



# THE NEW YORK STATE PUBLIC EMPLOYEES FEDERATION TESTIMONY

Transportation Joint Legislative Budget Hearing  
2026-2027 Executive Budget Proposal  
February 3, 2026  
Testimony by Wayne Spence

Good afternoon Chairpersons Krueger, Pretlow, Cooney, Magnarelli and other honorable members of the Legislature. My name is Wayne Spence and I am the president of the 55,000-member strong New York State Public Employees Federation (PEF). I want to thank you for the opportunity to speak to you about Governor Hochul's 2026-27 Executive Budget as it relates to transportation. Our union is composed of professional, scientific and technical experts who provide critical services to the residents and taxpayers of New York State. PEF represents more than 3,600 employees at the Department of Transportation.

## **2026-27 Executive Budget Proposals**

### **A. Part F – Enhanced Transportation Worker Protections**

Road rage and assaults against highway workers are on the rise. As the entity charged with keeping our roadways safe, the state has a vested interest in protecting the workers who maintain our roads and bridges. This provision would amend the Penal Law and Vehicle and Traffic Law to expand the categories of transportation workers that qualify for enhanced assault protections, establish new penalties for menacing a highway worker and intrusions into active work zones, and require license suspension for certain crimes against highway workers.

Specifically, this part would expand the Penal Law and Vehicle and Traffic law by expanding the assault protections for Motor Vehicle License Examiners, Motor Vehicle Representatives, Highway Workers, Motor Carrier Investigators and Motor Vehicle Inspectors. It would increase the severity of the penalty for attacking any of these workers to assault in the second degree.

An assault is an assault -- the state of New York cannot sit by and allow assaults on highway workers, motor carrier investigators and motor vehicle inspectors to be treated differently than assaults committed against their counterparts in other transportation-related job titles, including train operators, ticket inspectors, conductors, signalpersons, bus operators, station agents, station cleaners, terminal cleaners, station customer assistants; any worker related to train, subway or bus transportation, city marshals, school

crossing guards, traffic enforcement officers, traffic enforcement agents, sanitation enforcement agents, New York City sanitation workers, public health sanitarians, New York City public health sanitarians, registered nurses, licensed practical nurses, emergency medical service paramedics, or emergency medical service technicians.

The state of New York needs to demonstrate that assaults against a highway worker or various motor vehicle employees will not be tolerated and that individuals convicted of such assaults will be penalized appropriately.

While this proposal is a good start, PEF believes that all of its members and all public employees deserve the protection that is being considered for the workers above. We encourage you to consider including the language contained in S.6045 (Sen. Baskin)/A.3282 (Asm. Bronson) into the final budget agreement. This bill would include all public employees, state and local, under the enhanced protection from assaults. This bill makes sense as it would not differentiate between any workers, but consider them equally under the law, making an attack on any one of them assault in the second degree.

#### **PEF BUDGET REQUEST**

**SUPPORT TED Part F and expand it to cover all public employees (S.6045 by Sen. Baskin/A.3282 by Asm. Bronson)**

#### **B. PART G – Expand the Workzone Speed Camera Program**

PEF supports Part G of the Transportation, Economic Development and Environment Conservation bill (S.9008/A.10008), dealing with worker safety. This part would make the Automated Work Zone Speed Enforcement (AWZSE) program permanent. This program has been in effect for the last few years and has helped to keep our highway workers, along the Thruway and other roadways, safer. Highway agencies have used a public awareness campaign to ensure motorists know that speeding in work zones would be monitored by cameras and tickets could be issued without a law enforcement officer on site. This campaign, along with tickets being issued to violators, has begun to change the habits of drivers in work zones. Under this Executive proposal, the authority to

implement AWZSE would be extended to the Triborough Bridge and Tunnel Authority and the NYS Bridge Authority. Worker safety, for PEF members and all other public employees working on highway construction projects, is of the utmost concern for the union and the reason why we believe this program should be expanded and made permanent.

During 2024, there were 450 work zone intrusions on New York state roads maintained by the Thruway Authority and the New York State Department of Transportation (NYS DOT) resulting in four fatalities and 161 injuries to highway workers and vehicle occupants. In May 2024, the Thruway Authority lost a Thruway Maintenance Worker who was struck by a tractor trailer. Another Thruway Maintenance worker sustained serious life-altering injuries. In November 2024, a Thruway Maintenance Supervisor was killed after he was struck by a vehicle while working on the Thruway. In May 2025, NYS DOT lost a highway maintenance worker after suffering injuries related to a work zone crash. In June 2025, three NYS DOT highway maintenance workers sustained injuries from an intrusion into an active work zone. In September 2025, a NYS DOT contract worker directing traffic was killed by a hit-and-run driver.

This bill would amend section 1180-e of the Vehicle and Traffic Law (VTL) to expand the Automated Work Zone Speed Enforcement program to include all New York highways under the jurisdiction of the NYS Department of Transportation, NYS Thruway Authority, NYS Bridge Authority or the Triborough Bridge and Tunnel Authority. Under current law, the program is limited to “controlled-access” highways.

### **PEF BUDGET REQUEST**

**SUPPORT TED Part G to keep our highway workers safe**

#### **C. New York State Spends Billions on Private Consultants**

PEF continues to be concerned with the state’s over-reliance on the use of high-cost private consultants. While the Governor is proposing to reduce the consulting budget slightly (-1%), there is still more than \$1.4 billion for consultants in the state’s budget.

This includes an increase in state spending for 369 full time equivalent consulting staff for a total of 10,253 taxpayer funded “consultants” working in state government. The agency with the most consultants is the DOT. DOT expects to spend just under \$233 million in 2026-27 to fund 1,456 full-time equivalent consultants on DOT issues. PEF believes that instead of continuing the practice of using private groups, the state should fill the hundreds of vacant positions at DOT, which would be a more cost-effective option.

In addition to the state’s usage of consultants, this year’s Executive Budget proposed the following:

- (1) \$535 million to maintain the National Guard as security for the state’s correctional facilities; and
- (2) \$22 million to employ traveling nurses to provide health care to the incarcerated population.

### **PEF BUDGET REQUEST**

#### **Stop the Overuse of Costly Consultants and In-Source State Work to State Employees**

### **Solutions**

#### **Fix Tier 6**

One way to increase the likelihood of filling some of the vacancies at DOT and all state agencies is to “Fix Tier 6.”

PEF appreciates the efforts made as part of the 2024 State Budget which continued the process of correcting the inadequacies of the Tier 6 pension plan by reducing the final average salary calculation from five years to a three-year final average salary benefit and excluding overtime compensation from the calculation of an employees’ contribution rate until March 31, 2026. We need to do more. Working with other public employee unions, we will be seeking your support for additional affordable improvements that will help attract and retain a career workforce. We know that these conversations always boil

down to cost, but we also must consider the other costs the state, municipalities and school districts pay to consultants and in overtime, as well as costs associated with Civil Service exams, onboarding, and training re-training new staff. These are real, but in many cases, unnecessary costs.

Public sector salaries cannot keep pace with the private sector. While the state maintains an excellent health insurance plan, premium increases and employee cost sharing have increased significantly over the years. The most cost effective, universal way to positively impact public sector hiring, and more importantly retention, is to improve the pension plan. We look forward to engaging in this discussion with you directly over the coming weeks.

**PEF BUDGET REQUEST**

**Fix Tier 6 to Attract and Retain Talent for the State Workforce**

Thank you for the opportunity to share our concerns with you. We look forward to working with you to ensure that the final budget provides state agencies with the resources they need to help improve the lives of all New Yorkers.

Respectfully submitted,

Wayne Spence

President, New York State Public Employees Federation