



WRITTEN TESTIMONY FROM THE  
EMPIRE STATE PASSENGERS ASSOCIATION ON THE  
NEW YORK STATE DEPT. OF TRANSPORTATION'S PROPOSED BUDGET

January 30, 2026

Good afternoon,

Finance Committee Chair Krueger, Ways and Means Committee Chair Pretlow and members of the Legislative committees here today. Thank you for the opportunity to submit written testimony on the proposed budget for the New York State Department of Transportation.

The Empire State Passengers Association is a statewide advocacy organization working on behalf of intercity passenger rail riders for more reliable, more frequent, and faster Amtrak service in the state. We also have parallel interests in the downstate commuter rail network and local transit everywhere.

Over 386,000 passengers rode on New York State supported trains operated by Amtrak, and on the federally funded Lake Shore Limited, in the first two months of federal fiscal year 2026. Students traveling to college, tourists visiting our many incredible destinations, people on business trips, people visiting families and friends. We are here today to advocate on their behalf for the improved service that has been so long delayed

As a starter, I would like to remind any new members of the hearing committees that under federal law, it is primarily the responsibility of states (PRIIA Section 209) to develop, plan and implement intercity passenger rail improvements within their states. All the Amtrak service on the 'Empire Corridor' between New York City and Niagara Falls; the 'Adirondack' to Montreal and 'Ethan Allen' to Vermont—are state-supported, with New York State responsible for the net operating and capital costs. (New York shares the cost of the Ethan Allen with Vermont.) Amtrak is the contracted operator.

The only exception to this statement is the Lake Shore Limited, a daily long-distance train between Chicago and New York City—which along with all other long-distance

trains—the federal government continues to fund through annual appropriations to Amtrak. The Northeast Corridor between Boston, New York City, and Washington DC has a separate cost allocation formula.

In reviewing the actions of New York State DOT over the last year with respect to improving intercity passenger rail service, there were some initial signs of increased activity. The State submitted budgets, schedules, and scopes of work for large planning efforts for the Empire and Adirondack corridors under the Federal Railroad Administration's (FRA) Corridor Identification and Development program.

Last year the State issued a Request for Proposals for consultant assistance to update *the 2009 State Rail Plan* and has announced a preliminary selection decision. Construction is well underway on the \$600+ million replacement of the Livingston Avenue bridge in Albany and in just a couple of days the State will submit grant applications to the FRA for two \$100+ million passenger rail improvement projects. One is the long-sought trainset inspection and maintenance facility in Niagara Falls and the other is a collection of signals, interlocking and grade crossing improvements between Poughkeepsie and Hoffmans (west of Schenectady).

DOT's interest in developing a stronger passenger rail improvement program appears to have grown, but a more robust program is constrained by three anchors, 1.) lack of visionary leadership, 2.) inadequate staffing, and 3.) two or three years down the track, a revenue stream to move more projects into construction.

New Yorkers cannot expect more frequent, more reliable, and faster passenger train service across the state until we build a more robust passenger and freight rail program within NYS DOT. Other states have built strong passenger and freight rail programs and are busy submitting grant requests for federal capital projects assistance, adding train frequencies, improving passenger amenities, designing additional capital projects, and planning further improvements.

The benefits of a more robust rail program were presented in a recent workshop in Syracuse sponsored by our sister organization, the Empire State Passengers Foundation. The Directors of the North Carolina and Virginia's passenger rail programs spoke about their multi-year improvement programs which have resulted in greatly increased passenger train service, skyrocketing ridership and more rail industry jobs in these states. Assembly Transportation Committee Chair William Magnarelli attended and spoke to workshop attendees. State Senator Rachel May chaired an afternoon panel on "What We Have Heard".

Advancing implementation of New York's Empire Corridor Service Development Plan supports economic development from Niagara Falls to Albany, provides hundreds of construction jobs across the state, supports new development around train stations and enhances transportation choices with additional train service and shorter travel times. With more Amtrak frequencies we can bring more convenient arrival and departure times to upstate cities, too.

To advance our rail improvement plan at the pace New Yorkers want, the State needs a senior level position dedicated to implementing the Empire Corridor Service Development Plan. Massachusetts DOT has a director of their East-West Rail program, and he is fully dedicated to implementing that capital investment program and adding two additional daily roundtrips between Albany and Boston in the next five or so years. Other states have rail program directors empowered to advance major improvements in passenger rail service. We do not yet have this situation in New York.

Even if New York's rail program had a senior staff position dedicated to implementing Empire Corridor improvements, that individual would need additional staff resources to accelerate the modest levels of work currently underway. ESPA continues to call for the addition of at least ten full-time equivalents for the passenger rail program at DOT.

And the third key to advancing a more robust passenger rail program is a revenue source capable of meeting a local share spending level of \$250 to \$400 million a year (assuming federal assistance to the program at a 50 percent match rate). If the next Surface Transportation Bill provides a stronger federal roll in intercity passenger rail improvements, then the State need might be somewhat lower.

### **Governor's Budget**

The Governor's Budget again proposes little change in spending for the State's passenger and freight rail programs. It calls for appropriating \$44 million for "operating subsidies" for passenger rail service which are used to pay the cost of Amtrak service in New York State. (ESPA notes that this figure includes the operating subsidy for the train service; the cost of railcar maintenance and repair; and right of way maintenance, repair and improvement between Poughkeepsie and Hoffmans, just west of Schenectady.) It seeks continued steady state funding for the Office of Passenger and Freight Rail, the programmatic side of the intercity passenger rail program.

The Governor is requesting \$35 million from the New York Works program for freight and passenger rail projects. An additional \$10 million is requested from "Rail Capital Other" resulting in a combined \$45 million for the State's discretionary grant program used primarily to assist short-line and Class I freight railroads in the state. The LIRR and MNR occasionally receive capital funding from this grant program. Interestingly in the out years the Governor's budget calls for spending \$54.3 million annually from the Rail Capital Other program, perhaps to fully fund the Livingston Avenue bridge program. The details on how this bridge replacement is being funded have not yet been released.

The Governor's budget proposes no change in headcount for the Office of Passenger and Freight Transportation Program and the addition of four FTEs for the Division of Design and Construction. ESPA was unable to find any information on how the Department would assign these four additional positions.

As ESPA has noted before, the passenger rail program is currently smaller than it was during the Pataki Administration and without additional programmatic and engineering staff assigned to passenger and freight rail activities, ESPA does not believe we can expect any significant increase in activities to improve passenger rail service.

NYS DOT's Office of Passenger and Freight Rail continues to lack the resources to adequately oversee Amtrak operations in the state and we do not believe that the Major Capital Projects rail staff have the necessary resources to advance designs and fill a pipeline of projects to implement the Empire Corridor Service Development Plan or make needed improvements in the Adirondack Corridor. The existing staff is fully committed to their work but is barely running in place in terms of adequate asset replacement and supervision of Amtrak service performance.

According to DOT's budget documents, the Department expects to spend approximately \$122 million on consultants who will assist the agency in meeting its workload. The Department believes the consultant assistance to be the rough equivalent of hiring an additional 1,456 FTEs. The Legislature must continue to work with the Governor and state agencies on reducing the roadblocks to filling engineering and other vacancies in state government. Combined salaries and benefits need to be competitive with similar jobs in the private sector.

### **DOT Operating Budget and Issues**

For new members of the committees, ESPA wishes to repeat our earlier remarks about state funding of Amtrak service. Under federal law—Section 209 of the Passenger Rail Investment and Improvement Act of 2008—states pay the net operating and capital cost of all Amtrak service of less than 750 miles. Only the long-distance 'Lake Shore Limited' is federally subsidized in New York.

Accordingly, subject to negotiations with Amtrak, it is New York that determines what service Amtrak provides in the Empire State, including the frequency of service, the price of tickets and the quantity and quality of on-board services and amenities.

Each year Administrations request approximately \$44 million for the Amtrak subsidy in the state budget. NYS DOT uses the funding for both operating and capital costs incurred by Amtrak within the state although the exact details of how these funds are spent remain proprietary and prevent Legislative or public review. While some information on the contract payments is technically available via the NYS Comptroller's website, there is no reasonable way for elected officials and the public to understand exactly how much or for what the State is paying Amtrak. Our current contract does not include enforceable incentive payments for excellent performance nor penalties for mediocre performance. There is no dashboard reporting on Key Performance Indicators such as on-time performance, ridership, bathroom cleanliness or passenger satisfaction.

Without more reporting and monitoring of Amtrak performance, it is harder to hold management at Amtrak and DOT accountable. ESPA believes additional disclosure is the first step in providing greater accountability from both agencies as to the quality and quantity of Amtrak service in the State. Are we getting what we pay for?

New Yorkers are choosing to ride trains and many more would ride if the seats were available. Empire Corridor ridership in FFY25 was 1.35 million trips, 111 percent of

FFY19 ridership. Maple Leaf ridership was 464,000 in FFY25, 119 percent of FFY19 ridership.

ESPA was pleased with the Governor's announcement earlier this week that Amtrak would be restoring the full Hudson Valley train schedule in effect before the start of the East River tunnel repairs. This will give customers more travel options and more seats than the schedule in effect since the Spring of 2025. But even with this restoration, demand for seats will still exceed supply as trains consistently sell out on Fridays, Saturdays, and Sundays and often on Thursdays.

Upcoming service reductions in Virginia associated with the construction of new rail capacity across the Potomac River are slightly easing Amtrak's severe equipment shortage. Additional coaches may also become available in twelve to eighteen months as more new Amtrak Airo trainsets enter service on the Northeast Corridor. ESPA urges DOT to continue pressing Amtrak to assign additional coaches to Hudson Valley trains.

ESPA believes the lack of specific details of a plan for the maintenance and improvement of intercity passenger rail service in New York is a shortcoming in the Governor's budget. Similarly, DOT's agency website is severely outdated and rarely updated leaving legislators and staff, mayors and council members alongside interested New Yorkers in the dark about agency plans. States with strong rail programs have active and informative webpages about their programs. Neighboring Massachusetts is doing a particularly good job in providing regular updates on their East-West and Compass rail programs online.

## **ESPA's Specific 2026 Legislative Agenda**

### **1. Provide capacity at New York State DOT to build the rail program.**

Our Freight and Passenger Rail division has atrophied over the last 20 years. With \$1.0 million in federal Corridor Identification and Development program funds awarded to NY to update our plans, schedules and budgets for Empire Corridor and Adirondack Corridor improvements, DOT must have additional planners, grant writers and civil engineers to advance the program and provide better oversight to our state-funded Amtrak service. Both recent academic studies<sup>1</sup> and the outgoing Administrator of the Federal Railroad Administration have called upon states to beef-up staffing to operate more efficiently and effectively in delivering capital programs.

**BUILDING CAPACITY AT STATE DOT IS THE CRITICAL FIRST STEP IN DEVELOPING A PIPELINE OF PROJECTS TO IMPROVE INTERCITY PASSENGER RAIL SERVICE IN NEW YORK AND MONITORING THE QUALITY OF EXISTING STATE-SUPPORTED AMTRAK SERVICE.**

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<sup>1</sup> "State Capacity for Building Infrastructure" by Zachary Liscow, Aspen Economic Strategy Group, 2024

*ESPA requests ten additional positions (FTEs) divided between the rail capital design unit and the Freight and Passenger Rail program in the FY27 State Budget.*

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## **2. Require New York State DOT to produce a Five-Year Capital Plan for the Freight and Passenger Rail Program.**

NYS DOT prepares a Five-Year Capital Plan for our state road and highway program with a list of anticipated projects. The transit, freight and passenger rail, and aviation sections of the current Five-Year Capital Plan only list anticipated funding levels. This is insufficient and fails to inform the public, localities, and the Legislature on how funds will be spent. Contrast this with the MTA which the Legislature requires to provide a highly detailed Five-Year Capital plan with project descriptions, scopes, and budgeted funds. As we approach the end of DOT's current multi-year capital plan the Legislature should instruct DOT to include specific State of Good Repair and Improvement projects for the Passenger and Freight Rail program as well as the non-MTA transit capital programs and aviation program. This would allow the Legislature to know more about what they are buying for our capital dollars.

*ESPA requests legislation requiring NYS DOT to prepare a Five-Year Capital Plan for the Freight and Passenger Rail program which details the Program's capital investment priorities over the next five years. Unlike the highway and transit programs, the passenger rail program receives no federal funding via formula allocation, but this should not be an excuse to prevent the development of a plan, even if some aspects are dependent, to a degree, on discretionary funding sources. In addition, there are flexible federal formula funds that could be assigned to rail capital projects and NYS needs to consider using this funding option as well.*

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## **3. Fund MTA Capital Projects on Metro-North's Hudson line that benefit Amtrak and Metro-North Riders.**

Amtrak and NYS DOT have committed significant resources to bringing speeds up to 90 to 110 mph between Poughkeepsie and Rensselaer stations. More work is planned. To further reduce the travel time between Albany and NYC the MTA and Metro-North must advance several capacity and redundancy projects between Spuyten Duyvil, in the Bronx, and Poughkeepsie. The projects and scopes were jointly identified by all the parties in 2005 but have remained largely unfunded. The projects include adding sections of third track, constructing additional interlockings, expanding the Poughkeepsie Yard and realigning yard tracks in the vicinity of Poughkeepsie station. These last two projects will allow Metro-North to stop storing trains on station tracks which often delay Amtrak trains. The Poughkeepsie Yard expansion will also allow Metro-North to end the practice of deadheading trains from Croton-Harmon to Poughkeepsie for morning rush hour service and reversing that move in the late evening. Many of these Hudson Line projects would be eligible for both FTA and FRA funding as both Metro-North and Amtrak benefit from the investments.

LAST YEAR THE LEGISLATURE APPROVED THE GOVERNOR'S REQUEST FOR AN ADDITIONAL \$25 MILLION IN THE FY25-26 BUDGET FOR PLANNING AND PRELIMINARY DESIGN OF SOME OF THESE PROJECTS. WHO IS TRACKING THE RESULTS?

*ESPA asks that the Legislature require DOT to report on how this money has been allocated between DOT and the MTA and what is the status of the design work? The Legislature also needs to learn which projects the two agencies are advancing and what their design and construction schedules are.*

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#### **4. Fund the Reopening of the Rensselaer Food and Beverage Commissary**

Over twenty years ago Amtrak closed the Rensselaer commissary and eliminated food and beverage service on the approximately eight trains a day that operate solely between Albany and New York City. This was done when Amtrak was under pressure to reduce losses from food and beverage service and before state-supported trains.

According to an estimate which Amtrak provided NYS DOT, it would cost about \$1.0 million to reopen and staff the Commissary as well as staff food and beverage service on the trains where it is not currently available. (Further clarification should be sought as to whether this is net of food and beverage sales revenue.) Reopening the Commissary would benefit riders on nearly every train in the state as the facility could restock trains traveling in all directions from Albany.

Virtually all other state-supported Amtrak routes have food service. New York's food and beverage program could work with the NYS Department of Agriculture's "Market NY" program to showcase New York food and beverage products. It is an opportunity to promote Made in New York goods and the communities that produce them.

*ESPA requests that the Legislature provide an additional \$1.0 million in "earmarked" operating assistance to fund the reopening of the Rensselaer Commissary and the staffing of Hudson Valley café cars.*

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Thank you for considering our testimony on the NYS Department of Transportation's FY2027 budget proposals and ESPA's requested enhancements.

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