWOMAN FAHY: Okay, so we  
5 expect to hear more in the spring.

6 DOT COMMISSIONER DOMINGUEZ:  
7 Absolutely.

8 ASSEMBLYWOMAN FAHY: Terrific.

9 Another one, then, is Route 156, which  
10 I know you've heard about. It's been a  
11 couple of years, you've heard, in my  
12 district. As we mentioned previously in  
13 December, the federal Department of  
14 Transportation updated the long-awaited  
15 manual on uniform traffic control devices,  
16 MUTCD. And I'm told that will help with this  
17 85th percentile in terms of driver speed.

18 Any updates on that in terms of  
19 flexibility that we might get in one of my  
20 busiest corridors that would love to see  
21 speed limit reduced, especially right there  
22 in front of Indian Ladder Farms?

23 DOT COMMISSIONER DOMINGUEZ: Well, as  
24 you know, we're continuing to work with the

1 community. We've done a number of traffic  
2 studies in that area. And as you and I  
3 talked about, I think there's other  
4 enhancements outside of the MUTCD and speed.

5 But the issue with regard to that area  
6 is really fundamentally about pedestrian  
7 safety. People are walking across a very  
8 heavily used roadway and -- you know, to  
9 enjoy the orchards and picking apples and  
10 what's available there. But we will continue  
11 to work with you and the community to see  
12 exactly how we might be able to enhance that  
13 safety feature.

14 You know, speed is one element of it,  
15 but the other portion is really fundamentally  
16 creating safe crossing spaces.

17 ASSEMBLYWOMAN FAHY: Yes, anything  
18 that would. It's one of the biggest tourist  
19 areas in my -- in this region, and want to  
20 make sure we don't have to wait for a serious  
21 accident.

22 And I'm out of time. We'll follow up  
23 with other questions. Thank you, Mr. Chair.

24 ASSEMBLYMAN MAGNARELLI: Thank you

1 very much. Thank you.

2 Senator?

3 CHAIRWOMAN KRUEGER: Senator Salazar.

4 ASSEMBLYMAN MAGNARELLI: May I just  
5 say one thing before we get to the good  
6 Senator. We have Member Fahy who has  
7 arrived, Members Wallace, Rivera, McDonald  
8 and Colton also. Thank you.

9 SENATOR SALAZAR: Thank you.

10 Thank you, Commissioner, for your  
11 testimony, for joining us today.

12 I want to ask, of course, about the  
13 BQE. As New York City is planning to  
14 potentially invest billions of dollars into  
15 the city-controlled portion of the BQE, the  
16 cantilever, what is DOT's long-term vision  
17 for the majority of the BQE that is  
18 state-controlled?

19 DOT COMMISSIONER DOMINGUEZ: So as  
20 we -- we've been working very closely with  
21 the city on the triple cantilever and their  
22 environmental process to help advance that  
23 work. And in conjunction with that, we've  
24 worked with the city on an application for a

1 Reconnecting Communities grant, a USDOT  
2 discretionary grant called Reconnecting  
3 Communities.

4 That -- those dollars, if we were to  
5 receive that grant, would go to further  
6 engaging the community on what some of those  
7 opportunities are, both north and south of  
8 the triple cantilever, and look to see how we  
9 could study that further.

10 I will tell you, just from a  
11 structural standpoint, we've put over  
12 \$200 million, close to \$300 million in the  
13 structural integrity of the BQE, recognizing  
14 that it's such a huge, an important freight  
15 corridor across the Northeast.

16 SENATOR SALAZAR: Excellent. And is  
17 the state -- or what money, rather, is the  
18 state investing in potentially finding other  
19 freight alternatives, whether it's maritime  
20 shipping, freight along the future IBX, to I  
21 guess offset the -- the burden on that?

22 DOT COMMISSIONER DOMINGUEZ: There  
23 have been a number of initiatives to look at  
24 to see how freight might be moving in and

1 around New York City. The city's taken on  
2 some of that, both with some of their water  
3 studies.

4 We're also looking at freight writ  
5 large at the state level, as part of our  
6 larger transportation master plan. So we'll  
7 be taking some more of that on with regard to  
8 freight.

9 SENATOR SALAZAR: Excellent. I'm sure  
10 some of my colleagues have additional  
11 questions about the BQE, so --

12 DOT COMMISSIONER DOMINGUEZ: Okay.  
13 Thank you, Senator.

14 SENATOR SALAZAR: Thanks,  
15 Commissioner.

16 CHAIRWOMAN KRUEGER: Okay, we're  
17 done -- excuse me. Thank you.

18 Assembly?

19 ASSEMBLYMAN MAGNARELLI: Okay,  
20 Chairman Ken Zebrowski is next in line.

21 ASSEMBLYMAN ZEBROWSKI: Thanks,  
22 Commissioner. Good to see you.

23 DOT COMMISSIONER DOMINGUEZ: Hello,  
24 sir.

1 ASSEMBLYMAN ZEBROWSKI: Thanks, Chair.

2 The Executive Budget has \$11 million  
3 for the annual operating costs of the  
4 Lower Hudson Transit Link, the express bus  
5 service across the Mario Cuomo Bridge. Could  
6 you give us an overview of how that's  
7 working? You know, I worked a lot with the  
8 department pre-COVID really trying to get  
9 that bus service up and running. I felt like  
10 ridership was growing, the links to the buses  
11 over on Metro-North on the Westchester side  
12 of the river, we were getting better at the  
13 links -- and then of course COVID happened.

14 And so I was kind of wondering, you  
15 know, since COVID, has it been growing,  
16 where's ridership, is that \$11 million  
17 sufficient? How have things been going with  
18 that program?

19 DOT COMMISSIONER DOMINGUEZ: It's a  
20 good question. I need to look at the  
21 ridership numbers. I know during COVID  
22 obviously it suffered greatly. We were  
23 actually working with the Thruway Authority  
24 during COVID to kind of encourage people to

1 go out. We ran some special services. We're  
2 still doing that to get people across the  
3 bridge if they want to take advantage of the  
4 bike pedaling on the Cuomo Bridge.

5 But that said, overall ridership I  
6 think is -- has certainly ticked up after  
7 COVID. I can get you the numbers directly.  
8 But we continue to fund it. We think it's a  
9 vital link and a vital service, which is why  
10 we continue to include it and the Executive  
11 continues to include it in the budget. It's  
12 one of those options that we have to  
13 consider. If we want to get people out of  
14 cars, we need to have the transit options  
15 that are available, and Hudson Link provides  
16 that. And it's a great carbon emissions  
17 reduction opportunity.

18 ASSEMBLYMAN ZEBROWSKI: Hundred  
19 percent. I'd love to work with your  
20 office -- I don't expect you to have those  
21 numbers right now, but I'd love to work with  
22 your office on outreach for that program,  
23 letting people know about it. Obviously on  
24 the west side of the Hudson we are so close

1 but so far in terms of, you know, mass  
2 transit opportunities to get over that river.  
3 You know, the Gateway project is probably the  
4 long-term best option, to get somebody on a  
5 train and, you know, go over into Manhattan.

6 But in the meantime, with Metro-North  
7 right there, expanding or at least maximizing  
8 that service and the linkage I think would be  
9 a great -- in so many ways, great for  
10 commuters, great for the environment, great  
11 for the overall system. So I'd love to work  
12 with you on that.

13 DOT COMMISSIONER DOMINGUEZ: I'd be  
14 happy to work with you on it.

15 ASSEMBLYMAN ZEBROWSKI: Now, in  
16 Rockland County, one of the biggest hubs for  
17 that system is on the Palisades Mall. Which  
18 is great, there's parking lots there. Which  
19 sort of is a link, no pun intended, to the  
20 other issue I've spoken to you about a bit on  
21 the -- it borders Route 59, which is the  
22 state highway, which has just been shut so  
23 many times due to flooding recently. And so  
24 it's a major corridor across Rockland County,



1 east to west, it connects to where the  
2 Thruway is, it would affect that Hudson Link  
3 system.

4           You know, I appreciate you and your  
5 department looking into that flooding  
6 scenario. And just overall, what I think is  
7 one of the issues -- and I don't know if it's  
8 here or other places -- is I suspect, don't  
9 know but suspect that the flooding is really  
10 not the cause of the state highway. But it's  
11 the state highway that's being closed.

12           And so I think we may have to -- or  
13 your department, if you will, you know, may  
14 have to serve as the quarterback, for lack of  
15 a better metaphor, on how to fix these  
16 things, you know. And I'd love to partner  
17 with you on it. It may take the Army Corps  
18 of Engineers and stream dredging or stream  
19 maintenance. It may take municipalities or  
20 the mall in terms of underground drainage.  
21 There's a train trestle there run by CSX that  
22 a lot of people think is backing up the water  
23 so it flows onto Route 59. All these not in  
24 your purview, but somehow we need to bring

1 folks together.

2 So sure, if we need to bring our  
3 federal representatives down to talk to CSX  
4 or to deal with the Army Corps, let's do it.  
5 But I think -- you know, our thinking needs  
6 to not just be siloed. Somebody needs to  
7 quarterback it. And if there's other  
8 agencies we need to push, let's push them so  
9 that we can solve some of these problems.

10 DOT COMMISSIONER DOMINGUEZ: Happy to  
11 work with you on it.

12 ASSEMBLYMAN ZEBROWSKI: Thanks. Thank  
13 you, Commissioner.

14 ASSEMBLYMAN MAGNARELLI: Senator?

15 CHAIRWOMAN KRUEGER: Okay, Senator  
16 Mattera.

17 SENATOR MATTERA: Great, thank you.  
18 Thank you, Chair.

19 And thank you, Commissioner. It was  
20 great speaking with you yesterday. And I  
21 really want to thank our office --

22 CHAIRWOMAN KRUEGER: Senator, one  
23 second.

24 He's a ranker, so he should have five

1 minutes. Thank you.

2 SENATOR MATTERA: Oh, my goodness.

3 Thank you so much, Senator. Usually you  
4 don't give me that.

5 (Laughter.)

6 CHAIRWOMAN KRUEGER: I do too.

7 (Laughter.)

8 CHAIRWOMAN KRUEGER: Don't start up  
9 with me.

10 SENATOR MATTERA: No, I'm just  
11 kidding, she's always so -- she's very  
12 wonderful.

13 So yesterday -- and I want to thank  
14 Director Rich Causin for doing a great job  
15 down in the Long Island office. He's always  
16 very responsive, and I really, really  
17 appreciate that. But we -- yesterday, after  
18 we did speak, that Country Pointe issue is  
19 becoming worse. Because obviously the  
20 coordination and the design is now going to  
21 be changed because it's going to be held up  
22 too long, and now I'm hearing the design's  
23 going to be changed.

24 And by the design being changed, we

1 already got rid of -- which I was upset  
2 about, which we spoke about -- sound walls  
3 that should have been installed. Now they're  
4 looking to do away with more sound walls  
5 because of the cost factor of the delay  
6 because of that sewer height.

7 So, Commissioner, please, these sound  
8 walls are so important. We need to make sure  
9 that this area that we live in, right there,  
10 those sound walls need to be installed, and  
11 we cannot have it that the -- that just  
12 because of what's happening with  
13 Country Pointe, that we're going to be  
14 penalized because of a new design and the  
15 cost factor.

16 Can you please -- I have to have you  
17 on record with this one. It's very, very  
18 important. I know it's in litigation with  
19 the other part of it, the sewer, but this has  
20 nothing to do with the sound walls.

21 DOT COMMISSIONER DOMINGUEZ: But it  
22 does, because it's all part of the larger  
23 contract and what we're trying to execute.  
24 And so I'm going to -- as you know, it's in

1 litigation right now, and I'm going to have  
2 to defer to the fact that it's literally in  
3 litigation.

4 SENATOR MATTERA: But that has nothing  
5 to do with the sound walls, Commissioner. We  
6 could talk about the sewer main -- I know we  
7 can't talk about the sewer main because  
8 that's in litigation. But the sound walls,  
9 that shouldn't be penalized with my residents  
10 because of a situation that happened with the  
11 design.

12 So I'm asking you again, we talked  
13 about the design that the walls were taken  
14 away from certain areas. Now, because of  
15 this problem, now more walls aren't going to  
16 be installed. So we really can talk about  
17 this, Commissioner. And please, I really,  
18 really need you to look into this. This is  
19 not fair to my community because of a  
20 situation that happened with the sewer main.  
21 But again, those walls do not have anything  
22 to do with this.

23 DOT COMMISSIONER DOMINGUEZ: I'll be  
24 happy to talk with you offline again,

1           Senator.  But again, this is part of a larger  
2           project, all of which is combined in one  
3           contract.

4                     SENATOR MATTERA:  Then I'm going to  
5           say it again, my residents are being  
6           penalized because of a situation that  
7           happened with something else with another --  
8           another community with a sewer main.

9                     You know, we talked about the CHIPS,  
10          and the CHIPS is so, so important.  My  
11          question to you is, you know, have you been  
12          talking to the Governor's office that we're  
13          hearing about a decrease in our CHIPS  
14          funding?  I know we're going to mention that.  
15          Everybody needs to mention it here up on this  
16          panel.  Can you please give us a little  
17          heads-up what your feelings are about the  
18          decrease in CHIPS funding for this year?

19                    DOT COMMISSIONER DOMINGUEZ:  Well, I  
20          think, as I said before, the -- there's a  
21          larger concern about the fiscal state of the  
22          state.  And so reflective of that, the  
23          transportation proposal as it's been put  
24          forward reflects, as the Governor pointed

1 out, some fiscal responsibility here across  
2 the board. And, you know, we have -- there  
3 are increases certainly in upstate transit,  
4 and looking at some of the opportunities to  
5 invest.

6 I think with regard to CHIPS, that  
7 will continue to be a discussion between the  
8 Legislature and the Executive moving forward  
9 in this budget cycle.

10 SENATOR MATTERA: You know, you and I,  
11 we discussed also too about what's happening  
12 also in our districts, in all of them, that  
13 we have drop shipping going all -- trucks all  
14 over, all -- seven days a week, what's  
15 happening with the drop shipping. So I do  
16 have a bill that hopefully, sooner or  
17 later -- and I just want to thank our  
18 chairman of Transportation for always doing a  
19 great job, and I appreciate you,  
20 Senator Kennedy, for always being there for  
21 us. But we have this drop shipping situation  
22 right now that is running rampant, and our  
23 roads are being worn out. And our CHIPS  
24 funds are so, so important, that they depend

1 on this. And nothing is happening with this.

2 So I'm hopeful that we are going to  
3 definitely look into this more with this. So  
4 please, we have to please make sure that our  
5 CHIPS funds are definitely not going to be  
6 decreased.

7 Are you going to do that? Okay. All  
8 right.

9 But I appreciate -- again, I  
10 appreciate your time. But please, those  
11 sound walls, very, very important.

12 ASSEMBLYMAN MAGNARELLI: Thank you,  
13 Senator.

14 SENATOR MATTERA: Thank you.

15 DOT COMMISSIONER DOMINGUEZ: I'll  
16 follow up with you, Senator.

17 ASSEMBLYMAN MAGNARELLI: Thank you.

18 Next we have Member Fall, please.

19 ASSEMBLYMAN FALL: Hello,  
20 Commissioner.

21 DOT COMMISSIONER DOMINGUEZ: Hello,  
22 Assemblymember.

23 ASSEMBLYMAN FALL: Good to see you.

24 Have a question related to the HOV



1 lane on the Staten Island Expressway.

2 So as you know, the HOV lane goes from  
3 Bradley avenue all the way to the  
4 Verrazano Bridge, and it's from the  
5 Verrazano Bridge to Bradley Avenue. And it's  
6 pretty much incomplete, because it doesn't go  
7 all the way to the Goethals Bridge. Because  
8 of that, there's a ton of congestion. And  
9 we're trying to see how we can get the  
10 extension for the HOV lane in the next  
11 capital budget plan.

12 DOT COMMISSIONER DOMINGUEZ: I'm  
13 sorry, can you repeat the last --

14 ASSEMBLYMAN FALL: The extension for  
15 the -- funding for the extension for the HOV  
16 lane for the Staten Island Expressway.

17 DOT COMMISSIONER DOMINGUEZ: So I  
18 recognize that it's an issue that the  
19 delegation has been looking at for quite some  
20 time. And our regional office has certainly  
21 taken a look at it, and I'm happy to follow  
22 up with you directly on it. It is not  
23 currently part of our five-year capital plan.

24 As you know, we've done a lot of

1 improvements on the HOV lane. We just  
2 completed one I think about a year and a half  
3 ago on the expressway. But it's a huge  
4 undertaking, to say the least, so --

5 ASSEMBLYMAN FALL: Well, you know,  
6 Staten Island is a transportation desert, so  
7 these little improvements make a big  
8 difference. This is one of those things  
9 where there is bipartisan support on the  
10 island. So we're fully behind it, and  
11 hopefully we can get your support to get it  
12 in that next capital plan.

13 DOT COMMISSIONER DOMINGUEZ: Thank  
14 you.

15 ASSEMBLYMAN FALL: Thank you,  
16 Commissioner.

17 CHAIRWOMAN KRUEGER: Senator Persaud.

18 SENATOR PERSAUD: Thank you.

19 Commissioner, it's great seeing you.  
20 And thank you for having a conversation with  
21 myself and my staff. And I just appreciate  
22 your staff working with us on some of the  
23 issues across my district. And I look  
24 forward to you coming to the district for us

1 to walk through to see some of the things  
2 that we're talking about.

3 Over the past week we saw -- you know,  
4 there's the push about electrifying buses.  
5 And over the past week we saw some issues  
6 with, you know, not having the capacity to  
7 recharge buses. Can you tell me how much of  
8 the \$80 million that you have allocated for  
9 electrifying buses has been spent?

10 DOT COMMISSIONER DOMINGUEZ: We are  
11 working directly with NYSERDA on the  
12 electrification for school buses, and then  
13 we're giving those dollars that we have  
14 allocated directly to transit systems in the  
15 upstate areas. Those have already been  
16 allocated over the course of this last year.

17 SENATOR PERSAUD: I know NYSERDA has  
18 awarded some grants to some organizations  
19 that -- for example, that are working with  
20 the bus -- the minibus industry. Do you know  
21 how those grants were processed for the  
22 persons who were given the grants?

23 DOT COMMISSIONER DOMINGUEZ: I'm not  
24 familiar with the details of that. No,

1           sorry.

2                   SENATOR PERSAUD:   Okay.  Thank you for  
3           that.

4                   I know Senator Comrie asked some  
5           questions on the MWBE, but I wasn't sure that  
6           I heard the answer correctly.  What's the  
7           percentage of MWBE contracts that you have  
8           allocated?

9                   DOT COMMISSIONER DOMINGUEZ:  We're  
10          averaging about 18 percent a year.  It's gone  
11          up.  It was up a little bit higher and then  
12          during COVID and -- and now we're averaging  
13          about 18 percent over the last three years.

14                   SENATOR PERSAUD:  Of those contracts,  
15          how many are the M's in the MWBEs?

16                   DOT COMMISSIONER DOMINGUEZ:  I don't  
17          have the breakout.  That's a holistic number.

18                   SENATOR PERSAUD:  Is it possible for  
19          us to get that?

20                   DOT COMMISSIONER DOMINGUEZ:  Yes.  I  
21          can -- I --

22                   SENATOR PERSAUD:  Why I'm asking that  
23          is because I was at an event, we were at this  
24          conference, and everyone's talking about, you

1 know, the amount of contracts we're giving to  
2 MWBEs. And when you're really seeing, it's  
3 not -- the M's are not being given those  
4 contracts. I just want to see in the state  
5 how are you doing with that.

6 DOT COMMISSIONER DOMINGUEZ: I'd be  
7 happy to provide you with a breakout.

8 SENATOR PERSAUD: Thank you for that.

9 One other thing I needed to ask about.  
10 As we're shifting to zero-emission buses --  
11 again, back to buses -- there's the  
12 indication -- it's indicating a number of  
13 challenges, and I said that earlier. How  
14 much are you involved, or your agency  
15 involved, in providing technical assistance  
16 to --

17 (Overtalk.)

18 ASSEMBLYMAN MAGNARELLI: Thank you.

19 SENATOR PERSAUD: You can send that to  
20 us.

21 DOT COMMISSIONER DOMINGUEZ: Okay.

22 CHAIRWOMAN KRUEGER: You'll have to  
23 follow up.

24 SENATOR PERSAUD: Thank you.

1 ASSEMBLYMAN MAGNARELLI: Okay. Member  
2 Darling.

3 ASSEMBLYWOMAN DARLING: Hi,  
4 Commissioner, how are you? Hello. I just  
5 want to thank you again. It's been a  
6 pleasure working with you to repair and  
7 replace roads all throughout Long Island on  
8 the Southern State, the Meadowbrook State  
9 parkway, the LIE and I'm sure a bunch of  
10 other areas. You guys have done an  
11 incredible job. Our constituents are much  
12 happier, and a lot less potholes. So really  
13 great to partner with you and your team.

14 In the proposed Executive Budget will  
15 there be resources for a marketing campaign  
16 that targets communities experiencing high  
17 levels of unemployment in order to fill DOT  
18 employment vacancies?

19 DOT COMMISSIONER DOMINGUEZ: Well, we  
20 would love to partner with you and others.  
21 We have a great opportunity in terms of  
22 hiring at DOT. So we don't have a dedicated  
23 line item per se, if that's what you're  
24 asking, but the department -- we are



1 question regarding STOA and specifically  
2 dedicated revenue for upstate transit. As  
3 you're familiar, Buffalo, Rochester, Syracuse  
4 and Albany all are experiencing low ridership  
5 rates in our public transit systems -- not  
6 because they don't provide great service, but  
7 rather because of the frequency of the routes  
8 and making sure that they can be reliable  
9 forms of transit for our constituents.

10 And my question is, in your time  
11 whether in Washington or talking to your  
12 colleagues across the country, are there  
13 models of dedicated revenue that are working  
14 that we can model here in New York State,  
15 that we can try in this budget session? Or  
16 are there other forms of revenue that we can  
17 look at?

18 DOT COMMISSIONER DOMINGUEZ: It's a  
19 great question, and I think we should  
20 definitely have that discussion. As I put it  
21 out earlier, there have been some dedicated  
22 forms that have been put in place, certainly  
23 that are benefiting MTA operating systems  
24 across the board in communities and -- in



1 downstate communities.

2 We've seen some success with the  
3 rental car companies and some other creative  
4 means of collecting those revenues. But  
5 happy to work with you and members of the  
6 Transportation committees -- certainly  
7 Senator Kennedy's been a big proponent of  
8 this.

9 But it's difficult. It's difficult to  
10 look at, too, because you have to -- you have  
11 to look at things differently. And we have  
12 had some success, and we can build off of  
13 that. But I want to commend the Governor,  
14 because she has been incredibly consistent  
15 about supporting STOA, about statewide  
16 operating assistance, in particular for our  
17 upstate transit systems.

18 (Overtalk.)

19 DOT COMMISSIONER DOMINGUEZ:  
20 Recognizing that we don't have that same  
21 level of dedicated sources, you know, she put  
22 it across the board another 5.4 percent  
23 increase.

24 SENATOR COONEY: We do appreciate

1           that, Commissioner. And we have to know that  
2           the opportunity to grow our public transit  
3           system does require additional resources. I  
4           agree with Chair Senator Kennedy in terms of  
5           that 15 percent or more number.

6                     And I look forward to having continued  
7           conversations with your staff, whether it's  
8           to increase the STOA generally even more  
9           beyond the Executive Budget, or whether it is  
10          that dedicated revenue source that will allow  
11          us to think creatively about long-term  
12          solutions for public transit in New York  
13          State. We're absolutely committed to working  
14          with you to get that done.

15                    DOT COMMISSIONER DOMINGUEZ: Thank  
16          you.

17                    SENATOR COONEY: Thank you very much.

18                    I yield back my time.

19                    CHAIRWOMAN KRUEGER: Thank you.  
20          Assembly.

21                    ASSEMBLYMAN MAGNARELLI: Thank you,  
22          Senator.

23                    Mr. Simone, please.

24                    ASSEMBLYMAN SIMONE: Thank you, Chair.

1           Thank you, Commissioner. I want to  
2           first thank you for doing a study of  
3           Route 9A. As you know, in my district along  
4           Route 9A and the Hudson River we have  
5           significant population growth; a section that  
6           will soon be in the congestion pricing zone,  
7           including 80 intersection; one of the busiest  
8           parks in the nation, the Hudson River  
9           Greenway, one of the nation's busiest bike  
10          corridors. And I know this because I often  
11          use my bike down the Hudson River Park  
12          Greenway, I walk my dog, and it's a mess. I  
13          would love to see an extra lane along the  
14          highway closed for increased use by  
15          pedestrians.

16                 My question is, how will DOT be  
17                 studying the change in vehicular traffic  
18                 patterns after congestion pricing takes  
19                 effect, and how this route can be better  
20                 served with thousands of daily bikers and  
21                 pedestrians along the West Side Highway of  
22                 Manhattan?

23                         DOT COMMISSIONER DOMINGUEZ: So with  
24                         regard to 9A, there's a lot of work that, as

1           you know, we've done consistently. We don't  
2           have anything planned right now but, you  
3           know, the bottom line is is that we have to  
4           look to see what the impacts of congestion  
5           pricing will be and go from there.

6                     I think that right now the -- there  
7           have been proposals, as you've suggested, to  
8           take another lane of traffic. But given the  
9           VMT that we have right now, the vehicles that  
10          are on the roadway right now, it doesn't  
11          seem -- from a congestion standpoint it  
12          doesn't seem to make -- you know, we need to  
13          look at some other alternatives. And one of  
14          them is actually putting people on transit.  
15          Which is why I think congestion pricing will  
16          hopefully get us there in many ways.

17                    So happy to work with you in the  
18          future on what that might look like. But for  
19          right now, you know, it's going to take some  
20          time to actually see how this all plays out.

21                    ASSEMBLYMAN MAGNARELLI: That's it?  
22          Thank you.

23                    CHAIRWOMAN KRUEGER: Thank you.

24                    Senator Tom O'Mara, five minutes,

1 ranker.

2 SENATOR O'MARA: Thank you.

3 Good afternoon, Commissioner. Thank  
4 you for your time with us today.

5 I just want to reiterate the concerns  
6 I have over the cuts to the CHIPS funding.  
7 It's vital, particularly for upstate and  
8 particularly for our rural towns who many of  
9 them their entire road budget for the year is  
10 CHIPS, and that's all they have. So it's  
11 incredibly important. And a cut to them is a  
12 hit that those communities really can't  
13 sustain with the important work just to keep  
14 up with the needs of the local roads.

15 I understand, you know, we've got  
16 tough budget issues. And fiscal austerity is  
17 important, and I'm certainly a champion of  
18 that in many ways. But there's many areas of  
19 this budget that are far less important than  
20 our infrastructure and our roadways that  
21 should be the priority.

22 So just please take that back to the  
23 Executive. And in negotiations we certainly  
24 hope to be able to achieve at least level

1 funding from last year with that. So it's  
2 critically important.

3 One specific question from  
4 Senator Canzoneri-Fitzpatrick on Long Island  
5 looking for a status update, Loop Parkway  
6 Drawbridge. There's supposedly a feasibility  
7 study that's out there. What's the status of  
8 that, and what's the expectation there?

9 DOT COMMISSIONER DOMINGUEZ: We're  
10 working on the study right now. I think  
11 we'll be bringing it to conclusion pretty  
12 shortly and we'll be in touch. But we've  
13 been working on it to take a look at what  
14 some of the alternatives could be.

15 SENATOR O'MARA: Okay, thank you.

16 And I just want to also say thank you  
17 for the great work the department has done  
18 throughout my district, really, but in  
19 particular on State Route 54A, which runs  
20 along the west side of Keuka Lake, which is a  
21 very challenging section of roadway due to  
22 the steepness of the hillsides and slopes  
23 there, and it's constant work needing to be  
24 done. So it's been a very good relationship

1 working on that, so thank you.

2 DOT COMMISSIONER DOMINGUEZ: I greatly  
3 appreciate that, sir. I've been there, and  
4 to say that it's challenging is indeed an  
5 understatement.

6 SENATOR O'MARA: Thanks.

7 DOT COMMISSIONER DOMINGUEZ: So thank  
8 you.

9 CHAIRWOMAN KRUEGER: Thank you.  
10 Assembly.

11 ASSEMBLYMAN MAGNARELLI: Member  
12 Slater.

13 ASSEMBLYMAN SLATER: Thank you very  
14 much.

15 Commissioner, great to see you.

16 DOT COMMISSIONER DOMINGUEZ: Good to  
17 see you.

18 ASSEMBLYMAN SLATER: I just wanted to  
19 follow up on some of our discussions that  
20 we've had previously. And by the way, I do  
21 want to thank you for your help with Route 52  
22 in the Town of Kent. That was a great  
23 improvement that we've made. I'm hoping we  
24 can build on that moving forward, as we've

1 discussed.

2 And I also want to just applaud the  
3 Region 8 staff. As I said to you before,  
4 they have been fantastic to work with, very  
5 responsive to our needs, and so I do want to  
6 tip my hat to them as well.

7 But we did talk about some of the  
8 reports, specifically the Highway Pavement  
9 and Bridge Conditions Report. Now, it's my  
10 understanding that members of the majority  
11 received copies of that report, among others,  
12 but members of the minority, when we asked  
13 for it, were denied.

14 And so I'd like to know if we're going  
15 to be able to get copies of those reports,  
16 whether it's that, the Capital Program  
17 Letting and Implementation Report, the  
18 Capital Program Accomplishment Report, and  
19 the Downstate Suburban and Upstate Transit  
20 Capital Programs Report. Is that going to be  
21 made available for our conference?

22 DOT COMMISSIONER DOMINGUEZ: Sir, I  
23 can tell you that we submit the reports per  
24 the legislative requirements. So --



1           ASSEMBLYMAN SLATER: There's nothing  
2 prohibiting you from sharing -- it's my  
3 understanding there's nothing that prohibits  
4 you from sharing those reports with our  
5 conference as well.

6           DOT COMMISSIONER DOMINGUEZ: I'll be  
7 happy to talk, but the bottom line is we do  
8 it by statute. So ...

9           ASSEMBLYMAN SLATER: Understood.  
10 Understood. Well, I hope we can our hands on  
11 those reports as well.

12           I also just wanted to quickly, on  
13 Region 8, with my remaining time, there's an  
14 MOU project list that had to drop two  
15 scheduled projects, and you still spent more  
16 than was programmed. Obviously with  
17 inflation driving up the construction costs  
18 that will reduce the number of projects being  
19 delivered. But fewer projects means  
20 continued declines in the conditions.

21           So my question is, how much additional  
22 funding does Region 8 need over the remaining  
23 three years in the current capital program to  
24 deliver all the projects that are already

1 listed in the program?

2 DOT COMMISSIONER DOMINGUEZ: What we  
3 do with the capital program is actually for  
4 every region is make sure that whatever's  
5 been planned and programmed, we work with  
6 every region across the state, as the DOT, to  
7 make sure that we're -- if one project slips,  
8 so to speak, into an outyear, that we're  
9 pulling something else in to make sure that  
10 it's balanced over the five years.

11 So that's the goal, making sure that  
12 we're meeting the stated MOU requirements for  
13 both projects and dollars spent within the  
14 areas that the Legislature and the Executive  
15 agreed to.

16 ASSEMBLYMAN SLATER: So no additional  
17 funding needed to accomplish the five-year  
18 plan for Region 8.

19 DOT COMMISSIONER DOMINGUEZ: We have  
20 the funding based on the five-year plan that  
21 was passed by the Legislature and signed by  
22 the Governor.

23 ASSEMBLYMAN SLATER: Understood.  
24 Thank you very much. I really appreciate it.

1                   With my remaining time, I do want to  
2 wish my colleague Tony Simone a happy  
3 birthday. Hey, Tony.

4                   (Cheers; applause.)

5                   ASSEMBLYMAN SLATER: Commissioner,  
6 thanks again for being here today. Really  
7 appreciate it.

8                   DOT COMMISSIONER DOMINGUEZ: Thank  
9 you.

10                  ASSEMBLYMAN MAGNARELLI: Thank you.  
11 Senate.

12                  CHAIRWOMAN KRUEGER: Senator Ramos.

13                  SENATOR RAMOS: (Mic off.) Thank you.  
14 Well, good afternoon.

15                  (Off the record.)

16                  SENATOR RAMOS: Well, I'm loud enough.

17                  (Laughter.)

18                  SENATOR RAMOS: Good afternoon. I  
19 wanted to pick up our conversation on e-bike  
20 safety. As you know, there's great concern  
21 about folks driving their e-bikes down the --  
22 you know, going the wrong way down streets,  
23 riding on sidewalks and that sort of thing.  
24 I know that in working with the Traffic

1 Safety Committee you've put together a  
2 brand-new PSA; it depicts a father purchasing  
3 an e-bike for his son. It largely focuses  
4 around helmet safety, not so much on speed  
5 limits or sidewalk riding.

6 And so I'm wondering, what's the plan  
7 to actually work with the target demographic,  
8 right: Delivery workers, the folks who are  
9 using e-bikes the most. I'm less concerned  
10 about kids and e-bikes, more so about, you  
11 know, those who are using it as a tool for  
12 work.

13 DOT COMMISSIONER DOMINGUEZ: So as you  
14 noted, Senator, we're working with the  
15 Governor's Traffic Safety Committee. And I  
16 can tell you that in initial discussions with  
17 them, one -- you know, it's a collaboration  
18 of state agencies, so DMV, State Police, DOT,  
19 et cetera, all coming together to try and  
20 enhance education around e-bike safety.

21 One of the initial areas was literally  
22 working with the delivery companies, Grubhub,  
23 et cetera, to make sure that information is  
24 getting shared. So I think there's

1 additional opportunity. This is the initial  
2 launch. But would love to work with you on  
3 how to actually advance it.

4 SENATOR RAMOS: Yeah, I would love --  
5 I mean, if you need help brokering a meeting  
6 with these work groups, I'm -- you know --

7 DOT COMMISSIONER DOMINGUEZ: I think  
8 the --

9 SENATOR RAMOS: -- I'm happy to --

10 DOT COMMISSIONER DOMINGUEZ: I think  
11 that's the actual challenge, is actually not  
12 just getting to the companies, but the people  
13 that are actually using --

14 SENATOR RAMOS: But we can do a  
15 meeting, right? They're actually pretty  
16 organized. We can help disseminate  
17 information, create a brochure in Spanish, in  
18 their languages. I just -- I would love to  
19 see a lot -- I would love to see the DOT be  
20 much more proactive on this matter.

21 But to switch gears very quickly,  
22 actually Assemblyman Cunningham right here to  
23 my right, and myself, we've introduced a bill  
24 in order to establish scramble crosswalks

1 outside of schools during arrival and  
2 dismissal.

3 I know that unfortunately the  
4 Assemblyman was hit by a car outside of his  
5 school when he was young, and along  
6 Northern Boulevard in my district, we've lost  
7 at least 12 children over the last few years,  
8 and yet no agency at the city or state level  
9 seems to be exploring traffic treatments or  
10 ways to make it easier for these children to  
11 cross the street. Northern Boulevard, of  
12 course, being technically a state highway  
13 even though it's a street.

14 So I'm wondering if -- is there any  
15 plans there to --

16 ASSEMBLYMAN MAGNARELLI: Thank you,  
17 Senator.

18 SENATOR RAMOS: -- support that?

19 CHAIRWOMAN KRUEGER: Sorry, you're  
20 going to have to --

21 DOT COMMISSIONER DOMINGUEZ: I'll  
22 follow up with you directly.

23 ASSEMBLYMAN MAGNARELLI: Member  
24 Cunningham.

1                   ASSEMBLYMAN CUNNINGHAM: I'll pick up  
2 where she left off.

3                   (Laughter.)

4                   DOT COMMISSIONER DOMINGUEZ: That was  
5 a good tag-in.

6                   ASSEMBLYMAN CUNNINGHAM: I'll use the  
7 first part of my moments to just kind of  
8 restate the question, but wanted to get an  
9 answer on that question on the record.

10                  DOT COMMISSIONER DOMINGUEZ: So the  
11 bottom line is I think the majority of the  
12 legislation that you all have introduced  
13 looks directly at some of the city roads and  
14 some of the school districts in there. But  
15 we'll be happy to take a look at the  
16 legislation itself and see what the  
17 opportunities are at the state level as well.

18                  ASSEMBLYMAN CUNNINGHAM: Thank you so  
19 much.

20                  And I think, going back to Jessica --  
21 the Senator's first question about e-bikes, I  
22 guess I'm also concerned with the number of  
23 e-bike fires that happen, particularly the  
24 one that happened in my district right after

1 Christmas, right before New Year's.

2 Given the increase of e-bike sales --  
3 I mean, e-bike fires, what policies do you  
4 have in place to make sure we have an  
5 accurate count of the amount of sales of  
6 e-bikes in the state?

7 DOT COMMISSIONER DOMINGUEZ: So that  
8 would be a question for DMV.

9 But I can tell you that the Executive  
10 did put forward some battery language in the  
11 budget looking at -- making sure that these  
12 fake batteries, for a better name, I'm --  
13 anyway --

14 SENATOR RAMOS: -- lithium ion.

15 DOT COMMISSIONER DOMINGUEZ: Exactly.  
16 The secondary market here that has exploded,  
17 literally, figuratively, and is actually so  
18 that people are aware that they need to  
19 actually buy the battery as designated from  
20 the manufacturer, as opposed to the fraud  
21 that's taking place. So the awareness  
22 campaign.

23 And to Senator Ramos's other question  
24 with regard to what you were asking about



1 e-bike safety, this campaign that we've  
2 launched in the Governor's Traffic Safety  
3 Committee is in multiple languages. Happy to  
4 do additional outreach in various communities  
5 to make sure that we're actually reaching the  
6 users as intended.

7 ASSEMBLYMAN CUNNINGHAM: Particularly  
8 communities of color and immigrant  
9 communities --

10 DOT COMMISSIONER DOMINGUEZ:  
11 Absolutely.

12 ASSEMBLYMAN CUNNINGHAM: -- I think  
13 that would be specifically important.

14 The last thing I'll say is last  
15 November, just this past year, I had my first  
16 child. And as I walk the streets of Brooklyn  
17 and throughout the city in general, I'm  
18 concerned about just general street safety --  
19 not just slowing down the streets or slowing  
20 down drivers, and the cameras, but also  
21 infrastructure.

22 What things can we put in place with  
23 some of the federal money and state money to  
24 ensure that our roads also are transformed in

1 a way that creates safer streets for children  
2 and families?

3 DOT COMMISSIONER DOMINGUEZ: So  
4 there's great opportunities across the board.  
5 And I know the city's engaged in a  
6 Vision Zero plan.

7 For State DOT, we've got an Active  
8 Transportation Plan that really looks at bike  
9 and ped safety and Complete Streets  
10 initiatives that we've launched, and  
11 literally apply as a screening criteria to  
12 every project that we undertake.

13 ASSEMBLYMAN CUNNINGHAM: The last  
14 thing I'll say, in the last 10 seconds, is  
15 2022 was the deadliest year for children with  
16 vehicular traffic violations and people  
17 getting hit. We have to work urgently and  
18 hard to make sure this doesn't continue as a  
19 trend.

20 DOT COMMISSIONER DOMINGUEZ: And a  
21 large part of that is awareness and  
22 mental health.

23 ASSEMBLYMAN CUNNINGHAM: Thank you so  
24 much, Commissioner, for your time.

1 ASSEMBLYMAN MAGNARELLI: Thank you,  
2 Commissioner. Thank you.

3 CHAIRWOMAN KRUEGER: Thank you. And  
4 we've been rejoined by Senator Brad  
5 Hoylman-Sigal.

6 SENATOR HOYLMAN-SIGAL: Thank you,  
7 Senator Krueger, Chairwoman.

8 On e-bikes, it's an issue we hear  
9 about constantly from constituents. I will  
10 say that I think the delivery app companies,  
11 with whom we have met along with  
12 Senator Krueger and others, including  
13 birthday boy Assemblymember Simone, are --  
14 should be held responsible for the unfair and  
15 I would argue inhumane way that they treat  
16 their drivers in terms of the algorithms that  
17 force them to deliver within an allotted time  
18 period.

19 I have legislation that would remedy  
20 that. I'll be happy to share that with you.

21 But I wanted to speak about  
22 double-decker tour buses, another plague in  
23 my district, and probably Senator Krueger's.  
24 Last summer one of those buses, in this case

1 a double-decker tour bus, crashed in  
2 Manhattan and sent 32 people to the hospital.

3 What oversight does DOT exercise over  
4 these double-decker tour buses? And I would  
5 venture that there might be gaps in your  
6 ability to ensure that these buses and their  
7 drivers are operating safely on our streets.

8 For example, the drivers are not held  
9 to the same type of training standards as  
10 regular bus drivers on city streets. Are you  
11 aware of that?

12 DOT COMMISSIONER DOMINGUEZ: We have a  
13 very rigorous bus inspection program. And I  
14 need to get back and actually look to see  
15 what the issue is with regard to  
16 double-decker buses. Because anything  
17 operating in -- in commerce, basically, in  
18 intrastate, should have oversight. The  
19 question is, is this interstate providers --

20 SENATOR HOYLMAN-SIGAL: These are tour  
21 buses that only tour within the five  
22 boroughs.

23 DOT COMMISSIONER DOMINGUEZ: New York  
24 City.

1                   SENATOR HOYLMAN-SIGAL: Yeah. And in  
2 this case, probably just Manhattan. Okay,  
3 I'd love to follow up on that.

4                   And then secondly, Route 9A, otherwise  
5 known as the West Side Highway in my  
6 Senate district, has been a clear and present  
7 danger for cyclists and pedestrians for many  
8 years. Do you have plans to redesign or  
9 upgrade Route 9A to ensure that New Yorkers  
10 can feel safe to jog safely or bicycle along  
11 the Hudson River?

12                   DOT COMMISSIONER DOMINGUEZ: I  
13 would -- you know, we've done an enormous  
14 amount of work on 9A to not only make sure  
15 that we accommodate bikes and ped traffic but  
16 literally as we've rehabilitated portions of  
17 9A over the years, we've enhanced that even  
18 further.

19                   And so the opportunity is always there  
20 for additional safety work. But, you know, I  
21 will tell you we have done an enormous amount  
22 over the course of the last --

23                   CHAIRWOMAN KRUEGER: Thank you. We're  
24 going to cut you off.

1                   SENATOR HOYLMAN-SIGAL: Thank you.

2                   CHAIRWOMAN KRUEGER: We go back to the  
3 Assembly.

4                   ASSEMBLYMAN MAGNARELLI: Mr. -- Member  
5 Lemondes, please, ranker, five minutes.

6                   ASSEMBLYMAN LEMONDES: Thank you,  
7 Chair Magnarelli.

8                   Thank you, Commissioner, for spending  
9 so much time with us today. Really  
10 appreciate it.

11                   I also wanted to thank you for your  
12 commitment to flooding mitigation upstate.  
13 We have no shortage of it; our topography  
14 lends itself to it. The deterioration in  
15 many of our roads and culverts also adds to  
16 that. And I would hope that you would  
17 continue helping us improve that. I have, in  
18 the 126th Assembly District, several direct  
19 needs for flooding mitigation in that area.

20                   I'd like to secondly go to the I-81  
21 project in Syracuse. With respect to the  
22 farmer's market, the CNY Regional Market  
23 there serves seven counties. If this project  
24 interferes with ingress or egress for that

1 market, it will disrupt the commerce, the  
2 agricultural commerce, our state's number-one  
3 industry, my Assembly district's number-one  
4 industry. It will severely -- could severely  
5 impact that.

6 Are you aware of anything that that  
7 project will disrupt with respect to the  
8 commerce for the CNY Regional Market?

9 DOT COMMISSIONER DOMINGUEZ: I  
10 personally am not aware of the -- if you're  
11 concerned about the logistics and the staging  
12 of the construction with regard to I-81,  
13 we'll be happy to work with -- we're working  
14 with everybody. I mean, it's a very  
15 complicated project, many construction sites  
16 in and around the city, and we're working  
17 with all the critical stakeholders as we move  
18 forward, because we have to.

19 I mean, one, we don't want to  
20 interrupt, we want to be as -- we want to be  
21 as least intrusive as we possibly can. But  
22 then again, it's major construction. So  
23 we'll be working with the critical  
24 stakeholders.

1 ASSEMBLYMAN LEMONDES: Thank you.

2 And similar to Chair Magnarelli, I  
3 have several direct DOT property transfer  
4 issues which I'd like to follow up with you  
5 on after.

6 Going to your testimony with respect  
7 to smart climate policies and EV weight, and  
8 with respect to the materials being used for  
9 the 75-year lifespan on our roads, is that  
10 taking into account the additional weight of  
11 these vehicles?

12 DOT COMMISSIONER DOMINGUEZ: It is. I  
13 can tell you that our specifications look at  
14 the weight of various vehicles. We have an  
15 80,000 pound weight limit that we design for,  
16 and so far we're not seeing anything above  
17 that.

18 I think the larger question is is with  
19 the adoption, potentially in the future, of  
20 medium and heavy-duty vehicles. We are  
21 looking at our specifications right now on  
22 what the impact would be.

23 ASSEMBLYMAN LEMONDES: Thank you.

24 And with respect to the Governor's



1           commitment to these green policy changes, I'd  
2           like to go to EV batteries specifically. And  
3           as we know, EV batteries are dependent on the  
4           mining of rare-earth materials. For a  
5           thousand-pound battery it takes approximately  
6           500,000 -- half a million -- pounds of earth  
7           to be moved to extract the rare earths for  
8           one battery.

9                       Further, our commitment to mining rare  
10           earths is directly linked to the  
11           proliferation of EV batteries. I'm wondering  
12           if -- the data that we have is there's  
13           approximately 10,000 deaths of children in  
14           the countries where these rare earths are  
15           mined -- most of them in Africa, if not all;  
16           most of them Black children -- 40,000  
17           injuries, and innumerable and unknown amounts  
18           of birth defects that will occur from now  
19           into the foreseeable future as a result of  
20           the poisoning these children are experiencing  
21           as they mine.

22                       We know that no children in New York  
23           or the United States would be allowed to work  
24           in those conditions. Yet we get behind an

1 effort so we can have electric vehicles that  
2 is directly linked to the death, poisoning  
3 and injury of children on another continent.

4 Do you share any obligation in this at  
5 all?

6 DOT COMMISSIONER DOMINGUEZ: With  
7 regard to the manufacture of electric  
8 batteries and what you've pointed out, there  
9 are global climate concerns writ large. The  
10 climate objectives are to reduce carbon  
11 emissions. And as we look at how we do that,  
12 we have to look at everything. And that  
13 includes the electrification of our vehicle  
14 systems, both passenger, medium and  
15 heavy-duty vehicles.

16 The technology is advancing very  
17 quickly in the private sector on how those  
18 batteries are made and how these vehicles  
19 come to market, so --

20 ASSEMBLYMAN LEMONDES: Thank you.

21 CHAIRWOMAN KRUEGER: Thank you.

22 Commissioner, I think I'm the last one  
23 left on the Senate side. I have 10, but I  
24 won't use 10, so I don't care if my clock

1           says five.

2                     First, as a follow-up to  
3           Senator Hoylman-Sigal's question about the  
4           double-decker buses -- which his district and  
5           my district are identical from this  
6           perspective -- my understanding was that  
7           these buses, even though they just only stay  
8           in Manhattan, maybe sometimes in Brooklyn,  
9           they are registering out of state and they  
10          garage out of state, and that somehow  
11          supposedly limits the state's ability to go  
12          after them for the same standards we apply.

13                    Does that ring a bell at all to you?

14                    DOT COMMISSIONER DOMINGUEZ:  Senator,  
15          I would prefer to come back and make sure  
16          that I have the proper framework, because I  
17          want to make sure that I understand where  
18          these bus companies are registered, how  
19          they're operating, and provide specifics on  
20          the existing oversight that we have with  
21          regard to these companies that you're  
22          raising.

23                    CHAIRWOMAN KRUEGER:  So I look forward  
24          to the same concerns as Senator Hoylman.

1 DOT COMMISSIONER DOMINGUEZ: I  
2 appreciate that.

3 CHAIRWOMAN KRUEGER: Hoylman-Sigal,  
4 excuse me.

5 Are we at the point now where we're  
6 making sure that none of the chemicals or  
7 products used that's spread on roads and  
8 highways for snow and ice are not dangerous  
9 contaminants for the water table?

10 DOT COMMISSIONER DOMINGUEZ: We just  
11 undertook a very extensive look with a number  
12 of partners. The Legislature passed the  
13 Adirondack Salt Task Force legislation. Last  
14 year we constituted that task force. It  
15 produced a report. It was very much a  
16 collaborative effort with the members of the  
17 task force, which included environmental  
18 organizations. The DEC and DOT were  
19 cochairs.

20 A number of recommendations came out  
21 of that. They have launched -- the pilot  
22 programs in particular that DOT is  
23 undertaking right now launched this winter.  
24 So we're looking at -- the recommendations of

1 the task force included things like --  
2 there's a pilot that we're doing right now in  
3 Central New York in the Utica area, just  
4 north of there, using all salt brine. How do  
5 we look at that?

6 How do we look at cold spots, meaning  
7 areas that frequently ice? But if we don't  
8 put salt down there for a period of time in  
9 this pilot, do we actually need to look at  
10 some natural, you know, basically making sure  
11 that we're landscaping properly and creating  
12 less shady areas and less ice.

13 We're also looking at -- we put what  
14 we call EVLs, which are basically cameras on  
15 our plows so that we're monitoring the salt  
16 usage, salt spread, and understanding exactly  
17 what the conditions are and how we're  
18 treating for them.

19 So the bottom line is is all these  
20 pilots have launched. We're collecting --  
21 we'll collect the data and analyze it and  
22 report back out for the legislative  
23 requirement. But I do think we've got a good  
24 way forward on how we're actually managing

1 for salt, salt usage, and then, you know,  
2 reporting back out to see what's going to  
3 actually work and where we can -- if we need  
4 to make additional improvements, where that  
5 would be.

6 CHAIRWOMAN KRUEGER: And do you have a  
7 system in place for where this information,  
8 when you learn it and you get the pilots'  
9 findings, that that information is reported  
10 in some way so the public can track how we're  
11 doing on improving our climate goals from a,  
12 you know, public roadways perspective?

13 DOT COMMISSIONER DOMINGUEZ: We're  
14 collecting it right now. So we have not even  
15 begun the analytics of that yet. So we're  
16 going to continue to work with the task  
17 force, because that's the framework that  
18 we've got to actually do that.

19 We'll figure out how to -- it's all  
20 public in the end, so.

21 CHAIRWOMAN KRUEGER: Thank you.

22 DOT COMMISSIONER DOMINGUEZ: And  
23 anybody who wants to actually track a plow,  
24 we've got a -- you can go on our website and

1 actually look at it.

2 CHAIRWOMAN KRUEGER: Thank you. I  
3 think the Senate -- oh, we may have a  
4 three-minute follow-up.

5 But Assembly next.

6 ASSEMBLYMAN MAGNARELLI: Okay. Member  
7 Palmesano.

8 ASSEMBLYMAN PALMESANO: Thank you,  
9 Commissioner, for being here. It's always  
10 good to see you.

11 I first want to just give a shout out  
12 to your regional teams. They do a great job  
13 for our regions, so I wanted to say that  
14 first of all.

15 Earlier today we heard from  
16 Commissioner Janno Lieber talking about his  
17 wishlist and specific needs like replacing  
18 20 percent of subway stations, 32 percent of  
19 Metro-North bridges, and so on --  
20 megaprojects like the Second Avenue Subway.  
21 We know the MTA budget for both capital and  
22 operating is increasing. And I know you  
23 talked about the historic \$32 billion DOT  
24 five-year capital plan, which pales in

1 comparison to the five-year, \$51 billion MTA  
2 capital plan. There's no parity between the  
3 two. There used to be; there is no longer.

4 But yet even given the fact -- I know  
5 25 percent was mentioned as far as the  
6 inflation rate. According to the FHA, the  
7 Federal Highway Administration, for the past  
8 30 months the inflation rate for highway  
9 construction is up a record 58 percent, but  
10 yet this Governor has chosen to cut  
11 10 percent, or \$60 million, from the  
12 critically important CHIPS program, which  
13 provides money directly to these local  
14 communities.

15 As my colleagues mentioned, some of  
16 these communities, upstate rural communities,  
17 that's all they receive to fix their local  
18 roads and bridges in communities. And this  
19 is going to hurt the local communities, it's  
20 going to hurt the local property taxpayer in  
21 their ability to fix these roads.

22 This cut is absolutely unacceptable.  
23 Hopefully you'll take that back to the  
24 Governor. But also to my colleagues here, we



1 cannot let this cut stand. It shouldn't just  
2 be restored, there should be an increase to  
3 the CHIPS base aid. And no governor has ever  
4 cut the CHIPS base aid as long as I've been a  
5 member or a staff member 15 years previously.  
6 The CHIPS base aid has never been cut until  
7 this Governor chose to do it. The worst  
8 they've done, pull out Winter Recovery and  
9 mess with that, but never CHIPS base aid.

10 So that was just one thing I wanted to  
11 mention. But I wanted to ask my question on  
12 the EV issue. My colleague mentioned --

13 DOT COMMISSIONER DOMINGUEZ: Can I  
14 respond really quickly?

15 ASSEMBLYMAN PALMESANO: No, it was  
16 more of a comment, because you understand I  
17 got three minutes. So we can talk about  
18 this, but I just wanted to mention that,  
19 because you and my colleagues, we need to  
20 restore this money. It's wrong.

21 So I want to talk about EVs. So my  
22 colleague talked about the child labor issue  
23 with the Democratic Republic of Congo, I've  
24 talked about that time and again. One thing

1 for sure is cobalt is used to produce lithium  
2 ion batteries that are used to produce these  
3 batteries to power these electric vehicles.

4 And certainly we should all agree that  
5 child labor -- we shouldn't meet our climate  
6 goals on the backs of child labor in the  
7 Democratic Republic of Congo. It's proven,  
8 it's fact, they're dying, they're being  
9 maimed. So we should address that. And we  
10 shouldn't be supporting and buying these  
11 vehicles until they can demonstrate that  
12 child labor is not being used.

13 Wouldn't you agree, we should not be  
14 using child labor to produce these electric  
15 vehicles to meet our -- because you talk  
16 about the goal is to get carbon -- reduce  
17 carbon. But we shouldn't be doing it on the  
18 backs of child labor in the Democratic  
19 Republic of Congo, where 70 percent of the  
20 cobalt is extracted to produce these  
21 electric -- these batteries to power these  
22 electric vehicles.

23 DOT COMMISSIONER DOMINGUEZ: So let  
24 me -- first, with regard to the CHIPS

1 funding, I just want to make a clarification.

2 Governor Hochul put forward \$6.1 billion --

3 ASSEMBLYMAN MAGNARELLI: Commissioner.

4 Commissioner, you're going to have to get

5 back to him directly. Okay?

6 Senate.

7 CHAIRWOMAN KRUEGER: Tim Kennedy for

8 three month -- three months? No, you can't

9 go --

10 (Laughter; overtalk.)

11 DOT COMMISSIONER DOMINGUEZ: I don't

12 think the clock goes that high.

13 (Laughter.)

14 CHAIRWOMAN KRUEGER: Three minutes.

15 SENATOR KENNEDY: Commissioner, I have

16 three months.

17 (Laughter.)

18 SENATOR KENNEDY: Wonderful. Thank

19 you for that generosity, Chairwoman.

20 Commissioner, thank you very much

21 again.

22 A couple of things. So I just want to

23 go back to my questions earlier, talking

24 NFTA. Look, they're in the last year of a

1 five-year capital plan; \$100 million was the  
2 first money in in 35 years. That money was  
3 basically spent before they got it. The  
4 system was failing, it was crumbling.  
5 They've done some good things. They need the  
6 next phase of that.

7 We're talking about a \$50-plus billion  
8 capital plan for the MTA, with congestion  
9 pricing and everything else. The need for  
10 \$150 million for the NFTA, I just want to  
11 make a note of that, is essential for the  
12 next five years.

13 STOA, you've heard a number of us talk  
14 about the need for improved STOA. These are  
15 all issues we can get into. But when it  
16 comes to the NFTA, there's the metro rail  
17 expansion that you're very familiar with.  
18 Can you talk about the DOT and your  
19 conversations, your support or lack thereof  
20 of this vision moving forward for the light  
21 rail expansion into Amherst from downtown  
22 Buffalo?

23 DOT COMMISSIONER DOMINGUEZ: So the  
24 NFTA has put forward what their proposal is

1 and what they would like to do. Again, it  
2 hinges on funding to actually make that  
3 happen. Beyond that, DOT -- that's how we've  
4 looked at it in terms of actually  
5 understanding what their proposal is and  
6 understanding what the funding opportunities  
7 would be to actually carry that out.

8 SENATOR KENNEDY: Yes. So one thing  
9 we're going to be looking for is a commitment  
10 of funding moving forward so that we can go  
11 after funding at the federal level. That's  
12 what's necessary from the state level. So  
13 we'll work with you on that. I would  
14 appreciate that greatly. And that would be a  
15 major, major impact economically on the  
16 community for the future.

17 And the last thing, because we have  
18 one minute left, I want to talk about  
19 limousine safety and the bill that was  
20 proposed. If you could please just outline  
21 that briefly, talk about the suggestions made  
22 by the task force, if they were fully  
23 included in what has been proposed, and --  
24 the task force, please. Thank you.

1 DOT COMMISSIONER DOMINGUEZ: So I  
2 greatly appreciate, you know, the work that  
3 has been done across the board on limousine  
4 safety. Seven bills have been passed, and  
5 the agencies that are responsible -- DOT,  
6 DMV, et cetera, have all taken them extremely  
7 seriously and implemented them. We also  
8 executed the Limousine Task Force.

9 Governor Hochul put forward a  
10 comprehensive bill that takes the work of the  
11 Senate bill that was passed last year on  
12 limousine safety, and the Assembly work, and  
13 takes the recommendations from the task force  
14 and creates a more comprehensive safety bill.

15 We'd love to see -- work with you all  
16 on --

17 ASSEMBLYMAN MAGNARELLI: Thank you,  
18 Commissioner.

19 DOT COMMISSIONER DOMINGUEZ: --  
20 passing that this year.

21 CHAIRWOMAN KRUEGER: Thank you.

22 ASSEMBLYMAN MAGNARELLI: Thank you.

23 SENATOR KENNEDY: Thank you.

24 ASSEMBLYMAN MAGNARELLI: Member

1 Giglio, please. Is she here?

2 DOT COMMISSIONER DOMINGUEZ: She is.

3 ASSEMBLYWOMAN GIGLIO: Hello.

4 So first I want to thank you very much  
5 for taking the time to meet with me before  
6 this hearing today to discuss any concerns  
7 that I may have had. I thought that was very  
8 considerate of you, so I wanted to thank you  
9 for that.

10 And then I wanted to talk to you about  
11 new markets for recyclables that DOT may be  
12 considering, because we have a lot of  
13 problems with recycling, with redemption  
14 centers, with bottle bills and things of that  
15 nature. And I know that Easthampton, on  
16 Long Island, was pulverizing the glass and  
17 using it for roadbed or the road  
18 right-of-ways so that -- not necessarily on  
19 the road itself.

20 So I just wanted to touch base and see  
21 if you have any plans for new markets,  
22 recyclables that DOT could consider for other  
23 uses that we could work together on, number  
24 one.

1                   And then number two, I know that  
2                   there's a great need for mechanics with the  
3                   DOT, and I'm wondering if you have considered  
4                   working with union companies on Long Island  
5                   and throughout the state for apprenticeship  
6                   programs on those facilities so that they  
7                   could train the younger generation, perhaps a  
8                   BOCES certificate-holder, in order to get  
9                   into heavy-equipment mechanics.

10                  DOT COMMISSIONER DOMINGUEZ: So with  
11                  regard to recyclables, yes, we definitely use  
12                  them. And we're excited about using them in  
13                  various projects.

14                  I can tell you we just completed a  
15                  project out in Utica and applied it --  
16                  recycled glass. And we do it, it's part of  
17                  our specification process. And it's one more  
18                  way that we're looking at to reduce carbon  
19                  across the board. So can talk to you more  
20                  about that, but it is definitely incorporated  
21                  into our specs. And again, on our climate  
22                  goals.

23                  With regard to the mechanics,  
24                  absolutely. We're doing everything we



1 possibly can to recruit and bring folks in.  
2 We've got a great -- excuse me -- program  
3 that we have with SUNY Cobleskill to teach  
4 mechanics and bring them in. It's a great  
5 partnership that we'd like to further  
6 leverage. Excuse me (coughing).

7 ASSEMBLYWOMAN GIGLIO: Yes, can you  
8 hold my clock?

9 Please, take your time.

10 (Off the record.)

11 ASSEMBLYMAN MAGNARELLI: Please, don't  
12 worry about it. Okay, Commissioner?

13 DOT COMMISSIONER DOMINGUEZ: Thanks.  
14 Let me just grab a cough drop.

15 ASSEMBLYMAN MAGNARELLI: Take it easy.

16 DOT COMMISSIONER DOMINGUEZ: You got  
17 me all worked up about --

18 (Cross-talk.)

19 ASSEMBLYWOMAN GIGLIO: I'm sorry, I --

20 (Laughter.)

21 DOT COMMISSIONER DOMINGUEZ: Okay,  
22 thank you.

23 So the bottom line is that DOT  
24 operations doesn't work if our equipment

1 doesn't work, so we're highly invested in our  
2 mechanics and our fleet operations. So  
3 recruiting and bringing folks in is  
4 fundamental to our work. And if you've got  
5 some ideas on how we can continue to do that  
6 on Long Island, we'd be happy to work with  
7 you on that.

8 But we've got a great model with SUNY  
9 that we're leveraging.

10 ASSEMBLYWOMAN GIGLIO: Okay, great.  
11 And I would also really like to thank you for  
12 your oversight of the project labor  
13 agreements on the Long Island Expressway and  
14 all of our state roads on Long Island. There  
15 has not been one that has slipped by. So  
16 we're very happy with that and keeping a  
17 living wage going on Long Island where it's  
18 very much needed. So thank you for that.

19 DOT COMMISSIONER DOMINGUEZ: Thank  
20 you.

21 CHAIRWOMAN KRUEGER: Thank you.

22 Senator Comrie, three-minute chair  
23 follow-up.

24 SENATOR COMRIE: Hi, Commissioner.

1 I always ask you every year, where's  
2 my Cross Island Parkway project upgrade? And  
3 have you been able to track the usage now  
4 that UBS Arena is in service?

5 DOT COMMISSIONER DOMINGUEZ: Sir, I  
6 appreciate you asking every year, and every  
7 year we go back with City DOT on that, so.

8 SENATOR COMRIE: I hope that we  
9 increase that access for that road. That's a  
10 very major roadway for Long Island to access  
11 the city. Some of the usage has gone up  
12 because of the arena, which is a good thing  
13 for commerce for the state. But for traffic  
14 traveling, time of travel, it's just making  
15 it harder for people to get back and forth  
16 from Queens to Long Island. I would hope  
17 that we can move that forward.

18 What does DOT do as far as making sure  
19 that vehicles are properly insured?

20 DOT COMMISSIONER DOMINGUEZ: Sir,  
21 that's under the jurisdiction of DMV on the  
22 insurance.

23 SENATOR COMRIE: So when the State  
24 Troopers do -- when the state -- you don't

1           oversee or monitor the numbers of arrests  
2           from the State Troopers pulling people over?  
3           They don't send that information to you?

4                     DOT COMMISSIONER DOMINGUEZ:  No, sir.

5                     SENATOR COMRIE:  And no one has  
6           reached out to you about the issues of  
7           insuring fleet vehicles and commuter vehicles  
8           at all?  You don't get any information about  
9           those?

10                    DOT COMMISSIONER DOMINGUEZ:  Well, I  
11           think with regard to our own fleet, yes, we  
12           have to follow the state rules.  But beyond  
13           that, we don't have jurisdiction over --  
14           oversight over others.  Other than -- the  
15           only thing I can think of as part of the  
16           inspection process for motor buses and --

17                    SENATOR COMRIE:  And just a final  
18           question.  Have they improved the lifetime of  
19           the pavement that they're putting down now so  
20           that they don't have to pave as often?

21                    DOT COMMISSIONER DOMINGUEZ:  We do.  
22           We use a lot of different materials to try  
23           and make sure that we're using proper mixes  
24           to extend the life, as well as preserve what

1 we have right now. So we abide by a  
2 preservation-first policy.

3 SENATOR COMRIE: And the pavement  
4 that's been put down now is BHPA-free or free  
5 of toxic chemicals that may have seepage into  
6 the roadways or into the waterways?

7 DOT COMMISSIONER DOMINGUEZ: Well,  
8 it's a variety of chemicals and -- but I  
9 would also say that it's a variety of --  
10 we're looking at -- we've applied a number of  
11 techniques that are looking at how do we  
12 reduce carbon emissions asphalt application.  
13 So cold in-place recycling and some other  
14 things, high-performance concrete --  
15 everything that we can do to reduce the  
16 carbon that we're using with regard to road  
17 rehabilitation.

18 SENATOR COMRIE: Thank you. Thank  
19 you, Commissioner, for your service.

20 Thank you.

21 DOT COMMISSIONER DOMINGUEZ: Thank  
22 you.

23 CHAIRWOMAN KRUEGER: Assembly.

24 ASSEMBLYMAN MAGNARELLI: Member

1 Shimsky.

2 ASSEMBLYWOMAN SHIMSKY: Thank you very  
3 much, Commissioner. And let me join the  
4 chorus of praise for your willingness to  
5 dialogue with us on the issues in our areas.  
6 Your office has been great, and my DOT  
7 region, Region 8, has been working very, very  
8 hard -- but some really challenging issues.

9 Going back to Region 8, there are  
10 statistical analyses that suggest that  
11 Region 8's roads are among the most  
12 problematic in the state in terms of pavement  
13 condition scores and so on. And also it  
14 appears that the gap between Region 8 and  
15 other regions seems to be growing over time.

16 So what can be done to catch up  
17 Region 8? And is it time to consider  
18 tweaking the funding formulas?

19 DOT COMMISSIONER DOMINGUEZ: So I  
20 would say a couple of things. When we look  
21 at the capital plan, it's over five years.  
22 And so if there are parts of the state that  
23 DOT is executing the capital plan in, some  
24 years, you know, we oversubscribe in some

1 areas and undersubscribe in others. The  
2 bottom line is is to bring the balance and to  
3 bring the goals into line by the end of  
4 Year 5.

5 So I would say give us the ability to  
6 do all of that, because we have resources to  
7 actually help come into play across the  
8 board, meaning people, execution of  
9 contracts, that type of thing. So in the  
10 Hudson Valley in particular, if the concern  
11 is is that we may not have gotten to a  
12 contract or two -- like I said, sometimes we  
13 pull contracts that were -- or projects that  
14 were slated for outyears into the current  
15 year if they're more ripe. And then the same  
16 thing; give us the time to do it over the  
17 course of the five years.

18 ASSEMBLYWOMAN SHIMSKY: Okay. What is  
19 DOT's current view on the use of red-light  
20 cameras to prevent the kinds of traffic and  
21 pedestrian fatalities we've been talking  
22 about, and how do you see that view evolving  
23 over time?

24 DOT COMMISSIONER DOMINGUEZ: Right now

1 the Department of Transportation doesn't --  
2 the only red-light camera authority we have  
3 is not red-light camera authority. It is  
4 actually cameras in the work zone. And  
5 that's the existing authority that we have to  
6 monitor speed and enforce it. It's specific  
7 to highway workers and their safety.

8 Over the history of the department,  
9 we've seen over 80 deaths in highway work  
10 zones. Which is why we are grateful to the  
11 Legislature and to the Governor for the  
12 legislation that was passed, and what we're  
13 implementing right now.

14 ASSEMBLYWOMAN SHIMSKY: We need to  
15 clean out our culverts. Thank you.

16 ASSEMBLYMAN MAGNARELLI: All right, we  
17 got that last word in there.

18 Member Gallagher, please.

19 ASSEMBLYWOMAN GALLAGHER: Hi.

20 DOT COMMISSIONER DOMINGUEZ: Hello.

21 ASSEMBLYWOMAN GALLAGHER: Nice to see  
22 you, Commissioner. Thank you, Chair.

23 I remember we had a great conversation  
24 about our environmental goals a couple of



1 weeks ago. And I was rereading the New York  
2 City Comptroller's report, and it shows that  
3 half of the highway formula funds spent in  
4 New York have been used to expand highways.  
5 So I was wondering, how does DOT calculate  
6 the associated greenhouse gas emissions,  
7 especially considering that there's  
8 substantial research that demonstrates that  
9 expanding highways induces more people to  
10 drive and leads to higher emissions?

11 DOT COMMISSIONER DOMINGUEZ: So I will  
12 tell you that one of the goals that we're  
13 looking to do across the board is, one, meet  
14 our CLCPA requirements, which requires carbon  
15 reduction. So as we take on projects as the  
16 State DOT, we're not looking at  
17 capacity-enhancing projects. We're not  
18 looking to build a wider footprint.

19 In fact, we're trying to actually make  
20 sure that we're not taking more land, that  
21 we're actually being very conscious about  
22 what we're doing to reduce vehicle miles  
23 traveled and the number of cars, and looking  
24 at alternatives. We want to drive more

1 transit, we want to drive more bike, we want  
2 to drive more pedestrian.

3 And so all of those criterias are part  
4 of how we scope out projects, so that we're  
5 limiting the expansion, so to speak, of any  
6 roadway. What we're looking to do is  
7 actually kind of refine it more, provide more  
8 alternatives, and meet those goals under the  
9 CLCPA.

10 ASSEMBLYWOMAN GALLAGHER: Okay. Well,  
11 then let's -- for example, in the Van Wyck  
12 Expressway, we're adding two more lanes to  
13 it. So I don't see how that is helping our  
14 climate goals. And in the Comptroller's  
15 report it said that we're adding lanes to  
16 most of these -- these projects.

17 DOT COMMISSIONER DOMINGUEZ: So the  
18 Van Wyck in particular is a project to do a  
19 couple of things. One, the roadway is very  
20 old and in need of repair. Two, it's  
21 creating a managed-use lane. And it's within  
22 the existing footprint, so we're not taking  
23 additional land. We're improving five  
24 bridges, including Long Island Rail Road

1 bridges, to enhance capacity and efficiency  
2 of the transit systems as well as create a  
3 managed-use lane along the Van Wyck, so that  
4 people can get to the airport in a more  
5 streamlined fashion.

6 The bottom line is you've got so much  
7 congestion on the Van Wyck right now. We  
8 need to get people moving faster so that the  
9 emissions are not as high. But the  
10 managed-use lane, moving forward, we can look  
11 at how we can use electric buses. How do we  
12 actually manage the use of that lane is, you  
13 know, to be determined. But the bottom line  
14 is there's a lot of different ways that we  
15 can utilize new technologies, new vehicles to  
16 actually make sure that we're using it  
17 wisely.

18 ASSEMBLYWOMAN GALLAGHER: Okay.  
19 Thanks.

20 ASSEMBLYMAN MAGNARELLI: Thank you,  
21 Commissioner. Thank you.

22 Member Jacobson.

23 DOT COMMISSIONER DOMINGUEZ: Hello,  
24 sir.

1                   ASSEMBLYMAN JACOBSON: Hi,  
2 Commissioner. Good to see you again.

3                   Usually at these things I'm ranting  
4 and raving about some problem, but I first  
5 want to thank you for following up on our  
6 conversation concerning Route 84 between the  
7 Thruway exit and the Newburgh-Beacon Bridge,  
8 which is so heavily traveled and was brutal.  
9 And I can finally go to that area worrying  
10 about the traffic and not the potholes and  
11 worrying about my car.

12                   And thanks for meeting with me on the  
13 priorities in my district.

14                   One thing I want to bring up is -- and  
15 I mentioned this briefly -- is that local  
16 municipalities are under the obligation, and  
17 frankly they should be, to comply with ADA  
18 rules when they're paving. And this happens  
19 in -- mostly in cities and villages.

20                   I think there should be a new formula  
21 or an additional formula with CHIPS with  
22 additional money for ADA compliance. I mean,  
23 occasionally I'm able to get additional  
24 money, say, for the City of Newburgh to -- so

1           that they're able to get more done. But the  
2           difficulty is is that it costs -- it costs as  
3           much to do the -- or I'd say more, much more,  
4           to do the ADA compliance with the paving. So  
5           I hope that you would try to do something on  
6           that.

7                     DOT COMMISSIONER DOMINGUEZ: I can  
8           tell you that the first thing that we've done  
9           is be very clear on the compliance portion of  
10          the ADA, and that goes with our local program  
11          specifications as well, when I talk about the  
12          achievements that we've made and I rattled  
13          the list off to Senator Kennedy, ADA ramps or  
14          curb cuts, we have instituted about 2180  
15          statewide in the first two years of this  
16          capital plan.

17                    So I realize it costs money. It's the  
18          right thing to do. And it helps across the  
19          board with accessibility.

20                    ASSEMBLYMAN JACOBSON: I mean, even if  
21          the program was such that the municipalities  
22          could be reimbursed. Because obviously  
23          everybody would like to get additional money.  
24          But if they got reimbursed with proof of

1           doing the ADA compliance in certain spots, it  
2           could be a way of helping particularly cities  
3           that have the burden.

4           The other thing is you mentioned about  
5           the EV charging stations, which I've been a  
6           big proponent. One thing, though, the  
7           state -- and mostly NYSERDA, but you work  
8           with them -- has generally been pushing  
9           Level 2 and not Level 3. Level 3 is the  
10          quick one that you can get mostly done within  
11          a half-hour. Level 2 is the slow one. It's  
12          not as bad as Level 1 that you would have in  
13          your house.

14          But I was just hoping that you could  
15          push for that.

16          DOT COMMISSIONER DOMINGUEZ: So the  
17          NEVI program, the National Electric Vehicle  
18          Infrastructure program, we're working with  
19          NYPA and NYSERDA on that. That is the DC  
20          fast-charging Level 3.

21          ASSEMBLYMAN MAGNARELLI: Thank you,  
22          Commissioner.

23          ASSEMBLYMAN JACOBSON: Okay, good.  
24          Thank you.

1 ASSEMBLYMAN MAGNARELLI: Member Simon.

2 ASSEMBLYWOMAN SIMON: Thank you,  
3 Mr. Chair. And thank you, Commissioner, for  
4 weathering this long testimony here.

5 So first I want to thank you for  
6 always being accessible to me and to the  
7 elected officials in my district in  
8 Region 11, which is the really, really  
9 biggest, most congested region in the city.  
10 And as you know, we've been organizing a  
11 corridor-wide group of people, including  
12 elected officials, along the BQE corridor,  
13 which I know is the bane of your existence as  
14 well as mine.

15 And, you know, as you know, we're  
16 united in wanting a solution to the BQE  
17 corridor that focuses on climate and health  
18 impacts and improves air quality throughout  
19 the corridor, which is just evidence of  
20 Robert Moses and mostly environmental justice  
21 communities that are really impacted by this.

22 Now, I know that you've been working  
23 behind the scenes with City DOT on those  
24 things that State DOT has technical

1 competence on, and I really appreciate that.  
2 But one of the things we talked about is the  
3 fact that the public doesn't realize that the  
4 state is at the table. And I really want to  
5 ask if the state can come to the table and be  
6 more actively involved in engaging with the  
7 community, because they desperately want to  
8 hear from you. And I know you've  
9 co-submitted a federal grant. But if you  
10 could address that issue.

11 DOT COMMISSIONER DOMINGUEZ: So the --  
12 we co-led an effort to submit the  
13 Reconnecting Communities grant, with  
14 City DOT. We have been at every public  
15 meeting, representatives of New York State  
16 DOT, that has occurred through the city  
17 process.

18 And if we were to win this  
19 Reconnecting Communities grant, it would be  
20 yet another series of public engagements to  
21 try and scope out what those opportunities  
22 would be as we looked at what the additional  
23 opportunities north and south of the triple  
24 cantilever would be. So we'll be doing that



1 in conjunction with the city.

2 ASSEMBLYWOMAN SIMON: Yeah, I think my  
3 point is that while people have been there,  
4 too few people realize that the state is  
5 there. So it would be helpful if people  
6 engaged a little bit, talked to people more,  
7 that kind of thing, so that the public knows  
8 that the state is at the table.

9 DOT COMMISSIONER DOMINGUEZ:  
10 Understood.

11 ASSEMBLYWOMAN SIMON: Thank you. I  
12 appreciate it very much.

13 And I'm not going to ask you about  
14 culverts. Although, you know --

15 ASSEMBLYMAN MAGNARELLI: Thank you.

16 DOT COMMISSIONER DOMINGUEZ: They're  
17 really important for resiliency. Thank you.

18 ASSEMBLYMAN MAGNARELLI: Okay, thank  
19 you, Commissioner.

20 Member González-Rojas.

21 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Thank  
22 you, Commissioner. Thank you, Chair.

23 I've long been an advocate for  
24 pedestrian safety, cyclist safety, and public

1 transportation -- and now a statistic. I got  
2 hit two weeks ago in New York City, and  
3 obviously there's -- we've seen really high  
4 rates of both crashes and deaths in our  
5 communities. And Assemblymember Cunningham  
6 talked about children in particular.

7 So I think we spent some time today  
8 talking about traffic violence. It's at a  
9 high crisis right now. You talked about  
10 education, enforcement, information sharing.  
11 Our chairman mentioned supporting speed  
12 cameras. Is there any other very specific  
13 engineering changes --

14 DOT COMMISSIONER DOMINGUEZ: Yes.

15 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: --  
16 capital changes? Can you speak to them?  
17 What's your need, either this budget or  
18 moving forward, in order to really address  
19 the engineering or design to create more safe  
20 streets?

21 DOT COMMISSIONER DOMINGUEZ: So  
22 there's a number of categories that we look  
23 at from the engineering perspective. And  
24 it's not -- it's not all dollar-driven, but

1           there -- but if we were to define it, there's  
2           some highway safety improvement dollars that  
3           are leveraged at the federal level down to  
4           the states.

5                     There's Complete Streets. We've got  
6           especially -- the Legislature passed last  
7           year \$5 million that we're leveraging right  
8           now, Complete Streets and targeting, in  
9           particular, underserved communities. But  
10          this gives us an opportunity to look at the  
11          engineering as well as the execution, I'll  
12          say, of creating those safer environments.

13                    I mean, quite frankly, the other thing  
14          that's -- the debate that's happening at the  
15          national level is also kind of the debate  
16          about the mental health of our country.  
17          Because you see people that are angry,  
18          they're distracted, and they're literally  
19          behind a car that weighs tons, and it becomes  
20          a vessel.

21                    And I'm sorry for your injury, but  
22          there's -- it's a more comprehensive look  
23          that we have to undertake. There's a lot of  
24          research that's going on right now at the

1 national level, Transportation Research Board  
2 and others. National Academy of Sciences is  
3 looking at the science behind all this. But  
4 it's going to take a while to really  
5 understand it. In the meantime we need to do  
6 everything we can to both look at the three  
7 E's -- engineering, education, enforcement --  
8 but then also, as the Governor put forward in  
9 the budget, look at the mental health of our  
10 citizens and how do we make sure that we're  
11 investing in all of that. Because it plays  
12 out in all different ways. Transportation's  
13 just one way.

14 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Thank  
15 you so much.

16 ASSEMBLYMAN MAGNARELLI: Thank you,  
17 Commissioner.

18 Member Mitaynes, please.

19 ASSEMBLYWOMAN MITAYNES: Hi.

20 Sunset Park residents live every day  
21 with the continued environmental injustice of  
22 the Gowanus Expressway above Third Avenue.  
23 In addition to applying to the  
24 federal Reconnecting Communities grant, what

1 is the agency doing now to mitigate the harm  
2 and to protect and ensure the future plans  
3 for the BQE, to eliminate the division  
4 created by Robert Moses when it was built,  
5 the elevated highway, reconnect the community  
6 and reduce the air and noise impact of  
7 traffic on the neighborhood?

8 DOT COMMISSIONER DOMINGUEZ: Well, as  
9 you noted, we're looking at the Reconnect --  
10 we've done a lot of work already just on the  
11 structure of the bridge itself. Over the  
12 last 10 years we've probably put in -- not  
13 the bridge, but the stretch of Roadway 278  
14 across the board, probably like \$275 million  
15 over the -- for the preservation of it.

16 That said, what you're asking about is  
17 how do we actually work with the community on  
18 some of the opportunities to improve the  
19 actual conditions around the structure. And  
20 that Reconnecting Communities grant that we  
21 have applied for -- we're hoping that we  
22 receive it -- will give us a plan, will, you  
23 know, give us dollars to actually perform a  
24 study to see what those opportunities might

1 look like in greater detail.

2 ASSEMBLYWOMAN MITAYNES: And what is  
3 New York State DOT's response to why New York  
4 City is still not allowed to set its own  
5 speed limit and use every tool available to  
6 reduce crashes and fatalities on our streets?

7 DOT COMMISSIONER DOMINGUEZ: I think  
8 you're referring to the city setting their  
9 own speed limits.

10 ASSEMBLYWOMAN MITAYNES: Yes. And  
11 what is your stance on the city not being  
12 able to do that?

13 DOT COMMISSIONER DOMINGUEZ: We --  
14 that is -- it's not an issue that's within  
15 the purview of New York State Department of  
16 Transportation with regard to setting speed  
17 limits for the city.

18 ASSEMBLYWOMAN MITAYNES: Okay, thank  
19 you.

20 ASSEMBLYMAN MAGNARELLI: Thank you,  
21 Commissioner.

22 Member Ra, ranker.

23 ASSEMBLYMAN RA: Thank you.

24 Good afternoon, Commissioner.

1 DOT COMMISSIONER DOMINGUEZ: Where --  
2 oh, there you are.

3 ASSEMBLYMAN RA: Let me also echo the  
4 sentiments of my colleagues. Thank you to  
5 certainly you and your staff for their  
6 responsiveness, especially down in the region  
7 on Long Island.

8 I do want to follow up on a couple of  
9 things, including what Mr. Slater asked  
10 about. I understand -- you know, I think,  
11 and I even went back and looked at it, I'm  
12 sure counsel within your department could  
13 confirm that there are no restrictions on DOT  
14 sharing those reports with the minority, so I  
15 really ask you to take a strong look at that.  
16 But to the extent that you believe that  
17 you're prohibited, I will be drafting a bill  
18 to add the minority to the distribution list  
19 and would ask for the department's support in  
20 doing so.

21 So putting that aside, though, I want  
22 to, on behalf of one of my colleagues,  
23 Anil Beephan, who is not a member of one of  
24 these communities so he's not able to

1           participate, but I believe he recently has  
2           written to the department regarding a  
3           guardrail on the Taconic State Parkway in the  
4           location near where a East Fishkill police  
5           officer was recently killed. And he just  
6           asked if I could just bring that issue up and  
7           bring it to your attention, because he's very  
8           eager to work with the department on trying  
9           to improve safety at that location.

10                   DOT COMMISSIONER DOMINGUEZ: I did  
11           receive his letter, and we are looking at it.

12                   ASSEMBLYMAN RA: Okay. Thank you. I  
13           appreciate that.

14                   The other thing that I just wanted to  
15           get into is really a couple of local things  
16           down in the district I represent, both  
17           really -- I know they've been brought to the  
18           attention of the department in the past, but  
19           both relate to different sections of  
20           Hempstead Turnpike, also known as Route 24,  
21           you know, near the West Hempstead portion of  
22           this up to the Village of Hempstead line.  
23           I've gotten a lot of reports and complaints  
24           from constituents regarding the condition of



1 the pavement at that location.

2 There are other locations further west  
3 that I think were repaved in recent years,  
4 but it didn't go all the way to the village  
5 line, the Village of Hempstead line, so I'd  
6 ask you to look at that.

7 And then one that I think I pretty  
8 much have brought up every year for several  
9 years running is further up into East Meadow,  
10 and in the vicinity of the Nassau Hub  
11 property where there's a lot of talk about  
12 development there, including the Sands casino  
13 proposal. There's been some other  
14 development done in the location. And  
15 there's also talk very close to there of part  
16 of the Nassau Community College campus being  
17 used as a new medical campus.

18 And the Meadowbrook Parkway  
19 interchanges in that location I think have  
20 been in need of some modernization for  
21 several years. So that's another location  
22 that I'd appreciate continued dialogue with  
23 your office regarding.

24 DOT COMMISSIONER DOMINGUEZ: Will do.

1 ASSEMBLYMAN RA: Thank you.

2 ASSEMBLYMAN MAGNARELLI: Commissioner,  
3 I just have one more area I want to touch  
4 base with. So this is my second round here.  
5 Very quickly.

6 Last year the enacted budget included  
7 \$5 million for Complete Streets  
8 infrastructure. What is the status of that  
9 funding? How is it being disbursed? Who is  
10 generally for the funding? And how does DOT  
11 ensure that bike and pedestrian  
12 infrastructure is included in state road and  
13 bridge projects overall?

14 DOT COMMISSIONER DOMINGUEZ: So I'll  
15 start with the second piece of your question  
16 first, which is we have a checklist for  
17 Complete Streets. And what I mean by a  
18 checklist is it's a really robust screening  
19 tool. So that as we look to, you know,  
20 launch a project, the Complete Streets  
21 checklist is utilized by our design engineers  
22 to make sure that we're looking at it from  
23 every aspect. How can we make sure that  
24 we're looking at geometry, design, lighting,

1 painting, everything -- crosswalk safety, ADA  
2 compliance.

3 ASSEMBLYMAN MAGNARELLI: So this is  
4 done on each project?

5 DOT COMMISSIONER DOMINGUEZ: With  
6 regard to the projects that are eligible for  
7 Complete Streets treatments, yes.

8 ASSEMBLYMAN MAGNARELLI: Okay. So --

9 DOT COMMISSIONER DOMINGUEZ: And then  
10 with regard to the \$5 million investment in  
11 Complete Streets, we're moving on that.  
12 We've got projects that -- criteria that  
13 we've outlined and are applying right now.

14 So I can get you a more specific  
15 update on which projects those are. But  
16 we've taken the \$5 million investment and  
17 we've looked at how we can actually look at  
18 the underserved communities that it was  
19 intended to actually serve, and then we're  
20 putting out opportunities with our local  
21 partners to figure out how those dollars can  
22 be spent.

23 ASSEMBLYMAN MAGNARELLI: Okay. I will  
24 follow up on those.

1           But which projects does the DOT look  
2           at for bike and pedestrian infrastructure to  
3           be included in these projects? How -- which  
4           ones get it automatically? Which ones do  
5           your engineers automatically look at  
6           Complete Streets?

7           DOT COMMISSIONER DOMINGUEZ: There's a  
8           category within our project list. It's a 1R  
9           category. I don't know what that stands for;  
10          I wish I could tell you what the criteria  
11          are. But it's basically how do we actually  
12          look at Complete Streets features.

13          One of the things that we're looking  
14          at that we've done differently is instead of  
15          saying, you know, you need to put all of the  
16          elements of Complete Streets, we're looking  
17          at, okay, maybe we can't apply every element,  
18          but there are some feature of Complete  
19          Streets that we can apply to various  
20          projects.

21          ASSEMBLYMAN MAGNARELLI: Right.  
22          Right. Okay. So, I mean, but you're  
23          looking -- the engineers are looking at that  
24          all the time.

1 DOT COMMISSIONER DOMINGUEZ: Correct.

2 ASSEMBLYMAN MAGNARELLI: Okay. Not  
3 that they're going to do a Complete Streets,  
4 but they're going to look to see what might  
5 be feasible.

6 DOT COMMISSIONER DOMINGUEZ: Correct.

7 ASSEMBLYMAN MAGNARELLI: Okay.

8 DOT COMMISSIONER DOMINGUEZ: It's a  
9 change in philosophy.

10 And the other portion of that is that  
11 we're developing an active transportation  
12 plan which does the -- which enhances it.

13 ASSEMBLYMAN MAGNARELLI: Well, with  
14 that, I think we're going to let you go.

15 (Laughter.)

16 ASSEMBLYMAN MAGNARELLI: I want to  
17 thank you very much for sitting through all  
18 of this. I know it was not easy for you  
19 today, on a personal note. And I really do  
20 appreciate it. I know we all do, to you and  
21 the department. Thank you very much for  
22 answering our questions. I look forward to  
23 working with you this year.

24 DOT COMMISSIONER DOMINGUEZ: Thank

1           you. Thank you very much.

2                   CHAIRWOMAN KRUEGER: The same for the  
3           Senate. Thank you very much.

4                   DOT COMMISSIONER DOMINGUEZ: Thank  
5           you.

6                   ASSEMBLYMAN MAGNARELLI: All right.  
7           We're into Panel A, I think. Is that what  
8           we're calling it?

9                   CHAIRWOMAN KRUEGER: That's what we're  
10          calling it.

11                   ASSEMBLYMAN MAGNARELLI: The New York  
12          State Department of Motor Vehicles and the  
13          New York State Thruway Authority, come on  
14          down. Thank you.

15                   (Off the record.)

16                   CHAIRWOMAN KRUEGER: If people can  
17          move in and out as quietly as possible so we  
18          can keep going. Thank you.

19                   ASSEMBLYMAN MAGNARELLI: Okay, I guess  
20          we will start with the Department of Motor  
21          Vehicles. Commissioner, are you set?

22                   (Off the record.)

23                   DMV COMMISSIONER SCHROEDER: Okay?

24                   ASSEMBLYMAN MAGNARELLI: Okay.



1 approximately \$2 billion, \$2 billion DMV  
2 generates annually.

3 Thanks to the continued investment by  
4 the Governor and the Legislature, we expect  
5 to launch a project this year to replace  
6 DMV's 50-year-old driver and registration  
7 systems with more streamlined and  
8 user-friendly technology. It will not only  
9 simplify and modernize our systems for today,  
10 but will allow us to implement technology  
11 changes more easily in the future.

12 The transformation of our call center  
13 will also continue. Last year, we launched  
14 and then expanded online chat and email  
15 interactions. This year, we will leverage  
16 the latest technology to make a more seamless  
17 journey whether New Yorkers visit an office,  
18 call us, or use our website.

19 Part of reimagining the DMV led us to  
20 look at our offices to make sure they are  
21 right-sized for the volume of customers they  
22 help and that we are being good stewards of  
23 taxpayer resources. Today, with more than  
24 75, 75 online transactions available, we are



1 serving more customers from the comfort of  
2 their homes and fewer in person. In 2023,  
3 8 million transactions were completed online.  
4 That customer benefit enabled us to  
5 consolidate our offices in Suffolk County  
6 this past August -- a change that has been  
7 positive and allowed us to boost staffing in  
8 the remaining four locations in Suffolk that  
9 historically served the most customers.

10 We also consolidated our innovation  
11 center to a prime location on the Empire  
12 State Plaza concourse that I know many of you  
13 and your constituents have used.

14 We will continue to evaluate our  
15 operational footprint and explore  
16 possibilities to minimize costs, as we  
17 further move into the age of digital  
18 transactions.

19 DMV staff have also been at the  
20 forefront of the state's fight against  
21 surging vehicle thefts and implementing  
22 various measures of the Governor's auto theft  
23 reduction strategy. This past year alone,  
24 DMV recovered \$8.7 million worth of stolen

1 vehicles and vehicle parts, and we worked  
2 with auto dealers and manufacturers to assist  
3 vehicle owners in preventing thefts.

4           Regarding limo safety. At the  
5 direction of the Governor, DMV remains  
6 focused on enhancing safety and increasing  
7 enforcement surrounding stretch limousines.  
8 More than 15 arrests have been made related  
9 to illegal operation of stretch limousines  
10 because of extensive work and collaboration  
11 among DMV, DOT, and law enforcement. And I'm  
12 happy to report that many of the  
13 recommendations of the Stretch Limousine  
14 Passenger Safety Task Force, which I  
15 cochaired, have been implemented, and the  
16 ones requiring legislation have been included  
17 in a recent budget bill introduced by the  
18 Governor.

19           Regarding tolling. We also know that  
20 the modernization of the state's tolling  
21 system has presented challenges. DMV is  
22 working with tolling authorities to impose  
23 administrative actions against toll evaders,  
24 and we have partnered with law enforcement to

1 crack down on the use of illegal or defaced  
2 license plates.

3 Keeping our roads safe is central to  
4 the mission of both DMV and the Governor's  
5 Traffic Safety Committee, which I chair.  
6 Together, we recently proposed a series of  
7 regulatory amendments to make it easier to  
8 remove persistently dangerous drivers from  
9 our roadways. We anticipate this rule-making  
10 process to continue this year.

11 Regarding e-bikes. We recognize the  
12 transportation industry is never standing  
13 still, and we need to evolve with it to keep  
14 pace with emerging trends like the rise in  
15 e-bikes. The Governor's Traffic Safety  
16 Committee is proactively working with  
17 New York City's Vision Zero and other  
18 partners to promote safe operation and  
19 storage of these devices.

20 GTSC also instituted a focused effort  
21 to enhance traffic safety engagement in  
22 underrepresented communities that are  
23 disproportionately impacted by traffic  
24 crashes and fatalities. Specific attention

1 was given to pedestrian, bike, and  
2 micro-mobility safety.

3           Regarding diversity. We are also  
4 keenly focused on increasing equity within  
5 our agency and maintaining a welcoming and  
6 diverse place for our employees, vendors, and  
7 the residents we serve. This past year we  
8 established an office of Diversity, Equity,  
9 and Inclusion to advance our goals. I am  
10 also thrilled to say that more than  
11 72 percent -- more than 72 percent of our  
12 spending is done through MWBEs, and more than  
13 20 percent is done through service-disabled  
14 veteran-owned businesses, which is far above  
15 the 6 percent required by law.

16           Regarding reentry. As part of  
17 Governor Hochul's historic Jails to Jobs  
18 initiative, we also expanded a project to  
19 provide incarcerated individuals with  
20 state-issued IDs prior to their release. I  
21 am very proud to tell you that all 43  
22 Department of Corrections and Community  
23 Supervision, DOCCS, facilities are now  
24 participating, and more 700 non-driver IDs

1           have been issued. This is critical to  
2           ensuring that that individuals can get a job,  
3           find housing, access services, and ultimately  
4           reenter society successfully.

5                       Regarding CDLs. Addressing the  
6           shortage of truck and bus drivers continues  
7           to be an area of focus for DMV. At the  
8           Governor's direction we recently implemented  
9           a federal waiver for part of the commercial  
10          driver license road test to make it easier to  
11          get prospective bus drivers licensed and  
12          ready to meet the need of our schools  
13          statewide.

14                      Regarding Donate Life. DMV is also  
15          uniquely positioned to support the state's  
16          organ donor registry. More than 80 percent  
17          of potential donors join the registry through  
18          the DMV. This past year we gave New Yorkers  
19          another way to join the registry by adding  
20          that life-saving question to vehicle  
21          registration transactions.

22                      And finally, we like to have a little  
23          fun at DMV, so I was proud to tour the state  
24          last year to unveil new regional license

1 plates. They are reflective of the unique  
2 landscape and history across the state and  
3 give residents a way to show their pride in  
4 their communities.

5 As you can see, the DMV is as diverse  
6 as the people, businesses, and entities we  
7 serve and support. Our strength is in that  
8 diversity, our willingness to adapt, and the  
9 commitment of our workforce to provide  
10 exemplary service to the people of this great  
11 state. And it does not go unnoticed. I  
12 start every executive meeting with a reading  
13 of what I call customer kudos, compliments  
14 that people have sent in to praise DMV for a  
15 job well done. So I would like to take a  
16 minute to brag and share some of the recent  
17 comments we received.

18 One New Yorker said, "The best DMV  
19 experience I've ever had." Another said, "I  
20 was in and out in 15 minutes because the  
21 process was so efficient." Another  
22 New Yorker: "I pulled up in the parking lot  
23 and returned to my car in 10 minutes with new  
24 plates in hand." And finally, a customer

1 wrote: "Thank you for dispelling the  
2 stereotypes about nonresponsive government."

3 Those comments convey exactly what we  
4 have set out to do, but our work is not done.  
5 Transforming the DMV has become part of our  
6 agency's identity.

7 And I will entertain any questions  
8 that you might have.

9 ASSEMBLYMAN MAGNARELLI: Thank you.  
10 Thank you.

11 Acting Director? Not acting -- active  
12 director, right? What is the --

13 ACTING EXEC. DIRECTOR HOARE: Acting,  
14 Mr. Chairman.

15 ASSEMBLYMAN MAGNARELLI: Okay.

16 ACTING EXEC. DIRECTOR HOARE: Thank  
17 you. Thank you, Chairs Krueger and  
18 Magnarelli and Senator Kennedy and Chair  
19 Comrie and Chair Zebrowski.

20 My name is Frank Hoare. I'm the  
21 acting executive director of the Thruway  
22 Authority. With your permission, after  
23 having served here for 11 years as the  
24 general counsel to Chairman Denny Farrell, I

1 understand that brevity is the soul of  
2 testimony.

3 (Laughter.)

4 ACTING EXEC. DIRECTOR HOARE: So with  
5 your permission, I would dispense with my  
6 written remarks and just give the highlights.  
7 Thank you.

8 The Thruway Authority budget  
9 represents a total commitment of  
10 \$1.3 billion. It provides the resources  
11 required to maintain the current levels of  
12 maintenance, safety and service that our  
13 customers have come to expect. This balanced  
14 spending plan includes \$450 million for  
15 capital program improvements in the next year  
16 over the Thruway system.

17 Looking ahead, our five-year capital  
18 program will commit \$2.4 billion into  
19 resurfacing our road, rebuilding and  
20 rehabilitating bridges, and enhancing safety  
21 features like guide-rail and road striping.  
22 That figure represents an increase of  
23 approximately \$500 million from the 2023  
24 budget, and it is made possible because of



1 the toll adjustment that took effect this  
2 past January 1st. Again, I repeat, that's  
3 \$2.4 billion over the next five years. That  
4 means greater safety, and it means  
5 New Yorkers going to work.

6 The 2024 capital program makes  
7 critical investments and addresses  
8 infrastructure needs throughout the state and  
9 in our four operational divisions. In the  
10 Capital Region, we will be resurfacing  
11 approximately 36 lane miles between  
12 Schenectady and Rotterdam, and increasing the  
13 bridge height at the Exit 25 interchange  
14 bridge.

15 In the Mid-Hudson Valley, we will be  
16 resurfacing nearly 50 lane miles of I-87  
17 between Harriman and Newburgh. In Western  
18 New York, we will be reconstructing the first  
19 four miles of the Niagara Thruway in Buffalo  
20 between I-90 and Elm Street, as well as  
21 resurfacing more than 64 lane miles on I-90  
22 between Dunkirk and Westfield. Central  
23 New York will see the resurfacing of  
24 approximately 50 lane miles between

1 Canajoharie and Little Falls, in addition to  
2 the rehabilitation of approximately 24 miles  
3 in the Rochester area between Canandaigua and  
4 Victor. This work translates to a smoother  
5 riding surface for motorists, enhanced safety  
6 features, and a visual reminder of our  
7 reinvestment of our customers' toll dollars.

8 As a testament to our fiscal prudence  
9 and discipline, Standard & Poor's recently  
10 raised its long-term rating on our general  
11 revenue bonds to A+. Additionally, Moody's  
12 Investors Service revised their outlook to  
13 positive from stable and affirmed the A1  
14 rating of the outstanding general revenue  
15 bonds. This translates to real savings by  
16 enabling the authority to borrow at lower  
17 rates, and therefore allows us to make  
18 further investments in our system.

19 In 2023, motorists took 397 million  
20 trips and drove 8.1 billion miles on the  
21 Thruway. The Thruway is the principal artery  
22 of commerce and serves as a catalyst of the  
23 state's economic activity, with 17 percent of  
24 our total traffic coming from commercial

1 vehicles and about one-third of that from out  
2 of state.

3 Our service areas, just like the  
4 Thruway system, provide benefits to local  
5 communities. For example, the Taste NY  
6 program, which recently celebrated its  
7 10th anniversary, is prominently featured at  
8 our farmer's markets in our service areas.  
9 We are supporting local farmers and food and  
10 beverage producers.

11 Other community benefits include  
12 partnerships with local small businesses, who  
13 are awarded contracts to work on the Thruway  
14 system. The authority pays annually in  
15 excess of \$270 million to contractors and  
16 other providers of goods and services that  
17 are based in New York.

18 That is part of our service area  
19 project of \$450 million in investment, where  
20 23 of the 27 service areas will be rebuilt,  
21 with significant renovations to the remaining  
22 four. Currently we are close to halfway  
23 through the project, with 13 new buildings  
24 open and three more by the start of the

1 summer travel season. Again I note that no  
2 toll dollars or federal, state or local  
3 taxpayer funding is being used in the  
4 reconstruction.

5 Another feature is the EV chargers  
6 along the Thruway as part of our continued  
7 commitment to the environment. Currently  
8 there are 59 EV charging stations in  
9 operation at Thruway commuter lots, select  
10 service areas, and welcome centers. We have  
11 an additional 38 high-speed charging stations  
12 that will be operational by this summer, for  
13 a total of 97 charging stations. Motorists  
14 can currently drive from New York City to  
15 Buffalo and be confident in their ability to  
16 access EV charging stations along the  
17 entirety of the Thruway.

18 The operator will be installing at  
19 least four high-speed EV chargers at each  
20 service area, and our plan is to create a  
21 robust end-to-end corridor of more than  
22 130 fast-charging EV stations with an average  
23 of 30 miles between each location, which  
24 exceeds the federal standard, which is at

1 50 miles.

2 The authority currently meets the EV  
3 charging needs of our customers, and we are  
4 planning for the future of our customers'  
5 charging needs. Over the next approximately  
6 10 years we will add 320 EV charging stations  
7 along the Thruway. In addition to addressing  
8 the EV needs of passenger vehicles, we are  
9 working toward increasing the EV needs of the  
10 medium and heavy-duty vehicle industry.

11 Because tolls are our primary revenue  
12 source, we expect all motorists using the  
13 Thruway to pay their tolls, and we make every  
14 effort to collect every single toll owed to  
15 us. The vast majority of our customers  
16 appreciate our commitment to them and pay on  
17 time.

18 To bolster our toll collection  
19 efforts, I want to express our support and  
20 thanks to Governor Hochul's Article VII toll  
21 violation proposal, which is in the TED bill  
22 at Part C. This bill will outlaw certain  
23 common toll evasion practices and it will  
24 enhance the enforcement by increasing fines

1 and providing law enforcement with the  
2 ability to seize materials affixed for the  
3 purpose of blocking numbered plates.

4 And speaking of great legislation, we  
5 want to thank you. We see the benefits of  
6 Chairman Kennedy and Chairman Magnarelli's  
7 Automated Work Zone Speed Enforcement program  
8 that Governor Hochul signed into law in  
9 September of 2021. We have seen drivers  
10 change their behavior by slowing down in work  
11 zones. We have seen them drop their average  
12 speed from 55 to 50. And since the program's  
13 inception, the authority has mailed more than  
14 40,000 first violations to motorists and  
15 collected more than 1.6 million in  
16 violations, all of which is funneled back  
17 into safety programs.

18 And I would note that fewer than  
19 360 motorists out of those 40,000 have  
20 disputed their notices of violation.

21 Finally, our accomplishments are made  
22 possible because of the dedication of our  
23 board of directors and the commitment from  
24 the 1700 employees of the Thruway Authority.

1           Their dedication and professionalism ensure  
2           that the Thruway continues to be a safe and  
3           reliable highway for all motorists.

4                     A recent example of this selflessness  
5           and dedication are the most recent storms in  
6           Western New York that brought whiteout  
7           conditions, heavy winds, frigid temperatures  
8           and several feet of snow in some areas. The  
9           Buffalo division led the way and included  
10          reinforcements from the Thruway Authority's  
11          Albany, New York and Syracuse divisions, who  
12          worked around the clock in freezing  
13          temperatures to plow and assist commercial  
14          drivers who had ventured out, in defiance of  
15          the commercial ban that was instituted, and  
16          got stuck.

17                    In closing, please know I remain  
18          committed to keeping the Thruway the safest  
19          and most reliable means of travel in the  
20          state. Whether one is commuting to work,  
21          visiting family or friends, enjoying the  
22          recreational opportunities around our state,  
23          or supporting the freight economy, the  
24          Thruway will take you there.

1           That concludes my testimony, subject  
2           to your questions. Thank you very much.

3           ASSEMBLYMAN MAGNARELLI: Thank you.  
4           We're going to start out with the Senate, I  
5           believe.

6           CHAIRWOMAN KRUEGER: Chair Tim  
7           Kennedy.

8           SENATOR KENNEDY: Thank you very much.

9           Commissioner Schroeder, thank you for  
10          that testimony. Very good to hear all the  
11          positive things happening at the DMV. Also  
12          to Executive Director Hoare, thank you so  
13          much for your leadership and your  
14          partnership. The both of you have been  
15          extraordinarily responsive. Anytime my  
16          office has reached out, your teams have been  
17          exceptional to work with, and I'm very  
18          grateful.

19          Starting with the DMV, I'm going to  
20          try and cut my time in half here. Just  
21          getting into the Internet Point and Insurance  
22          Reduction Program that's extended for a  
23          couple more years in the Executive proposal,  
24          it was first authorized back in 2005. Are



1           there any changes in the extension, or is it  
2           simply a clean extension? And is it  
3           something that you would like to see the  
4           IPIRP program made permanent by the  
5           Legislature?

6                     DMV COMMISSIONER SCHROEDER: Senator,  
7           as you indicated, this started some time ago.  
8           It started when I was in the New York State  
9           Assembly, and it is part of TED Part F. And  
10          it will extend now to 2026.

11                    The course is available for people who  
12          want an insurance discount or who seek to  
13          reduce the number of points against them on  
14          their driving record.

15                    In terms of it being permanent, I  
16          would say respectfully that's probably  
17          something for the Legislature to consider.  
18          But for now we've been able to do everything  
19          we're supposed to do in terms of working it  
20          properly even through the extension program.

21                    SENATOR KENNEDY: Great. Thank you.

22                    The Executive proposal calls for an  
23          increase in appropriations at the DMV citing  
24          technology. Can you discuss what those

1 upgrades would be and what benefits that  
2 customers could expect to see?

3 DMV COMMISSIONER SCHROEDER: Thank  
4 you, Senator. And I often use your  
5 neighborhoods to talk about what DMV has gone  
6 through over the last 50 or 60 years. If you  
7 know, if you remember -- and I know you do --  
8 in some of your old neighborhoods like Little  
9 Hollywood, the Old First Ward, and the Valley  
10 area, there's little cabooses on the end of  
11 their houses, right? And then when the  
12 couple were going to have another baby, there  
13 would be another caboose, and another  
14 caboose.

15 This is exactly what DMV has done over  
16 the last 60 years. We have legacy lines that  
17 date back to Governor Rockefeller. And then  
18 what did we do? In the seventies we added  
19 on, we added on, we added on. When you add  
20 on like that, it's not going to be a  
21 comprehensive product.

22 So what we're doing -- and this  
23 funding, this \$168 million really does help  
24 us, so we're grateful to the Governor and to

1 the Legislature. This will underwrite the  
2 transformation and also the tech redesign.  
3 We probably have over 150 data lines. We  
4 don't need them. We're going to retire them.  
5 And then this project is helping us  
6 underwrite what we need to bring in the new  
7 technology.

8 So we're very excited about this.  
9 We've been working on this for a long time.  
10 I have 20 teams that have been working on  
11 this for as long as I've been the  
12 commissioner, since 2019. We are making  
13 tremendous progress. This is a five-year  
14 comprehensive plan. It's probably going to  
15 take us four years to enact, and we're deep  
16 involved in it right now, and we're grateful  
17 for your support.

18 SENATOR KENNEDY: Great. Great.  
19 Thank you very much.

20 Last year the Legislature passed and  
21 the Governor signed legislation that permits  
22 driver's license reciprocity. And I'm very  
23 grateful for your efforts with me and my  
24 colleagues in helping to make that happen and

1 work through the process so that it actually  
2 could become law.

3 Where is the DMV as it pertains to  
4 that agreement? And have there been any --  
5 you know, in the process working it through,  
6 have there been any agreements with any  
7 nations or territories yet?

8 DMV COMMISSIONER SCHROEDER: Yes. So,  
9 you know, thanks to the Legislature, thanks  
10 to the Governor, it is law. In DMV, we  
11 embrace the law. And so we are 100 percent  
12 involved in this.

13 To date, to be specific, to answer  
14 your question, France, Taiwan and the  
15 Dominican Republic have expressed interest in  
16 establishing a reciprocal agreement.

17 The difficult part -- we're going to  
18 be able to do it, but the complexity here is  
19 that DMV now has the responsibility to  
20 reevaluate the countries who are seeking  
21 reciprocity, because we have to make sure  
22 that we're on the same page here. And so we  
23 are prepared, DMV is ready to roll, and we  
24 will continue to report out the progress.

1 But it's not only for the three countries I  
2 just mentioned. Any country who has an  
3 interest in New York State, once they go  
4 through the application process, we will  
5 engage with them and make sure that we're  
6 successful.

7 SENATOR KENNEDY: Perfect. Thank you  
8 very much. And thank you again,  
9 Commissioner.

10 To Mr. Hoare, thank you again for your  
11 leadership, your efforts. I want to switch  
12 to the Thruway Authority. Can you give us an  
13 update on the status of the rest stop  
14 reconstruction project and when we can  
15 expect full completion?

16 ACTING EXEC. DIRECTOR HOARE:  
17 Currently there are 13 out of the 27 rest  
18 stops that have been completely rebuilt.  
19 They're open and functioning. In the next  
20 several months, by the start of the summer  
21 driving season, you'll see another three open  
22 up. And then that -- the remaining 11 will  
23 open up by the end of -- over the next 18  
24 months, but by the end of -- we anticipate by

1 the end of 2025 the project being completed.

2 SENATOR KENNEDY: Great. So it is on  
3 track.

4 ACTING EXEC. DIRECTOR HOARE: Well,  
5 it's on a new track. There is an  
6 eight-to-10-month delay that we've  
7 experienced, allegedly -- the design-builder  
8 alleges because of COVID and geopolitical  
9 events, so we'll see.

10 SENATOR KENNEDY: But it's moving  
11 forward.

12 ACTING EXEC. DIRECTOR HOARE: It's  
13 moving forward, yes.

14 SENATOR KENNEDY: Construction  
15 continues.

16 ACTING EXEC. DIRECTOR HOARE: It does.

17 SENATOR KENNEDY: Thank you.

18 Are there any changes -- first of all,  
19 thank you for recognizing the work zone  
20 safety legislation that was passed and signed  
21 into law. You know, it's clearly working,  
22 and those numbers are eye-popping. Are there  
23 any changes that the Thruway Authority would  
24 recommend to that program, how successful

1           you've been catching speeders, and what we  
2           can do to enhance it, especially with repeat  
3           offenders?

4                     ACTING EXEC. DIRECTOR HOARE: We've  
5           seen many -- maybe about 40,000 are repeat  
6           offenders {sic}. So at this point I think  
7           it's working. We see it in the numbers. And  
8           again, I think the most important fact is  
9           what we've seen from the data is that finally  
10          folks have that message and they are dropping  
11          their miles per hour as they approach a work  
12          zone. The word is out.

13                    We operate 10 on a weekly basis. We  
14          move them around. And we have seen -- we've  
15          been successful in -- we think in dropping  
16          that number, and the numbers, the data  
17          support that.

18                    SENATOR KENNEDY: Yeah, again, 40,000  
19          violations is an eye-popping number.

20                    ACTING EXEC. DIRECTOR HOARE: And I  
21          think the 360 only challenging it shows that  
22          that -- how many people realize what they  
23          did.

24                    SENATOR KENNEDY: Right. Thank you

1 for that.

2 Just going back to the service area  
3 redesign and the redevelopment project, it  
4 calls for an installation of high-speed EV  
5 chargers at all areas. Do these plans leave  
6 room for growth as we continue to see EVs  
7 become more and more the norm? And what  
8 additional steps can we take to enhance the  
9 use of these EV chargers and the expansion of  
10 them in the redesign plan?

11 ACTING EXEC. DIRECTOR HOARE: Senator,  
12 the current contract to rebuild the Thruway  
13 service areas calls for a minimum of four to  
14 six EV chargers at each service area,  
15 depending on the size. But built into the  
16 contract is a provision that the operator  
17 must increase those numbers as demand grows.

18 So as I said, over the next 10 years  
19 the plan is to add an additional 320 chargers  
20 throughout the system. And again, we have  
21 them not just at the service areas, we have  
22 them at our park-and-ride lots, we have them  
23 at the landings on the Cuomo Bridge, and we  
24 have them at the welcome centers.



1           SENATOR KENNEDY: In part of my work  
2           as Transportation chair I've come across new  
3           technology that will allow for charging  
4           infrastructure for vehicles while they're  
5           actually moving. Is the Thruway Authority  
6           examining the feasibility of doing a pilot on  
7           this sort of technology?

8           ACTING EXEC. DIRECTOR HOARE: Well,  
9           we're following the technology every day. We  
10          are applying aggressively for federal grants.  
11          We hope to be part of some of the federal  
12          spending on that, to increase those numbers.  
13          But we are talking with partners in the  
14          private sector --

15          CHAIRWOMAN KRUEGER: Thank you, Frank.  
16          You'll need to follow up afterwards or in  
17          writing. Thank you.

18          SENATOR KENNEDY: Complete that  
19          sentence in writing.

20          ACTING EXEC. DIRECTOR HOARE: Yes,  
21          sir.

22          ASSEMBLYMAN MAGNARELLI: Okay, I  
23          believe I have a few questions, so we're  
24          going to start it with the commissioner of

1 DMV. Okay?

2 The proposed budget from the Governor  
3 calls for an increase of \$184 million for the  
4 DMV, right? And about 178.4 million of that  
5 appropriation is for basically your IT  
6 upgrades, which we're kind of in the last  
7 phases of, from what I understand and from  
8 what you've been talking about.

9 But a couple of questions. Will any  
10 additional funding be required for this  
11 project? When will the upgrades be complete?  
12 What new services will be moved online, and  
13 what other improvements will your customers  
14 experience as a result of the project? Are  
15 there any specific benchmarks for improving  
16 service? And will these IT upgrades result  
17 in any savings?

18 So in other words, are we on stride?  
19 Is it going to cost any more money? And what  
20 are we getting out of it when it's done?

21 DMV COMMISSIONER SCHROEDER: Yeah,  
22 thank you. Thank you, Mr. Chairman.

23 And so this is what I refer to as a  
24 five-year comprehensive plan of excellence.

1           It's going to take us about four years to  
2           implement. And so we are going strong right  
3           now. And also the services in terms -- when  
4           I became the commissioner, we could do about  
5           47 online transactions. We now can do 77.

6                     The goal of DMV is meet your  
7           constituents and our customers where they  
8           are. So the goal is that we want to be able  
9           to do every single transaction online to give  
10          our customers that option.

11                    The only two things that we're unable  
12          to do right now are federal requirements  
13          having to do with Real ID and the Enhanced  
14          Driver's License. But everything else we are  
15          trying. And this -- this opportunity of  
16          transformation and tech redesign, we're in  
17          the driver's seat to be able to do this.

18                    In terms of the benchmarks that you  
19          talk about, when I talk about the kudos, the  
20          compliments, these are New Yorkers who are  
21          busy. These are legislators, Assemblymembers  
22          and Senators who are busy. And when they  
23          call us and when they email us to tell us a  
24          job well done, that means we are hitting the

1 benchmarks that we strive to do. When  
2 customers say, "You know, the last time I  
3 came into DMV it took me four hours; now it's  
4 15 minutes." So things are really going well  
5 in that regard.

6 ASSEMBLYMAN MAGNARELLI: I understand  
7 that, Commissioner. And I consider those  
8 testimonials -- and you've gotten them from  
9 my office, okay? So I'm one of them.

10 DMV COMMISSIONER SCHROEDER: Thank  
11 you.

12 ASSEMBLYMAN MAGNARELLI: The bottom  
13 line, though, is like what are we comparing  
14 it against? Are we saving any money? Are we  
15 looking -- or is it just, and validly, it's  
16 just giving better service? Okay. But, I  
17 mean, what are we going to measure it against  
18 to see whether or not this program is  
19 successful?

20 DMV COMMISSIONER SCHROEDER: Yeah,  
21 it's a great question. And I can tell you  
22 anecdotally, and you'll know exactly what I'm  
23 talking about. If you recall, last year in  
24 Onondaga County the DMV office went down. It

1           went down because there were outages and  
2           glitches. That is a -- that's inconvenient  
3           for your constituents, but it also -- it also  
4           costs us money. So when we're able to be --  
5           when we're able to have the proper  
6           technology, and that's the course we're on  
7           right now, there will be savings, no doubt.

8                         ASSEMBLYMAN MAGNARELLI: There's one  
9           other question I want to ask you also. The  
10          Executive proposal Article VII authorizes DMV  
11          to replace the existing system to verify  
12          motor vehicle insurance with an online  
13          insurance verification system. Okay? I  
14          don't believe that's the same thing that  
15          Senator Kennedy was asking you about. But  
16          what I'm concerned about here in a nutshell  
17          is who's driving this, the DMV or the  
18          insurance companies? And who's going to make  
19          the final determination on the outcome?

20                        Because I'm concerned about that. I  
21          want to make sure -- to be honest with you, I  
22          want to make sure the DMV makes the final  
23          determination of how we're going to do this.  
24          And that's what I'm looking at in that

1 Article VII language.

2 DMV COMMISSIONER SCHROEDER: So  
3 Mr. Chairman, to your concerns, they lay with  
4 DMV. DMV and our staff will be -- will  
5 continue to implement. This will be a  
6 technology. This technology will be  
7 integrated in with our four-year plan of  
8 reform.

9 ASSEMBLYMAN MAGNARELLI: Right. I  
10 guess my concern here is that it doesn't cost  
11 the state more money or more time. If it's  
12 something that's going to be for the  
13 convenience of the outside companies, that's  
14 fine, as long as it meshes with your system,  
15 your project, your people. That's all I'm  
16 saying.

17 DMV COMMISSIONER SCHROEDER: And it  
18 does.

19 ASSEMBLYMAN MAGNARELLI: Okay. All  
20 right.

21 Director Hoare, I've got a couple of  
22 questions here. First of all, you know,  
23 speeding, we're talking about speeding. And  
24 I want to pick piggyback on what

1           Senator Kennedy was saying as far as the work  
2           zone cameras are concerned and how good they  
3           are.

4                     What about just speeding cameras?

5           Because what I'm seeing -- and what I said to  
6           the DOT earlier, is that there is, as far as  
7           I can see, a proliferation of lawlessness, so  
8           to speak. People speeding, disregarding the  
9           rules of the road, the laws of the road  
10          completely.

11                    Is there any thought of speed cameras  
12          on the Thruway?

13                    ACTING EXEC. DIRECTOR HOARE: There's  
14          not. And we -- certainly anecdotally we have  
15          seen that over the last two years. It seems  
16          to be another symptom of COVID in terms of  
17          driving behavior. And successful, with your  
18          legislation, at least in the work zone  
19          slowing people down. But we have no present  
20          plans right now to add additional speed  
21          cameras to the Thruway system.

22                    ASSEMBLYMAN MAGNARELLI: Okay. Well,  
23          that's something I'd like to look at.

24                    Talking about EV needs into the

1 future, I just find it very hard to  
2 believe -- I'm not saying you're wrong,  
3 because I don't have anything to go on  
4 either. But the number, 130 or something EV  
5 charging stations on the Thruway, like that's  
6 going to be enough. I think even you said in  
7 your testimony that in 10 years you're going  
8 to need 320. That doesn't seem enough to me.  
9 But again, maybe I'm just plain wrong.

10 The one thing, though, that I have  
11 been talking to people about are the EV needs  
12 for medium and heavy-duty traffic, okay, on  
13 the Thruway. And not only the amounts of EVs  
14 that you have, but how that electricity is  
15 going to be distributed to your sites to take  
16 care of those heavy-duty vehicles. It's --  
17 from what I'm being told, it's astronomical  
18 in terms of money and time to produce maybe  
19 not what's on your site, but what's going to  
20 get the electricity to your site.

21 Are there any conversations going on  
22 right now with the Thruway and the electrical  
23 distribution people, okay?

24 ACTING EXEC. DIRECTOR HOARE: Yes. We



1 are in those conversations. You identified  
2 what makes it so complicated. There are so  
3 many pieces to this. The utilities have said  
4 to us that putting these -- providing the  
5 power to do these EV chargers is like  
6 servicing a small city. So there are  
7 challenges ahead. We are in those  
8 discussions.

9 Part of the federal grant, as we apply  
10 for federal grants with our DOT partners,  
11 they are part -- "they" being the utilities  
12 are a big part of the discussion as well.  
13 And right now less than 1 percent of  
14 registered vehicles in New York are electric  
15 vehicles. So when I say we have the  
16 resources right now to provide those  
17 services, we do.

18 But we recognize -- we're not sitting  
19 back. We recognize that those needs are  
20 going to go up. I mean, it's a complicated  
21 problem. It's something that's being  
22 addressed nationally. Every day, if you look  
23 in the business papers or the newspapers,  
24 there's stories about EV manufacturers,

1 electric battery manufacturers. So it's  
2 something that we are working very hard. And  
3 I'm fortunate to have a lot of smart people  
4 that work for us at the Thruway who give a  
5 lot of thought to this, to plan and to be  
6 ready for the future.

7 ASSEMBLYMAN MAGNARELLI: I'm just  
8 thinking, if this is going to happen within  
9 the next 10 years that this is starting to  
10 ramp up, are we putting together some  
11 consortium of companies, distribution people,  
12 electric generating people, everybody  
13 together in a room to get some kind of a plan  
14 to really build this out?

15 I'm not seeing that anywhere. I'm  
16 seeing everybody talking in silos. This is  
17 going to be a problem, you're going to have a  
18 problem. We all agree, there's problems  
19 every step of the way. Are we putting  
20 anything together at this point in time?

21 ACTING EXEC. DIRECTOR HOARE: Well,  
22 again, I wouldn't call them problems, I'd  
23 call them challenges. And I think there's a  
24 recognition and an understanding that those

1 challenges are out there and we're going to  
2 work on it.

3 ASSEMBLYMAN MAGNARELLI: I call them  
4 problems. Okay, thank you.

5 Senator Comrie.

6 SENATOR COMRIE: Good afternoon,  
7 gentlemen. I'll start with Commissioner  
8 Schroeder.

9 I appreciate everything that you're  
10 doing with DMV. And I wanted to find out  
11 specifically regarding the issues of the  
12 Tollpayer Protection Act and how our citizens  
13 that are caught because they have extensive  
14 fines because they were not able to pay their  
15 bill or did not realize that their credit  
16 cards were no longer picking up the bill, how  
17 they can have more accessibility to try to  
18 get these issues resolved without dealing  
19 with excessive fines and fees.

20 I know folks have been battling back  
21 and forth about how this should be resolved,  
22 and I understand there's only one person for  
23 a region to try to resolve these complaints.  
24 Is that true?

1                   DMV COMMISSIONER SCHROEDER: So,  
2                   Senator, you're referring to the DLSR, the  
3                   driver license suspension form that all of  
4                   you implemented? And we have cleared  
5                   3.2 million New Yorkers so that they can  
6                   start going forward. And so their license is  
7                   no longer, you know, suspended so that they  
8                   can go forward. Is that what you're  
9                   referring to? Or are you referring to tolls?

10                   SENATOR COMRIE: Tolls, primarily.  
11                   And also there's a secondary issue, so that  
12                   people can be able to continue to work or not  
13                   lose their job because they are not able to  
14                   get their licenses from the state.

15                   Primarily tolls. You know, we have a  
16                   lot of constituents in all of our areas now  
17                   that wind up with thousands of dollars in  
18                   fines that they did not realize because there  
19                   was a gap between the bills or they didn't  
20                   see the weekly bill or the monthly bill  
21                   showing that they missed payment, because  
22                   their payment systems were changed and they  
23                   didn't realize it.

24                   So we have a lot of constituents that

1 are struggling to try to keep up or to have  
2 some resolution because they're not getting  
3 any opportunity to have a real discussion  
4 with someone to get a resolution.

5 DMV COMMISSIONER SCHROEDER: Yeah.

6 So -- so thank you, Senator.

7 We, DMV, we are supporting the  
8 Governor's vision by continuing to work with  
9 our tolling authority partners to crack down  
10 on motorists with defaced, obscured plates  
11 and to suspend the registration of vehicles  
12 that rack up unpaid tolls.

13 So we -- this is something that has  
14 been reoccurring all day, starting with MTA,  
15 Thruway Authority, DOT. This is something  
16 for all of us to have to try to figure out.  
17 And so we will continue to be a partner in  
18 that. And quite frankly, as you know, since  
19 the implementation of cashless tolls this has  
20 become problematic more and more. And so  
21 with more than 5 percent of plates going  
22 unread, accounting for hundreds of millions  
23 of dollars -- which is concerning to I know  
24 this Legislature and to the agencies involved

1 in transportation -- we together need to  
2 figure out how to do better. And DMV is  
3 committed to being helpful.

4 SENATOR COMRIE: I'm separating the  
5 scofflaws, because most of the people that  
6 are hiding their plates or doing, as was said  
7 earlier, James Bond-type tactics with their  
8 plates, those are the people that have to be  
9 prosecuted.

10 But we have a lot of constituents that  
11 because of technical issues or payment  
12 issues, they didn't pay for a month. They  
13 have their plates. It's not an issue of them  
14 not being able to see the plate or being a  
15 deliberate scofflaw. They've never been a  
16 scofflaw in the system before, but they wind  
17 up with thousands of dollars in fines and  
18 fees.

19 I would hope that we could triple the  
20 size of the integral folks that are working  
21 to try to resolve these matters, so that they  
22 can separate out the determined scofflaws  
23 from the folks that are just caught in the  
24 system. And I would hope that we increase

1 the size of that agency, or combine agencies  
2 to make sure we have more responsiveness to  
3 that area.

4 It's unfortunate that my office has to  
5 call 15 times or send 20 emails to try to get  
6 legitimate people resolved.

7 DMV COMMISSIONER SCHROEDER: Yeah.  
8 So, Senator, I understand exactly what you're  
9 saying. There are bad guys out there doing  
10 things that we have to figure out a way to  
11 prevent.

12 But what you're talking about are good  
13 constituents and good customers, and they get  
14 themselves in a situation. And when they  
15 call us, we do not do this (pointing in  
16 different directions). We will do our best  
17 to help the customer and we will try to  
18 figure out what pathway for them to go down  
19 so that they can avoid any suspension  
20 whatsoever.

21 SENATOR COMRIE: Thank you.

22 DMV COMMISSIONER SCHROEDER: You're  
23 welcome.

24 SENATOR COMRIE: And just the next

1 question. We've done a very successful  
2 program. We're creating opportunities for  
3 small businesses to act as mini-DMV  
4 facilities. They have a few of them now that  
5 are all over the city. Can you tell us how  
6 effective that program has been?

7 DMV COMMISSIONER SCHROEDER: What  
8 program, Senator, are you speaking of?

9 SENATOR COMRIE: Where you're allowing  
10 small businesses to act as DMV, the way you  
11 can go to -- instead of going to the big  
12 offices, go to the little businesses that are  
13 set up to handle plates and re-registration.

14 DMV COMMISSIONER SCHROEDER: Yup.  
15 Yeah. Thank you.

16 So what we're trying to do -- and in  
17 the testimony I talked about how DMV is  
18 trying to reach people where they are. So we  
19 have our offices, our brick and mortar, in  
20 Queens. We have, you know, 12 offices  
21 altogether in New York City. And we have  
22 seven offices in Long Island/Westchester.  
23 But we also have relationships with auto  
24 dealers, like over 300 auto dealers across



1 the state. And so when you go in to buy a  
2 new car, you are able to get everything that  
3 you would -- that you used to have to go to  
4 DMV, you can do it at the auto dealer.

5 The same thing that I'm so proud of I  
6 mentioned in my testimony with the 43 prisons  
7 across New York State, we are giving people  
8 who are there, incarcerated, an opportunity  
9 to get a license so they don't -- or if they  
10 get a non-driver I.D. so that they don't have  
11 to go to a brick-and-mortar place.

12 So we're going to continue, Senator,  
13 to do that to make it easier for your  
14 constituents and for New Yorkers overall.

15 SENATOR COMRIE: Thank you.

16 A question for Executive Director  
17 Hoare. Have you been able to look at the  
18 contract for Greenway to see if there's any  
19 way to have them ameliorate stations that  
20 need to have -- need to be larger? Because a  
21 lot of these stations do not have the proper  
22 capacity to deal with especially weekend  
23 travel.

24 ACTING EXEC. DIRECTOR HOARE: Senator,

1           you mean the service areas?

2                     SENATOR COMRIE:  The service areas.

3                     ACTING EXEC. DIRECTOR HOARE:  The  
4           service areas -- there are three sizes for  
5           service areas.  And those three sizes were  
6           determined based on, again, data as far as --

7                     SENATOR COMRIE:  Right.  But as you  
8           look at what's happening in those service  
9           areas, it's clear that they're overcrowded  
10          and they don't have enough capacity,  
11          especially in the stalls, the bathroom stalls  
12          in those areas, depending on the size,  
13          there's only four in places where there used  
14          to be 12, and there's only six in places  
15          where there used to be 18.

16                    So will those adjustments be analyzed  
17           and assessed?  And as I've asked you before,  
18           can the contract with Apple -- Apple --  
19           Applegreen, or whatever they're calling  
20           themselves, you know, be amended to ensure  
21           that those adjustments can be made so we can  
22           have faster flow in these rest stops?

23                    ACTING EXEC. DIRECTOR HOARE:  Well,  
24           Senator, we're seeing faster flow and less

1 crowding as each one opens up. It's like  
2 relieving the pressure on a valve. The -- we  
3 had initial complaints and concerns about  
4 overcrowding when there were only three or  
5 four open. We're now up to 13, soon to be  
6 16. And we're seeing less and less crowding.

7 But if we went back at this point  
8 where 13 are already completed, another 10  
9 are under construction as we -- already under  
10 construction as we speak, if we stopped it  
11 right now we'd be talking about a minimal  
12 amount out of the 27. And it would be a  
13 great expense to go back and get them to  
14 change those plans.

15 SENATOR COMRIE: I would argue that it  
16 would give us actually more revenue if we had  
17 a faster and more compliant area to make sure  
18 that people could be able to not be crowded  
19 as they're moving between the vendors and the  
20 rest stops. So I think there would be a real  
21 opportunity to try to make sure that the  
22 customer is taken care of in a way that they  
23 would want to come through and not just go  
24 through every rest stop, but wait 20 minutes

1 to use the bathroom.

2 ACTING EXEC. DIRECTOR HOARE: Senator,  
3 that is our focus, safety and comfort for our  
4 traveling public, and we will continue to  
5 focus on that.

6 I think I can add to that. I'd be  
7 happy to look at it and have a discussion.

8 SENATOR COMRIE: Thank you.

9 And also in 2021 the vendor complaint,  
10 did that get resolved yet, the blind vendors?

11 ACTING EXEC. DIRECTOR HOARE: That was  
12 resolved with an agreement last April between  
13 the commission and the operator of the  
14 service areas. They will have access to more  
15 of the vending machines.

16 SENATOR COMRIE: Are you exploring  
17 hydrogen fuel cell stations at the rest stops  
18 as well? Because that is the new technology  
19 that's coming on board.

20 ACTING EXEC. DIRECTOR HOARE: That is  
21 not a technology I'm specifically familiar  
22 with.

23 We are constantly looking at  
24 technology and upgrading to make sure that,

1           again, we serve our patrons and do it in a  
2           responsible and environmentally friendly way.

3                     SENATOR COMRIE: Thank you.

4                     And are the EVs going to have  
5           canopies, the EV stations are going to have  
6           canopies? Or are they going to be open to  
7           the weather?

8                     ACTING EXEC. DIRECTOR HOARE: I'm  
9           sorry, sir, I didn't --

10                    SENATOR COMRIE: Right now the gas  
11           stations have canopies so that if it rains,  
12           you're not -- are the EV stations going to  
13           have canopies?

14                    ACTING EXEC. DIRECTOR HOARE: The  
15           service areas at the -- those gas stations  
16           have canopies.

17                    SENATOR COMRIE: Thank you.

18                    ASSEMBLYMAN MAGNARELLI: Thank you.  
19           Thank you.

20                    All right. Chair Ken Zebrowski for  
21           10.

22                    ASSEMBLYMAN ZEBROWSKI: Thanks,  
23           Mr. Magnarelli.

24                    Good evening, colleagues. Good to see

1 two former Assembly alumni here.

2 DMV COMMISSIONER SCHROEDER: Thank  
3 you.

4 ACTING EXEC. DIRECTOR HOARE: Thank  
5 you.

6 ASSEMBLYMAN ZEBROWSKI: No offense to  
7 you, Commissioner Schroeder, but my committee  
8 really oversees the authority, so I'll start  
9 with him. If I have any time, I'll ask you a  
10 couple of questions.

11 DMV COMMISSIONER SCHROEDER: That  
12 makes sense.

13 ASSEMBLYMAN ZEBROWSKI: Director  
14 Hoare, thanks for -- you really covered a lot  
15 in your summary. So I'm going to go through  
16 a few things where I saw some -- maybe some  
17 gaps that I have some questions about.

18 You talked a lot about the capital  
19 plan and some of the projects. I didn't hear  
20 anything specifically about like the pavement  
21 conditions on the Thruway, like where is that  
22 type of stuff in the capital plan, how do you  
23 generally plan that, what do you currently  
24 look at in terms of those conditions?

1           ACTING EXEC. DIRECTOR HOARE: Again,  
2           it's -- we look at data that's based on state  
3           and federal regulations. We assess the  
4           entire system -- again, it's 2800 miles of  
5           roadway in both directions, the lanes. So in  
6           terms of what our priorities are and how we  
7           address a particular project in 2024 versus  
8           2025 or '26 is based on those needs. So that  
9           we get to where we need to get.

10           But I assure you that as it currently  
11           sits, the Thruway from your district to the  
12           Pennsylvania line is safe and reliable.

13           ASSEMBLYMAN ZEBROWSKI: We heard a lot  
14           about tolling. I think mentioned -- we had  
15           the MTA earlier, a lot of folks hear from  
16           constituents. Your office and my office have  
17           worked on specific constituent matters, and I  
18           appreciate the thoroughness by which your  
19           staff attempts to answer our questions and  
20           work through these matters.

21           I didn't hear you today kind of go  
22           through some of the changes you've made,  
23           which I think are helpful for folks to know,  
24           in that the tolling and the fine program, if

1 I understand it correctly, as complaints have  
2 been levied, you've made significant changes  
3 in how those fines are levied.

4 Could you kind of go through that for  
5 us?

6 ACTING EXEC. DIRECTOR HOARE: Sure. I  
7 mean, it's also important to recognize that  
8 in the last three years we've had 1.2 billion  
9 transactions on the system. So where there  
10 have been problems or issues, we address it  
11 aggressively and we want to make sure that  
12 our patrons, our customers are taken care of.

13 In terms of we have -- at least  
14 whether or not we assess those fines, we  
15 lowered the initial set of fines from -- to a  
16 maximum of \$50 a bill, so a maximum of \$600 a  
17 year. In previous years the policies and  
18 regulations called for fines and penalties  
19 based on each trip, so you saw huge numbers,  
20 you know, come out for some folks.

21 But we've lowered that. We have an  
22 office, created an office, my predecessor  
23 created an office that's dedicated to toll  
24 revenue and quality management of that



1 system. We are constantly in touch. We have  
2 a tollpayer advocate that in the last two  
3 years has talked to over 7,000 folks in an  
4 effort to resolve their issues. And we're in  
5 constant touch with people in an effort to  
6 resolve their bills.

7 So we're working hard to balance the  
8 fairness to those who pay the tolls with  
9 fairness to those who may need some help.

10 ASSEMBLYMAN ZEBROWSKI: Thank you. I  
11 think we do all have these stories of  
12 constituents in our office with, you know,  
13 eye-popping tolls and fines and fees.

14 So with those changes, like you said,  
15 now it could be a maximum of \$600 a year --  
16 not that anyone would be happy with \$600, but  
17 theoretically that would be not paying the  
18 \$50 every month for the 12 months.  
19 Theoretically, that should result in there  
20 not being these multi-thousand-dollar bills,  
21 correct?

22 ACTING EXEC. DIRECTOR HOARE: It  
23 should.

24 And again, 96 percent of our

1 tollpayers pay their tolls. That 4 percent  
2 is largely comprised of out-of-state  
3 commercial vehicles. And that's a problem.  
4 It's a problem not only for us, it's a  
5 nationwide problem. We're part of an  
6 international tolling association, and that's  
7 what we, I and my staff, hear from our  
8 counterparts in every other state on the  
9 attempt to collect.

10           And again, it's mostly on, you know,  
11 commercial vehicles who are intentionally  
12 doing it. And our biggest numbers come from  
13 Connecticut and New Jersey, who we don't have  
14 a reciprocal agreement with. Connecticut  
15 won't enter into a reciprocal agreement  
16 because they don't charge tolls, so they want  
17 to do it for their residents, and New Jersey  
18 can only do it by legislation, and that's  
19 been bogged down over the last couple of  
20 years.

21           So our partner at Port has been  
22 leading that in an effort, but so far they  
23 have not instituted a reciprocal program.

24           ASSEMBLYMAN ZEBROWSKI: With the

1 cashless tolling, have you done an  
2 analysis -- obviously, cashless tolling does  
3 two things. One is sort of efficiency and  
4 helps with traffic. That's probably the  
5 biggest, you know, benefit to it.

6 But have you done an analysis of just  
7 the financial aspects of it? You obviously  
8 save money by not having the infrastructure  
9 and the people working there. But obviously  
10 it seems to lead to more scofflaws, if you  
11 will. You know, you mentioned the  
12 out-of-state truck drivers. So have you done  
13 an analysis of that?

14 ACTING EXEC. DIRECTOR HOARE: We've  
15 looked at that. It wasn't done to save  
16 money, it was done for the safety and  
17 convenience of our patrons. And it was done  
18 to help the environment, which we've seen  
19 direct results on that.

20 So we still have expenses with the  
21 cashless tolling. Those expenses will be  
22 there. So because those booths and the  
23 people in them went away doesn't mean that  
24 the expenses went away. We still have -- it

1 still costs money to process transactions, to  
2 send out bills, to work with our customers.

3 Again, we're up to about 86 percent of  
4 New Yorkers having an E-ZPass. We're  
5 constantly pushing that because that --  
6 having an E-ZPass not only eliminates  
7 problems or reduces the risk of problems, it  
8 also reduces your bill. So we're working  
9 hard to get to that system where more folks  
10 have E-ZPass.

11 On the other hand, for those that  
12 don't want an E-ZPass, we've worked hard with  
13 them to provide easy ability to pay that by  
14 cash or credit card. We have over 4,000  
15 retail vendors across the state that you can  
16 walk in and, again, pay your bill or refresh  
17 your card, your account, with a credit card  
18 or with cash.

19 ASSEMBLYMAN ZEBROWSKI: To that point,  
20 you had closed some over the years, right?  
21 Do you have more now than you had, say, four  
22 or five years ago of those locations? I know  
23 in Rockland in particular at one point it was  
24 closed. Are you utilizing the county clerks

1 still? Not the DMV county clerks, but other  
2 county clerks to serve as E-ZPass stations?  
3 You know, what do you look at when you look  
4 at statewide to try to make sure that  
5 everybody has a place that they can go to  
6 that's in a reasonable driving distance?

7 ACTING EXEC. DIRECTOR HOARE: Well,  
8 we're looking at gas stations, we're looking  
9 at Dollar General, we're looking at  
10 Walgreens, Walmart, that sort of thing.  
11 So --

12 ASSEMBLYMAN ZEBROWSKI: Is there an  
13 interactive map people can go on? If they go  
14 onto your website, can they like put in their  
15 zip code and see where a place is?

16 ACTING EXEC. DIRECTOR HOARE: Yes.  
17 They can map and they get that information.  
18 And there's customer service numbers if they  
19 had a question of where to go on that.

20 ASSEMBLYMAN ZEBROWSKI: All right.  
21 Lastly, because I don't want to go over my  
22 time, let's talk about the Mario Cuomo  
23 Bridge. The toll was increased 50 cents  
24 annually starting in 2024 and ending in 2027.

1           Could you kind of talk about your overall  
2           financial picture with that bridge, the debt  
3           service, the maintenance costs, what do you  
4           see that 50 percent increase -- how is it  
5           going to help you pay for that? And are you  
6           already projecting what might be necessary  
7           after 2027?

8                     ACTING EXEC. DIRECTOR HOARE: I'll  
9           take the latter first. We've projected --  
10          the increases that went into effect on  
11          January 1st were based on projecting out for  
12          eight to 10 years.

13                    We're seeing -- again, that money,  
14          those increases, as I said earlier, are  
15          rolled right back into -- it's allowed us to  
16          spend between \$90 million and \$100 million  
17          more in capital programs. You'll see that in  
18          Rockland and Orange, you'll see that in  
19          Westchester.

20                    So the bridge costs money to maintain  
21          and operate. And there's yearly -- biannual  
22          requirements by the federal government to  
23          inspect every bridge in the state. So just  
24          on the Cuomo Bridge, one span is inspected

1 every two years. So every year we're going  
2 through an inspection. That costs money.

3 ASSEMBLYMAN ZEBROWSKI: How much debt  
4 is remaining on that bridge, do you know?

5 ACTING EXEC. DIRECTOR HOARE: Our  
6 current debt service is \$3.6 million -- I'm  
7 sorry, \$364 million, which is a 2.5 percent  
8 increase in -- from last year. Again,  
9 reflective of general economic conditions.

10 I don't happen to know specifically  
11 related to the bridge. We can get that to  
12 you.

13 ASSEMBLYMAN ZEBROWSKI: My time has  
14 expired. Thank you.

15 ACTING EXEC. DIRECTOR HOARE: You're  
16 welcome.

17 CHAIRWOMAN KRUEGER: Thank you very  
18 much.

19 Next we have Senator Mattera, ranker,  
20 for five minutes.

21 SENATOR MATTERA: Great. And thank  
22 you, Chair.

23 And this question will be for -- and  
24 thank you both for coming here today. This

1 is for our Commissioner Schroeder.

2 The question is since the legalization  
3 of cannabis it is not uncommon to see and  
4 smell cannabis being used as people are  
5 driving around. Last year when you were  
6 here, we were told that the DMV was taking  
7 steps, in conjunction with law enforcement,  
8 to address drugged driving. Yet it's still  
9 common to encounter drivers using cannabis  
10 while driving. What additional steps has the  
11 DMV taken to address this drugged driving?

12 DMV COMMISSIONER SCHROEDER: Senator,  
13 thank you for your question. And I do recall  
14 talking to you about this last year.

15 And the fact is this is, as you know,  
16 a very serious matter; 44 percent of fatal  
17 crashes in New York State are alcohol- or  
18 drug-related. And so we continue -- and I'm  
19 also the chair of the Governor's Traffic  
20 Safety Committee. As chair, I have a  
21 relationship and we have a relationship with  
22 all law enforcement across New York State.

23 Also, we administer the program -- the  
24 drug recognition experts. We have nearly 500



1 of them that we have trained. It is intense,  
2 Senator. I know you know it's an intense  
3 training for our officers across the state.  
4 I liken it to taking three parts of a CPA  
5 exam or sitting for the bar.

6 And so we are very happy to have men  
7 and women across New York State who are  
8 officers who are our DRE experts. We also  
9 have what is called an ARIDE program. This  
10 is training that we've been able to do with  
11 over 800 officers across the state.

12 So I understand your question. We  
13 continue to work with law enforcement and the  
14 Governor's Traffic Safety Committee to make  
15 sure we're doing the best we can to keep our  
16 streets and our highways safe.

17 SENATOR MATTERA: So when do you think  
18 we would have an answer that this is going to  
19 be enforced, enforceable? And if anybody was  
20 to be arrested, is this -- well, you probably  
21 have nothing to do with the cashless bail  
22 situation.

23 But my question again is, when do you  
24 think that this will be coming, moving

1 forward? Do you have any idea? Is it going  
2 to be a year from now, two years from now,  
3 three years from now? This needs to be done  
4 like yesterday.

5 DMV COMMISSIONER SCHROEDER: Yeah.

6 So, Senator, just restate exactly what you're  
7 asking me. Because our involvement in GTSC  
8 and DMV is to -- many things. To work with  
9 law enforcement across the state in terms of  
10 impaired driving. To me, it doesn't matter  
11 if it's drinking or drugs. It's bad, it's  
12 impaired, and we need to do something about  
13 it. And the best thing that we can do is  
14 part of the training program, and that's what  
15 DMV and GTSC does.

16 Is there something in particular that  
17 you're asking me to answer?

18 SENATOR MATTERA: Well, again, I just  
19 want to see if there's a time frame. That's  
20 my -- I understand we're working on it, but  
21 last year -- I mean, I know you're being  
22 aggressive. This needs to be done, again,  
23 like yesterday. This is out of control.  
24 We're all driving home, going down the

1 Thruways, our roadways, all over the place,  
2 and that's all you do is you smell it. I  
3 smell it on -- going across our bridges. It  
4 is -- it's just out of control.

5           Everybody knows how I feel about this  
6 cannabis law. It's a total disaster. And  
7 this is something that really needs to be  
8 fixed because we have, you know, reasons why  
9 we have our law enforcement to do their jobs,  
10 and they can't even do their jobs. And we  
11 put cannabis laws into effect, and it was  
12 just something that I'm very upset about. I  
13 go to tree-lighting ceremonies, and you smell  
14 it all over the place. But the roadways are  
15 infested with cannabis drivers. It needs to  
16 be focused on -- this is something that needs  
17 to be a top priority with the DMV and with  
18 all the law enforcement.

19           DMV COMMISSIONER SCHROEDER: Senator,  
20 I agree. And it's a top priority for us, and  
21 we'll continue to do our best.

22           SENATOR MATTERA: Please. I would  
23 appreciate it. So would all New Yorkers  
24 also.

1           So this is actually a question for  
2           Acting Executive Director Hoare. I would  
3           appreciate -- you know, I'm going up the  
4           Thruway, which I appreciate the Thruway.  
5           Thank you so much for the work that both you  
6           gentlemen are doing. But, you know, being in  
7           construction, I'm seeing in these new -- in  
8           the new stop -- you know, the rest areas.  
9           And I was just wondering about the Thruway  
10          Authority didn't require the contract to  
11          install EV charging stations at some of our  
12          plazas. And, you know, they're finished.

13                 Why wouldn't we do that as we're doing  
14          the construction, as somebody that's in  
15          construction?

16                 ACTING EXEC. DIRECTOR HOARE: Well,  
17          they are part of the construction.  
18          They're -- the buildings themselves and the  
19          footprint are being addressed first. Again,  
20          I think we talked about some of the -- it  
21          takes a little longer because there's  
22          permitting issues involved, there's issues  
23          with -- or discussions with the utilities  
24          that make -- that take a little longer. So

1 they're opening up, and then there's a lag.

2 ASSEMBLYMAN MAGNARELLI: Thank you,  
3 Director.

4 SENATOR MATTERA: Thank you.

5 ACTING EXEC. DIRECTOR HOARE: Thank  
6 you.

7 ASSEMBLYMAN MAGNARELLI: Next we're  
8 going to call upon our Ranking Member Ra.

9 ASSEMBLYMAN RA: Thank you, Chair.

10 Commissioner, Acting Director, good to  
11 see you guys again.

12 Commissioner Schroeder, I have a  
13 question but I do want to, you know, echo  
14 what you said at the end. I really think  
15 you've done a tremendous job of taking  
16 something that for generations had this, you  
17 know, public perception of being tedious at  
18 best to visit a location.

19 And I certainly, in my personal  
20 experience, I've done all kinds of  
21 transactions. We have that new location in  
22 my district, and it's been smooth and, like  
23 was said, in and out in 15 minutes. And I've  
24 been very happy.

1                   DMV COMMISSIONER SCHROEDER: Thank  
2 you. Thank you.

3                   ASSEMBLYMAN RA: So kudos to you and  
4 your entire staff for the work that you've  
5 done.

6                   I wanted to ask about -- I know the  
7 Legislature has taken some actions fairly  
8 recently to try to be another avenue to  
9 curtail catalytic converter theft, and I'm  
10 just wondering how enforcement's going in  
11 terms of those new requirements that are out  
12 there with keeping track of these parts and  
13 certainly how the partnership with  
14 law enforcement is with regard to that.

15                   DMV COMMISSIONER SCHROEDER: Yeah.  
16 Thank you, Assemblymember. And I credit the  
17 Governor for really being strong on this.  
18 She initiated an Auto Theft Safety Program.

19                   But DMV, quite frankly, we got started  
20 on this early because we were aware of it.  
21 We were aware of it because of our contacts.  
22 Through GTSC we have law enforcement  
23 contacts. And in New York City we kind of  
24 got a heads-up on this and we began to do the

1 best we can. And then the Governor initiated  
2 the law that the Legislature went through.

3 So, so far it is something that is  
4 working. We want to make sure that the most  
5 innocent, like our seniors, when they get up  
6 in the morning, they go out to their car and  
7 the catalytic converter is gone because the  
8 bad guys want to cash in on it, that is  
9 unacceptable to us. It's unacceptable to the  
10 Legislature. And we will continue to work  
11 with especially the auto dealers across  
12 New York State to make sure that the law  
13 written by -- every word written in that law  
14 is adhered to.

15 And we have a relationship with all of  
16 the six {sic} auto dealers across New York  
17 State. We will continue to work with them on  
18 that issue. So -- and thank you.

19 And the nice things you said about the  
20 DMV, I will extend that to my colleagues back  
21 in the DMV. Thank you.

22 ASSEMBLYMAN RA: Please do.

23 And as you may know, shortly before we  
24 passed that law on the state level,

1 Nassau County did something similar requiring  
2 registration. And, you know, as you know,  
3 this is all about hopefully curtailing that  
4 market as one of, you know, the many things  
5 we need to be doing. Because it's -- it  
6 really is a tremendous problem.

7 As you said, you have somebody,  
8 especially somebody on a fixed income, and  
9 they wake up and a part that expensive is  
10 suddenly missing from their vehicle, it  
11 really is a -- and frankly I think there's  
12 also, right, when somebody's impacted by a  
13 crime that somebody went into their own  
14 driveway or in front of their house and  
15 committed a crime, I think that just, you  
16 know, shakes the public safety of a  
17 community.

18 DMV COMMISSIONER SCHROEDER: Agreed.

19 ASSEMBLYMAN RA: So thank you. Thank  
20 you for your work.

21 DMV COMMISSIONER SCHROEDER: You're  
22 welcome. Thank you.

23 ASSEMBLYMAN RA: Acting Director,  
24 just -- Mr. Zebrowski did start to get into



1           this with regard to cashless tolling. And I  
2           know we've curtailed some of those problems  
3           we had early on. But, you know, where are we  
4           at this point? Do we feel it's working the  
5           way it was supposed to work? And has any,  
6           you know, savings been realized by the agency  
7           as a result of this now being fully rolled  
8           out?

9                     ACTING EXEC. DIRECTOR HOARE: Yes, I  
10           think it's working. We have 1.2 billion  
11           transactions over the last three years. With  
12           some issues that have come up, we've been  
13           addressing them. Again, the point wasn't to  
14           save money, the point was to modernize for  
15           the purposes of giving greater safety and  
16           convenience to our customers and patrons.

17                    ASSEMBLYMAN RA: Okay. Thank you.

18                    CHAIRWOMAN KRUEGER: Thank you. Next  
19           we have Senator Tom O'Mara, ranker.

20                    SENATOR O'MARA: Thank you, Senator.

21                    Good afternoon, gentlemen. Thank you  
22           for being here.

23                    DMV COMMISSIONER SCHROEDER: Good  
24           afternoon, Senator.

1                   SENATOR O'MARA: Commissioner, first  
2                   and foremost, thank you for opening the  
3                   office on the concourse. Very convenient.  
4                   I've actually used it a couple of times  
5                   already, so it's nice to have it there.

6                   With regards to electric vehicles --  
7                   and obviously we're getting more and more of  
8                   them, and we're going to have this transition  
9                   to electric buses all over the place. Are  
10                  there any changes coming, in the works, for  
11                  vehicle safety inspections that will be  
12                  different for EVs as opposed to regular  
13                  combustion engines?

14                 Obviously you're not going to have the  
15                 emissions requirement. But are there going  
16                 to be any safety inspections with regards to  
17                 the batteries? Because there's a really big  
18                 concern out there about the safety and the  
19                 fires that we've seen with these batteries.  
20                 And is there going to be an inspection of  
21                 these batteries for that type of safety  
22                 concern?

23                 DMV COMMISSIONER SCHROEDER: Senator,  
24                 thank you for the question. And quite

1           frankly, what -- DMV and our inspection  
2           stations have been very aware, obviously, of  
3           the electric vehicle. And so our folks at  
4           DMV have been trained in terms of what to  
5           look for and what's most important.

6                         So we continue to do that and will do  
7           that as EVs progress in terms of more being  
8           sold.

9                         SENATOR O'MARA: Is there a particular  
10          criteria or checklist that the inspectors go  
11          through? With regards to the batteries and,  
12          you know, them combusting.

13                        DMV COMMISSIONER SCHROEDER: Yeah,  
14          there is. I went to a seminar that was  
15          conducted by DMV, and all of our inspectors  
16          were there. And so there is quite a full  
17          informational section that they go through.  
18          I don't -- I don't know exactly what it all  
19          is, but I do know that we go through it. And  
20          I'd be happy to share it with you as well.

21                        Also, Senator, you'd be interested in  
22          this. We are working also with 11 SUNY  
23          colleges, mostly in upstate, and these SUNY  
24          colleges have an automotive mechanic program.

1           And so we at DMV, we help in training the  
2           trainer for everything that needs to be  
3           recognized in terms of being, you know,  
4           equipped to service EVs. So we will continue  
5           that as well.

6                     SENATOR O'MARA: Thank you.

7                     DMV COMMISSIONER SCHROEDER: You're  
8           welcome.

9                     SENATOR O'MARA: Thank you. Executive  
10          Director, on the Thruway a couple of issues  
11          that have been -- that I've been looking at.  
12          One, a 70-mile-an-hour speed limit on the  
13          Thruway, do you have a position on that?

14                    It's come up around other states.  
15          Maybe get a little more -- smaller range of  
16          speeds on the Thruway? Because there's, you  
17          know, a lot of vehicles going faster than 65,  
18          and that speed differential is what is the  
19          cause of many, many accidents.

20                    So not just -- you know, obviously I'm  
21          interested in raising it to 70, with vehicle  
22          safety that we have these days. But the  
23          minimum speed has to be enforced too, I  
24          think, to avoid those things.

1           Also, the other issue is the exit  
2 signs, an effort to change the exit sign to  
3 the mile marker like many states do, so you  
4 actually know that if you're going to --  
5 you're at Exit 60 and you're going to Exit  
6 120, you're 60 miles away. Not if you're  
7 going from Exit 18 to Exit 19, it could be  
8 three or it could be 15 miles, you don't  
9 know.

10           So those two issues, any thoughts on  
11 those?

12           ACTING EXEC. DIRECTOR HOARE: I do not  
13 have a position on increasing the speed  
14 limit. That's a discussion I'll leave to the  
15 Legislature and the Governor.

16           In regards to the mile markers, we  
17 have looked at -- we are looking at that.  
18 It's complicated because of the fact that in  
19 our system we go from -- once you hit Albany,  
20 87 continues to work up to the Adirondacks  
21 and the Northway. So there are issues with  
22 that. We've had some discussions with  
23 Federal Highways. They would also be  
24 involved in that.

1                   SENATOR O'MARA: I think they have a  
2 preference towards that. I think -- I've  
3 read that the Federal Highway Traffic Safety  
4 has a preference for the mile marker exit  
5 numbers.

6                   ACTING EXEC. DIRECTOR HOARE: They  
7 have not expressed that to me.

8                   SENATOR O'MARA: Okay. Thank you.

9                   ACTING EXEC. DIRECTOR HOARE: Thank  
10 you.

11                   CHAIRWOMAN KRUEGER: Thank you.  
12 Assembly.

13                   ASSEMBLYMAN MAGNARELLI: Is Member  
14 Simone here? (Off the record.) Okay, he  
15 left.

16                   Member Shimsky?

17                   ASSEMBLYWOMAN SHIMSKY: Thank you.

18                   And to Commissioner Schroeder,  
19 everything everybody said is true. I used to  
20 work for the state 15 years ago. We never  
21 see complaints anymore, which is really  
22 exciting.

23                   DMV COMMISSIONER SCHROEDER: Thank  
24 you.

1 ASSEMBLYWOMAN SHIMSKY: I just have  
2 two quick rookie questions.

3 As part of your metrics, do you keep  
4 track of average wait times?

5 DMV COMMISSIONER SCHROEDER: Yes, we  
6 do, Assemblymember. We do, and it is  
7 decreasing. And so it's now under  
8 15 minutes. And with the ability for us to  
9 continue with transactions online, that also  
10 gives people just a particular reason to why  
11 they would go into a DMV.

12 ASSEMBLYWOMAN SHIMSKY: Do you break  
13 it down in terms of location and type of  
14 transaction as well?

15 DMV COMMISSIONER SCHROEDER: We do.

16 ASSEMBLYWOMAN SHIMSKY: Okay, great.

17 DMV COMMISSIONER SCHROEDER: Not only  
18 do we do it for the 27 district offices that  
19 we run, DMV, but we also have that data for  
20 the 51 county clerks in upstate, and we know  
21 what their record of accomplishment is, and  
22 they're doing a very good job as well.

23 ASSEMBLYWOMAN SHIMSKY: Okay. And  
24 with the federal waiver on the commercial

1 driver's road test, what are we eliminating,  
2 and are we sure it's not a problem  
3 eliminating it?

4 DMV COMMISSIONER SCHROEDER: Yeah. So  
5 at the Governor's urging of the federal  
6 government, it is what is called "under the  
7 hood."

8 So when a bus driver is taking a test,  
9 the bus driver doesn't ever pull up the hood.

10 ASSEMBLYWOMAN SHIMSKY: Gotcha.

11 DMV COMMISSIONER SCHROEDER: So that  
12 is being eliminated in the test.

13 ASSEMBLYWOMAN SHIMSKY: Okay, great.  
14 Thank you.

15 DMV COMMISSIONER SCHROEDER: It's not  
16 eliminated -- the Governor and the DMV has  
17 asked for a waiver.

18 ASSEMBLYWOMAN SHIMSKY: Okay, great.

19 And now to Director Hoare. First of  
20 all, I've been getting complaints about the  
21 condition of the bike and pedestrian path on  
22 the Cuomo Bridge. Just putting it out there  
23 for you.

24 The second thing I have on this is,



1           you know, user fees for a road, it's called.  
2           The old turnpike system has quite the  
3           history. There may be places where it's not  
4           quite as appropriate as it used to be. Do  
5           you see yourself seeking more, for example,  
6           federal funding and that to supplement your  
7           purse in the long run?

8                     ACTING EXEC. DIRECTOR HOARE: We have  
9           not -- never received any federal funds. We  
10          are, as you point out, a user fee system. We  
11          rely on those tolls to operate the Thruway.

12                    ASSEMBLYWOMAN SHIMSKY: Well, as I  
13          said, things -- things change. And it's like  
14          property taxes are a hard way to fund a  
15          school in the local government now. I  
16          suspect that this is true with this.

17                    But you did say you did get some  
18          federal funding for some limited projects  
19          this year.

20                    ACTING EXEC. DIRECTOR HOARE: We were  
21          very fortunate for the first time in our  
22          history to get three federal grants.

23                    ASSEMBLYWOMAN SHIMSKY: Keep it up.

24                    Thank you.

1                   ACTING EXEC. DIRECTOR HOARE: Thank  
2                   you.

3                   ASSEMBLYMAN MAGNARELLI: Thank you.

4                   CHAIRWOMAN KRUEGER: Thank you.

5                   I think last for the Senate,  
6                   Senator Roxanne Persaud.

7                   SENATOR PERSAUD: Thank you.

8                   Thank you, Commissioner. And thank  
9                   you, Executive Director.

10                  Commissioner, it's great always seeing  
11                  you. And I'm looking forward to us having  
12                  the conversation in reference to legislation  
13                  I've been putting forward about --  
14                  commonsense legislation about stops on the  
15                  road, things people need to know. And I'm  
16                  really looking forward to us doing that so  
17                  that we can make our road stops safer.

18                  I want to ask you about the DMV mobile  
19                  offices. Some county clerks have them. Is  
20                  there a way for the state to have some mobile  
21                  offices? And how does a community get a  
22                  mobile office?

23                  And then also the -- there was a  
24                  question someone asked us about the DMV, the

1 data that you're collecting. Are you sharing  
2 that data with anyone? Other than, you know,  
3 the government office.

4 DMV COMMISSIONER SCHROEDER: So the  
5 mobile office, I was part of the celebration  
6 of Orange County when the county clerk in  
7 Orange County, she actually went after and  
8 received a grant to underwrite that expense.

9 So at DMV that would be a very costly  
10 thing to do, because there's 62 counties. So  
11 we encourage counties who are able to do that  
12 to do that.

13 But meanwhile, Senator, you know what  
14 we're trying to do, is we're reaching out to  
15 your constituents where they are. And that  
16 is one of the reasons why we're proud to have  
17 77 transactions that your constituents can do  
18 online so that they don't have to go into an  
19 office.

20 And could you just repeat what -- the  
21 last question?

22 SENATOR PERSAUD: The data, the  
23 collection of data. Are you sharing that  
24 data with anyone outside of the --

1                   DMV COMMISSIONER SCHROEDER: Yeah. So  
2                   the answer, the short answer is -- is yes.  
3                   And the reason why we do -- and I'll be very  
4                   clear on what we share. Public Officer Law  
5                   requires these records to be open and  
6                   available. But we are very particular when  
7                   DMV shares any of this information.

8                   So when -- we sell data for very  
9                   specific purposes like vehicle warranty  
10                  notifications and insurance ratings. But all  
11                  of the data sales sharing this information is  
12                  monitored and it's within compliance of what  
13                  the Legislature has set and the federal  
14                  Driver Privacy Protection Act.

15                  And so any user that uses the  
16                  information specifically that I told you that  
17                  we sell, the user must attest to proper usage  
18                  when accessing -- when assessing any system,  
19                  and activity is monitored. And DMV also  
20                  audits that.

21                  SENATOR PERSAUD: Thank you. Thank  
22                  you both.

23                  DMV COMMISSIONER SCHROEDER: You're  
24                  welcome.

1 ASSEMBLYMAN MAGNARELLI: Okay. Member  
2 Palmesano.

3 ASSEMBLYMAN PALMESANO: Thank you.

4 My question is for Commissioner  
5 Schroeder.

6 It's good to see you again. I want to  
7 commend you on the work DMV is doing to  
8 really help and promote organ donation. It's  
9 an issue very near and dear to my heart.  
10 It's something we're really advocating for  
11 here in the state. So I want to commend you  
12 for the work on that front.

13 And I like your lapel pin, too, by the  
14 way.

15 But my question for you, Commissioner,  
16 is we know that in -- it's kind of a spinoff  
17 of Senator O'Mara's question about electric  
18 vehicles. We know that electric vehicles  
19 weigh 10 to 30 percent more, they're heavier  
20 than normal gas and diesel-powered vehicles.  
21 And weight of a vehicle takes its toll on the  
22 road. For example, a Ford Lightning weighs  
23 6500 pounds and a Ford F150, 4700 pounds.

24 Knowing that, and knowing the impact

1           it has on the road, would the department be  
2           willing to impose a higher registration fee  
3           for EVs, since these types of vehicles do not  
4           pay gas taxes? And then the revenues from  
5           such fees could be deposited in the Dedicated  
6           Highway and Bridge Trust Fund in order to  
7           offset annual costs associated with highway  
8           and bridge maintenance.

9                         Shouldn't that be something that  
10           should be looked at? Is that something  
11           you're looking into? Could it be done?

12                        DMV COMMISSIONER SCHROEDER: Yeah.  
13           So, Assemblymember, as you know, being a  
14           former member of the Assembly I would expect  
15           the Assembly and the Senate to come up with  
16           these types of ideas. These would be  
17           legislative ideas, and then DMV would do  
18           everything that we could to make sure that we  
19           adhered to what the law is and what the  
20           intent is.

21                        And so DMV and all of the units that I  
22           have, over 62 units, and I have deputy  
23           commissioners who are very adroit, very --  
24           specialists in many things, we would be

1 willing to look at anything and everything  
2 that the Legislature sends over to us. So  
3 thank you for that.

4 And thank you for the kind words on  
5 Donate Life, and thank you for your  
6 participation. Wherever you or I go for  
7 Donate Life, I see you.

8 ASSEMBLYMAN PALMESANO: Well, thank  
9 you, I appreciate that. It's a personal  
10 issue for me, so I appreciate your  
11 leadership.

12 On that front, too, I know you talked  
13 about the success the DMV has had with --  
14 through the licenses and now the  
15 registrations. And I kind of wanted to ask  
16 you, if I had time -- and I seem to do, it  
17 doesn't always work out that way -- but  
18 anything new or interesting or you're working  
19 on with the DMV to help partner with --  
20 whether it's with local DMVs or any other  
21 agencies to help encourage or promote organ  
22 donations so we can continue to drive up  
23 those registration numbers to improve our  
24 status in the country?

1 DMV COMMISSIONER SCHROEDER: Yeah.  
2 The answer is yes. And I would be very happy  
3 offline to share it with you. But I'll just  
4 give you some quick highlights.

5 We have a comprehensive plan for 2024.  
6 And the bottom line is I'm very aware that  
7 Colorado has 62 percent of its residents who  
8 are enrolled on a registry. New York is way  
9 low, they're like 47 percent. And so we will  
10 do something, we are doing something about  
11 it. We take it very seriously. And we need  
12 all the help of the county clerks and our  
13 offices across New York State, and we're  
14 getting it.

15 ASSEMBLYMAN PALMESANO: Thank you,  
16 Commissioner.

17 DMV COMMISSIONER SCHROEDER: You're  
18 welcome.

19 ASSEMBLYMAN MAGNARELLI: Thank you.  
20 Member Bores.

21 ASSEMBLYMAN BORES: Thank you for  
22 being here.

23 Commissioner Schroeder, you mentioned  
24 in your testimony e-bikes. The New York City



1           mayor today announced a new city agency to  
2           regulate commercial e-bikes. Did he consult  
3           with you or the GTSC before that?

4                     DMV COMMISSIONER SCHROEDER: Yeah, so  
5           in my testimony, Assemblymember, that's  
6           exactly what I've said. And so -- but as you  
7           know --

8                     ASSEMBLYMAN BORES: I'm sorry, the  
9           question is did the mayor consult with you  
10          before launching the new city agency today to  
11          regulate commercial e-bikes?

12                    DMV COMMISSIONER SCHROEDER: We work  
13          with the mayor's New York Vision team, and  
14          I've been working with them since I've been  
15          the commissioner.

16                    ASSEMBLYMAN BORES: That doesn't quite  
17          answer the question.

18                    DMV COMMISSIONER SCHROEDER: Okay,  
19          let's try to get --

20                    ASSEMBLYMAN BORES: Did he consult you  
21          on the new city agency regulating commercial  
22          e-bikes? Did he talk to you about that  
23          before today announcing it in the State of  
24          the City?

1                   DMV COMMISSIONER SCHROEDER: Yeah,  
2                   I -- the last time I've had a conversation  
3                   with the mayor is when he was in the  
4                   Legislature.

5                   ASSEMBLYMAN BORES: Got it, thank you.

6                   DMV COMMISSIONER SCHROEDER: Okay?  
7                   You're welcome.

8                   ASSEMBLYMAN BORES: So you also  
9                   mentioned the traffic safety effort that  
10                  you're undertaking, and specific attention  
11                  was paid to pedestrians, bikes and  
12                  micro-mobility. Obviously the MV-104 doesn't  
13                  have a way to differentiate between e-bikes  
14                  and bikes or between mopeds and larger  
15                  motorcycles. So what data did you look at in  
16                  doing that initiative?

17                  DMV COMMISSIONER SCHROEDER: Yeah.  
18                  So -- so we are aware of what DMV can and  
19                  cannot do. So as you pointed out correctly,  
20                  e-bikes and similar devices are not  
21                  registered by New York State, where mopeds  
22                  are. And so we have a role there.

23                  Our role in e-bikes is really to work  
24                  with the other entities and the law

1 enforcement and also with our partners,  
2 especially in New York City. And as the  
3 chair of the Governor's Traffic Safety  
4 Committee, I have been to New York City quite  
5 a few times over the summer trying to put  
6 together safety programs and also campaigns,  
7 media campaigns --

8 ASSEMBLYMAN BORES: Sorry, just  
9 because of limited time.

10 Specifically, the question is what  
11 data do you look at in terms of e-bike  
12 accidents or moped accidents, et cetera,  
13 since it's not tracked in the MV-104?

14 DMV COMMISSIONER SCHROEDER: So we get  
15 information through the Governor's Traffic  
16 Safety Committee. And that is the data that  
17 we look at.

18 ASSEMBLYMAN BORES: Okay, wonderful.

19 And then lastly, you actually have a  
20 tremendous record moving things online with  
21 the DMV.

22 DMV COMMISSIONER SCHROEDER: Thank  
23 you.

24 ASSEMBLYMAN BORES: Most government IT

1 modernization programs fail because they go  
2 through the waterfall process and they're too  
3 big and they're too large and they don't  
4 involve any changes in process, and they  
5 spend more in consultants than on coders.

6 What are you going to do differently  
7 to make sure this succeeds?

8 DMV COMMISSIONER SCHROEDER: Yeah, my  
9 compliments to you, because that's exactly  
10 right. And DMV has failed over the course of  
11 time. But we will not fail now because we  
12 are now embarking on a four-year plan of  
13 where we're implementing it. And because of  
14 the Legislature and the Governor, you have  
15 put in the money to underwrite the  
16 transformation and the tech redesign. We  
17 will not fail.

18 ASSEMBLYMAN BORES: Thank you.

19 DMV COMMISSIONER SCHROEDER: You're  
20 welcome.

21 ASSEMBLYMAN MAGNARELLI: Senate.

22 CHAIRWOMAN KRUEGER: Thank you.

23 I'm just going to jump in even though  
24 I said the Senate was done, because my dear

1 friend Alex Bores just triggered questions I  
2 realized I must ask -- thank you.

3 We overlap in districts, and we're  
4 very concerned about the abuse by electronic  
5 vehicles some of the time, but actually just  
6 vehicles that are supposed to be licensed and  
7 regulated by DMV -- mopeds that we know for a  
8 fact that there are thousands and thousands  
9 of these mopeds under state law having to be  
10 registered and state license plates and  
11 driver's licenses, and none of the above is  
12 happening. And it's a real problem because  
13 they are violating the law seemingly with no  
14 penalties.

15 So I'd really love to know what we can  
16 do to work with you to make sure that the  
17 existing laws are followed as we continue to  
18 have a growing set of problems with them.

19 DMV COMMISSIONER SCHROEDER: Yeah,  
20 thank you, Senator.

21 And so many times we really rely on  
22 law enforcement for the law enforcement end  
23 of this. And this is the reason why DMV and  
24 GTSC has spent so much time -- and I spent a

1 lot of time in New York City this summer --  
2 trying to figure out a way to combat this.  
3 And we will work with other entities, other  
4 law enforcement agencies, the Legislature,  
5 the City of New York, to figure out a way to  
6 do better. But we're a part of it.

7 And we don't do this (gesturing in two  
8 directions). You know, we don't manage it  
9 because e-bikes in particular, you know,  
10 aren't registered through New York State, but  
11 mopeds are. And so therefore we have a  
12 responsibility to work with our partners, and  
13 we will continue to do that.

14 CHAIRWOMAN KRUEGER: Thank you.

15 And I don't actually have an answer.  
16 It's really a question, but I -- it's not a  
17 trick question. I have been told by many of  
18 the people doing car inspections in New York  
19 City that it's only \$36 or \$38 that they can  
20 charge, that it takes up a lot of time, and  
21 that we should really go to once every two  
22 years or once every X number of years,  
23 particularly with newer cars, because none of  
24 those things we're inspecting for are

1           actually a problem when a car is relatively  
2           new or of the kind of cars that are now being  
3           built.

4                     Do you know if that's the right  
5           answer? Should we go to less frequent  
6           inspections?

7                     DMV COMMISSIONER SCHROEDER: Yeah.  
8           Senator, I don't -- I don't know if that's  
9           the right answer. But we are seeking the  
10          right answer. We are doing this right now.  
11          We've just introduced a new program for  
12          inspection stations called NYVIP 3. I will  
13          not bore you with all the details of it.

14                    But within that installation, we also  
15          are now looking at everything, including the  
16          amount and the fee that an inspection station  
17          gets. We are looking at all of it. And we  
18          will continue, and then we will communicate  
19          with the Executive and with the Legislature.

20                    CHAIRWOMAN KRUEGER: And maybe I'm  
21          very conscious of it; I think I'm the only  
22          legislative district in the state -- well,  
23          maybe Alex Bores also -- there's no gas  
24          station at all. You have to go to someone

1 else's district. And you also have a little  
2 more trouble finding an inspection station.  
3 But that's not the question.

4 Actually, the next question is  
5 actually for the Thruway Authority. Thank  
6 you.

7 DMV COMMISSIONER SCHROEDER: Okay,  
8 thanks, Senator.

9 CHAIRWOMAN KRUEGER: And I don't know  
10 if this is true, but I was told that the  
11 charge meter at Exit 23 isn't working, so  
12 every time I get on and off when I come  
13 upstate I'm actually not getting charged. Is  
14 that true?

15 ACTING EXEC. DIRECTOR HOARE: That's  
16 not -- that's not correct. And I've had that  
17 conversation with some of your colleagues on  
18 that.

19 There was a glitch in terms of a lag  
20 in payment for some folks who have come  
21 through Exit 23, but we are collecting -- we  
22 are collecting from Exit 23.

23 CHAIRWOMAN KRUEGER: So even though  
24 we've moved now to an aut -- you don't even



1 know that you're going through, but you  
2 are -- the money is flowing as you would have  
3 hoped to flow from this new system without  
4 toll takers and tollbooths?

5 ACTING EXEC. DIRECTOR HOARE: Yes, it  
6 is.

7 CHAIRWOMAN KRUEGER: Thank you.

8 Thank you.

9 ASSEMBLYMAN MAGNARELLI: Member Otis.

10 ASSEMBLYMAN OTIS: Thank you.

11 Thank you, Commissioner. Thank you,  
12 Director. First, I want to compliment both  
13 of you in your agencies, not just on behalf  
14 of my office but everybody else, how great  
15 both of your agencies are in dealing with the  
16 individual constituent complaints and issues  
17 that come up. Both very responsive. Your  
18 teams are great. So thank you.

19 PANELISTS: Thank you.

20 ASSEMBLYMAN OTIS: For Commissioner  
21 Schroeder, for DMV -- I'm not going to ask  
22 you to respond to this, but something that I  
23 think if we could get something post this  
24 hearing, more detail about the digital

1 driver's license process, the technology  
2 behind that, and to understand that better,  
3 that would be a great thing for everybody.

4 So thank you for that, and we'll --  
5 that will be shared.

6 And then Frank, nice to see you.  
7 Thank you for all the great Thruway Authority  
8 stuff.

9 One thing that a few people -- Bill  
10 Magnarelli, Bill had mentioned and  
11 Tim Kennedy had mentioned about the  
12 EV charging. And so I think, first of all, I  
13 was very pleased to see in your testimony  
14 that the EV charging rollout has actually  
15 been expanded over what it was a few years  
16 ago. So the Thruway Authority and your  
17 contractor have sort of responded to the  
18 increasing demand.

19 There was an article in the paper a  
20 couple of weeks ago about the auto  
21 manufacturers are having concerns about  
22 people buying electric vehicles because of  
23 the lack of EV charging out there in the  
24 world enough.

1           And so given the growth that you've  
2           projected, curious with your contract with  
3           your Applecore {sic} group, what is the  
4           ability, if you see six months from now that  
5           we want to ramp up more robustly in terms of  
6           EV charging, what's your ability to go beyond  
7           the numbers that are in your testimony if the  
8           Thruway Authority desires that?

9           ACTING EXEC. DIRECTOR HOARE: The  
10          agreement, Assemblyman, that we have with the  
11          operator is expressly that they must keep up  
12          with demand. So as demand increases, they  
13          will add additional EV charging sites.

14          Again, they want to do it. This is  
15          not a battle. They make money off of this,  
16          so -- but they are ready. We've recognized  
17          that need, and they are going to be ready and  
18          willing and able to accomplish that.

19          ASSEMBLYMAN OTIS: That's great to  
20          hear.

21          The other thing, with my 30 seconds  
22          that are left, is I don't know where the  
23          Thruway Authority is on this, but it's a  
24          question that periodically comes up in

1 electricity requirements for EV charging,  
2 other things that are there. Are you  
3 continuing to look at expanding  
4 Thruway-right-of-way solar as part of the  
5 solution for energy supply for these  
6 locations?

7 ACTING EXEC. DIRECTOR HOARE: Yes,  
8 we've worked with our partners at NYSERDA and  
9 NYPA to explore those possibilities. We have  
10 a couple of sites that we have solar.

11 ASSEMBLYMAN MAGNARELLI: Thank you,  
12 Director.

13 ASSEMBLYMAN OTIS: Thank you.

14 ACTING EXEC. DIRECTOR HOARE: Thank  
15 you.

16 ASSEMBLYMAN MAGNARELLI: Member Simon.

17 ASSEMBLYWOMAN SIMON: Success. Thank  
18 you. And thank you, Chair Magnarelli.

19 So, Commissioner -- I want to say,  
20 Mr. Hoare, I'm probably the only person who  
21 doesn't get complaints about getting tickets  
22 for not having an E-ZPass. So I'm letting  
23 you off the hook.

24 But I wanted to, first of all,

1           thank you for your responsiveness and your  
2           staff's responsiveness to some of the sort of  
3           wacky issues I've brought to your attention.

4                     But -- and also I recently wrote in  
5           support of the proposed changes that you were  
6           making with regard to consistently dangerous  
7           drivers, but also suggested a couple of  
8           alternatives, one of which is we have so many  
9           alcohol-related deaths -- there were over  
10          7,000 alcohol-related crashes last year, with  
11          335 deaths, I believe, and a 30 percent  
12          overall increase in alcohol-related  
13          fatalities since 2019 -- and suggested that  
14          we need to lower the blood alcohol content  
15          from .08 to .05 when we know we have  
16          cognitive and psychomotor impacts at that  
17          level. Because that only will then make it  
18          worse if somebody's using some other  
19          substance which is harder to detect.

20                    And also the idea of ignition  
21          interlock devices, which for those people who  
22          have been found to have driven drunk but who  
23          keep getting on the road and are persistently  
24          dangerous drivers from alcohol, working on

1 ignition interlock devices, which will keep  
2 people away from -- the car won't start.

3 Can you tell me what work you're doing  
4 on those two areas?

5 DMV COMMISSIONER SCHROEDER: I will.  
6 So thank you, Assemblymember. And thanks for  
7 all of your help. And you've been helping  
8 our office over the last little bit, and we  
9 look forward to continuing to work with you.

10 But as I mentioned earlier, impaired  
11 driving, 44 percent of fatal crashes in  
12 New York State are alcohol- or drug-related.

13 To the Governor's credit, the Governor  
14 in the State of the State and within the  
15 budgets has put in information to keep those  
16 dangerous drivers off the road. And we  
17 continue to need the Legislature's help to  
18 continue to do that. Most of my work with  
19 the Governor's Traffic Safety Committee has  
20 to do with that.

21 And so we will continue to work with  
22 the -- our partners across the state and also  
23 law enforcement and the drug recognition  
24 experts are very, very helpful in having them

1 statewide to be able to detect those who are  
2 impaired, either by alcohol or by drugs. So  
3 we will continue to work hard.

4 ASSEMBLYWOMAN SIMON: Yes. But, you  
5 know, the drug substances are a little bit  
6 more fluid now in terms of what we know and  
7 how much we know and who's impaired with what  
8 substance at what level.

9 And that's one of the reasons why I  
10 think it really makes sense to really focus  
11 to alcohol, which we know a lot more about.

12 DMV COMMISSIONER SCHROEDER: Agreed.  
13 And I remember, Assemblymember, you brought  
14 this up last year in terms of Utah has a  
15 0.05.

16 ASSEMBLYMAN MAGNARELLI: Thank you,  
17 Commissioner.

18 DMV COMMISSIONER SCHROEDER: I do know  
19 that there's legislation pending, and that's  
20 a legislative matter, and DMV would be very  
21 interested in working with the Legislature in  
22 whatever you come up with.

23 ASSEMBLYMAN MAGNARELLI: Thank you,  
24 Commissioner.

1                   DMV COMMISSIONER SCHROEDER: Thank  
2                   you.

3                   ASSEMBLYWOMAN SIMON: Thank you,  
4                   Commissioner.

5                   ASSEMBLYMAN MAGNARELLI: Member  
6                   Mitaynes, please.

7                   ASSEMBLYWOMAN MITAYNES: Thank you.

8                   My question is to the DMV  
9                   Commissioner.

10                  What is the DMV doing to ensure that  
11                  people who are unaware of their obligation to  
12                  submit a vision test for a license obtained  
13                  during the pandemic are not fined or  
14                  otherwise punished?

15                  DMV COMMISSIONER SCHROEDER: Could you  
16                  repeat the beginning of that, Assemblymember?  
17                  I'm sorry.

18                  ASSEMBLYWOMAN MITAYNES: That's okay.

19                  What is DMV doing to ensure that  
20                  people who were unaware of their obligation  
21                  to submit a vision test for a license  
22                  obtained during the pandemic are not fined or  
23                  otherwise punished?

24                  DMV COMMISSIONER SCHROEDER: So what



1 we are doing, Assemblymember -- and thank you  
2 for the question. It's the first time this  
3 has come up.

4 There were probably 500,000 people who  
5 did not have to take the vision test because  
6 it was during COVID. But we did make the  
7 stipulation that they would have to do it  
8 thereafter. And so we are now down to only  
9 7 percent with possible license suspension.  
10 That's about 40,000.

11 But we are continuing to communicate  
12 with all New Yorkers. And if any of your  
13 constituents are involved with this, we will  
14 call them to tell them what the easy steps  
15 are to be able to do the vision registry.  
16 They could do it at a DMV office. They could  
17 do it at a supermarket. They could do it at  
18 a drugstore. Wherever we have a registered  
19 vendor, and we have them all over New York  
20 State.

21 ASSEMBLYWOMAN MITAYNES: Thank you.

22 Legislation like the Crash Victims  
23 Bill of Rights would provide crash survivors  
24 and their loved ones a voice at DMV

1 administrative hearings. Do you support  
2 policies that establish procedures for  
3 individuals' next of kin, for persons killed  
4 in a crash, to present victim impact  
5 statements at DMV fatality review hearings?

6 DMV COMMISSIONER SCHROEDER: Yeah.

7 So, Assemblymember, the question that you  
8 just gave to me I've heard before. Because  
9 we work with groups, especially across  
10 New York City, who are very involved in this  
11 matter.

12 Specifically what you're talking about  
13 would -- are legislative matters. But we  
14 communicate on a quarterly basis with groups  
15 who have this concern, and we try to do the  
16 best we can, especially for pedestrian safety  
17 and, in this particular case, in New York  
18 City.

19 ASSEMBLYWOMAN MITAYNES: I just have a  
20 follow-up.

21 Do you support extending these  
22 hearings to individuals who have been  
23 seriously injured in crashes?

24 DMV COMMISSIONER SCHROEDER: What's

1 the beginning of that?

2 ASSEMBLYWOMAN MITAYNES: If you  
3 support extending these hearings to  
4 individuals who have been seriously injured  
5 in crashes.

6 DMV COMMISSIONER SCHROEDER: So again,  
7 Assemblymember, I would prefer to take this  
8 offline. I don't completely understand the  
9 question. I don't want to answer it quickly.  
10 But we will take a look at it, and we will  
11 get back to you.

12 ASSEMBLYWOMAN MITAYNES: I appreciate  
13 it.

14 DMV COMMISSIONER SCHROEDER: You're  
15 welcome. Thank you.

16 ASSEMBLYMAN MAGNARELLI: Yes, okay.  
17 Member Jacobson, please.

18 ASSEMBLYMAN JACOBSON: Thank you,  
19 Mr. Chairman.

20 Good to see both of you again.

21 DMV COMMISSIONER SCHROEDER: Thank  
22 you.

23 ASSEMBLYMAN JACOBSON: I happen to  
24 have the good fortune of using some of the

1 new technology from the DMV when I purchased  
2 a car. And another thing that happens is  
3 when the release of lien is filed, then it's  
4 on record almost automatically. There's no  
5 wait. And they have the plates and  
6 everything, and it was quite amazing.

7 DMV COMMISSIONER SCHROEDER: Thank  
8 you.

9 ASSEMBLYMAN JACOBSON: And I'm always  
10 harping on who's ever there to make sure the  
11 job is being done. But when things are done  
12 right, I want to follow up, and that's with  
13 the director. So good job on the Thruway,  
14 particularly in my area, because that's so  
15 busy between Exit 17 and Route 84 with all  
16 the trucks going all the time.

17 I would hope that you can do those  
18 busy areas more often and not wait till the  
19 end or something. And I realize you got a  
20 lot of funding at one point, but just to keep  
21 up on that as it goes along.

22 ACTING EXEC. DIRECTOR HOARE: Will do.  
23 Thank you, Assemblyman.

24 ASSEMBLYMAN JACOBSON: And as I

1 mentioned here earlier, there still is a bad  
2 spot just a little south of New Paltz going  
3 north, and a little bit north of New Paltz  
4 going north, so it's -- but it's so much  
5 better.

6           Concerning your electric charging  
7 stations, it's good to see. I think you've  
8 got to have six -- a minimum six or eight in  
9 one area so we don't have knife fights when  
10 these things become popular. Are these  
11 Level 3? That's the fastest one, that you  
12 can get it done in a half-hour.

13           ACTING EXEC. DIRECTOR HOARE: Yes, the  
14 new ones that are going in at the service  
15 areas are Level 3.

16           ASSEMBLYMAN JACOBSON: Good. That's  
17 good. Because sometimes NYSERDA with the  
18 grants they give out is for Level 2, and I  
19 want to make sure they didn't sell you on  
20 that. All right.

21           The other is there's still some  
22 bathrooms missing on some of the rest areas.  
23 So it would be nice if you could get the  
24 portable bathrooms that they use in

1 construction sites and things like that.

2 ACTING EXEC. DIRECTOR HOARE: Are you  
3 talking about at the service areas that are  
4 under construction?

5 ASSEMBLYMAN JACOBSON: No, I said  
6 construction sites get portable toilets and  
7 bathrooms. Right? So I don't see why we  
8 couldn't get those on -- at the rest areas  
9 where we need them.

10 ACTING EXEC. DIRECTOR HOARE: The ones  
11 that are open and functioning, to supplement  
12 the number of bathrooms available?

13 ASSEMBLYMAN JACOBSON: Yeah, they  
14 function. I mean, you just want to get them  
15 because therefore -- you know, because you're  
16 not done yet with some of the spots.

17 ACTING EXEC. DIRECTOR HOARE: Yes,  
18 we'll look at that.

19 ASSEMBLYMAN JACOBSON: I think it  
20 would be a very simple, cost-effective  
21 solution. And it might save us all in time  
22 of emergencies.

23 (Laughter.)

24 ASSEMBLYMAN JACOBSON: That's it.

1 Thank you.

2 ACTING EXEC. DIRECTOR HOARE: Thank  
3 you.

4 ASSEMBLYMAN MAGNARELLI: Thank you.  
5 Member Manktelow.

6 ASSEMBLYMAN MANKTELOW: Thank you,  
7 Chair, and Director. Just a couple of  
8 questions in regards to the Thruway.

9 Out in my district I have some first  
10 responders that go to MVAs on the Thruway.  
11 They're small voluntary fire departments, and  
12 it's my understanding they get the bill from  
13 the Thruway Authority for that call.

14 Is there something that we can do to  
15 simplify that so our first responders don't  
16 even have to deal with that? Because in a  
17 rural area with small fire departments it  
18 seems to be an issue. Just something I'm  
19 asking you to look into, if it's not already  
20 being done.

21 ACTING EXEC. DIRECTOR HOARE: I will  
22 look at that. I haven't really gotten those  
23 complaints. They've gone online. It's a  
24 fairly simple, straightforward way to go

1 online and get that reimbursement.

2 ASSEMBLYMAN MANKTELOW: That's what I  
3 thought too, as well, but that doesn't seem  
4 to be the case, at least -- we've worked with  
5 a couple of them several times, so maybe  
6 we'll be in contact with you.

7 ACTING EXEC. DIRECTOR HOARE: I will  
8 look into it and get back to you.

9 ASSEMBLYMAN MANKTELOW: Okay, thank  
10 you.

11 Second question, Director. Speed  
12 camera tickets. Of course I'm getting quite  
13 a few calls, as many of us are. And it's my  
14 understanding that when the individual gets  
15 the ticket, they have to pay the ticket, it's  
16 my understanding that the company that's  
17 actually getting the money back is actually  
18 out of state. Is that correct?

19 ACTING EXEC. DIRECTOR HOARE: Our  
20 vendor is here -- has a presence in New York.  
21 I'm not sure where they are. Well, their  
22 headquarters is, but they're -- they're here  
23 in New York and working with us on this speed  
24 camera program.



1 ASSEMBLYMAN MANKTELOW: All right.  
2 Because some of my constituents are saying,  
3 you know, why are we sending this money to a  
4 company that's out of state and not doing it  
5 to a company that's in state? And I just  
6 wanted an answer to give to them.

7 ACTING EXEC. DIRECTOR HOARE: Well, I  
8 guess the simplest answer is it was done to a  
9 public RFP, and they responded and won in an  
10 open, transparent process.

11 ASSEMBLYMAN MANKTELOW: So I'm  
12 assuming they're the lowest bid, then,  
13 correct?

14 ACTING EXEC. DIRECTOR HOARE: Lowest  
15 is not the only element of it, or criteria.  
16 But they gave the best -- the best value  
17 deal, is presumably how they got picked.

18 ASSEMBLYMAN MANKTELOW: And my last  
19 question. Talking to some of our local  
20 highway guys back home, you know, with the  
21 movement of going to electric vehicles, what  
22 percentage of the Thruway fleet is now  
23 electrified, or electric vehicles?

24 ACTING EXEC. DIRECTOR HOARE: A small

1           portion. I don't have that number exactly,  
2           but it's a small portion of our passenger  
3           vehicles are electric.

4                     We, you know, continue, as we buy new  
5           ones -- we try and go through the life of the  
6           existing vehicle. So we're looking at that.  
7           It's on the books. And looking at some point  
8           to go to the heavier-duty vehicles as well.

9                     ASSEMBLYMAN MANKTELOW: So are there  
10          any commercial-sized vehicles, snow plow  
11          trucks, that are electric vehicles now?

12                    ACTING EXEC. DIRECTOR HOARE: Not at  
13          this time. My understanding is that that  
14          technology does not exist as we sit here.

15                    ASSEMBLYMAN MANKTELOW: Okay. Thank  
16          you both for your time.

17                    ACTING EXEC. DIRECTOR HOARE: Thanks.

18                    DMV COMMISSIONER SCHROEDER: Good to  
19          see you, Assemblymember.

20                    ASSEMBLYMAN MAGNARELLI: Thank you,  
21          Commissioner and Director. We appreciate  
22          your patience in answering all the questions.  
23          Well done. Thank you. Thank you for being  
24          here and for all of the employees that you

1 represent. We appreciate your work.

2 DMV COMMISSIONER SCHROEDER: Thank  
3 you, Mr. Chair.

4 ACTING EXEC. DIRECTOR HOARE: Thank  
5 you all very much.

6 CHAIRWOMAN KRUEGER: Thank you.

7 ASSEMBLYMAN MAGNARELLI: Panel B.  
8 This is the New York Public Transit  
9 Association, Permanent Citizens Advisory  
10 Committee to the MTA, Riders Alliance, and  
11 Empire State Passengers Association. All one  
12 panel.

13 CHAIRWOMAN KRUEGER: And for all  
14 members who are still here, we are now past  
15 the government representatives. Everybody  
16 has a three-minute maximum, with no round  
17 twos.

18 ASSEMBLYMAN MAGNARELLI: No Round 2.

19 CHAIRWOMAN KRUEGER: And the  
20 testifiers also have a three-minute maximum.

21 ASSEMBLYMAN MAGNARELLI: Right.

22 CHAIRWOMAN KRUEGER: Thank you.

23 (Off the record.)

24 ASSEMBLYMAN MAGNARELLI: Right. All

1 right. Members of the panel, each member of  
2 the panel has a three-minute introduction,  
3 okay? And we're trying to stay to it. I am  
4 keeping all of the members and Senators on  
5 board with that, so we're going to keep you  
6 on board with it too.

7 So who would like to begin? Go right  
8 ahead.

9 MR. MORRELL: Thank you for your  
10 support of public transportation and giving  
11 NYPTA the opportunity to testify today.

12 I am James Morrell, president of NYPTA  
13 and director of public transit for NYPTA in  
14 Buffalo, New York. Earlier today you heard  
15 from MTA, and we support their priorities. I  
16 will address the needs of transit systems in  
17 upstate New York and in the downstate  
18 suburbs.

19 The mobility provided by public  
20 transit is essential to economic activity  
21 across New York State. Our communities are  
22 asking for more services, expanded  
23 frequencies, and new mobility choices like  
24 on-demand service. Over the prior two years,

1 state aid to non-MTA transit has grown by  
2 15 percent. This is an endorsement of the  
3 critical role that transit plays in  
4 supporting the economy, environment, social  
5 equity, and affordable housing.

6 At the same time, the cost to operate  
7 transit service is rising as inflation  
8 pressures operate on capital budgets. We  
9 thank Governor Hochul for recognizing the  
10 importance of public transportation in her  
11 Executive Budget. Operating aid to upstate  
12 transit will grow by 5.4 percent, and  
13 5.6 percent for downstate.

14 Adding to the Governor's proposal to  
15 maintain the 15 percent annual growth in  
16 state aid will provide funding predictability  
17 essential to delivering the quality services  
18 our communities need. With more resources,  
19 transit can increase bus frequencies, extend  
20 and expand service and coverage, introduce  
21 bus rapid transit, and add on-demand services  
22 where needed.

23 In Buffalo we would increase service  
24 levels on many of our heavily used buses and

1 continue our effort to serve employment  
2 opportunities. Upstate transit faces a  
3 further hurdle in being reliant on state  
4 general funds, comprising nearly 50 percent  
5 of upstate transit aid in the Executive  
6 Budget.

7 Our systems need and deserve  
8 dedicated, sustainable revenues to provide  
9 essential services and support the state  
10 initiatives. Fixing upstate funding requires  
11 dedicated revenues to replace or supplement  
12 the current underperforming sources and  
13 adequately fund transit in the future.

14 In 2022, the Governor and the  
15 Legislature approved a five-year capital plan  
16 for non-MTA transit funding at \$159 million  
17 per year. The Executive Budget reduces this  
18 amount to 139 million by eliminating the past  
19 appropriation to NFTA for modernizing our  
20 rail infrastructure.

21 NFTA recommends continuing this  
22 \$159 million appropriation and addressing  
23 additional member agency capital needs such  
24 as the NFTA and reappropriating their

1 five-year capital program.

2 Thank you.

3 MS. DAGLIAN: I've been watching for  
4 hours. I should know this by know, right?

5 (Laughter.)

6 MS. DAGLIAN: Hi, good evening. I'm  
7 Lisa Daglian. I'm the executive director of  
8 the Permanent Citizens Advisory Committee to  
9 the MTA, PCAC, created by the Legislature in  
10 1981. Thank you.

11 PCAC represents riders on the MTA's  
12 Long Island Rail Road, Metro-North Railroad,  
13 and New York City subways, buses, and the  
14 Staten Island Railway.

15 Our role is to advocate on behalf of  
16 riders and advise the MTA on operational  
17 performance and capital projects through  
18 policy recommendations and reports. Thank  
19 you very much for holding this hearing today.

20 On behalf of the millions of people  
21 who use the system, thank you for everything  
22 you do and did last year to fully fund the  
23 MTA's operating budget like the essential  
24 service that it is, going even further and

1 increasing service. And we thank our  
2 colleagues in advocacy here, particularly  
3 Riders Alliance, for all the work that they  
4 did to move the needle on that.

5 And we're pleased that the Governor  
6 continues to likewise show her understanding  
7 of the vital importance of transit to riders  
8 as an economic driver to the region.

9 There's still a lot of work to be done  
10 to make transit more reliable, safe,  
11 equitable, and affordable for riders. We  
12 have several proposals that we've shared with  
13 your office and that we're happy to discuss  
14 with you in more detail. We look forward to  
15 working with you this budget season to  
16 advance more fare discounts and options so  
17 that transit isn't cost-prohibitive for any  
18 rider and opens up opportunities for  
19 education, jobs, leisure travel,  
20 entertainment, and all the region has to  
21 offer.

22 Affordability is key for all  
23 New Yorkers, and that's why it's crucial to  
24 expand fare discounts and options around the



1 MTA system. We support the proposal to  
2 forgive a rider's fare evasion summons if  
3 they enroll in Fair Fares, but that doesn't  
4 translate at the moment to the Long Island  
5 Rail Road and Metro-North, because Fair Fares  
6 doesn't exist on the commuter railroads. And  
7 we think it's time to change that.

8 Low-income New Yorkers should be able to  
9 afford to ride the rail infrastructure that  
10 runs through their backyards and also to be  
11 afforded the same opportunities as people who  
12 ride the subways.

13 We'd like to see a CityTicket weekly  
14 offered, with available transfers to subways  
15 and buses, to fill the void from the  
16 elimination of Atlantic Ticket Weekly. We've  
17 asked the MTA to initiate a field study this  
18 year to assess its feasibility.

19 We're also calling for extending the  
20 senior and disabled Medicare 50 percent fare  
21 discounts to the morning peak on the  
22 Long Island Railroad and Metro-North,  
23 currently the only time when this discount  
24 doesn't apply. It's time to send a clear

1 message that New York values these groups'  
2 contributions to the workforce and our  
3 communities.

4 We also strongly support the Rider  
5 Representation Act, which would provide  
6 voting seats on the MTA Board for its rider  
7 representatives, currently the only members  
8 on the board required to ride transit. We'd  
9 also add a new member with disabilities,  
10 recommended by the Mayor's Office for People  
11 with Disabilities with input from the  
12 respective disability organizations.

13 Congestion pricing. We spoke a lot  
14 about that, and we'd love to talk more about  
15 it, but my time is up. Thank you.

16 CHAIRWOMAN KRUEGER: Thank you so  
17 much.

18 ASSEMBLYMAN MAGNARELLI: Thank you.

19 I've got to push hard too. Riders  
20 Alliance.

21 MR. PEARLSTEIN: Good afternoon.

22 My name is Danny Pearlstein. I'm the  
23 policy and communications director at the  
24 Riders Alliance. We are a grassroots

1 organization in New York City of subway and  
2 bus riders fighting for better public  
3 transit. And thanks to you all in  
4 significant part, we have a pretty good  
5 record.

6 New York, as Lisa was describing, is  
7 uniquely positioned post-pandemic to have a  
8 thriving public transit system, and that is  
9 due to the good work you put in place both  
10 before the pandemic -- not being able to see  
11 what would happen with congestion pricing --  
12 but also last year, you know, with new  
13 sustained funding to replace some of that  
14 fare revenue lost due to work-from-home  
15 primarily. So we are immensely grateful.

16 We are spending a lot of our time and  
17 energy right now organizing to improve what  
18 is unfortunately still the slowest bus  
19 service in the nation. You know, obviously  
20 we have heavily congested streets.  
21 Congestion pricing will help with that. But  
22 we need more and better priority for what is  
23 also the largest bus-riding population in the  
24 nation, the people in the five boroughs. So

1 we are working actively on that.

2 On congestion pricing, as you all  
3 discussed with the chair earlier, there has  
4 been widespread misinformation about the work  
5 that's gone into preparation for the program.  
6 And I just want to highlight that, you know,  
7 the MTA spent more than two years preparing  
8 more than 4,000 pages of environmental  
9 studies of the program under the close  
10 supervision of the United States government.

11 So the reason that opponents of the  
12 program are able to point to particular  
13 potential environmental impacts is in fact  
14 because they have already been studied  
15 exhaustively. Had we not known what they  
16 were, they couldn't be pointing them out  
17 today.

18 But I want to shift gears a little bit  
19 and talk a little bit about some work that  
20 we're now doing on the state level,  
21 organizing with folks all across the state --  
22 Buffalo, in Rochester and Syracuse, here in  
23 Albany, as well as the Hudson Valley and  
24 Westchester and Long Island -- in an emerging

1 coalition that we'll be introducing up here  
2 in a couple of weeks called New Yorkers for  
3 Transportation Equity. And our proximate  
4 goal is to change the conversation around how  
5 the State DOT operates.

6 New York obviously spends more money  
7 than any other state on public transit, but  
8 we could be doing better. And we could be  
9 providing more options for more New Yorkers  
10 in rural, suburban, and urban communities to  
11 get around. Right?

12 And the DOT commissioner spoke  
13 effectively to that when she was answering  
14 Assemblymember Gallagher's question, that she  
15 wants to create more opportunities to walk,  
16 bike, and ride public transit. But as she  
17 also said, in response to the same question,  
18 the state is spending lots of money on  
19 highway-widening still to this day, and that  
20 includes in New York City, where the State of  
21 New York is investing \$5 billion to widen the  
22 Van Wyck, the Bruckner, the Belt, and the  
23 FDR Drive.

24 And so there is a lot that we could do

1 if we were able to reinvest those funds.  
2 There's a lot more freedom and opportunity  
3 and mobility that we could create all across  
4 New York in all of our communities and, as  
5 people discussed, in between our communities,  
6 with better rail connections. And so we're  
7 eager to discuss that with you all today.

8 Thank you.

9 ASSEMBLYMAN MAGNARELLI: Thank you.

10 That was quick.

11 Empire State Passengers Association.

12 MR. STRAUSS: Good afternoon, Finance  
13 Committee Chair Krueger, Transportation  
14 Chairs Magnarelli and Kennedy, and members of  
15 the legislative committees here today.

16 Thank you for the opportunity to  
17 testify on the proposed budget for the  
18 Department of Transportation. My name is  
19 Steve Strauss, and I am the executive  
20 director of the Empire State Passengers  
21 Association. ESPA is a statewide advocacy  
22 organization working on behalf of intercity  
23 passenger-rail riders for more reliable, more  
24 frequent, and faster Amtrak service in

1 New York.

2 Let me start my testimony with a  
3 rhetorical question. How many of you knew  
4 that the state had released an \$8.8 billion  
5 plan to improve intercity passenger-rail  
6 service -- a plan that proposed spending  
7 \$350 million a year to rebuild the tracks  
8 between Niagara Falls and New York City,  
9 construct 370 miles of new track, reduce the  
10 travel time between Buffalo and Albany by an  
11 hour, and add four additional trains over the  
12 next 25 years?

13 I'm guessing that few of you knew this  
14 unless you had heard it from an ESPA-member  
15 constituent, or maybe your staff had heard it  
16 from me. That's part of the problem.

17 If you review the FY '25 Executive  
18 Budget briefing book, you will not find much  
19 mention of an expanded intercity  
20 passenger-rail program. What you will find  
21 is about \$90 million of proposed spending on  
22 passenger rail, nearly identical to prior  
23 years. Amtrak will receive about 44 million  
24 to pay for the cost of providing Amtrak

1 service in New York state. The remaining  
2 45 million supports the Passenger and Freight  
3 Rail Assistance Program, which funds capital  
4 improvements to freight and passenger rail  
5 service.

6 The administration's budget proposes a  
7 10-person increase in full-time equivalents  
8 for the department, but no increase in staff  
9 for the Office of Passenger and Freight  
10 Transportation. Without more resources, new  
11 state hires, consultants, and capital funds,  
12 DOT will not be able to get this rail  
13 improvement program off the ground.

14 Even worse, this lack of resources  
15 and, more importantly, lack of commitment  
16 from senior-level staff puts us at risk of  
17 continuing to fall short at winning our share  
18 of discretionary funding from the  
19 infrastructure bill.

20 Now let me pivot to a novel idea for  
21 additional funding for the state's intercity  
22 passenger-rail program. You may remember  
23 that Governors Cuomo and Murphy announced a  
24 handshake deal with the Biden administration



1 to pay for 50 percent of the gateway tunnels  
2 and related infrastructure improvements.

3 Today, the federal funding of the  
4 Gateway Project is now over 68 percent of the  
5 projected costs. This means that New York  
6 has a potential savings of about \$1 billion  
7 that it could reallocate to other intercity  
8 passenger-rail improvements and perhaps  
9 commuter rail.

10 Let's take that money and invest it in  
11 projects to advance the Empire Corridor Rail  
12 plan.

13 Thank you for allowing ESPA to testify  
14 today. I would be happy to try and answer  
15 any questions that members of the committee  
16 might have.

17 ASSEMBLYMAN MAGNARELLI: Perfect  
18 timing.

19 Do we have anyone?

20 CHAIRWOMAN KRUEGER: We do.

21 ASSEMBLYMAN MAGNARELLI: Go right  
22 ahead.

23 CHAIRWOMAN KRUEGER: Oh, thank you.

24 Senator Kennedy, our Transportation

1 chair. Only three minutes, everyone.

2 SENATOR KENNEDY: Thank you very much.

3 First of all, thanks for all of your  
4 testimony, your leadership over many years.

5 James, great to see you. You had  
6 mentioned the NFTA. I want to give you  
7 another opportunity to talk about the  
8 importance there, about the five-year capital  
9 plan. The ask is \$150 million. Can you talk  
10 about what that \$150 million will be used for  
11 with that five-year capital plan?

12 Also STOA. Obviously, it's important  
13 to all of the public transit authorities. If  
14 you could talk to it from your perspective.  
15 And we'll start there --

16 MR. MORRELL: Sure.

17 SENATOR KENNEDY: -- capital and STOA.

18 MR. MORRELL: Sure. Thank you,  
19 Senator.

20 As you indicated, NFTA was  
21 appropriated \$100 million over five years.  
22 That was gone before we even got it. We are  
23 doing great things with that. We need  
24 another five years -- as you indicated,

1 150 million.

2 Tunnel and fire protection needs to be  
3 replaced. The panel liners is crumbling  
4 within the station. We have to upgrade all  
5 the elevators and escalators. There's not a  
6 difference with an elevator and an escalator  
7 in downstate and New York City than in  
8 Buffalo.

9 We have a number of issues that we are  
10 working on continuously in a state of good  
11 repair that is needed to provide the level of  
12 service that our community needs. So the  
13 additional funding, along with the  
14 159 million for all of non-MTA capital, would  
15 continue to provide for the level of service  
16 that we need.

17 And also, with the 150 million, it  
18 would allow us to be able to have -- to  
19 leverage the federal funds from FTA for new  
20 projects.

21 SENATOR KENNEDY: And let me just  
22 accent that real quick. We've got a minute  
23 left. I want you to hit on the drain  
24 financially that light rail is to the

1 operations of the system.

2 MR. MORRELL: Sure.

3 SENATOR KENNEDY: And the need for  
4 more funding.

5 MR. MORRELL: Sure.

6 So for many years we've taken away our  
7 operating resources to put into capital, and  
8 that has not allowed us to extend service,  
9 hire individuals. So providing 150 million  
10 will do great things to modernize the system,  
11 to be ready for expansion, but also hold  
12 harmless the operating budget from STOA at  
13 the 15 percent that's been generated over the  
14 past two years.

15 SENATOR KENNEDY: And so 15 percent  
16 operating, that's the ask. The Executive  
17 Budget put in about 5.

18 MR. MORRELL: Yes.

19 SENATOR KENNEDY: Can you talk about  
20 the need to bump that up by another  
21 10 percent?

22 MR. MORRELL: Sure.

23 SENATOR KENNEDY: Statewide.

24 MR. MORRELL: So what it will do is it

1 will provide the opportunity for NFTA and  
2 other upstate properties, as well as non --  
3 the suburban areas in -- outside of New York  
4 City -- to expand service, to provide  
5 additional services where we're not going  
6 currently.

7 SENATOR KENNEDY: Thank you.

8 ASSEMBLYMAN MAGNARELLI: Thank you,  
9 sir.

10 Member Shimsky, please.

11 ASSEMBLYWOMAN SHIMSKY: Thank you so  
12 much, all of you, for everything you do.

13 The one issue I wanted to bring up was  
14 when we're talking about mass transit and how  
15 to grow mass transit either in the suburbs or  
16 even in the outer parts of the outer  
17 boroughs, it's going to be time to come up  
18 with a hybrid system, a combination of  
19 fixed-route and other ride sharing, other  
20 potential conveyances using some ride-share  
21 principles. Because you're never going to  
22 have enough fixed routes. That would be  
23 prohibitively expensive, and you wouldn't  
24 have enough people using them.

1                   So I hope that as you're looking where  
2                   to advocate in future years, I hope we could  
3                   talk more about that.

4                   MR. STRAUSS: Excuse me, are you  
5                   aware -- last year the Legislature  
6                   appropriated \$5 million for, I believe, new  
7                   technologies and last-mile services. And  
8                   CDTA here in Albany has announced a new  
9                   program, they will have an on-demand shuttle  
10                  from the Rennselaer Train Station to  
11                  Downtown Albany, and that is -- they were  
12                  hoping to get it into operation by next  
13                  month. I'm not sure what the start date is.  
14                  So --

15                  ASSEMBLYWOMAN SHIMSKY: So do --  
16                  are -- we have pilots on the ground already?  
17                  Excuse that bad pun.

18                  (Laughter.)

19                  ASSEMBLYWOMAN SHIMSKY: Do we have  
20                  pilots operational at this point?

21                  MR. STRAUSS: Let's say that the CDTA  
22                  program is on track.

23                  And three other upstate systems have  
24                  \$1 million each, and then I think there's a

1 million dollars of discretionary money that  
2 State DOT will make available to other  
3 transit systems in the state. I believe  
4 that's the way it's set up.

5 MS. DAGLIAN: In the MTA system, you  
6 know, first-mile-last-mile is something  
7 that's really critical, particularly because  
8 it's very linear, it's very expensive, it's  
9 very old. And in some places it's worked,  
10 some places it hasn't worked as well to put  
11 in on-demand service.

12 The MTA, to their credit, developed a  
13 first-mile-last-mile toolkit that it worked  
14 with local communities to shop around, to see  
15 what would work, how would the local  
16 communities make the best of what resources  
17 they have. And it will help those  
18 communities and municipalities apply for  
19 grants that they're eligible for.

20 ASSEMBLYWOMAN SHIMSKY: Okay.

21 MS. DAGLIAN: So there is a lot of  
22 work on the MTA level.

23 Now, we as the Permanent Citizens  
24 Advisory Committee to the MTA have been very

1 involved in developing the bike/ped report  
2 and recommendations that we put forward to  
3 the MTA that they incorporated into their  
4 report, into their recommendations. That's  
5 not just for New York City, that's also for  
6 the counties outside and for the systems  
7 outside. Because it's -- you have to get  
8 there and home.

9 ASSEMBLYWOMAN SHIMSKY: Yeah. Thank  
10 you.

11 Do you think this all has a future?  
12 Jump ball for everybody.

13 MS. DAGLIAN: It has to.

14 ASSEMBLYMAN MAGNARELLI: Good question  
15 to end on. Thank you. Thank you very much.

16 Thank you.

17 CHAIRWOMAN KRUEGER: Thank you.

18 Senator Comrie.

19 SENATOR COMRIE: Thank you.

20 Lisa Daglian, thank you for being  
21 here. Thank you all for being here today,  
22 Danny as well.

23 Can you drill down into why you think  
24 the Fair Fares program would make sense for



1 commuters?

2 MS. DAGLIAN: I'd be delighted to,  
3 thank you.

4 So the Fair Fares program works on  
5 city subways and buses, and it doesn't work,  
6 we think, as well as it could because it  
7 is -- it's good for -- for people who are  
8 eligible, who make 120 percent of the federal  
9 poverty level. We've been advocating with  
10 our colleagues in advocacy for 200 percent of  
11 the federal poverty level; that would allow  
12 more people to access it.

13 But it's still for just subways and  
14 buses. It means that people who have a  
15 commuter rail -- that's Long Island Rail  
16 Road, Metro-North -- running through their  
17 backyard but can't afford the fare, can't --  
18 you know, may have to ride two hours on  
19 subways and buses in order to get to work or  
20 to school.

21 So by cutting the fare in half for  
22 them and enabling them access to opportunity  
23 with a reduced fare, we think the city is  
24 able to fund that with the Fair Fares funding

1           that they currently have, since it's not  
2           currently utilized, which is also a shame.

3                     SENATOR COMRIE:  And can you elucidate  
4           the Fair Fares program that you're talking  
5           about to make sure that commuters can  
6           understand or see that there's a clear and  
7           concise program across the different  
8           modalities to take the -- take either the  
9           train or the subway that we discussed?

10                    MS. DAGLIAN:  Mm-hmm.  So right now a  
11           few are -- it's an income-eligible-based  
12           system for subways and buses.  If you are  
13           making 120 percent of the federal poverty  
14           level as an individual or family of four, you  
15           can apply for Fair Fares and get a card that  
16           allows you to ride on subways and buses at a  
17           half-fare.

18                    But you can't use that on subways and  
19           buses because there's no parity on the  
20           Long Island Rail Road -- I'm sorry, you can't  
21           use that on the Long Island Rail Road and  
22           Metro-North.  There's no parity between the  
23           systems.  Which is a whole other conversation  
24           on fare integration and rationalization that

1 we hope will come together.

2 But right now we think the time has  
3 come for expanding Fair Fares to the  
4 Long Island Rail Road and Metro-North within  
5 the city, so that the city -- it makes sense  
6 for the city to fund it.

7 SENATOR COMRIE: Can you also talk  
8 about the creating of the program so that  
9 each region would have its own clear fare  
10 system so that people could understand, and  
11 why you think that would increase ridership.

12 MS. DAGLIAN: I'm sorry. So that  
13 the --

14 SENATOR COMRIE: Each region in the  
15 MTA area to create a clear zone fare system  
16 for --

17 MS. DAGLIAN: Oh, absolutely. Right  
18 now it's a very legacy system on each of the  
19 different railroads that is sort of -- if  
20 they eliminate one zone, they just didn't  
21 renumber it. So you can't tell -- it's not a  
22 distance-based formula.

23 So we think that making it rational  
24 makes sense so that people can understand

1 where they're going and how much they're  
2 paying.

3 ASSEMBLYMAN MAGNARELLI: Thank you.

4 SENATOR COMRIE: Thank you.

5 CHAIRWOMAN KRUEGER: Thank you.

6 Assembly.

7 ASSEMBLYMAN MAGNARELLI: I don't see  
8 anybody else, so I think we're finished.  
9 You? Member Simon? No? Okay. We're all  
10 set.

11 (Inaudible exchange; laughter.)

12 ASSEMBLYMAN MAGNARELLI: You're all  
13 advocating. Very good. Thank you all very  
14 much for your testimony. Thank you.

15 CHAIRWOMAN KRUEGER: Thank you.

16 MS. DAGLIAN: Thank you.

17 ASSEMBLYMAN MAGNARELLI: Next we go to  
18 Panel C: Associated General Contractors of  
19 New York State; Construction Industry Council  
20 of Westchester and Hudson Valley, Inc;  
21 New York State Association of Town  
22 Superintendents of Highways; Rebuild New York  
23 Now.

24 And also, is the New York State County

1 Highway Superintendents Association here? If  
2 you are, just raise your hand. Nobody  
3 checked in. Oh, you are. Okay. So we've  
4 got all five.

5 (Off the record.)

6 MR. SMITH: Good afternoon,  
7 Senator Krueger, Assemblymember Weinstein,  
8 and other members of the New York State  
9 Legislature. I am Jeff Smith, highway  
10 director for Tompkins County and the  
11 president of the New York State County  
12 Highway Superintendents Association.

13 As always, we appreciate the annual  
14 opportunity to discuss the Executive Budget  
15 proposal and report to you on the conditions  
16 and needs of New York's local transportation  
17 system.

18 First I'd like to begin by talking  
19 about the BRIDGE NY program, which directs  
20 federal and state funding to local bridge and  
21 culvert projects throughout the state. In  
22 all four rounds of BRIDGE NY thus far, the  
23 number and value of project applications far  
24 exceeded the funding available for each

1 region of the state. In 2022, only a little  
2 more than half the bridge applications  
3 received funding, and less than one-third of  
4 the culvert applications secured an award.  
5 And we expect the same to happen in the  
6 current round as the applications are due  
7 this week.

8 On Monday, the latest Graber Report  
9 was released by the Department of  
10 Transportation. According to the report,  
11 over just the last three years, from 2020 to  
12 '22, 1.25 million square feet of local-owned  
13 bridge deck have moved from good/excellent to  
14 fair/poor, and an additional 1.24 million  
15 square feet of state-owned bridge deck became  
16 deficient.

17 While the overall bridge deck decline  
18 is huge, it is much worse as a percentage of  
19 the entire local system since the state  
20 maintains two-and-a-half times as many  
21 square feet of bridge deck than local  
22 governments. This comes as no surprise,  
23 since during the same three-year period DOT  
24 spending on state bridges was cut by over

1           350 million annually. From 2020 to '22,  
2           New York spent an average of 1.2 billion  
3           annually on its bridges. In the three years  
4           before, 2017 to 2019, the state averaged  
5           1.5 billion annually. Thus a 350 million  
6           annual reduction in bridge spending.

7                     While bridge spending was being  
8           reduced, highway construction costs have  
9           increased as a result of inflation by a  
10          record 58 percent, according to FHWA.

11                    BRIDGE NY is a great program, but more  
12          needs to be done to protect these valuable  
13          assets. My colleague Greg will be speaking  
14          in more detail about our funding asks, but I  
15          would like to mention our request to add  
16          language to amend the Highway Law to increase  
17          the CHIPS competitive bid threshold from  
18          350,000 to 1 million. Increasing the CHIPS  
19          bidding threshold to -- or eliminating the  
20          threshold altogether will give municipalities  
21          more flexibility to pursue the most  
22          cost-effective option on behalf of the  
23          taxpayers.

24                    ASSEMBLYMAN MAGNARELLI: Thank you.

1 CHAIRWOMAN KRUEGER: Thank you.

2 ASSEMBLYMAN MAGNARELLI: I'm sorry.

3 We have to keep our time limits to everybody.

4 Next, sir?

5 MR. HALLBERG: Good afternoon. I'm  
6 Greg Hallberg, president of the New York  
7 State Association of Town Superintendents of  
8 Highways and highway superintendent for the  
9 Town of Ellery in Chautauqua County.

10 As you know, between the county and  
11 the town associations, our collective  
12 membership and union workforce is responsible  
13 for ensuring safe operation of 87 percent of  
14 the state's public roads, half of its  
15 bridges, and plowing not only our huge system  
16 but over a quarter of the New York State  
17 Department of Transportation's roads. This  
18 massive local system consists of over  
19 97,000 centerline miles of roadways and  
20 8600 highway bridges.

21 Governor Kathy Hochul's Executive  
22 Budget proposal continues the third year of  
23 the 32.8 billion five-year investment plan  
24 for the New York State Department of



1           Transportation and local road systems. As  
2           Jeff mentioned, record high inflation rates  
3           in highway construction materials have  
4           severely increased the costs, and as a result  
5           local governments are seeing a significant  
6           reduction in the real dollar value of local  
7           highway maintenance programs.

8                         Unfortunately, the Governor's  
9           Executive Budget is cutting CHIPS aid and the  
10          lifeblood of local highway departments by  
11          60 million and State Touring Route aid by  
12          40 million, \$100 million less than local road  
13          funding as compared to last year. In  
14          addition to this 100 million hit to these two  
15          programs, the other local programs remain  
16          flat.

17                        It is critical that last year's  
18          funding levels be restored and an additional  
19          150 million be added to the 2024-'25 budget  
20          for local highway programs like CHIPS and  
21          Extreme Winter Recovery. This will allow us  
22          to recoup some of our real funding loss in  
23          the inflation since the five-year program was  
24          adopted in '22.

1           In previous years, you, the members of  
2           the Legislature, have responded to the dire  
3           conditions of the state's transportation  
4           system and argued for CHIPS and other local  
5           transportation funding. But more is required  
6           to reverse deteriorating conditions of our  
7           local transportation systems and make  
8           significant progress in its rehabilitation.

9           Funding shortages mean many local  
10          governments' preventive pavement preservation  
11          strategies to apply well-timed and targeted  
12          maintenance treatments fall short of what is  
13          necessary to avoid more costly major  
14          rehabilitation and reconstruction down the  
15          road.

16          Based on these conditions we discussed  
17          above -- the rising costs -- we make the  
18          following requests. Support increasing the  
19          Executive Budget proposed level for CHIPS by  
20          160 million. Support increasing the  
21          Executive Budget proposal level of  
22          Extreme Winter Recovery funding by  
23          90 million. Support and maintain the other  
24          vital local transportation funding programs

1           like Marchiselli, BRIDGE NY, PAVE-NY, State  
2           Touring Routes, and the Pave Our Potholes.

3                     As public servants ourselves, we  
4           understand the difficulty in trying to meet  
5           all of our constituents' needs and resources.  
6           Thank you for your time.

7                     ASSEMBLYMAN MAGNARELLI: Thank you,  
8           sir. Thank you.

9                     Next?

10                    CHAIRWOMAN KRUEGER: Press hard.

11                    ASSEMBLYMAN MAGNARELLI: There you go.  
12           There you go.

13                    MR. COONEY: Thank you, Walter.

14                    Good evening, Chair Krueger,  
15           Chair Magnarelli, and Chair Kennedy. Thank  
16           you for the opportunity to contribute to this  
17           important public hearing.

18                    My name is John Cooney, Jr., and I  
19           serve as the executive director of the  
20           Construction Industry Council of Westchester  
21           and Hudson Valley, Inc.

22                    The CIC acts as a collective  
23           bargaining agent for some 600 employers in  
24           the heavy-highway contracting community as

1 well as hundreds of suppliers and builders  
2 throughout the region aligned with New York  
3 State DOT Region 8.

4 As advocates for the heavy-highway and  
5 transportation infrastructure sector of  
6 construction, CIC partners with some 30 union  
7 locals of organized labor.

8 As I speak to you today, we are coming  
9 close to the completion of the second full  
10 year of the current five-year New York State  
11 capital plan. The 32.8 billion five-year  
12 capital plan represented a 2.8 billion  
13 increase over the previous five years of  
14 capital investment.

15 The present capital plan, at its  
16 onset, provided for the approximately  
17 4.1 billion of new funding for priority  
18 projects such as the Van Wyck I-81 in  
19 Kensington. The new funding was in a major  
20 sense developed by a 2.8 billion increase in  
21 funding combined with 1 billion cut from the  
22 New York State DOT core program.

23 Despite the 2.8 billion increase in  
24 spending over the present five-year plan to

1 date, conditions of roads and bridges across  
2 the state have worsened. In reviewing over  
3 10 years of data, New York State presently  
4 has a record high 4,264 deficient bridges.

5 Pavements. In 2017, 25 percent of  
6 New York State roads were in fair or poor  
7 condition. In 2022, 42 percent of New York  
8 State roads were in fair or poor condition.  
9 The Hudson Valley, represented by New York  
10 State Region 8 -- my home region -- has and  
11 has had the worst road and bridge conditions  
12 in New York State. All of this information  
13 is derived from New York State DOT data.

14 Why, despite a 2.8 billion increase in  
15 funding, are conditions worse? Since the  
16 onset of the capital plan in 2021 through the  
17 end of 2023, there has been a 21 percent cost  
18 increase for highway construction, as noted  
19 by the Federal Reserve. And then the  
20 stripping of 1 billion out of that core  
21 program has hampered -- has put a constraint  
22 on all of the regions of New York State to  
23 take care of their normal stock of roads and  
24 bridges.

1           Without increased funding, the decline  
2           in road and bridge conditions will continue  
3           to decelerate and get worse. We at the  
4           Construction Industry Council believe that at  
5           least 400 million should be added to the  
6           2024-'25 budget for core highway and then  
7           150 million for CHIPS funding.

8           ASSEMBLYMAN MAGNARELLI: Thank you,  
9           sir.

10          CHAIRWOMAN KRUEGER: Thank you.

11          ASSEMBLYMAN MAGNARELLI: Thank you.  
12          Walter?

13          MR. PACHOLCZAK: Thank you. And thank  
14          you, Chairs Krueger and Weinstein, for the  
15          opportunity to testify today. Thank you to  
16          the chairs, rankers, and members of the  
17          committee.

18          First, I just wanted to say that AGC  
19          commends the leadership of Governor Hochul,  
20          DOT Commissioner Dominguez, Thruway Executive  
21          Director Hoare, MTA Chair and President  
22          Lieber. Thank you to all the dedicated  
23          employees of the Executive Chamber, of the  
24          Division of Budget, the state agencies and

1 authorities. They're our partners in  
2 rebuilding New York.

3 But before I speak about the New York  
4 State Department of Transportation capital  
5 program, AGC would like to commend the  
6 leadership of Governor Hochul and the  
7 Legislature and all those involved to help  
8 make work zone and workplace safety a  
9 priority through initiatives like Operation  
10 Hard Hat and the Work Zone Traffic Safety  
11 Camera program. Safety is always a priority.

12 This is the third consecutive year  
13 that AGC was afforded the opportunity to  
14 testify at the Transportation budget hearing,  
15 public hearing today. As we enter the third  
16 year of this five-year, fully funded DOT  
17 capital program, AGC has accurately  
18 forecasted in '22, '23 and '24 that the  
19 enacted funding levels and inflationary  
20 pressures will result in declining road and  
21 bridge conditions.

22 I think inflation -- here is something  
23 that we all agree on -- erodes a capital  
24 program that's essentially flat. So when

1           you're looking at this now, what we see over  
2           the course of the five-year program is that  
3           you're losing 20 percent. You might lose a  
4           full year of the DOT capital program, which  
5           is something that we all don't want to see.  
6           It's important not only for jobs, for  
7           economic development -- it helps really to  
8           keep our state moving.

9                     But, you know, looking back at 2022,  
10           we're all excited: \$4.6 billion coming in  
11           from the federal government, it's going to  
12           save the day. And at the end of the day,  
13           though, we actually spent a little less on  
14           the overall capital program compared to prior  
15           years.

16                    Last year we said the same thing. You  
17           know, we're not -- inflation is eroding the  
18           capital program, we're not keeping up, and  
19           therefore you see declining road and bridge  
20           conditions not only last year, but you'll see  
21           it this year as well.

22                    In reviewing the '24-'25 DOT capital  
23           program, we see some similar declines in  
24           conditions in the core and highway and bridge



1 investment there as well. I'm not going to  
2 go through the data, because a lot of that is  
3 in our testimony. I think we all share the  
4 same data, for the most part; it's all from  
5 the same source. But conditions continuously  
6 decline when you're talking about a record  
7 capital program.

8 So with 28 seconds left to go, a  
9 couple of things we want. We want to see an  
10 investment. In a letter signed by more than  
11 40 organizations, including business, labor,  
12 and local governments, and distributed to the  
13 members of the committee, the coalition is  
14 supporting an additional \$400 million to the  
15 DOT core capital program.

16 We're also supporting the County and  
17 Town Highway Superintendents call for an  
18 additional 250 million for our local roads  
19 and bridges. You know, that's our bread and  
20 butter for a lot of these guys here.

21 And thank you for your time.

22 CHAIRWOMAN KRUEGER: Thank you.

23 ASSEMBLYMAN MAGNARELLI: Thank you.

24 Fred, you're next.

1 MR. HIFFA: Hi. Good evening.

2 I first want to start off by thanking  
3 everybody on behalf of Rebuild NY Now.  
4 Because of your efforts, we finally have the  
5 DOT putting out reporting requirements.  
6 Ironically, the Graber Report, which tells us  
7 about the bridge inspections, even though  
8 it's in statute, was three years behind and  
9 got released Sunday night, four days before  
10 this hearing. So I wasn't able to include  
11 that in my original testimony, but I want to  
12 talk about it.

13 I also want to talk about the fact  
14 that in 2001 you finally put in statute that  
15 the pavement and bridge reports have to be  
16 put in place by the DOT and reported to you  
17 annually, because in 2020 they hadn't done a  
18 report since 2015.

19 So when we look at the Graber Report,  
20 what do we see? Two and a half million  
21 square feet of bridge decking became  
22 deficient in just the last three years.  
23 That's the equivalent of 40 miles of bridges  
24 becoming deficient in the past three years.

1           The other thing the report tells us is  
2           it tells us where the money's being spent and  
3           how much. Over the last three years,  
4           spending on bridges has declined by an annual  
5           amount of \$350 million. So this 32.8 billion  
6           program is delivering less than the previous  
7           program. We've gone from spending about  
8           1.1 billion a year on bridges to about 1.4.

9           That's why we're seeing these huge  
10          declines. Right now we have -- one out of  
11          four bridges is deficient in this state.  
12          When we look at the pavements, we see the  
13          same. We see four out of 10 miles are now  
14          deficient on pavements. The overall numbers  
15          are really staggering.

16          So how does the Governor look at, in  
17          the proposed budget, of dealing with these  
18          declining conditions? Eliminate the  
19          \$100 million that you folks added to the  
20          local program. Keep the core funding  
21          virtually flat -- it's a \$4 million add. And  
22          then she adds \$500 million as it is called  
23          for in the capital program for priority  
24          projects.

1           That 500 million will never be spent  
2           this fiscal year or next. When you look at  
3           the first two years of the spend-out compared  
4           to the plan on priority projects, they are  
5           \$1.3 billion behind in the first two years.

6           These are tough projects. I'm not  
7           blaming someone. But to take that  
8           500 million and put it -- when we've got  
9           these declining conditions, and not take it  
10          and put it into the core makes no sense.

11          The money is there, the appropriation  
12          authority is there. We always see a lag.  
13          You've got about a billion and a half dollars  
14          of past programs for priority projects moved  
15          into this capital program. A delay on these  
16          complicated projects is not unusual.

17          So I think what we need to look at is  
18          at least, at a minimum, reappropriating the  
19          money that's been made available in this  
20          budget. And then the other thing that we'd  
21          look at is, you know -- and the biggest  
22          thing -- is the cost, because a deficient  
23          bridge is 16 times more expensive to rehab --  
24          excuse me, pavement, in order to rehab, than

1 if it's kept in a state of good repair.

2 So when we have 40 percent of our  
3 pavements going into --

4 (Time clock alarm.)

5 MR. HIFFA: I apologize. So -- but my  
6 request is the same as theirs: 400 million,  
7 250 million for the locals.

8 Thank you.

9 ASSEMBLYMAN MAGNARELLI: Thank you.  
10 Thank you. All right. Do we -- we will  
11 start with Member Durso, please.

12 ASSEMBLYMAN DURSO: Thank you,  
13 Chairman. And thank everybody for being here  
14 and testifying today.

15 Walter, you had spoke specifically  
16 about that everybody's kind of in agreement  
17 with the crumbling infrastructure, the  
18 bridges, the pavement, inflation, the amount  
19 of money that's set up in the five-year  
20 capital plan.

21 Do any of you believe that the  
22 projects and what's meant to be reached over  
23 the past -- you know, over that five-year  
24 time span -- can be reached?

1           MR. PACHOLCZAK: Yeah. I mean, I  
2 think that -- listen, it's going to be up to  
3 the Governor and the Legislature to make that  
4 commitment over the final couple of years  
5 here to make sure that projects are done on  
6 time.

7           It's also our responsibility as a  
8 trade association and as participants here to  
9 also help out the DOT, as an example, to try  
10 get some more federal dollars for a project  
11 such as the Livingstone Avenue Bridge here,  
12 which is a \$400 million project. That should  
13 be a federal responsibility. I know DOT has  
14 applied for funding, and they will reapply  
15 for funding again.

16           And we are also on Capitol Hill with  
17 AGC of America fighting to make sure that  
18 New York gets its fair share. Despite  
19 what -- some of the rhetoric you hear in  
20 Washington, we have a good -- we have a very  
21 strong congressional delegation led by  
22 Senator Schumer, Congresswoman Stefanik, and  
23 Congressman Jeffries, to make sure that we  
24 get the job done here for New York.

1                   So it can be done. It's going to take  
2 some time.

3                   ASSEMBLYMAN DURSO: So you believe  
4 that without additional resources added to  
5 it, as you were saying, do you think they  
6 could do it under the current -- with the  
7 current resources that are funding now? Can  
8 it be done? Would you need additional  
9 resources?

10                  MR. PACHOLCZAK: I don't see how you  
11 do it in a regular household budget if you  
12 have 20 percent less to spend over the course  
13 of five years than what -- the money has to  
14 come from somewhere. Unless then you're  
15 going to maybe eat a little less better, or  
16 you might be able to put off some repairs.

17                  But the longer we put off these  
18 repairs, to Fred's point, with bridge decks  
19 and other things, the cost just -- it  
20 combines and multiplies, and you have a much  
21 bigger problem on your hands down the road.  
22 Which then we all will be voting on two years  
23 from now, four years from now, or however  
24 long you're here.

1 ASSEMBLYMAN DURSO: Agreed. So is  
2 there a specific number, as opposed to when  
3 it comes to money or a percentage? Or is it  
4 the rate of inflation that you think that it  
5 needs to be -- the resources need to go up to  
6 keep up with inflation?

7 Does anybody -- anybody can answer.

8 MR. PACHOLCZAK: Yes, sir. Yes, sir.

9 And we think that number is the  
10 \$400 million number. You know, that's  
11 something that we look -- we look -- for this  
12 year?

13 ASSEMBLYMAN DURSO: For this year.

14 MR. PACHOLCZAK: For this year alone?  
15 That represents 20 percent of the core  
16 budget, actually, so you get that 20 percent  
17 back. And we have some work to do, though.

18 ASSEMBLYMAN DURSO: Okay. Anybody  
19 else want to jump in? I have 26 seconds.  
20 You can all jump in if you'd like.

21 MR. HIFFA: What Walter said.

22 (Laughter.)

23 ASSEMBLYMAN DURSO: Oh, okay. What  
24 Walter said? Okay, I'll go with that. Thank



1           you, everybody. I appreciate it.

2                   CHAIRWOMAN KRUEGER: Senator Tim  
3 Kennedy.

4                   SENATOR KENNEDY: Gentlemen, thank you  
5 so much. It's great to see you all. Thank  
6 you for your leadership. You have been  
7 consistent in your messaging.

8                   You know, we've had great  
9 accomplishments here in increasing funds at  
10 every level, whether it's been capital funds,  
11 whether it's been the CHIPS funds, whether  
12 it's been -- record levels -- whether it's  
13 been the State Touring Routes, new program.  
14 You know, we're very, very pleased with the  
15 work that we've done over many years with  
16 you, so thank you all.

17                   Obviously this is a very important  
18 moment, and I want to just get into, in a  
19 very short time here -- you've already said  
20 it a couple of times, but drill into that  
21 400 million and the importance of that.

22                   We know, number one, it's capital, so  
23 we can accommodate that under our bonding  
24 ceiling. And, you know, look at -- we've put

1 forward a number in the past that was  
2 five times as high as that number to  
3 accommodate the inflation. But 400 million  
4 is the number that we need to push for, you  
5 heard me mention it earlier; you're  
6 mentioning it now. Talk about the importance  
7 of that, please.

8 MR. HIFFA: Yeah, I think -- and I  
9 would look at it that the 400 million, as  
10 Walter said, is basically the 20 percent on  
11 the existing core. But again, you have a  
12 record amount of priority projects.

13 The commissioner talked about the  
14 Livingston Bridge, and I think it's a great  
15 thing DOT is doing. The feds have come up  
16 with rail grant money that she's competing  
17 now for for that 400 million for the bridge.  
18 She's going to apply -- I talked to her  
19 yesterday. She's applying for another round.  
20 That's 400 million that you have in your  
21 budget already that hopefully there will be a  
22 new revenue source for, for her to move  
23 forward with it.

24 So, you know, the concern that we

1 would have is that -- use the existing  
2 appropriation authorities on top of them  
3 going after that money that we're losing for  
4 the inflation, but we can't wait till the  
5 third and fourth year to do it. Because  
6 we're losing more to inflation. Because  
7 inflation has slowed down, but you're still  
8 paying more than you were when we -- when you  
9 developed this plan, significantly more.

10 SENATOR KENNEDY: I want to get to --  
11 thank you. Just short on time here; thank  
12 you for that, Fred -- CHIPS funding.

13 You know, we know how important this  
14 is for local roads. Again, our conference,  
15 working with the Assembly -- the Democratic  
16 Conference, Majority Leader Andrea  
17 Stewart-Cousins made it a priority for  
18 increasing CHIPS funding in the record  
19 levels, and then we built on that last year.

20 Can you just talk to the importance of  
21 the need for CHIPS funding?

22 MR. HALLBERG: The record levels, it  
23 helps. But with the inflation, you're not  
24 gaining and getting ahead. You're still

1 going to be behind, with what we do and the  
2 costs of everything that --

3 CHAIRWOMAN KRUEGER: Thank you.

4 ASSEMBLYMAN MAGNARELLI: Thank you.

5 Thank you.

6 CHAIRWOMAN KRUEGER: Assembly?

7 ASSEMBLYMAN MAGNARELLI: Yes.

8 Member Palmesano, please.

9 ASSEMBLYMAN PALMESANO: Yes -- (mic  
10 off; inaudible.) First, I wanted to say  
11 thank you to you, gentlemen, and all your  
12 members around the state for what you do each  
13 and every day in our local communities to  
14 help improve our local infrastructure and  
15 roads, bridges, and culverts.

16 I also want to thank you for your  
17 annual advocacy, for coming up here to remind  
18 the Governor and us in the Legislature how  
19 important a program like CHIPS is to your  
20 operations and the impact that it has.

21 And Senator Kennedy mentioned the  
22 importance of CHIPS, and I know you talked  
23 about -- you were talking about how, you  
24 know, the inflationary increases and things

1           like that for your diesel and your asphalt  
2           and things of that nature, are impacting  
3           those operations and eating into that.

4                     Can you talk a little bit about that?  
5           And also like for your members, you know, is  
6           there something you could present to us  
7           showing like what percentage of your  
8           municipal budgets are impacted by CHIPS as a  
9           percentage of your transportation budgets as  
10          well?

11                    MR. HALLBERG:  Yeah.  A lot of the  
12          towns, that's their only money, is CHIPS.  
13          With it being a reimbursement program, they  
14          spend what they have and then they get it  
15          back to run the rest of their budget -- the  
16          CHIPS money for their roads.  And with the  
17          inflation and even the cost of new equipment,  
18          which you can purchase -- and that has, you  
19          know, more than doubled in the last few  
20          years --

21                    ASSEMBLYMAN PALMESANO:  And how does  
22          that --

23                    MR. HALLBERG:  -- trucks and -- you  
24          know, it puts a burden on the local

1 taxpayers.

2 ASSEMBLYMAN PALMESANO: And how much  
3 of a negative impact is the \$60 million  
4 proposed cut by the Governor going to do to  
5 your local communities and your local  
6 taxpayers and your ability to do work?

7 MR. SMITH: I just think that CHIPS is  
8 the lifeblood of many municipalities all  
9 across New York State. We all receive CHIPS.  
10 Inflation is taking a big part of that, but  
11 also the crumbling infrastructure, the  
12 maintenance of large culverts and bridges and  
13 smaller bridges and things like that that the  
14 towns have to deal with.

15 It's really a great program in  
16 New York State, the ability to receive the  
17 funding every year, roll it over but not roll  
18 it over, allows us to use it every year -- it  
19 goes right back into the infrastructure and  
20 an increase in the condition of our roads and  
21 bridges.

22 Like Greg said, a lot of the smaller  
23 towns, that is their only highway budget.  
24 Without it, it would be -- it would certainly

1 be going backwards.

2 ASSEMBLYMAN PALMESANO: And I think  
3 you used a good word, lifeblood. That's  
4 also -- CHIPS is the lifeblood of our upstate  
5 rural communities, our local transportation  
6 projects. Just like the MTA is the lifeblood  
7 of the downstate transportation network. We  
8 should fund it.

9 But when we see increases in the MTA  
10 and don't see the parity with our upstate  
11 roads and bridges when the five-year MTA  
12 capital plan is 52 billion but the DOT  
13 capital plan is 32 billion, where's the  
14 parity? And this cut could be devastating to  
15 you and hurtful for what you do.

16 MR. SMITH: Agreed. Thank you.

17 MR. HALLBERG: Yes.

18 CHAIRWOMAN KRUEGER: Thank you.

19 Senator Tom O'Mara.

20 SENATOR O'MARA: Thank you.

21 Good evening, gentlemen. Thank you  
22 all for being here. Appreciate your  
23 testimony. You certainly have my full  
24 support and sympathies for where we are in

1 this budget process right now.

2 Jeff, I just wanted to give you an  
3 opportunity -- you were cut off at the end of  
4 your testimony talking about some  
5 recommendations, changes to bidding  
6 requirements, thresholds. If you want to get  
7 a chance to add, give us that, please.

8 MR. SMITH: Appreciate that, thank  
9 you.

10 You know, for years the threshold of  
11 CHIPS was \$100,000, and we were able to make  
12 it increase up to \$350,000. When it was  
13 increased to \$350,000, the price of blacktop  
14 per ton was \$40 a ton. It's now \$80 a ton.  
15 If you were able to do, with 350,000, three  
16 miles of road, we can only do a mile and a  
17 half now.

18 So that whole three miles needs to get  
19 done. And that's why we're here asking to  
20 increase the threshold or take it away  
21 altogether. It would really be a great help  
22 to all of us to allow us to do our job better  
23 and better spend the limited funds that we  
24 have. Thank you.



1                   SENATOR O'MARA: Okay. Thank you.

2 Thank you all.

3                   ASSEMBLYMAN MAGNARELLI: All right.

4                   Member Otis, please.

5                   ASSEMBLYMAN OTIS: Thank you.

6                   And thank you all for your testimony.

7 I read all of your testimony in advance of  
8 today, and what you all provide that is so  
9 valuable are the metrics that make the case  
10 for why we need to sustain and increase this  
11 funding.

12                   One of the things mentioned in some of  
13 your testimony was the fact that if you defer  
14 maintenance, the cost goes up, if you defer  
15 repairs. And that's something I learned when  
16 I used to be a local official.

17                   I'd like to get any of your comments  
18 about another factor, which is weather,  
19 extreme storms. Many of the bridges that are  
20 being rebuilt in communities I represent are  
21 not just being rebuilt, they're being  
22 redesigned for resiliency -- which adds cost  
23 and expense, but means they're going to  
24 survive the next storm.

1           Can you -- anyone want to weigh in in  
2 terms of that factor, in terms of the need  
3 for this kind of funding? Because it's not  
4 just replacing what we have, it's upgrading  
5 to deal with increased deterioration because  
6 of weather.

7           MR. SMITH: Yeah, I can start real  
8 quick, if somebody else wants to join in.

9           But I think that as a rule, anytime  
10 you're replacing a culvert or a box culvert  
11 all the way up, in big and small, you're  
12 always going to really look at the area and  
13 see what kind of history is in the area, if  
14 there's been any kind of flooding, upstream  
15 and downstream as well.

16           What we really do is upsize. And  
17 there's a lot of resources that tell us the  
18 right correct size that it should be based  
19 on, you know, the HEC analysis and the  
20 watershed that reaches that point and the  
21 road where it needs to cross.

22           I think that the recent storms are  
23 real. It's definitely more focused.  
24 Microbursts come across. Sometimes when it

1 hits you, you're the one and only that has to  
2 bear the brunt of the storm. I know  
3 Warren County just received some really harsh  
4 weather, and they're under the gun to replace  
5 some large culverts presently.

6 It does happen. It's very focused.  
7 And when it happens to you, you don't feel  
8 very lucky. Sometimes it misses you and you  
9 feel lucky, but in the end you have to repair  
10 it. The size is really determined by what we  
11 feel is necessary and will sustain the next  
12 storm, it's based on that.

13 That's pretty much all I had to say.  
14 Thanks.

15 MR. PACHOLCZAK: Yeah, I just want to  
16 add that the Governor has built resiliency  
17 into the DOT capital program, and we're  
18 grateful for that.

19 The thing you do have to remember  
20 about building resiliency -- and it does cost  
21 more money -- I think that we're also looking  
22 at potentially some culvert money in the  
23 Environmental Bond Act funding which should  
24 be released -- it's starting to be released

1 now, and hopefully a little bit more next  
2 year -- this year, I'm sorry.

3 Fred?

4 MR. HIFFA: No, just quickly, though,  
5 one of the other things that the report helps  
6 us look at is -- is that bridge decking that  
7 we were talking about. Because you look at  
8 it, in about 2.5 million square feet, a  
9 little over half of that was local bridges.

10 Now, when you look as the percentage,  
11 though, local bridges are a third of the deck  
12 space of state bridges. So they're declining  
13 a lot faster than those state bridges.

14 Thank you.

15 ASSEMBLYMAN MAGNARELLI: Thank you.

16 ASSEMBLYMAN OTIS: Thank you very  
17 much. And a special shout-out to  
18 John Cooney, who does a great job in our  
19 region. So thank you.

20 ASSEMBLYMAN MAGNARELLI: Member  
21 Shimsky, please.

22 ASSEMBLYWOMAN SHIMSKY: Thank you,  
23 Mr. Chairman.

24 Mr. Hiffa, would you go back to the

1 end of your original testimony and complete  
2 your thought on the metrics on how much money  
3 you end up wasting if you defer maintenance?

4 MR. HIFFA: Yeah. So on a bridge,  
5 it's about five times the cost if you keep it  
6 in a state of good repair. Going to poor --  
7 which again, we have a -- 26 percent of our  
8 bridges deficient. On pavements, which we're  
9 40 percent deficient, it's 16 times. These  
10 are DOT's numbers.

11 You know, it is a huge cost to do this  
12 deferment of maintenance. It's tragic.

13 I also wanted to add, so just to  
14 reinforce, though, it was 400 million on the  
15 increase and 250 for the local. So it's on  
16 that too, so -- thank you.

17 ASSEMBLYWOMAN SHIMSKY: Okay. And of  
18 course those numbers don't include personal  
19 injury and wrongful death settlements.

20 The second thing on CHIPS,  
21 Mr. Hallberg, your point about rural  
22 communities is very well taken. But no one  
23 should underestimate the importance of CHIPS  
24 to suburban areas like mine, like

1 Mr. Cooney's. And BRIDGE NY as well. We  
2 have a big bridge in Tarrytown that is going  
3 to be ruinous for the village to fund if it  
4 does not -- or has not gotten enough  
5 BRIDGE NY funding.

6 CHIPS and BRIDGE NY are really for  
7 everybody, and that's why it's so important  
8 to raise them. If anyone wants to comment,  
9 you've got a minute twenty-seven.

10 MR. COONEY: It goes back to you have  
11 to stay up on these things. And the villages  
12 and towns, the cost of their infrastructure  
13 has gone up just like anyone else. And in  
14 many situations, the condition of their  
15 infrastructure is worse as well. So if you  
16 cut that funding, you're only making what is  
17 not a good problem a much more expensive  
18 problem.

19 And some of the smaller -- BRIDGE NY  
20 is a great program, but some of the smaller  
21 municipalities have a difficult time  
22 participating in it. They need that help.  
23 But that -- someone said it earlier, it truly  
24 is the lifeline of local infrastructure, that

1 funding. And it's extremely important in a  
2 situation where inflation has eaten away  
3 20 percent of what's going on and the  
4 conditions of that local infrastructure are  
5 continuing to deteriorate.

6 ASSEMBLYWOMAN SHIMSKY: Okay, thank  
7 you. And certainly we cannot maintain this  
8 society or this economy if we let our  
9 transportation and transit go down the tubes.  
10 So thank you very much for your advocacy.

11 ASSEMBLYMAN MAGNARELLI: Well, thank  
12 you all for participating today in this  
13 panel. I just want to say something  
14 personal. I think I meet with all of you and  
15 I'll be meeting with you over the next few  
16 weeks -- sometimes over and over again,  
17 because it takes me a little longer to get  
18 it.

19 But I do believe the Legislature has  
20 been listening to you over the last few  
21 years, not only in the Assembly but in the  
22 Senate as well. And so we take what you're  
23 telling us to heart, and let's see what we  
24 can do in this budget.

1 I thank you all for being here. Thank  
2 you for your presence.

3 MR. COONEY: Thank you very much.

4 MR. HIFFA: Thank you.

5 CHAIRWOMAN KRUEGER: Thank you very  
6 much.

7 ASSEMBLYMAN MAGNARELLI: Next we have  
8 our last panel, Panel D. Panel D:  
9 Adirondack Council, AdkAction, New York  
10 Aviation Managers Association, Putnam County,  
11 and New York Construction Materials  
12 Association. Please come down.

13 (Off the record.)

14 ASSEMBLYMAN MAGNARELLI: Who would  
15 like to lead off? Go right ahead.

16 MR. CHLAD: Let's get into it.

17 Well, good evening, everybody. I'm  
18 Kevin Chlad, director of government relations  
19 for the Adirondack Council.

20 So you might be wondering why is Kevin  
21 at the Transportation Budget Hearing. The  
22 EnCon Budget Hearing isn't until  
23 February 7th. Well, as you know, New York  
24 State's currently facing a budget gap, and



1 even larger budget gaps in outyear  
2 projections. So the Adirondack Council would  
3 like to highlight a costly overused expense  
4 in New York's budget where we think taxpayers  
5 can save money: Road salt.

6 Before we explore this even further, I  
7 want to be clear. Our staff live in the  
8 Adirondack Park and commute long distances.  
9 We'll be the first to state that no efforts  
10 to reduce road salt pollution should come at  
11 the expense of public safety.

12 Our colleagues at great organizations  
13 such as the Adirondack Watershed Institute,  
14 River Keeper, AdkAction, the Lake George  
15 Association -- they've all made formal  
16 contributions to the record for this hearing,  
17 and I want to thank them for lending their  
18 expertise.

19 Since the 1980 Winter Olympics, enough  
20 road salt has been applied to each lane mile  
21 of Adirondack roadway to fill an  
22 olympic-sized swimming pool. It all has gone  
23 somewhere. Runoff from paved roads  
24 ultimately enters our lakes, streams, and

1 groundwater. New York State's emergent  
2 liability costs derive from homeowners who  
3 are finding that their dishwashers are  
4 rusting and their health is imperiled as a  
5 direct result of their wells being polluted  
6 by salt runoff. And that's coming from state  
7 roadways.

8 Rust is a hidden tax imposed on  
9 New Yorkers. Corrosion is costlier than all  
10 other natural disasters combined, amounting  
11 to 3 percent of GDP nationwide, or  
12 \$437 billion annually.

13 So salt is costly and bad for the  
14 environment. Can we replace it? No. Can we  
15 stop using it? No. So what do we do? The  
16 solution is a lot of hard work and careful  
17 attention to detail, but we can save the  
18 state and its taxpayers a ton of money in the  
19 process.

20 We need to calibrate our equipment and  
21 measure what we're putting down. We need to  
22 take preventative measures to ensure that  
23 we're not wasting the salt we have and use.  
24 We need to continually analyze the efficacy

1 of our practices and make adjustments to keep  
2 using less. And like I said, it's hard work  
3 that requires careful attention to detail,  
4 but it can save a ton of money.

5 How much money? Let me point to the  
6 Town of Hague in the Lake George Basin.  
7 Using best management practices for road salt  
8 use, the Town of Hague has been able to  
9 reduce their winter road maintenance budget  
10 by more than 50 percent without reducing  
11 driver take-home pay. They provide same  
12 level of service on their roadways and have  
13 significantly reduced road salt pollution in  
14 their community.

15 Thanks for the opportunity to testify.

16 MR. EPSTEIN: Excuse me. Good  
17 evening, and thank you for having me here  
18 today. My name is Ron Epstein. I'm with the  
19 New York Construction Materials Association.

20 I have written -- verbal comments  
21 here, but in the interest of time I think I'm  
22 going to leave a lot of it on the cutting  
23 floor. But trust me, it was brilliant.

24 I do want to start out with a quote

1 from Senator Schumer, Majority Leader  
2 Schumer, one of the nation's primary authors  
3 of the bipartisan infrastructure law, because  
4 it kind of sets the context for what we're  
5 talking about. "Crumbling bridges and roads  
6 are a hazard to motorists and impede economic  
7 development."

8 He goes on to say that with over  
9 1700 bridges across New York in poor  
10 condition, we can no longer afford to have  
11 the mindset that we'll cross that bridge when  
12 we get to it. And that's what we're really  
13 talking about today, is we can't afford to  
14 defer any longer.

15 I will very quickly cite some of the  
16 statistics which you've heard before today.  
17 My wife's a teacher, she always says "Say it,  
18 say it, and say it again."

19 We have 1600 bridges in the State of  
20 New York that, according to the Federal  
21 Highway Administration, are in poor  
22 condition. That's 30 percent higher than the  
23 national average. The percentage of fair and  
24 poor pavement conditions in New York State,

1           which is 40 percent, is among the worst in  
2           decades. In certain regions of the state --  
3           Buffalo, you know, the Mid-Hudson region, the  
4           Western New York region, the Long Island  
5           region -- they went from among the best to  
6           the worst conditions in the state in that  
7           decade.

8                     For higher volume roadways in the  
9           state, the interstates, and other types of  
10          facilities in the state, New York ranks  
11          46th in the nation for these facilities in  
12          terms of the highest percentage of lane miles  
13          in poor condition. This is what supports our  
14          interstate commerce. This is what supports  
15          of course our global competitiveness.

16                    So what can we do? Well, you know,  
17          it's clear it starts with the current budget.  
18          We don't have the resources that we need, but  
19          we urge you to add \$400 million to DOT for  
20          core construction for this year to offset the  
21          inflationary impacts.

22                    We urge you to restore the  
23          \$100 million that was cut from the CHIPS and  
24          EWR programs. We urge you to provide

1           \$150 million in additional local aid to help  
2           locals offset the impact of their declining  
3           conditions. And we hope and urge the State  
4           of New York to make available no less than  
5           \$500 million in the Environmental Bond Act  
6           for culverts.

7                     Failure to include these asks will  
8           result in the state having the lowest  
9           conditions and actually getting the least in  
10          terms of accomplishments-per-dollar-spent in  
11          more than a decade.

12                    And lastly, I do want to say, as a  
13          point of personal privilege, having worked in  
14          the Department of Transportation, I took a  
15          great interest that the Executive Budget  
16          included legislation to extend criminal  
17          penalties for retail workers that were the  
18          subject of assault. We fully support that.

19                    But I also strongly urge you to  
20          finally include -- to amend this proposal --  
21          the assault and menacing of highway workers  
22          as well as intrusions into work zones. Let's  
23          make sure they can come home every night and  
24          see their families again while they're trying

1 to do their job and keep us safe. So please  
2 include highway workers in that legislation.

3 Listen, you didn't create this  
4 problem. The current Executive didn't create  
5 this problem. But let's work together on  
6 trying to figure out a way out of it.

7 Thank you. Appreciate your time.

8 ASSEMBLYMAN MAGNARELLI: Thank you,  
9 sir. Thank you.

10 Next?

11 MR. HEEFNER: Good evening,  
12 Chair Krueger, Chair Magnarelli, and  
13 Chair Kennedy. I am Mark Heefner, president  
14 of the New York Aviation Management  
15 Association, NYAMA. I'm also the  
16 commissioner of aviation for the  
17 Greater Binghamton Airport.

18 I'd like to express my appreciation  
19 for this opportunity to provide comments on  
20 the 2024-2025 Executive Budget as it relates  
21 to airports and the aviation industry in  
22 New York.

23 As you probably already know, airports  
24 are major economic engines, and the benefits

1 of New York State airports are extremely  
2 impressive. The aviation industry  
3 contributes over \$72 billion in annual  
4 economic activity in New York State, and more  
5 than 500,000 New York-based jobs in aviation  
6 or aviation-related industries, generating  
7 25 billion in payroll and over \$6 billion in  
8 state and local tax revenue each year.

9 Now, NYAMA commends Governor Hochul,  
10 the Legislature, and the unwavering support  
11 of the Legislative Aviation Caucus cochairs,  
12 Assemblywoman Lupardo and Senator Martinez,  
13 for supporting the capital needs of airports  
14 and supporting investments in New York's  
15 airports and aviation industry that drive  
16 economic development, modernize facilities,  
17 create high-quality, sustainable jobs, and  
18 attract private sector investment.

19 The Upstate Airport Economic  
20 Development and Revitalization Program is  
21 beginning the transformation and  
22 modernization of airports in upstate  
23 New York. Since its inception in 2016,  
24 14 airports have received awards under the



1 program. It's important to note that this  
2 program leverages tens of millions of dollars  
3 in funding sources such as federal and local  
4 and private-sector investments that compound  
5 the economic benefits to the state and local  
6 economies.

7 NYAMA urges the Senate and Assembly  
8 one-house budgets to include funding for  
9 Round 3 of this program to expand and include  
10 additional airports and to increase the  
11 Aviation Capital Grant Program to reflect the  
12 impact and return on investment that the  
13 aviation industry has in New York.

14 Traditionally the State Aviation  
15 Capital Funding Program is provided through  
16 two program categories: the Airport  
17 Improvement Program, which delivers a  
18 matching share to federal AIP grants, funded  
19 in the Executive Budget at \$14 million; and  
20 the Aviation Capital Grant Program that,  
21 unlike the federal AIP money, can be used to  
22 finance revenue-producing projects at  
23 airports such as parking lots, fuel farms,  
24 hanger construction, and concession

1 development which result in a tremendous  
2 return on investment.

3 Unfortunately, the Aviation Capital  
4 Grant Program is grossly underfunded at a  
5 paltry \$12.5 million per year. NYAMA  
6 continues to advocate for a minimum state  
7 financial commitment of \$40 million per year  
8 for the Aviation Capital Grant program and  
9 \$250 million for the Round 3 program of the  
10 Upstate Airport Revitalization competition.

11 NYAMA looks forward to working with  
12 you and your legislative colleagues on  
13 developing strategies to maximize the  
14 economic benefits from the state investments  
15 in the airport and aviation industry.

16 Thank you.

17 CHAIRWOMAN KRUEGER: Thank you.

18 ASSEMBLYMAN MAGNARELLI: Thank you.

19 Go ahead.

20 MS. BAILEY: Good evening. Thank you  
21 so much for having me here today.

22 I want to tell you a story. A friend  
23 of mine was pregnant --

24 CHAIRWOMAN KRUEGER: Who are you? We

1 actually know, but for the record --

2 MS. BAILEY: Oh. My name is  
3 Sawyer Bailey. I'm the executive director of  
4 AdkAction, a nonprofit in the Adirondack Park  
5 working to solve problems to help people and  
6 nature thrive.

7 The story I want to start with is one  
8 of my friend who was pregnant a few winters  
9 back. She was going to visit her  
10 father-in-law on a snowy afternoon, and as  
11 she was climbing the steps to go inside, she  
12 slipped on ice and fell.

13 Now, everybody freaks out when a  
14 pregnant woman falls. Nobody wants that.  
15 And luckily she was fine, but the next time  
16 she visited his house a few weeks later, the  
17 steps were just covered in road salt.

18 And that's when it clicked with her.  
19 We salt because we care. It's our desire to  
20 keep our communities safe, to protect them.  
21 But the problem is what's preventing a sudden  
22 fall is slowly causing our loved ones and so  
23 many more across the state so much pain. But  
24 it's a slow type of violence.

1           Now, I told you about my friend, but  
2           who I haven't told you about are the hundreds  
3           of people I know in the Adirondack Park whose  
4           well water has been polluted by salt  
5           downslope of state highways and is now  
6           undrinkable, not to mention the countless  
7           lakes and streams that have been jeopardized.

8           Far too many families find that salt  
9           in their water has cost them their farm,  
10          their health, their savings, and their time.  
11          They have shouldered significant extra  
12          expense when it's hard enough just to make  
13          ends meet these days. We have not kept them  
14          safe. We have let them bear our collective  
15          burden.

16          But I want you to know that we can  
17          change, because I've already seen our  
18          Adirondack town and county highway  
19          departments change. You have not seen proud  
20          until you've stood in a highway garage with  
21          them, hearing about their brine-makers, which  
22          pretreat roads with a 23 percent salt content  
23          mixture to melt snow and ice on contact, or  
24          seen them post photos of their live-edge

1 plows, which move with the road surface to  
2 lift up more snow so there's less left behind  
3 to salt.

4 They are so proud of these changes,  
5 and they're proving we can bring them to  
6 scale. AdkAction has the benefit of working  
7 with 25 Adirondack town and county highway  
8 departments to empower them with the tools,  
9 the expertise, and the support they need to  
10 control costs, maintain a high level of  
11 service, and reduce their use of road salt  
12 and sand.

13 These departments have been able to  
14 reclassify lines of their budget to infuse  
15 savings back into their departments, and I  
16 believe the State of New York should do the  
17 same. If our towns and counties are leading  
18 the way, the state should be right there by  
19 their side. This is a challenge we can solve  
20 together.

21 Thank you.

22 CHAIRWOMAN KRUEGER: Thank you.

23 Hi. Next?

24 COUNTY EXECUTIVE BYRNE: Hi. My name

1 is Kevin Byrne. I'm the Putnam County  
2 Executive and a proud former member of the  
3 State Legislature. I decided to try this  
4 side for a change.

5 Putnam County is a key part of  
6 New York State's Department of Transportation  
7 Region 8. We heard a lot about that in  
8 previous testimony. It's north of  
9 Westchester County, south of Dutchess County,  
10 and it's connected to both the Hudson River  
11 as well as the Connecticut-New York State  
12 line. And it is fortunate that it has both  
13 the Harlem and Hudson Metro-North lines  
14 traveling through it.

15 Back in 2018, when I was a member of  
16 the Assembly, I actually served with my good  
17 friend and colleague Phil Palmesano, where we  
18 cochaired the Assembly Minority Conference's  
19 Task Force on Critical Infrastructure and  
20 Transportation. That year we gained greater  
21 insight into our needs for the state's  
22 transportation system and how we can  
23 accomplish more by working together with so  
24 many of our local partners. And I'm proud

1           that several of those concepts and findings  
2           that were supported by that task force have  
3           since become a reality.

4                     I would say that this year we will  
5           once again, as people in local government and  
6           county government, we'll be asking our  
7           friends in the State Legislature, seeking  
8           your assistance to restore funding for our  
9           transportation infrastructure, specifically,  
10          \$60 million to restore cuts from the  
11          Executive Budget for CHIPS.

12                    And we know there's a lot of other  
13          different programs that are very important  
14          for our transportation infrastructure.

15                    Last year Putnam County, a small  
16          county of less than 100,000 people, we  
17          received over \$1.2 million in CHIPS funding  
18          alone. That's \$1.2 million that otherwise  
19          would have been raised by property taxes if  
20          not for the state assistance. Which would  
21          have very much undermined our ability to move  
22          forward with our paving program.

23                    Something I have learned in state  
24          government is that nearly nine out of every

1           10 roads in the state are maintained under  
2           local jurisdiction, totaling over 97,000  
3           centerline miles owned by local  
4           governments -- compared to just over 15,000  
5           owned by the state. Of the nearly 17,500  
6           bridges in the state, more than half -- over  
7           8,000 of them -- are owned by local  
8           governments.

9                     Putnam County -- again, just serving  
10           nearly 100,000 people -- our small county  
11           government is responsible for maintaining  
12           83 large-diameter culverts, 31 bridges, and  
13           116 centerline miles of county road. And  
14           again, like so many other people in local  
15           government and county government, inflation  
16           has its toll, driving the cost of labor,  
17           asphalt, and diesel fuel for us to make sure  
18           that we can move forward with so many of our  
19           programs and plans.

20                     I would say that we have a very strong  
21           partnership with our friends at the  
22           Department of Transportation. We know  
23           there's limits in finances, but for us to be  
24           able to move forward and do what we do in



1 county government, we're all part of that  
2 same transportation system that links one  
3 road to the other. That's important for our  
4 hospitals, for our schools, for our emergency  
5 first responders, for our businesses.

6 We need to work together and view it  
7 as that same shared commitment. I just would  
8 ask you for your support, the Legislature to  
9 step up again, as it has so many times  
10 before, to put those additions into the state  
11 budget.

12 Thank you.

13 ASSEMBLYMAN MAGNARELLI: Thank you.

14 Senator?

15 CHAIRWOMAN KRUEGER: Senator Tim  
16 Kennedy.

17 SENATOR KENNEDY: Thank you very much.

18 Great to see you all. First of all,  
19 let me thank all of you for your efforts, for  
20 your leadership in various ways. You know,  
21 we've worked on these issues for a number of  
22 years and have had great victories with the  
23 Adirondack Road Salt Reduction Act.

24 I want to ask you about that, but I

1 just want to make a quick note, County  
2 Executive. Good to see you in your new role.  
3 I'm a little disappointed that you didn't  
4 come in with the bagpipes playing but, you  
5 know, we'll save that maybe for another day.

6 But I want to ask about the task force  
7 and the pilots that are currently under way  
8 testing different deicing methods. Do you  
9 think what is being tested is enough? And  
10 are the pilots being funded at the level that  
11 they need to be funded and are there other  
12 methods of deicing that ought to be tested in  
13 this moment?

14 MR. CHLAD: Well, first off, thank you  
15 for your leadership in advancing the  
16 Randy Preston Road Salt Reduction Act. We  
17 wouldn't have a task force or a task force  
18 report without your leadership, so thank you  
19 so much.

20 Everything is in there, in the task  
21 force report. The answers are in there.  
22 What's missing is an action plan and a  
23 timeline with clearly set reduction targets,  
24 a game plan. There's no budget. Those are

1 the things that are missing.

2 I do -- my understanding is that task  
3 force members did push to have those items  
4 included, but those were not ultimately  
5 included. So I think there's going to be a  
6 need to have -- conduct some follow-up work,  
7 perhaps with the Legislature, perhaps also  
8 with DOT in partnership, to put that  
9 together, put together the action plan, the  
10 timeline, the budget, et cetera, so that this  
11 actually, you know, comes to fruition.

12 But we've got a map, we've got a menu,  
13 we've got a game plan.

14 SENATOR KENNEDY: Excellent, thank  
15 you.

16 That's all I have. Thank you.

17 ASSEMBLYMAN MAGNARELLI: Member  
18 Palmesano, please.

19 ASSEMBLYMAN PALMESANO: Thank you.

20 First, to all of you, thank you for  
21 your patience and perseverance. You are the  
22 last panel, so we appreciate your patience.

23 My question is for my friend Kevin.  
24 Kevin, obviously you sat on this side of the

1 table as a state legislator where you've  
2 advocated and voted for funding to go to our  
3 local communities through important programs  
4 like CHIPS. Now you are the county  
5 executive, where you're tasked with making  
6 critical infrastructure improvements for your  
7 community and for the people you serve.

8 So my question is regarding the  
9 \$60 million cut to the CHIPS program. What  
10 percentage of your transportation budget that  
11 you use to fix your roads, bridges, and  
12 culverts comes from the CHIPS program, and  
13 how would this cut impact your ability to  
14 provide these critical services to fix local  
15 infrastructure in your county?

16 COUNTY EXECUTIVE BYRNE: So of our  
17 about \$14 million operating budget within  
18 DPW, Department of Public Works, our paving  
19 program budget is approximately about  
20 \$3 million. I mentioned \$1.2 million are  
21 CHIPS, but when you add in some of the other  
22 state programs that are very much driven as  
23 state assistance and local aid for paving,  
24 it's approximately \$1.9 million. That would

1 account for approximately two-thirds of our  
2 paving program's budget.

3 So it would create tremendous stress  
4 for the county government to maintain its  
5 county roads and its commitment to the people  
6 of our county. But I also know just from  
7 working productively in collaboration with  
8 our leaders in town government and village  
9 government, we have some large towns and some  
10 very small towns. We don't have a city in  
11 Putnam County. One of our smallest villages  
12 is Nelsonville, in the Town of Philipstown.  
13 It's less than one square mile. They don't  
14 even have a DPW. They largely outsource so  
15 much of the work. So every dollar they get  
16 from CHIPS goes into their paving program,  
17 and it would virtually completely hamstring  
18 them.

19 And just from that task force that we  
20 participated in over five years ago, I know  
21 that there are other towns and county  
22 governments in upstate New York that solely  
23 rely on CHIPS for their paving program. So  
24 it would cause tremendous stress.

1 ASSEMBLYMAN PALMESANO: Thank you.

2 And one other question. During that  
3 task force, obviously we learned a lot of  
4 things. What was probably some of the  
5 most -- takeaway from that that you learned  
6 and that you applied here as a legislator and  
7 now you're now seeing it back home?

8 COUNTY EXECUTIVE BYRNE: So I think  
9 part of it's the partnership that we have  
10 with state government and the federal  
11 government. And it's really one  
12 transportation system.

13 So I heard you, you talk about every  
14 year it's about parity with the MTA. And in  
15 my county obviously I care about the  
16 Metro-North and our DOT, because I'm in that  
17 spot where we're just about an hour north of  
18 the city.

19 But that forward thinking, that  
20 planning and that commitment so we don't have  
21 to fight with the Legislature or advocate  
22 with the Legislature to restore cuts, whether  
23 it's in EWR, Extreme Winter Recovery -- which  
24 should really just be in the base of the

1 CHIPS funding -- but having that long-term  
2 vision where we were looking for, I know, a  
3 \$100 million commitment in CHIPS funding each  
4 year for a five-year span, increases in  
5 BRIDGE NY funding, make sure we index it for  
6 inflation -- boy, wouldn't that make a lot of  
7 sense right now with the way that inflation  
8 has been running rampant.

9 ASSEMBLYMAN PALMESANO: Thank you.

10 ASSEMBLYMAN MAGNARELLI: Thank you.

11 Thank you.

12 Member Otis.

13 ASSEMBLYMAN OTIS: Thank you,

14 Mr. Chair.

15 Kevin Byrne, nice to see you. Always  
16 a pleasure.

17 I have a question for our two  
18 Adirondack panelists. Either of you can  
19 tackle this, which is in terms of salt  
20 reduction, what has been the activity of the  
21 local governments in the Adirondacks to  
22 reduce their use of road salts?

23 MS. BAILEY: Thank you for that  
24 question. And it's really been inspiring to

1 see what our municipal and our county highway  
2 departments and their town boards and county  
3 boards have been able to make possible.

4 There's been a lot of inspiration and  
5 motivation and a lot of learning in our  
6 region. And I'm proud to say that, again,  
7 25 towns and counties are working with us,  
8 not to mention the ones who have been  
9 pursuing solutions on their own to reduce  
10 their use of road salt and sand.

11 We have seen some of our town highway  
12 departments reduce their use of chloride by  
13 50 percent -- at the same time, bringing in  
14 80,000 in savings to reinfuse in the  
15 department to upgrade their equipment, to  
16 help make sure operators are keeping pace  
17 with what, you know, pay should be for people  
18 in that line of work.

19 These folks are heroes. And I feel  
20 like they're really piloting solutions that  
21 we can bring to a state level.

22 ASSEMBLYMAN OTIS: Great. Thank you  
23 very much.

24 MS. BAILEY: Thank you.



1                   CHAIR MAGNARELLI: I think that  
2 concludes this panel, and it concludes this  
3 hearing for the day.

4                   I really appreciate your taking part  
5 and giving testimony, and look forward to  
6 working with you all in the coming weeks.  
7 Thank you.

8                   CHAIRWOMAN KRUEGER: Thank you also.

9                   (Whereupon, at 6:38 p.m., the budget  
10 hearing concluded.)

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