

STATE OF NEW YORK

2622

2025-2026 Regular Sessions

IN SENATE

January 21, 2025

Introduced by Sen. SCARCELLA-SPANTON -- read twice and ordered printed,
and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law and the public authorities law, in relation to congestion pricing in New York city, and repealing certain provisions of the vehicle and traffic law, the public authorities law, the public officers law, the tax law, and subpart A of part ZZZ of chapter 59 of the laws of 2019, amending the vehicle and traffic law and the public authorities law relating to establishing a central business district tolling program in the city of New York and amending the public officers law relating to confidentiality of certain public records, relating thereto (Part A); to amend the public authorities law, in relation to the membership of the metropolitan transportation authority (Part B); and to amend the public authorities law, in relation to commissioning an independent forensic audit of the metropolitan transportation authority; and providing for the repeal of such provisions upon the expiration thereof (Part C)

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. This act enacts into law components of legislation relating
2 to the metropolitan transportation authority. Each component is wholly
3 contained within a Part identified as Parts A through C. The effective
4 date for each particular provision contained within such Part as set
5 forth in the last section of such Part. Any provision in any section
6 contained within a Part, including the effective date of the Part, which
7 makes a reference to a section "of this act", when used in connection
8 with that particular component, shall be deemed to mean and refer to the
9 corresponding section of the Part in which it is found. Section two of
10 this act sets forth the general effective date of this act.

11 PART A

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 Section 1. Article 44-C of the vehicle and traffic law is REPEALED.

2 § 2. Subdivision 4 of section 1630 of the vehicle and traffic law, as
3 amended by section 2 of subpart A of part ZZZ of chapter 59 of the laws
4 of 2019, is amended to read as follows:

5 4. Charging of tolls, taxes, fees, licenses or permits for the use of
6 the highway or any of its parts [~~or entry into or remaining within the~~
7 ~~central business district established by article forty-four C of this~~
8 ~~chapter~~], where the imposition thereof is authorized by law.

9 § 3. Paragraph (s) of subdivision 9 of section 553 of the public
10 authorities law is REPEALED.

11 § 4. Subdivision 12-a of section 553 of the public authorities law is
12 REPEALED.

13 § 5. Section 553-j of the public authorities law is REPEALED.

14 § 6. Paragraph (p) of subdivision 2 of section 87 of the public offi-
15 cers law is REPEALED.

16 § 7. Section 553-k of the public authorities law is REPEALED.

17 § 8. Sections 9, 10, and 11 of subpart A of part ZZZ of chapter 59 of
18 the laws of 2019, amending the vehicle and traffic law and the public
19 authorities law relating to establishing a central business district
20 tolling program in the city of New York and amending the public officers
21 law relating to confidentiality of certain public records, are REPEALED.

22 § 9. Section 566-a of the public authorities law, as amended by
23 section 12 of subpart A of part ZZZ of chapter 59 of the laws of 2019,
24 is amended to read as follows:

25 § 566-a. Tax contract by the state. 1. It is hereby found, determined
26 and declared that the authority and the carrying out of its corporate
27 purposes is in all respects for the benefit of the people of the state
28 of New York, for the improvement of their health, welfare and prosper-
29 ity, and, in the case of some of the said purposes, for the promotion of
30 their traffic, and that said purposes are public purposes and, in the
31 case of those purposes which consist of vehicular bridges, vehicular
32 tunnels and approaches thereto [~~and the central business district toll-~~
33 ~~ing program~~], the project is an essential part of the public highway
34 system and the authority will be performing an essential governmental
35 function in the exercise of the powers conferred by this title, and the
36 state of New York covenants with the purchasers and with all subsequent
37 holders and transferees of bonds issued after January first, nineteen
38 hundred thirty-nine by the authority pursuant to this title, in consid-
39 eration of the acceptance of any payment for the bonds that the bonds of
40 the authority issued after January first, nineteen hundred thirty-nine
41 pursuant to this title and the income therefrom, and all moneys, funds,
42 tolls and other revenues pledged to pay or secure the payment of such
43 bonds, shall at all times be free from taxation except for estate taxes
44 and taxes on transfers by or in contemplation of death.

45 2. Nothing herein shall be construed to repeal or supersede any tax
46 exemptions heretofore or hereafter granted by general or other laws.

47 § 10. Subsection (jjj) of section 606 of the tax law, as added by
48 section 1 of subpart F of part ZZZ of chapter 59 of the laws of 2019, is
49 REPEALED.

50 § 11. This act shall take effect immediately.

51 PART B

52 Section 1. Subparagraph 1 of paragraph (a) of subdivision 1 of section
53 1263 of the public authorities law, as amended by section 1 of part E of
54 chapter 39 of the laws of 2019, is amended to read as follows:

(1) There is hereby created the "metropolitan transportation authority." The authority shall be a body corporate and politic constituting a public benefit corporation. The authority shall consist of a ~~chairman~~ chairperson, ~~sixteen~~ seventeen other voting members, and two non-voting and four alternate non-voting members, as described in subparagraph two of this paragraph appointed by the governor by and with the advice and consent of the senate. Any member appointed to a term commencing on or after June thirtieth, two thousand nine shall have experience in one or more of the following areas: transportation, public administration, business management, finance, accounting, law, engineering, land use, urban and regional planning, management of large capital projects, labor relations, or have experience in some other area of activity central to the mission of the authority. Four of the ~~sixteen~~ seventeen voting members, one member from each of New York city's five boroughs, as defined in section 2-202 of the administrative code of the city of New York, other than the ~~chairman~~ chairperson shall be appointed on the written recommendation of the mayor of the city of New York; and each of seven other voting members other than the ~~chairman~~ chairperson shall be appointed after selection from a written list of three recommendations from the chief executive officer of the county in which the particular member is required to reside pursuant to the provisions of this subdivision. Of the members appointed on recommendation of the chief executive officer of a county, one such member shall be, at the time of appointment, a resident of the county of Nassau, one a resident of the county of Suffolk, one a resident of the county of Westchester, one a resident of the county of Dutchess, one a resident of the county of Orange, one a resident of the county of Putnam and one a resident of the county of Rockland, provided that the term of any member who is a resident of a county that has withdrawn from the metropolitan commuter transportation district pursuant to section twelve hundred seventy-nine-b of this title shall terminate upon the effective date of such county's withdrawal from such district. Of the five voting members, other than the ~~chairman~~ chairperson, appointed by the governor without recommendation from any other person, three shall be, at the time of appointment, residents of the city of New York and two shall be, at the time of appointment, residents of such city or of any of the aforementioned counties in the metropolitan commuter transportation district. Provided however, notwithstanding the foregoing residency requirement, one of the five voting members appointed by the governor without recommendation from any other person, other than the ~~chairman~~ chairperson, may be the director of the New York state division of the budget, and provided further that, in the event of such appointment, the budget director's membership in the authority shall be deemed ex-officio. The ~~chairman~~ chairperson and each of the members shall be appointed for a term of six years, provided however, that the ~~chairman~~ chairperson first appointed shall serve for a term ending June thirtieth, nineteen hundred eighty-one, provided that thirty days after the effective date of the chapter of the laws of two thousand nine which amended this subparagraph, the term of the ~~chairman~~ chairperson shall expire; provided, further, that such ~~chairman~~ chairperson may continue to discharge the duties of ~~his or her~~ their office until the position of ~~chairman~~ chairperson is filled by appointment by the governor upon the advice and consent of the senate and the term of such new ~~chairman~~ chairperson shall terminate June thirtieth, two thousand fifteen. The ~~sixteen~~ seventeen other members first appointed shall serve for the following terms: The members from the counties of Nassau and Westchester

1 shall each serve for a term ending June thirtieth, nineteen hundred
2 eighty-five; the members from the county of Suffolk and from the coun-
3 ties of Dutchess, Orange, Putnam and Rockland shall each serve for a
4 term ending June thirtieth, nineteen hundred ninety-two; two of the
5 members appointed on recommendation of the mayor of the city of New York
6 shall each serve for a term ending June thirtieth, nineteen hundred
7 eighty-four and, two shall each serve for a term ending June thirtieth,
8 nineteen hundred eighty-one; two of the members appointed by the gover-
9 nor without the recommendation of any other person shall each serve for
10 a term ending June thirtieth, nineteen hundred eighty-two, two shall
11 each serve for a term ending June thirtieth, nineteen hundred eighty and
12 one shall serve for a term ending June thirtieth, nineteen hundred
13 eighty-five. Thirty days after the effective date of the chapter of the
14 laws of two thousand twenty-five which amended this subparagraph, the
15 terms of the members appointed on recommendation of the mayor of the
16 city of New York shall expire, provided, that such members may continue
17 to discharge the duties of their office until the positions are filled
18 by appointment on recommendation of the mayor of the city of New York
19 and the term of three of such new members shall terminate June thirti-
20 eth, two thousand twenty-seven, and the term of two of such new members
21 shall terminate June thirtieth, two thousand thirty. The two non-voting
22 and four alternate non-voting members shall serve until January first,
23 two thousand one. The members from the counties of Dutchess, Orange,
24 Putnam and Rockland shall cast one collective vote.

25 § 2. Paragraph (a) of subdivision 1 of section 1263 of the public
26 authorities law, as amended by section 2 of part E of chapter 39 of the
27 laws of 2019, is amended to read as follows:

28 (a) There is hereby created the "metropolitan transportation authori-
29 ty." The authority shall be a body corporate and politic constituting a
30 public benefit corporation. The authority shall consist of a [~~chairman~~]
31 chairperson and [~~sixteen~~] seventeen other members appointed by the
32 governor by and with the advice and consent of the senate. Any member
33 appointed to a term commencing on or after June thirtieth, two thousand
34 nine shall have experience in one or more of the following areas of
35 expertise: transportation, public administration, business management,
36 finance, accounting, law, engineering, land use, urban and regional
37 planning, management of large capital projects, labor relations, or have
38 experience in some other area of activity central to the mission of the
39 authority. [~~Four~~] Five of the [~~sixteen~~] seventeen members, one member
40 from each of New York city's five boroughs, as defined in section 2-202
41 of the administrative code of the city of New York, other than the
42 [~~chairman~~] chairperson shall be appointed on the written recommendation
43 of the mayor of the city of New York; and each of seven other members
44 other than the [~~chairman~~] chairperson shall be appointed after selection
45 from a written list of three recommendations from the chief executive
46 officer of the county in which the particular member is required to
47 reside pursuant to the provisions of this subdivision. Of the members
48 appointed on recommendation of the chief executive officer of a county,
49 one such member shall be, at the time of appointment, a resident of the
50 county of Nassau; one a resident of the county of Suffolk; one a resi-
51 dent of the county of Westchester; and one a resident of the county of
52 Dutchess, one a resident of the county of Orange, one a resident of the
53 county of Putnam and one a resident of the county of Rockland, provided
54 that the term of any member who is a resident of a county that has with-
55 drawn from the metropolitan commuter transportation district pursuant to
56 section twelve hundred seventy-nine-b of this title shall terminate upon

1 the effective date of such county's withdrawal from such district. Of
2 the five members, other than the [~~chairman~~] chairperson, appointed by
3 the governor without recommendation from any other person, three shall
4 be, at the time of appointment, residents of the city of New York and
5 two shall be, at the time of appointment, residents of such city or of
6 any of the aforementioned counties in the metropolitan commuter trans-
7 portation district. Provided however, notwithstanding the foregoing
8 residency requirement, one of the five voting members appointed by the
9 governor without recommendation from any other person, other than the
10 [~~chairman~~] chairperson, may be the director of the New York state divi-
11 sion of the budget, and provided further that, in the event of such
12 appointment, the budget director's membership in the authority shall be
13 deemed ex-officio. The [~~chairman~~] chairperson and each of the members
14 shall be appointed for a term of six years, provided however, that the
15 [~~chairman~~] chairperson first appointed shall serve for a term ending
16 June thirtieth, nineteen hundred eighty-one, provided that thirty days
17 after the effective date of the chapter of the laws of two thousand nine
18 which amended this paragraph, the term of the [~~chairman~~] chairperson
19 shall expire; provided, further, that such [~~chairman~~] chairperson may
20 continue to discharge the duties of [~~his~~] their office until the posi-
21 tion of [~~chairman~~] chairperson is filled by appointment by the governor
22 upon the advice and consent of the senate and the term of such new
23 [~~chairman~~] chairperson shall terminate June thirtieth, two thousand
24 fifteen. The sixteen other members first appointed shall serve for the
25 following terms: The members from the counties of Nassau and Westchester
26 shall each serve for a term ending June thirtieth, nineteen hundred
27 eighty-five; the members from the county of Suffolk and from the coun-
28 ties of Dutchess, Orange, Putnam and Rockland shall each serve for a
29 term ending June thirtieth, nineteen hundred ninety-two; two of the
30 members appointed on recommendation of the mayor of the city of New York
31 shall each serve for a term ending June thirtieth, nineteen hundred
32 eighty-four and, two shall each serve for a term ending June thirtieth,
33 nineteen hundred eighty-one; two of the members appointed by the gover-
34 nor without the recommendation of any other person shall each serve for
35 a term ending June thirtieth, nineteen hundred eighty-two, two shall
36 each serve for a term ending June thirtieth, nineteen hundred eighty and
37 one shall serve for a term ending June thirtieth, nineteen hundred
38 eighty-five. Thirty days after the effective date of the chapter of the
39 laws of two thousand twenty-five which amended this paragraph, the terms
40 of the members appointed on recommendation of the mayor of the city of
41 New York shall expire, provided, that such members may continue to
42 discharge the duties of their office until the positions are filled by
43 appointment on recommendation of the mayor of the city of New York and
44 the term of three of such new members shall terminate June thirtieth,
45 two thousand twenty-seven, and the term of two of such new members shall
46 terminate June thirtieth, two thousand thirty. The members from the
47 counties of Dutchess, Orange, Putnam and Rockland shall cast one collec-
48 tive vote.

49 § 3. This act shall take effect immediately, however, the amendments
50 to subparagraph (1) of paragraph (a) of subdivision 1 of section 1263 of
51 the public authorities law made by section one of this act shall be
52 subject to the expiration and reversion of such paragraph pursuant to
53 section 3 of chapter 549 of the laws of 1994, as amended, when upon such
54 date the provisions of section two of this act shall take effect.

1 Section 1. The public authorities law is amended by adding a new
2 section 1265-c to read as follows:

3 § 1265-c. Independent forensic audit. 1. Notwithstanding any other
4 provision of law, the authority shall, within sixty days of the effec-
5 tive date of this section and at its own expense, contract with a certi-
6 fied public accounting firm for the provision of an independent, compre-
7 hensive, forensic audit of the authority. Such audit shall be performed
8 in accordance with generally accepted government auditing standards.
9 Such audit shall be independent of and in addition to the independent
10 audit of the authority conducted pursuant to section twenty-eight
11 hundred two of this chapter.

12 2. The certified independent public accounting firm providing the
13 authority's independent, comprehensive, forensic audit shall be prohib-
14 ited from providing audit services if the lead or coordinating audit
15 partner having primary responsibility for the audit, or the audit part-
16 ner responsible for reviewing the audit, has performed audit services
17 for the authority within any of the ten previous fiscal years of the
18 authority.

19 3. The certified independent accounting firm performing the audit
20 pursuant to this section shall be prohibited from performing any non-au-
21 dit services for the authority contemporaneously with such audit.

22 4. It shall be prohibited for the certified independent public
23 accounting firm to perform for the authority any audit service if the
24 chief executive officer, comptroller, chief financial officer, chief
25 accounting officer or any other person serving in an equivalent position
26 in the authority was an employee, consultant or independent contractor
27 of such certified independent public accounting firm and participated in
28 any capacity in the audit of the authority at any time in the past.

29 5. The certified independent public accounting firm contracted to
30 perform the independent, comprehensive, forensic audit of the authority
31 pursuant to this section shall, on or before January first, two thousand
32 twenty-six, report its findings, conclusions and recommendations to the
33 governor, the state comptroller, the temporary president of the senate,
34 the speaker of the assembly, the chair and ranking minority member of
35 the senate finance committee, the chair and ranking minority member of
36 the assembly ways and means committee, the chairs and ranking minority
37 members of the senate and the assembly corporations, authorities and
38 commissions committees, and the chairs and ranking minority members of
39 the senate and the assembly transportation committees.

40 § 2. This act shall take effect immediately and shall expire and be
41 deemed repealed upon the delivery of the report required pursuant to
42 subdivision 5 of section 1265-c of the public authorities law as added
43 by section one of this act; provided that the state comptroller shall
44 notify the legislative bill drafting commission upon receipt of such
45 report in order that the commission may maintain an accurate and timely
46 effective data base of the official text of the laws of the state of New
47 York in furtherance of effectuating the provisions of section 44 of the
48 legislative law and section 70-b of the public officers law.

49 § 2. Severability clause. If any clause, sentence, paragraph, subdivi-
50 sion, section or part of this act shall be adjudged by any court of
51 competent jurisdiction to be invalid, such judgment shall not affect,
52 impair, or invalidate the remainder thereof, but shall be confined in
53 its operation to the clause, sentence, paragraph, subdivision, section
54 or part thereof directly involved in the controversy in which such judg-
55 ment shall have been rendered. It is hereby declared to be the intent of

1 the legislature that this act would have been enacted even if such
2 invalid provisions had not been included herein.
3 § 3. This act shall take effect immediately; provided, however, that
4 the applicable effective date of Parts A through C of this act shall be
5 as specifically set forth in the last section of such Parts.