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

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

Hearing Room B
Legislative Office Building
Albany, New York

January 24, 2024
9:49 a.m.

PRESIDING:

Senator Liz Krueger
Chair, Senate Finance Committee

Assemblyman William B. Magnarelli
Chair, Assembly Committee on Transportation

PRESENT:

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

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

Senator Timothy M. Kennedy
Chair, Senate Committee on Transportation

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

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

2024-2025 Executive Budget
Transportation
1-24-24

PRESENT: (Continued)

Assemblyman Jonathan G. Jacobson

Assemblyman Charles D. Fall

Assemblywoman Emily Gallagher

Senator Shelley B. Mayer

Assemblywoman Jessica González-Rojas

Senator Jessica Ramos

Assemblyman Steven Otis

Assemblywoman Jo Anne Simon

Assemblyman Robert C. Carroll

Senator John C. Liu

Assemblywoman Gina Sillitti

Assemblywoman Marcela Mitaynes

Senator Brad Hoylman-Sigal

Assemblywoman Taylor Darling

Senator Roxanne Persaud

Assemblywoman Rebecca A. Seawright

Senator Jeremy A. Cooney

Assemblywoman Patricia Fahy

Assemblyman Philip A. Palmesano

Assemblyman Jonathan Rivera

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Senator Kristen Gonzalez

Assemblyman John Lemondes

Assemblyman Erik M. Dilan

Assemblywoman MaryJane Shimsky

Senator Mario R. Mattera

Senator Andrew Gounardes

Assemblywoman Jodi Giglio

Assemblyman Michael Durso

Senator Julia Salazar

Assemblyman Matt Slater

Senator Michelle Hinchey

Assemblyman Brian D. Miller

Assemblyman Tony Simone

Assemblywoman Latrice M. Walker

Assemblyman Kenny Burgos

Senator Bill Weber

Assemblywoman Stacey Pheffer Amato

Senator Pete Harckham

Assemblywoman Yudelka Tapia

Assemblyman Brian Manktelow

Assemblyman John T. McDonald III

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Senator Nathalia Fernandez

Assemblyman George Alvarez

Assemblyman Alex Bores

Assemblyman Brian Cunningham

Assemblyman Manny De Los Santos

Assemblywoman Monica P. Wallace

Assemblyman William Colton

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

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

ASSEMBLYMAN MAGNARELLI: Bill Magnarelli.

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

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

Assemblymember colleague will be starting us out.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Liz?

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

Senator Liu, Senator Comrie, who is the chair of Corporations; Senator Kennedy, the chair of Transportation; Senator Persaud, Senator Salazar, Senator Harckham, Senator Fernandez, Senator Hinchey, Senator Gonzalez.

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

SENATOR O'MARA: Thank you, Senator.

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

ASSEMBLYMAN MAGNARELLI: Mr. Ra?

ASSEMBLYMAN RA: Thank you, Chair.

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

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

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

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

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

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

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

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

alternative but to strictly enforce these time limits.

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

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

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

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

Now, listen. This is a budget

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

government in action.

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

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

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

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

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

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

Hell Gate Line to serve the East Bronx.

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

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

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

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

ASSEMBLYMAN MAGNARELLI: This concludes --

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

ASSEMBLYMAN MAGNARELLI: Thank you, sir.

CHAIRWOMAN KRUEGER: Close.

MTA CHAIR LIEBER: Thank you.

ASSEMBLYMAN MAGNARELLI: Close, that's right.

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

(Discussion off the record.)

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

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

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

(Discussion off the record.)

ASSEMBLYMAN MAGNARELLI: So can we call Chairman Zebrowski.

ASSEMBLYMAN ZEBROWSKI: All right, thank you.

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

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

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

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

Rich, anything to add?

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

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

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

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

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

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

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

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

gate.

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

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

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

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

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

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

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

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

thus far from the program?

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

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

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

ASSEMBLYMAN ZEBROWSKI: Sure.

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

ASSEMBLYMAN ZEBROWSKI: Sure. Have

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

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

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

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

MTA CHAIR LIEBER: Yeah. I think --

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

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

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

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

Rich?

NYCT PRESIDENT DAVEY: Thank you,

Chair.

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

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

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

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

So we're excited about that.

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

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

ASSEMBLYMAN ZEBROWSKI: Thank you. Thirty-three percent is significant.

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

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

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

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

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

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

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

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

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

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

ASSEMBLYMAN ZEBROWSKI: Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you, sir.

CHAIRWOMAN KRUEGER: Thank you.

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

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

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

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

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

MTA CHAIR LIEBER: You want to take that?

NYCT PRESIDENT DAVEY: Thanks, Senator.

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

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

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

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

SENATOR COMRIE: Do they make arrests?

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

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

NYCT PRESIDENT DAVEY: Yeah, sorry.

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

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

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

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

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

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

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

SENATOR COMRIE: Thank you.

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

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

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

SENATOR COMRIE: Where can members access that list?

MTA CHAIR LIEBER: Okay, we -- I think

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

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

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

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

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

opposed to some other projects can be done.

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

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

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

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

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

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

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

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

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

MTA CHAIR LIEBER: Absolutely.

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

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

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

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

Kevin?

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

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

of the general MTA budget from the Governor.

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

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

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

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

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

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

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

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

So we want to get the signaling done

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

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

SENATOR COMRIE: Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you, sir. Thank you.

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

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

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

We have Senator Mattera, Senator Ramos, Senator Harckham, Senator Mayer and Senator Gounardes.

And Assembly?

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

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

ASSEMBLYMAN RA: Thank you, Chair.

Thank you guys for being here, and your testimony.

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

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

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

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

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

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

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

ASSEMBLYMAN RA: Thank you.

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

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

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

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

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

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

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

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

Rich?

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

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

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

in bus lanes.

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

ASSEMBLYMAN RA: Thank you.

CHAIRWOMAN KRUEGER: Perfectly timed. Thank you.

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

SENATOR KENNEDY: Good morning. Thanks for your testimony. Thanks for your work.

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

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

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

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

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

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

Rich?

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

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

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

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

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

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

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

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

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

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

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

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

in the State of New York.

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

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

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

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

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

to that.

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

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

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

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

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

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

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

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

(Laughter.)

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

(Laughter.)

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

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

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

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

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

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

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

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

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

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

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

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

SENATOR KENNEDY: Okay, thank you.

CHAIRWOMAN KRUEGER: Sorry, Janno. Moving on. Thank you.

MTA CHAIR LIEBER: Thank you.

ASSEMBLYMAN MAGNARELLI: You all set?

CHAIRWOMAN KRUEGER: Yes.

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

ASSEMBLYMAN FALL: Thank you, Mr. Chair.

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

I want to ask you about something

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

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

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

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

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

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

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

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

MTA CHAIR LIEBER: The Small Business Mentoring Program?

ASSEMBLYMAN FALL: Yeah. Mentoring, correct.

MTA CHAIR LIEBER: Listen, the Small

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

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

ASSEMBLYMAN FALL: Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you.

CHAIRWOMAN KRUEGER: Thank you very much.

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

SENATOR MATTERA: Thank you, Chair.

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

(Mic problem; overtalk.)

SENATOR MATTERA: Thank you, Chair. It's great seeing you --

CHAIRWOMAN KRUEGER: Nice seeing you.

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

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

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

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

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

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

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

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

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

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

Penn Station with the homeless situation. Can you please elaborate on what's being done and --

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

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

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

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

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

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

MTA CHAIR LIEBER: You bet.

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

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

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

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

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

CHAIRWOMAN KRUEGER: Thank you.

MTA CHAIR LIEBER: Thank you.

SENATOR MATTERA: Thank you.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ASSEMBLYMAN MAGNARELLI: Thank you.

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

ASSEMBLYMAN SIMONE: Yeah, thank you.

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

Because we want all your answers.

MTA CHAIR LIEBER: Good. Will do.

CHAIRWOMAN KRUEGER: Thank you.

Senator John Liu.

MTA CHAIR LIEBER: We'll get to the -- I promise, Mr. Simone, we'll get to the derailments at some point.

ASSEMBLYMAN SIMONE: Thank you, Mr. Chair.

SENATOR LIU: Thank you, Madam Chair. And thanks to the MTA team for joining us this morning.

How are we doing on the 2024 capital plan? Meaning 2020-2024 capital plan? It's 2024.

MTA CHAIR LIEBER: Yeah. So you know this well. I said in my testimony we did an average of $9 billion a year in contract commitments. It would have been over 10 billion if we hadn't had a delay due to congestion pricing of that $2 billion A Train resignaling project. I am, you know, really burned about this --

SENATOR LIU: Well, all right, let me

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

MTA CHAIR LIEBER: Yeah.

SENATOR LIU: So what has been contracted?

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

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

MTA CHAIR LIEBER: Okay.

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

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

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

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

MTA CHAIR LIEBER: We have bought new buses.

Do you want to talk about it?

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

(Overtalk.)

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

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

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

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

There needs to be more attention paid on buses.

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

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

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

MTA CHAIR LIEBER: Good.

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

MTA CHAIR LIEBER: Twenty to 30 million a year.

SENATOR LIU: Thirty million dollars more per year.

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

SENATOR LIU: In operating the buses.

MTA CHAIR LIEBER: Yeah.

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

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

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

(Overtalk.)

SENATOR LIU: You need six more months?

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

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

ASSEMBLYMAN MAGNARELLI: Thank you.

SENATOR LIU: Can you send a letter

about how many buses have been procured so far.

MTA CHAIR LIEBER: Absolutely.

ASSEMBLYMAN MAGNARELLI: Thank you, sir.

The next member to ask a question is Member Alvarez.

ASSEMBLYMAN ALVAREZ: Thank you, Mr. Chairman.

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

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

So we'll be both getting qualitative

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

(Overtalk.)

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

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

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

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

MTA CHAIR LIEBER: Yes. Yes.

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

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

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

ASSEMBLYMAN ALVAREZ: Thank you.

So how often does the MTA inspect the infrastructure?

MTA CHAIR LIEBER: Depends on what type of infrastructure.

Rich?

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

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

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

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

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

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

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

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

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

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

(Laughter.)

ASSEMBLYMAN MAGNARELLI: Thank you, folks. Thank you.

Senator?

CHAIRWOMAN KRUEGER: Senator Brad Hoylman-Sigal.

SENATOR HOYLMAN-SIGAL: Thank you, Madam Chair.

Good to see everyone this morning.

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

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

three other judges at this point.

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

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

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

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

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

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

Legislature recognizes.

SENATOR HOYLMAN-SIGAL: Thank you.

MTA CHAIR LIEBER: So we're disappointed.

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

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

ASSEMBLYMAN MAGNARELLI: Member Giglio.

ASSEMBLYWOMAN GIGLIO: Good morning.

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

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

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

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

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

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

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

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

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

Ronkonkoma Hub and then take the train into the city.

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

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

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

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

ASSEMBLYMAN MAGNARELLI: Thank you.

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

ASSEMBLYMAN MAGNARELLI: Senator.

CHAIRWOMAN KRUEGER: Thank you.

Senator Julia Salazar.

SENATOR SALAZAR: Thank you for your testimony.

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

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

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

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

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

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

SENATOR SALAZAR: Thank you.

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

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

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

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

Rich, anything you want to add on that?

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

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

How are -- how is the coordination of that mitigation plan going or anticipated to go? And is there a status update that you could give us on that?

ASSEMBLYMAN MAGNARELLI: Thank you, Senator.

CHAIRWOMAN KRUEGER: Thank you.

SENATOR SALAZAR: Sorry.

CHAIRWOMAN KRUEGER: He'll have to get back to you.

MTA CHAIR LIEBER: At the break.

ASSEMBLYMAN MAGNARELLI: Member Bores.

ASSEMBLYMAN BORES: First of all, I just want to thank you for running pilots, whether that's the fare gates or the fixed fences. Study after study shows when government does small pilots and learns from them and then changes it, it saves money in the long run, even if it comes with social media embarrassment. And I want to thank you for doing that; encourage you to keep doing it in the future.

On the fixed fences -- which again we talked about last year, you committed to

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

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

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

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

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

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

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

NYCT PRESIDENT DAVEY: Sure.

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

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

ASSEMBLYMAN BORES: Great.

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

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

regularly track those over time?

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

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

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

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

want this a lot quicker."

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

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

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

ASSEMBLYMAN BORES: Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you, Mr. Chair.

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

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

your question, and then you can trade back. Thank you.

SENATOR HINCHEY: Thank you very much. And thank you for being here.

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

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

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

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

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

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

SENATOR HINCHEY: Feet.

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

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

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

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

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

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

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

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

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

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

SENATOR HINCHEY: Thank you.

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

CHAIRWOMAN KRUEGER: Thank you. Sorry.

ASSEMBLYMAN MAGNARELLI: Thank you, sir.

SENATOR HINCHEY: Thank you very much.

CHAIRWOMAN KRUEGER: Thank you.

Assembly.

ASSEMBLYMAN MAGNARELLI: Member Shimsky, please.

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

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

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

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

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

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

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

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

from West of Hudson as well.

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

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

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

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

ASSEMBLYMAN MAGNARELLI: Thank you, Mr. Chair.

ASSEMBLYWOMAN SHIMSKY: Thank you.

Thank you, Mr. Chairman.

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

Senator Weber.

SENATOR WEBER: Thank you, Chairwoman.

And thank you for being here today.

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

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

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

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

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

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

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

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

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

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

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

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

ASSEMBLYMAN MAGNARELLI: Thank you, sir. Appreciate it.

SENATOR WEBER: Thank you.

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

Jo Anne.

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

(Laughter.)

ASSEMBLYWOMAN SIMON: It just so happens.

Thank you very much for your testimony, Chair Lieber.

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

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

ASSEMBLYWOMAN SIMON: Reduced but --

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

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

ASSEMBLYWOMAN SIMON: Thank you.

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

MTA CHAIR LIEBER: No, I appreciate

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

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

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

moving the water out of the system.

ASSEMBLYWOMAN SIMON: Well, sign me up to help.

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

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

ASSEMBLYWOMAN SIMON: Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Senator Ramos.

SENATOR RAMOS: Well, buenos dias.

MTA CHAIR LIEBER: Buenos dias.

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

MTA CHAIR LIEBER: Kevin?

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

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

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

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

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

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

MTA CHAIR LIEBER: Rich?

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

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

MTA CHAIR LIEBER: Eighty-eight.

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

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

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

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

SENATOR RAMOS: And which ones are the most popular?

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

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

SENATOR RAMOS: I do.

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

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

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

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

MTA CHAIR LIEBER: 22nd.

NYCT PRESIDENT DAVEY: -- 22nd. So

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

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

(Overtalk.)

CHAIRWOMAN KRUEGER: Thank you. Sorry.

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

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

ASSEMBLYMAN MAGNARELLI: Member Slater, please.

ASSEMBLYMAN SLATER: Thank you very much.

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

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

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

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

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

ASSEMBLYMAN SLATER: Understood.

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

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

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

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

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

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

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

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

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

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

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

ASSEMBLYMAN SLATER: Thank you very much, sir.

CHAIRWOMAN KRUEGER: Senator Gonzalez.

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

Great. Hello. Good morning.

MTA CHAIR LIEBER: Hello, Senator.

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

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

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

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

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

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

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

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

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

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

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

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

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

SENATOR GONZALEZ: Got it.

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

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

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

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

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

ASSEMBLYMAN MAGNARELLI: Thank you, sir. Thank you.

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

ASSEMBLYMAN MAGNARELLI: Thank you, Senator.

SENATOR GONZALEZ: Thank you. Thank you.

ASSEMBLYMAN MAGNARELLI: Member Darling.

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

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

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

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

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

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

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

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

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

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

ASSEMBLYWOMAN DARLING: Thank you.

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

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

ASSEMBLYWOMAN DARLING: Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you, Mr. Chairman.

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

SENATOR MAYER: Thank you.

Thank you, Chairman. Thank you for being here.

Quick question about the toll rebate under congestion pricing for those who use the Henry Hudson Bridge. When I voted for congestion pricing in 2019, my recollection is that Westchester, particularly Southern Westchester drivers who use the Henry Hudson Bridge, would be given the rebate for the toll on the Henry Hudson Bridge.

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

Is there any opportunity to revisit that issue?

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

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

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

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

MTA CHAIR LIEBER: Yes.

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

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

SENATOR MAYER: Yes.

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

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

CHAIRWOMAN KRUEGER: Thank you.

Assembly.

ASSEMBLYMAN MAGNARELLI: Yes, Member Gallagher.

ASSEMBLYWOMAN GALLAGHER: So nice to see you, Chairman.

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

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

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

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

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

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

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

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

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

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

ASSEMBLYWOMAN GALLAGHER: Okay, thank you.

ASSEMBLYMAN MAGNARELLI: Thank you.

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

ASSEMBLYWOMAN GALLAGHER: Yes.

CHAIRWOMAN KRUEGER: Thank you.

Senator Persaud.

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

(Laughter.)

ASSEMBLYWOMAN GALLAGHER: You know how we do things.

CHAIRWOMAN KRUEGER: Senator Persaud.

SENATOR PERSAUD: Thank you.

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

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

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

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

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

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

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

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

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

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

SENATOR PERSAUD: Okay, thank you for that.

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

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

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

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

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

SENATOR PERSAUD: Thank you for that.

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

ASSEMBLYMAN MAGNARELLI: Thank you, Senator.

CHAIRWOMAN KRUEGER: Thank you, Senator.

ASSEMBLYMAN MAGNARELLI: Member Carroll, please.

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

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

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

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

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

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

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

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

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

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

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

We're very proud -- you've heard about it at great length today -- and we're not -- and -- and --

ASSEMBLYMAN CARROLL: Well, that's great. I will take that to the bank.

And I want to agree with Assemblymember Gallagher, it is Brooklyn and other places that are going to end up building housing and are building housing. We should make sure that when we build that housing, the MTA is committed to increasing service commensurate with that population increase.

MTA CHAIR LIEBER: Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you very much.

ASSEMBLYMAN CARROLL: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Senator Fernandez.

SENATOR FERNANDEZ: Thank you so much.

MTA CHAIR LIEBER: Hello, Senator.

SENATOR FERNANDEZ: I represent District 34, the East Bronx, which has parts of 95, Cross Bronx, and Hutchinson River

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

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

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

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

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

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

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

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

SENATOR FERNANDEZ: Okay.

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

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

I think what we have heard and found

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

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

SENATOR FERNANDEZ: Okay.

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

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

SENATOR FERNANDEZ: How much does one experiment cost?

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

SENATOR FERNANDEZ: I would like to

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

MTA CHAIR LIEBER: Absolutely. Absolutely.

SENATOR FERNANDEZ: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Assembly.

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

Member Sillitti.

ASSEMBLYWOMAN SILLITTI: Hello.

MTA CHAIR LIEBER: Hello.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

All right, thank you.

ASSEMBLYMAN MAGNARELLI: Okay. Well, thank you.

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

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

(Brief recess taken.)

ASSEMBLYMAN MAGNARELLI: Senator Krueger.

CHAIRWOMAN KRUEGER: Thank you so much.

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

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

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

CHAIRWOMAN KRUEGER: Yes.

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

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

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

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

CHAIRWOMAN KRUEGER: And you're right,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CHAIRWOMAN KRUEGER: Thank you.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

MTA CHAIR LIEBER: You want to --

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

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

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

And my time is up. Thank you.

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

(Laughter.)

ASSEMBLYMAN MAGNARELLI: Next we'll

have Member Otis, please.

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

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

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

MTA CHAIR LIEBER: So it's been most

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

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

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

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

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

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

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

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

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

CHAIRWOMAN KRUEGER: Thank you.

So the chairs of committees are

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

SENATOR KENNEDY: Thank you, Chairwoman Krueger.

Chairman and team, thank you again for your testimony.

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

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

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

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

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

SENATOR KENNEDY: Thank you.

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

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

(Laughter.)

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

SENATOR KENNEDY: Thank you.

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

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

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

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

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

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

CHAIRWOMAN KRUEGER: Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you.

Member Seawright. Is she here? Not here, okay.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

life.

MTA CHAIR LIEBER: Yes.

ASSEMBLYMAN JACOBSON: Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

And a second round for Chair Comrie, three minutes.

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

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

MTA CHAIR LIEBER: So just to be

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

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

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

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

SENATOR COMRIE: The future of Penn Station.

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

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

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

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

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

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

embedded in all contracts that are going forward.

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

MTA CHAIR LIEBER: Okay. So --

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

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

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

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

ASSEMBLYMAN MAGNARELLI: Member Mitaynes, please.

ASSEMBLYWOMAN MITAYNES: Thank you.

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

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

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

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

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

Rich?

ASSEMBLYWOMAN MITAYNES: Thank you.

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

ASSEMBLYWOMAN MITAYNES: Thank you.

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

MTA CHAIR LIEBER: I don't know.

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

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

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

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

we want to have bike racks on those.

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

NYCT PRESIDENT DAVEY: That's right.

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

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

ASSEMBLYMAN MAGNARELLI: Thank you, Mr. Chairman.

ASSEMBLYWOMAN MITAYNES: Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you, sir.

Member Palmesano, please.

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

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

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

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

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

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

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

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

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

Is there anything you can do there? And we'll maybe --

(Overtalk.)

MTA CHAIR LIEBER: So we're not -- obviously the economic development decision-making is not, you know, our bailiwick.

But I'll say this. I want a strong operation in Hornell. So for them to get a lot of good contracts from around the country is a great thing, even if it displaces capacity that I might want to use for the R262s or otherwise.

So we support that. But, you know, the -- you obviously are going to work with the economic development authorities of the State of New York on that. We want them to be strong and to be expanding that.

ASSEMBLYMAN PALMESANO: So would the -- on the Brightline, is that something the Hochul administration would join us in submitting comments? Because that would be vital because that would not just be supporting those jobs there, but --

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

ASSEMBLYMAN PALMESANO: Sure.

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

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

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

Thank you. Appreciate it, Mr. Chairman.

ASSEMBLYMAN MAGNARELLI: Thank you.

Member González-Reyes.

ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Ro-has.

Thank you all.

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

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

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

MTA CHAIR LIEBER: Well, we just last month -- I'm not going to get all the details right, but I'm going to refer back because time is short. We did an extensive presentation on the changes that we are making with many, many MTA bridges to make those walkways, to the extent they exist, put them where they don't exist and to expand them and make them safer for both pedestrians and bicycles where they do. So there's a lot of planning going into that.

And we're also well on the way to having bike racks at every subway station so we're literally knocking out the last few

with the city DOT. And we've also done a big push on that in the suburbs. Even where we don't control the real estate, we're working with localities to make sure they have adequate capacity for bike parking and storage.

And we're trying out some of this secure bike parking that makes people even more inclined to use their bikes for that last-mile connection.

ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Thank you.

I know someone asked about the data around the free bus pilot, and I know you don't have it ready yet, but I know President Davey was quoted in the December 2023 Our Town NY article about seeing about somewhere between a 7 and 20 percent increase on buses. When would that data be transparent and shared with the public and --

MTA CHAIR LIEBER: I think I said it -- you may not have been present. But what I said, it's like the Legislature said

this is a six-to-12-month pilot, and we're collecting data and we're going to be back to you in that six-to-12-month time frame, it's just premature.

Yes, we are seeing ridership grow, but it's not fair to not perform the analysis that everybody called on us to do and to give you full data.

ASSEMBLYWOMAN GONZÁLEZ-ROJAS: And then in my last few seconds, concerning the finances of the MTA, I imagine it would be best to have just more sustainable funding.

I have a bill that would remit the internet sales tax into a lockbox that would go directly to the MTA, as opposed to going through this process. Would that be helpful for financial planning? It's part of the MTA package of bills.

MTA CHAIR LIEBER: We'll take a look at it, but obviously, you know, I just don't know enough about it to respond. And we obviously have to talk to the administration.

ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Thank you so much.

ASSEMBLYMAN MAGNARELLI: Thank you.

Member Burgos, please.

ASSEMBLYMAN BURGOS: Thank you, Chairman Lieber, and the rest of the team at the MTA.

As you're aware, I've been engaged with your team and the Governor's team along with Senator Comrie over the past year regarding the grave injustice happening in our state when it comes to cashless tolling and the E-ZPass system.

I won't go into every problem we've discussed in the interests of time, but for the record, I've talked to many New Yorkers who have been burdened with bills reaching tens of thousands of dollars, often leaving them in debt collections, losing their car and subsequently their livelihood.

Now, I want to be clear, this is not a defense for scofflaws who cover their plates or deliberately ignore toll bills. Both of these issues are true, and should not be conflated.

There are three tolling authorities in

New York State, but it's very apparent the overwhelming majority of people dealing with this issue are the ones who cross the MTA's seven bridges and two tunnels in New York City. With the congestion pricing plan set to be implemented very soon, I have great concern that these same issues will only expand if sweeping changes are not made.

Chairman Lieber, how many toll transactions does the MTA process annually?

MTA CHAIR LIEBER: Two and a half -- I think it's $2.5 billion worth. I'm going to pull out the --

ASSEMBLYMAN BURGOS: About 320 million transactions, right?

MTA CHAIR LIEBER: You obviously know the numbers, then.

ASSEMBLYMAN BURGOS: Approximately how many drivers use the cashless tolling system as opposed to an E-ZPass tag?

MTA CHAIR LIEBER: I think we're 80 percent E-ZPass, plus or minus.

ASSEMBLYMAN BURGOS: Eighty percent E-ZPass, about 20 percent using cashless

tolling, plus or minus.

MTA CHAIR LIEBER: Somebody will correct me if I'm wrong, but I think -- more or less.

ASSEMBLYMAN BURGOS: Okay, thank you.

Now, the other two tolling authorities in New York have a penalty system for unpaid tolls. However, they differ vastly. The Port Authority typically adds on a $50 violation per unpaid toll, while the Thruway Authority charges a very reasonable $50 per billing cycle, a maximum of $600 per year.

The MTA, on the other hand, charges a $100 per toll violation, an amount more egregious than even the most predatory creditor out there.

How much does the MTA collect in these $100 fees?

MTA CHAIR LIEBER: Listen, I don't know the answer. But our average penalty fee is 30 bucks. So I don't really know where the data's coming from.

And, you know, I'm -- all this is -- obviously you want to talk about this in some

detail. The answer is, number one, we are absolutely prepared to work with all of the members of the Legislature on customer service. I don't necessarily fully disagree with you about fees. But the bottom line is people have to pay their tolls, and the interventions we've been doing, increasing dramatically, are focused on people who are massive scofflaws or who are intentionally covering their plates.

We don't want to burden people who just overlook a bill. So let's talk about it, and let's focus --

(Unintelligible overtalk.)

MTA CHAIR LIEBER: -- on the fact that 90 percent of the people from the Bronx -- 90 percent of the people from the Bronx are taking mass transit. So the demonization of the effort to collect tolls so that we can pay for mass transit --

ASSEMBLYMAN BURGOS: Yes, but a $30 average fee is not including the ones that go to debt collection. That's not calculated into your numbers. And there are many people

who go into debt collection receiving these bills. I've seen bills $40,000, $50,000, $60,000, and it's not uncommon.

MTA CHAIR LIEBER: Let's --

ASSEMBLYMAN BURGOS: And again, I'm not defending the scofflaws. That is not my goal here.

MTA CHAIR LIEBER: Well, that's my problem right now. So before we get into tolls, you're going to hear me talk about what is basically a theft from the public, and it's grown.

ASSEMBLYMAN BURGOS: Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you, Mr. Chairman.

Member De Los Santos, please.

ASSEMBLYMAN DE LOS SANTOS: Good afternoon, Chairman.

I'd -- so if I'm not mistaken, we are in our final year of the MTA 52.1 billion capital program executed from 2020 to 2024. One of the initiatives of this program was to add ADA elevators to more train stations, MTA train stations.

What's the forecast to add ADA elevators in all train stations, particularly in the one in my district in Marble Hill, 225th Street, where accessibility is an issue for our elderly folks? And we're still struggling understanding how that station, specific train station, did not become a priority for ADA elevators.

MTA CHAIR LIEBER: So the answer is -- I think you've heard me say it -- we are doing ADA stations at four times the pace of the MTA in the past. We have an agreement with the disability community about continuing that pace until we're completed with all of them.

But all -- but the prioritization, what order we go in, hinges on issues like trying to make sure we never have more than two stops away, so people do have access to some ADA station. But we'll work with you on figuring out where that station may be. I just don't know the answer. But it's something we study a great deal, about how to prioritize as we're building out the whole

system.

ASSEMBLYMAN DE LOS SANTOS: Given the reality as it is right now, can you commit to make that a reality moving forward, the 225th train station?

MTA CHAIR LIEBER: No. I can commit to -- I can commit to keeping up the incredibly fast pace of ADA station building that we're doing. The prioritization is something -- listen, you may be right, it may be something that ought to be up the priority chain. I just don't know the answer as I sit here, about when it's scheduled.

ASSEMBLYMAN DE LOS SANTOS: In addition to that, what promotion has the MTA done for the fare-free pilot program?

MTA CHAIR LIEBER: The fare-free pilot program. Rich, you want to talk about that? Or Shanifah?

NYCT PRESIDENT DAVEY: Sure.

So we've done a lot of promotion. Obviously we sent out -- all of our buses are signed with free fare, and we have obviously the technology, obviously, in the windows,

for example, and then in the buses themselves.

We've had it on our websites so customers know. And given that it was described earlier, we have seen a bit of an uptick in ridership. We have a lot of data that we have to collect. But suffice to say customers know about it.

ASSEMBLYMAN DE LOS SANTOS: Who's responsible for ensuring that those promotions come to underserved communities so that residents are well informed of the pilot program?

NYCT PRESIDENT DAVEY: So yeah, as you know, the Legislature instructed us to pick five routes across each of the five boroughs. So we did that. We looked at, as was asked, you know, demographics, how folks might interact. So that was implemented four and a half months ago --

ASSEMBLYMAN MAGNARELLI: Thank you very much.

ASSEMBLYMAN BURGOS: Thank you.

NYCT PRESIDENT DAVEY: Sure.

ASSEMBLYMAN MAGNARELLI: Member Seawright.

ASSEMBLYWOMAN SEAWRIGHT: Thank you, Mr. Chairman and Chair Krueger, and thank you for your leadership.

I represent Roosevelt Island and chair the People with Disabilities Committee. And on Roosevelt Island right now there are two elevators in service. One is out. Many of the residents are people with disabilities. They're not able to walk up and down the stairs for two levels.

And so I'd like to know, you know, what the MTA is planning to do to bring some relief for these citizens. As well as the F Train shuttle that runs every 20 minutes. There will be no shuttle service at all in three weekends in February.

The tram that services the island is the same. Residents have been telling me that the line can stretch all the way to Third Avenue, and it's just not feasible. RIOC has stopped the Red Bus shuttle service on the island to Manhattan and doesn't have

the capacity to run a shuttle because of the strong demands on the island.

The MTA, we've seen, has been very reluctant to offer adequate supplemental service for the residents. So if you could just address this, I would appreciate it.

MTA CHAIR LIEBER: So a couple of things. One is we're -- we are on schedule with the completion of that trackwork in the 63rd Street Tunnel. I'm very pleased about that. And I actually -- our feedback, since we have been working with the community and some of your folks, is that people are -- broadly speaking, it's disruptive, but they're satisfied with the shuttle service that we've implemented, number one.

Number two, we have driven up the availability rate of our elevators -- it's been a priority for us across the system -- to a much higher level than it was before. Many fewer are out of service at any one time. We do have to replace elevators periodically as part of the capital program.

Anything else that you can offer on

the specifics of why that elevator is down? I don't know the answer.

NYCT PRESIDENT DAVEY: Well, that's literally waitlisted on our website. There's one elevator down because we're doing capital work, so it will be up and running by the end of February.

But back to the question of service, though. You know, we have a staff and --

ASSEMBLYWOMAN SEAWRIGHT: Well, let me just stop you for a second. Back to that, is there any kind of plan? Like I said, it's an island with a lot of people with disabilities. Is there any kind of plan to offer any kind of supplemental addition or service or how to deal with this?

NYCT PRESIDENT DAVEY: Yeah, so you just click and there's the travel alternatives for that particular elevator.

So -- but again, happy to have a conversation if there's a particular customer or set of customers who have issues.

I will say if we do see crowding, we try to send more buses out. We have been

laser-focused having, you know, operating staff on the ground. But as the chair said, you know, we're -- you know, take just a step back, we're ripping out 40-year-old track. And the good news is this will be done. And I know that it's not easy for our customers to sort of wade through this. My hope is we won't be back for another 40 years by the end of March.

ASSEMBLYWOMAN SEAWRIGHT: There's also other --

ASSEMBLYMAN MAGNARELLI: Thank you very much. Thank you.

Member Walker.

ASSEMBLYWOMAN WALKER: Good afternoon.

So I would like to plus-one my comments with those of my colleague Member Burgos, in the fact that there are a number of my constituents who come into the office on a regular basis with exorbitant fees associated with the bridges and tunnels around New York City -- most of them to the tune of $5,000 or more, and many of them being either threatened by or in the process

of being adjudicated through some level of debt collection. To wit, we believe it's a huge problem. It's a civil rights issue. It's an attack on the poor. And we're watching now and there are sort of economic ramifications to it, but now as a part of this proposal we are watching law enforcement ramifications become more pervasive.

And I would love to continue to have this conversation with you in terms of how do we address removing transportation barriers to the poor when they have to do things like get to school, get to work, get to appointments, and sometimes having to make a tough decision as to whether or not they can afford the transportation fee, or to show up to some other very important matter that they have to get to, up to and including court.

So I look forward to speaking with you on that. And I did hear you mention Senator Schumer, who announced at the Broadway Junction some of the federal investments that he's made. With the planned rapid transit project known as the

Interborough Express, we understand that a number of stops will be made or proposed to the IBX. However, Broadway Junction is not included as one of those stops. Can you please explain to me why?

Secondly, thank you very much for a pilot project which is a free bus ride through the B60, which is included in my community, which again addresses poverty. It is scheduled to end on March 30th. I'd like to know more about how successful the program has been and whether or not in this budget we can plan for that to be more permanent as opposed to a pilot project.

MTA CHAIR LIEBER: So just in the interests of time, because we're running out, I think we've said a couple of times we're going to give you a proper report on the thing. The thing's been -- the experiment's only been going for a few months now. You asked us to study it between six and 12 months, and then we're going to give you a full and complete report on it in the next few months when that work has been done.

On the IBX, the whole issue with Broadway Junction is one of the ability to get access closer to the station, physical access. So we are investing a huge amount of money in making Broadway Junction accessible -- I think $300 million -- and doing a ton of other work. The IBX we can get into it in more detail. The constraint is literally physical and engineering. It's not an oversight.

ASSEMBLYWOMAN WALKER: Thank you.

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

Member Pheffer Amato, please.

ASSEMBLYWOMAN PHEFFER AMATO: Good afternoon. Thank you for all the help and work that we've been doing together in the community. It's great seeing you, and the improvements, but there's always more to be done.

I'm going to just give a plus-one to my -- Members Burgos and Walker talking about the bills and the excessive charges that come with our constituents regardless if it's

their fault or the system's fault, whatever happens to build up those bills.

So then for me, I want to know what we're doing about toll evaders, and what we can -- we as a Legislature can do to increase that enforcement. Is it hiring more TBTA superior officers? Is it a regular basis? And I'm talking about the ones I see on a daily basis. Unlike some of my colleagues, you know, I go over my bridge about eight times a day, and you can see just plain, straight out, scraped-off plates, covered plates. And what can we do to pull those folks over, who should be able to take their car, have a violation. As opposed to, you know, Mrs. Smith, Mr. Rodriguez, who for whatever reason got themselves with a $5,000 bill. The fees are incessant. But we have to look at the people that are breaking the law, and I'd like to work closely with you on that.

MTA CHAIR LIEBER: Yeah, so very quickly, we gave out 3300 summonses last year for covered plates, a dramatic increase. We

intercepted 50 percent more vehicles than we did last year.

The challenge is that we need -- as the Governor has proposed, we need, you know, stronger enforcement tools, a little more bite to the law of when you cover a plate, we can't actually confiscate the illegal plate, which is crazy, if people are using these James Bond devices to cover their plates and so on.

So we need a few more tools to get at it. And we are -- we're confident -- we also need to work with the city, because some of this is when people are faking plates on our facilities, they're faking plates or using illegal fake temporary plates and are arrested -- see, that's frequently used in crime. It's a huge crime issue.

So we need to be able to work with the city to identify those plates and pull them down in short order. So you've got a specific detailed proposal from the Governor in the budget proposal --

ASSEMBLYWOMAN PHEFFER AMATO: Is there

an estimate -- I'm sorry. Is there an estimate of how much lost revenue? I mean, that's what we're talking about. We're trying to make an equitable -- you know, that's what my -- Member Burgos was saying that other authorities, they charge $50 a month, but that lost revenue, it shouldn't be on the back of our -- sometimes, you know, our constituents who have --

MTA CHAIR LIEBER: The unbillable, we've actually knocked down that number, although the covered plates piece of unbillable has gone up. That's why we're highlighting it so much.

So, you know, there's significant dollars. It's 30 -- I think $34 million for unbillable projected in 2023, and that includes a lot of the covered plates.

ASSEMBLYWOMAN PHEFFER AMATO: Thirty-four million?

MTA CHAIR LIEBER: Thirty-four million.

ASSEMBLYWOMAN PHEFFER AMATO: Okay. And I have 10 seconds left --

MTA CHAIR LIEBER: And we've upped our success in recovering from recidivists, people who don't pay significantly. Like 68 percent of that, of the big owers, we've collected on. And so we're growing our success in collecting, but we need more tools.

ASSEMBLYMAN MAGNARELLI: Thank you, sir.

(Overtalk.)

ASSEMBLYWOMAN PHEFFER AMATO: -- I'll just say QueensLink, QueensLink, QueensLink.

(Laughter.)

ASSEMBLYMAN MAGNARELLI: Thank you.

Member Cunningham.

ASSEMBLYMAN CUNNINGHAM: How you doing, Mr. Chair? Thank you so much.

You mentioned Flatbush earlier, where I represent. Think about this summer with the catastrophic rainfall, climate change, and some of the capital repairs needed at that and other stations. Just wondered what the MTA's plan is in regard to capital repairs, particularly with climate change.

MTA CHAIR LIEBER: Which -- which -- in general, capital repairs with respect to climate change?

ASSEMBLYMAN CUNNINGHAM: Generally, yes, but also Parkside --

MTA CHAIR LIEBER: I'm going to just wave this around a little more. This is like an incredibly detailed analysis of the whole system. Six million components looked at for their vulnerability to climate change and their criticality to the system, and giving us a pathway how to fix it in the next capital program. No one's ever done anything remotely like this.

So I'd refer both of us back to that.

But, you know, if you're talking about Newkirk Plaza or some of these areas that chronically are overwhelmed by water in these torrential rainfall situations, we have -- you know, you and I should talk about it.

But we do have a strategy for dealing with specific stations, but the broader issue is the city's incapacity in its storm sewer system. When it goes beyond an inch and

three-quarters in an hour, they run out of space to get water out of the system. We become the backup reservoir. That screws the system up. But we're getting pretty good at pumping it out.

We still need the city to work with us on some localized improvements, and that's what we should talk about with you.

ASSEMBLYMAN CUNNINGHAM: Thank you. So we'll definitely circle back with the Q Train and Parkside Avenue, to be more specific about the train station.

MTA CHAIR LIEBER: Parkside. Okay, Parkside, yeah. We're --

ASSEMBLYMAN CUNNINGHAM: We're in the same neighborhood.

MTA CHAIR LIEBER: This is my line. I know.

ASSEMBLYMAN CUNNINGHAM: Got it.

And the other question is really about the app service. I find myself not using the MTA app as much as I use Google or other ones. What improvements are you making, particularly with folks --

(Overtalk.)

MTA CHAIR LIEBER: You know, we have --

ASSEMBLYMAN CUNNINGHAM: -- in technology?

MTA CHAIR LIEBER: Shanifah, take it away. We're with you.

MTA CCO RIEARA: Again, yeah, we are all in alignment with that.

And that is something, you know, similar to our riders on the railroad got; we launched TrainTime over a year ago. We want to bring the transit app into the modern-day history. So we are working on releasing, within the next month or two, a new version that we hope to sort of touch on, you know, all the functions and features that our customers want, with the goal of continuing to look at it, and continue to build on that as we move along.

ASSEMBLYMAN CUNNINGHAM: And I guess to follow up on that question, particularly with OMNY service now in almost full effect, if you would, how is the integration with the

app and now being able to pay for your transportation through the app going to work, if possible?

MTA CCO RIEARA: Well, that's further down the line.

But, I mean, we are now focused on OMNY penetration and getting people to use OMNY. We have lots of customer messaging. There's no shortage of -- you enter the system, OMNY is everywhere. And we have moved away from the concept to the physical -- just encouraging people to tap. Because before, people were like, what is OMNY? Do I have to sign up for something? Do I have to download something?

So we are now really focusing on the mechanics and letting people know how to use it.

ASSEMBLYMAN CUNNINGHAM: Thank you so much. I'll be in touch.

ASSEMBLYMAN MAGNARELLI: Thank you very much.

This concludes the questioning of the MTA. Well done. Thank you very much for

being here. We appreciate it. And I'm sure there may be some follow-ups from various people, and we'll get in touch with you. We appreciate all your time.

MTA CHAIR LIEBER: So and just in closing, may I just remind everybody that we are doing tours, regularly, of the system to try to familiarize everybody with the conditions that we're all talking about that are reflected in this 20-year needs assessment.

So Mr. Comrie, thank you for coming to several of those. We just invite everybody to come and take a look at -- because this is going to be an important capital program. We want you to see what we're all dealing with as we head into next year.

CHAIRWOMAN KRUEGER: Okay, thank you very much.

MTA CHAIR LIEBER: Thank you.

CHAIRWOMAN KRUEGER: And we want DOT to come on in.

ASSEMBLYMAN MAGNARELLI: DOT, come on down.

CHAIRWOMAN KRUEGER: And also, please, if any legislators have questions for the MTA, take them out in the hallway so we aren't delaying moving forward with the Department of Transportation.

(Off the record.)

ASSEMBLYMAN MAGNARELLI: Commissioner, you're sitting there all by yourself. I'm impressed. I am very impressed.

Listen, if you're ready to go, we're ready to start. The floor is yours, ma'am.

DOT COMMISSIONER DOMINGUEZ: Good afternoon, Chairpersons Krueger, Kennedy, Magnarelli, and members of the Legislature. On behalf of Governor Kathy Hochul, I'd like to thank you for inviting me here to talk about the State Department of Transportation, our people, the communities we serve, and how the work that we do makes a positive difference in the lives of all New Yorkers.

I'd like to begin by saluting the dedicated members of the DOT team, who are always there, regardless of the challenge. For the last two weeks our crews have been

working around the clock to clear relentless amounts of snow in Watertown and the North Country, and certainly in Buffalo, where I saw firsthand the great lengths they'll go to ensure the safety of the communities that they serve.

Our people are the heart and soul of our agency. They make me enormously proud, and they deserve our thanks.

I like to think of transportation acrss New York as an integrated system. No matter if it's transit, rail, aviation, roads and bridges, or bike and pedestrian pathways, all these systems are working together to better the lives of New Yorkers. At the heart of all of this is the Department of Transportation. And thanks to your support, we accomplished a great deal last year.

Because of Governor Hochul's leadership and your continued support, New York is investing more in its infrastructure than at any time in our history. Our department is busy putting these investments to work.

In 2023 alone, we improved 1586 lane miles along state and local highways. That represents $754 million of investment in our roadways. The resurfacing included over 500 lane miles of improvements that were funded from Governor Hochul's Pave Our Potholes program.

Additionally, New York State DOT replaced or improved 2,833 bridges statewide, totaling $1.7 billion worth of investment that enhanced safety, improved sustainability, and boosted resiliency against severe weather impacts.

In the face of a litany of challenges this past year, DOT executed projects across the state under our five-year capital plan while planning forward for the future of New York's transportation system with the kickoff of our statewide master plan, currently in development and in process.

From the Bronx to Buffalo, New York is reconnecting communities in innovative ways to carry out Governor Hochul's vision not only for what transportation is, but what it

could be and what it will be.

This past summer we announced the completion of Phase 2 and the beginning of Phase 3 of our Hunts Point Improvement Project, which rehabilitated and created new connections on key sections of the Bruckner Expressway and Bruckner Boulevard to establish a more direct route to the Hunts Point Market and also to provide a shared-use path to create added opportunities for walking and biking.

We broke ground on the transformative Interstate 81 Viaduct project in Syracuse, which will reconnect the city's divided neighborhoods and create a community grid that will enhance mobility throughout the region and improve access to the city's downtown destinations.

We're also advancing reconnecting communities projects like the Kensington Expressway in Buffalo and the replacement of the Livingston Avenue rail bridge in the Capital Region, both of which will create a greener, more sustainable transportation

system that will enhance quality of life for the communities that they serve.

And this year the Executive Budget provides nearly $7.6 billion for the third year of a record $32.8 billion, five-year capital plan to facilitate capital improvements on highways, bridges, rail, aviation infrastructure, non-MTA transit, and DOT facilities. In the first year of the five-year capital plan, $230 million was provided to enhance nine regional airports upstate, and an additional award of $49 million was made in 2023 for 36 public-use airports across New York.

Additionally, the Executive Budget provides $8.8 billion in mass transit operating support, including $551 million to non-MTA downstate transit systems and $323 million to upstate transit systems, a 5.4 percent increase in transit operating assistance.

We're also working aggressively to implement the goals of the Climate Leadership and Community Protection Act. In partnership

with NYPA and NYSERDA, DOT is a national leader in leveraging the $175 million New York will receive over the next five years for the National Electric Vehicle Infrastructure program, to further advance EV charging infrastructure on our interstate highways. This December, New York became one of two states to open the nation's first NEVI-funded EV charging stations.

Smart climate policies also mean building a resilient infrastructure for the future, which is why we're investing $1 billion in bridges and culverts under the capital plan through the Bridge NY program. The first round of Bridge NY funds made available went to 115 bridge projects and 101 culvert projects. The second round kicked off this past November, and municipalities are making their project recommendations right now.

The department also has initiated a statewide culvert resiliency program, known as CRoSS, which will ultimately improve resiliency at 422 locations around the state.

Building for a greener future also means encouraging other forms of transportation beyond cars. That's why we're advocating and advancing DOT's Active Transportation Plan, which will focus on how we enhance and develop pedestrian and bicycle infrastructure.

Last year DOT received $5 million for Complete Streets planning that is now being used to support projects in communities interested in improving bicycle and pedestrian opportunities in underserved communities across the state.

Let me also mention that DOT inspects our bridges across New York State every two years to make sure that not only are they safe, but that they are in good working order. And after the pandemic-related delays, we've posted all the results of those inspections and the conditions on our website, and they are available.

Let me close where I began, with our workers, because nothing is more important to us than the safety of our DOT team members.

In April, legislation adopted by the Legislature and signed by Governor Hochul allowed DOT to work with the industry, organized labor, and the Thruway Authority to kick off the Automated Work Zone Speed Monitoring Pilot Program to help enforce speed limits in highway construction and maintenance work zones across the state.

Through the end of December, the department issued more than 102,000 notices of violations to motorists, including one who was clocked at going 139 miles per hour -- 139 miles per hour on Route 104 in the Town of Irondequoit. This was matched by a similar speed on Long Island, on the Long Island Expressway.

We're currently collecting and analyzing all the data, but our workers are already reporting a noticeable reduction in overall speeds at our work sites. I look forward to continuing this pilot program in the coming construction season, because we know it's making a difference. And we'll be reporting back to the Legislature on our

findings.

What I've laid out today is just a small sample of the work our team at the New York State Department of Transportation undertakes each day as we fulfill our mission to provide a safe, reliable, equitable, and resilient transportation system that connects communities, protects the environment, enhances quality of life, and supports the economic well-being of the State of New York. We're proud to be a partner in building a better future for all New Yorkers.

Thank you again for the opportunity to join you today. I'm happy to answer any questions.

ASSEMBLYMAN MAGNARELLI: Thank you very much, Commissioner.

And I'm going to start off the questioning here, and not really on -- thank you for all the things that you covered. I'm sure there's a lot of questions there. I'm sure I have a lot of questions. But I'm going to get to a couple of things that are kind of questions to me, okay?

First of all, in the Governor's budget there is a proposed sale of property in the Town of Babylon. Okay? And this is a kind of an ideal -- a theoretical, philosophical problem. There's a proposed Article VII provision that would authorize DOT to transfer and convey certain state-owned property within the Town of Babylon, Suffolk County, upon such terms and conditions as the commissioner deems appropriate.

Are the parcels identified in the Article VII considered surplus property? And if they are surplus property, why aren't they being handled through the surplus property process already in place? What does the department plan to do with this property? Is there already an agreement to use this land, and if so, what?

The language of the proposal lacks a number of provisions which were included in prior chapters involving a DOT land transfer and conveyance -- for example, specifying the entity to which the transfer is being made, a

stated public purpose, a set time for application and closing, and reversion of the land to the state if the land ceases to be used for state public purposes.

Is there any reason for omitting these provisions? And if so, could you walk us through it? Also, we'd like to have a copy of the tax map showing the two parcels proposed to be transferred by this Article VII. That we could do later. But basically you see what I'm getting at.

DOT COMMISSIONER DOMINGUEZ: Mm-hmm.

ASSEMBLYMAN MAGNARELLI: So can you fill us in?

DOT COMMISSIONER DOMINGUEZ: Sure.

I think the overall intent of the legislation is to make sure that there's provisions in law to actually do any transfer of DOT property correctly. And under the provisions of law right now, there has to be some additional clarification. So that was the intent, was to try and make sure that we had it in --

ASSEMBLYMAN MAGNARELLI: But, I mean,

any other state --

DOT COMMISSIONER DOMINGUEZ: We're happy to work with you --

ASSEMBLYMAN MAGNARELLI: -- state agency or -- for example, the Department of Education or whatever, if they own a piece of property, it has to go through a certain process. And the people of the State of New York have to know who you're selling it to, what are the terms, what are the purposes for which we're giving away this land -- I'm not saying giving away -- or selling land. What are the terms.

So you're basically saying this is just a change, you want an overall change.

DOT COMMISSIONER DOMINGUEZ: What we're looking for is to make sure that we have the opportunity to look at whatever conveyance may be available.

And so we would do it in full transparency. Happy to work with you on the legislation and how it actually is phrased. But making sure that any conveyance of DOT property not only looks at current state

provisions, but also the federal provisions. We also have to abide by that in case any of the property was actually purchased with federal dollars.

So we're looking for a framework to make sure that we actually convey it properly.

ASSEMBLYMAN MAGNARELLI: Okay. I'm not getting any specifics on the sale of property to Babylon -- from Babylon or to Babylon or whatever.

DOT COMMISSIONER DOMINGUEZ: Well, I think part of it is to actually look to see -- it's not just the Town of Babylon, but there's other opportunities across the state to look at --

ASSEMBLYMAN MAGNARELLI: Can you tell me what the reason for this is at this point in time?

DOT COMMISSIONER DOMINGUEZ: Well, as the Governor outlined in her proposal, in her State of the State proposal, there are state properties across the state that could be looked at for either housing or other

opportunities to actually make sure that we are addressing the economic development concerns, other -- wider.

ASSEMBLYMAN MAGNARELLI: And I don't think I have a problem with those types of purposes if in fact we're going to build out more units for the people of the State of New York. But I'd like to know who's going to own those units, what is the sales price of the property, the particulars of what is going on in that.

DOT COMMISSIONER DOMINGUEZ: So, sir, I don't think any of those have been developed at this point in time, to my knowledge. I think this is simply a conveyance mechanism to make sure that should something be developed in the future, there's legislation in place to make sure that the State Department of Transportation has the legal authority to actually transfer property.

ASSEMBLYMAN MAGNARELLI: Okay. But you're taking away the oversight that's already built into the laws to look at these

things before the property is transferred. And so -- I mean, that's the proposal. You're not doing it, Commissioner. But I mean that's the proposal in the Article VII, is basically to say the commissioner can make the determination. Okay?

Right now there are procedures that have to be gone through, and you're looking to bypass those procedures.

DOT COMMISSIONER DOMINGUEZ: I'd be happy to sit down and go through with you -- I know you're a property expert. I know you are. I know that you're a real -- literally, real property expert. But to be clear on what the intent and the purpose is. It's not to bypass. It's literally to provide some --

ASSEMBLYMAN MAGNARELLI: I think that's what I'm asking. You know, what is the intent. I'm not saying anything's wrong here. But maybe there's a procedure whereby the Legislature and the public gets to know beforehand --

DOT COMMISSIONER DOMINGUEZ: Absolutely.

ASSEMBLYMAN MAGNARELLI: -- what's being transferred.

Okay, another question, something that's really bothering me. I was reading in a New York Times article I think this weekend -- I believe it was this weekend. Sometimes I save these things too long -- but talking about dangerous driving. Now, you alluded to what happened when we put up the pilot program in the work zones, okay? All right. Based on recent articles, it appears that there are greater traffic fatalities, incidents of speeding, distracted driving, et cetera, et cetera, et cetera. It's not only on our state highways, it's on our city streets.

What is the department doing to combat these trends? Has the department noticed an increase in these statistics too?

DOT COMMISSIONER DOMINGUEZ: We have. This is a nationwide trend. And I can tell you the level of distraction across the board is manifested in a whole bunch of different ways, from the excessive speeds that I just

noted in our work zones -- and again, we're grateful to the Legislature and Governor Hochul for the opportunity to pilot automated work zone speed enforcement. We really do think it's making a huge difference.

When we look at bridge hits across the state, people are not paying attention -- or if they are, they're paying attention to their GPS device and it's giving them incorrect information. There is an enorm -- and pedestrians, even, are not paying attention when they're walking across the street.

In the post-COVID environment we have seen an incredible amount of distracted as well as aggressive driving.

ASSEMBLYMAN MAGNARELLI: Aggressive driving, that was the article. It was mostly aggressive driving. And, you know, venting on the road, so to speak.

DOT COMMISSIONER DOMINGUEZ: So part of what we're doing is not only making sure that we're taking a very holistic approach as

we design roadways, whether that's a Complete Streets view of everything to make sure that pedestrian, bike, motorist, truck, everyone's got a clear view from geometric levels as well as, you know, safe crossings, crosswalks, lighting, et cetera -- that whole view, that holistic view of roadway construction. But more importantly, to help with education and information sharing and enforcement.

So I can tell you we're working with the Governor's Traffic Safety Council and other entities to make sure that the level of enforcement and awareness for people is there. So whether that's e-bike safety on speeds or bridge hits -- we've got a task force looking at that, to actually do some additional enforcement and education -- but also just general awareness for people who are using our roadways. Our VMS signs, we're trying to do everything we can to bring awareness to the driver to pay attention.

ASSEMBLYMAN MAGNARELLI: I agree with you wholeheartedly. You know how I feel

about cameras: Bring them on. I'm okay with that. You know, I don't understand -- we need to get speed down in many places. I think being distracted and speeding definitely don't work together. So I appreciate those comments.

Next I'm going to turn it over to my good Senator next to me, Senator Krueger.

CHAIRWOMAN KRUEGER: Thank you very much. Good afternoon.

And I'm going to hand it over to our Transportation chair, Timothy Kennedy.

SENATOR KENNEDY: Thank you, Chairwoman. Commissioner, welcome. Thank you. Thank you for your testimony. Thank you for your work. You and your team have been great partners and have been very responsive anytime myself and my team have reached out. So we certainly appreciate that responsiveness and your partnership and leadership.

I've got a lot to talk about with you, so I'm going to get right to it. You know, in 2022 we approved the $32.8 billion

five-year capital plan. Can you provide us with an update on the implementation of that plan and speak to the new needs that have arisen?

DOT COMMISSIONER DOMINGUEZ: So with regard to the capital plan, indeed it was a record-level capital plan, 32.8 billion to a committed five-year capital plan.

One, we're very grateful.

Two, it represented an increase of about $9.4 billion, or 40.2 percent, over the prior five-year capital plan. It provided steady funding, which the Department of Transportation is executing on. It provided an unprecedented level of state support for local governments -- so $6.1 billion over the five-year period, which is about a 3.4 billion increase over the previous plan.

So what I mean by local, I mean CHIPS, PAVE, EWR, all of those dollars increased under this five-year capital plan. It allocates about a $1.4 billion amount over the period for renewal and modernization of not just our roads and bridges, but also

public transportation, passenger rail and freight rail, as well as airport infrastructure.

And in the process, DOT is executing on that. We've gotten Year 1 down, Year 2 down in the first and second years of the five-year program. We have about 5,474 rehabilitated or improved bridges, 117 bridges have been completely reconstructed, 3700 lane miles of pavement have been constructed and improved in the first two years.

And what we anticipate for this coming year is about 100 bridges are going to be constructed, and 2700 bridges are going to be improved.

SENATOR KENNEDY: Thank you, Commissioner. Let me continue, because we're short on time.

Talk to me and us about the inflationary pressures that have impacted the execution of the plan.

DOT COMMISSIONER DOMINGUEZ: Well, like everything, you know, inflation has

impacted the world of transportation and certainly transportation infrastructure, along with supply chain issues.

That said, it has not stopped the department from executing on the capital plan as laid out, both Year 1, Year 2, and now we're in the process of executing Year 3.

SENATOR KENNEDY: That said, do you believe that further funding is necessary to execute the plan?

DOT COMMISSIONER DOMINGUEZ: What we're doing right now is monitoring the inflationary rates. We've seen that inflation has steadied over the last half-year, and look to see what the overall impacts are on the course of the program.

And again, execute what we have. It's a funded capital plan. And work with the Legislature as we -- you know, and we're doing it according to the provisions of the MOU.

SENATOR KENNEDY: So it's a five-year plan, and inflation that has been in the double digits -- some estimates, over

20 percent -- that would cut into a capital plan greatly.

So, you know, we have been working diligently to identify a number. We believe that number is $400 million -- I know that we've been in conversations about this, and others -- in order to rectify that inflation hole that's been created. Is that a number that you think you could work with to help that gap that's been created?

DOT COMMISSIONER DOMINGUEZ: Senator, I think, as I said before, what we're trying to do is work across the board to monitor the impacts of inflation and see how that will actually play out over the course of the entirety of the five-year capital plan, because many things happen, and work to see exactly what the funding levels would be across the board.

SENATOR KENNEDY: Thank you.

So last year we increased CHIPS funding and State Touring Routes funding by $100 million. That was taken away in the budget that was proposed. Obviously we want

to see that restored. We are going to be working to restore that. I think the communities need it. And I think a demonstration of the need for that isn't just on the conditions but also when you see the weather patterns that you cited in your testimony -- again, thank you for your leadership in responding in Buffalo and Western New York. Just last week we know that the DOT came in to be very helpful to the local community.

That being said, it's those quick thaws, quick freezing moments that are, you know, wreaking havoc on our roads and our infrastructure. But this isn't just Western New York, this is statewide.

Do you feel that you have the proper amount of funding necessary to resolve these local road issues already?

DOT COMMISSIONER DOMINGUEZ: I know that at the end of last session the Legislature and the Executive agreed to the add that you referenced for those programs. You know, I expect that anything along those

lines will again take place amongst the Legislature and the Executive for those dollars.

SENATOR KENNEDY: So we have to negotiate it. We expect to do that. Thank you.

I want to switch gears here. You mentioned the recent reports that were put out. Can you just speak to those again and the conditions and what you're seeing and, you know, just sort of the makeup of the report that was released?

DOT COMMISSIONER DOMINGUEZ: So we have a variety of reports that we look at across the board for the Department of Transportation. The one that you're referencing is the Graber Report; it's on bridge conditions. We were delayed in getting the report out. It is now posted on our website, it's fully -- it's up there. And it does speak to the state of the overall condition of our bridges.

I will say that the bottom line is that the Department of Transportation in

New York State, we inspect our bridges every two years. We have eyes on them. We want to make sure that they're safe, and that goes for local bridges as well. And I will say that, you know, I sit at the national level as well; there are a lot of states that don't inspect bridges as frequently as we do.

So we collect an enormous amount of data, and we're very informed on our asset management practices, so we look at what needs to be addressed based on what we're finding, the safety factors, et cetera. So that's -- it helps us inform how we actually allocate our dollars and how we actually allocate our priorities.

SENATOR KENNEDY: Thank you.

The New York State Public Transit Association has been coalescing around a 15 percent increase in STOA for non-MTA regions of the state. What's been proposed is less than that. Has the DOT looked at revenue enhancements to meet that higher number to achieve a larger increase for STOA?

DOT COMMISSIONER DOMINGUEZ: Well, as

you know, the non-MTA areas -- first of all, MTA, as you heard directly from them this morning, they've got different ways of actually collecting monies directly from localities to actually fund their programs in different ways than the upstate systems do.

And so when you talk about on-budget, off-budget revenue collections, it is different. And we have provided, over the years, and have had a lot of consultation with the upstate transit systems on how exactly we can further improve and look at some other revenue sources.

I think that discussion needs to continue. There's -- you know, there's a larger debate here on how do you actually pay for these systems. But I think this Executive Budget that Governor Hochul put forward is a huge step in the right direction with the increase that she did put forward, a 5.4 percent increase for upstate transit systems.

SENATOR KENNEDY: Yeah, look, a dedicated revenue source is so important

because we know what we've seen already with the rental car fee that goes directly into public transit. It has certainly boosted the amount of funding that upstate transit's been able to achieve on a year-to-year basis.

Along those same lines as well, as it pertains to public transit -- and I'm just going to talk very hyperlocal here in the last remaining moments here -- the NFTA has the only light rail outside of the City of New York in the State of New York, and that rail is looking at a new five-year capital plan for $150 million. They are also looking at a need for a sustained level of funding. What can we do to make that happen?

DOT COMMISSIONER DOMINGUEZ: I'll say that, you know, the --

ASSEMBLYMAN MAGNARELLI: Sorry, that's -- you're going to have to get back to the good Senator.

SENATOR KENNEDY: We'll come back to it. We'll come back to it in Round 2, okay?

DOT COMMISSIONER DOMINGUEZ: Yeah.

ASSEMBLYMAN MAGNARELLI: Next we're

going to have Member Miller, who is sitting in for the ranking member on the Transportation Committee, so he will be taking the place of the chair.

Mr. Miller.

ASSEMBLYMAN MILLER: Thank you, Mr. Magnarelli.

Thank you, Chairman. We've had many, many conversations about CHIPS, about bridges, about highways. And I know the Senator talked about CHIPS funding over there, but I'm going to talk about it some more.

And I'm just going to make a statement, and I've heard this when I first came here to the Assembly. We barely fund our highways and bridges to manage the decline. And that's how I've felt for a long time in New York State. You know, we've been on a decline, and we need to fund our bridge and road programs in a much higher rate.

So the questions. You know, the Governor's proposed a 10 percent decrease to CHIPS funding. With inflation about

25 percent, construction and materials, are you concerned that the Executive Budget has no increases to and actually reduces the support for local roads and bridge programs?

You know, I come from the town supervisor at the county level, and our localities rely on these CHIPS programs for all their highway work. What's your feelings on it?

DOT COMMISSIONER DOMINGUEZ: Well, I can tell you that -- I'll state what I stated before, which is that when you look at the totality of this five-year program that we have, capital program, it is truly historic. I understand what you're saying about the -- you know, there was an add last year.

But the bottom line is is having five years' worth of consistent funding that -- in an agreed-upon MOU between the Legislature and the Executive on how to spend those dollars statewide, is truly a good place to be, in the sense that we know what the assets are, we know what the condition is, we are -- we have planned for where we're going, we

know how we can spend. There's certainty in that process both for the state and for the local entities, local DPWs.

And we can take on those assets' road and bridge conditions across the state by having that certainty in the funding. And with that, we can plan accordingly. And that's what we've done.

ASSEMBLYMAN MILLER: Okay, just looking at the five-year plan, and not having a crystal ball in front of us, you know, a lot of the planning engineers, whoever, were able to come up with a dollar figure, not based on a 25 percent increase in materials and construction costs. And, you know, the cost of petroleum has gone up, which reduces the amount of lane miles that we can pave.

Do you feel that should have been adjusted or there should have been an adjustment along the way a little bit?

DOT COMMISSIONER DOMINGUEZ: We actually, for New York State DOT, and working with our contractors, we have actually adjusted for some of those inflationary costs

for fuel and materials in our prices, recognizing what's happened over the course of this last year.

ASSEMBLYMAN MILLER: Okay, we're going to switch over to my second favorite topic, which is bridges and structures. I know we had a discussion on this the other day.

The Governor has proposed $200 million for BRIDGE NY this year, the same as last year. Is this efficient, given that 1580 of the bridges throughout the state, 9 percent of our bridge assets, are classified structurally deficient?

DOT COMMISSIONER DOMINGUEZ: So, first of all, that number represents 100 million more, year over year, in this five-year plan. It's a billion dollars worth of investment in bridges. It is the most significant investment in bridges statewide that we've ever seen.

We're matching the federal dollars that we received from the bipartisan infrastructure legislation with a record amount at the state level. And it's truly a

historic level of investment.

Given that, we actually have to, again, utilize our asset management system to make sure that those dollars are going to make sure that we're addressing the safety issues first across our entire inventory of bridges.

ASSEMBLYMAN MILLER: Okay. We all know that we're going to see a sea of orange here in a few weeks asking for additional CHIPS funding put back there, and hopefully we can get back there, Commissioner. And I'm sure you agree on that.

Thank you.

ASSEMBLYMAN MAGNARELLI: Done.

CHAIRWOMAN KRUEGER: Okay, so now we are handing it over to our Authorities chair, Corporations and Authorities, Leroy Comrie.

SENATOR COMRIE: Good afternoon, Commissioner. Happy New Year.

I wanted to -- can you tell us if the department is meeting its MWBE goal of 30 percent, and what percentage is being achieved? And can you provide the

participation rates by DOT region?

DOT COMMISSIONER DOMINGUEZ: Sir, I can tell you that we are -- we're doing a lot on our MWBE and DBE goals. We are getting closer every year, but the percentage of increase is incremental, and we're working on it right now.

Two of the things that we have done is create a WorkSmart NY program where we're literally going to every single community around the state to engage our MWBE partners and talk to them specifically one on one, and in forums, to talk about how we do business with New York State DOT. We've put provisions in some of our very large contracts that we're executing right now to really go aggressively after both diversity hiring goals as well as MWBE participation in some of our larger contracts like the Syracuse contract on I-81.

All of that said, we've got more work to do. We're also executing a mentoring program this year to try and make sure that we're working -- we're matching those larger

companies with companies that are interested in doing transportation work. Because there is opportunity, and we need to grow that opportunity.

SENATOR COMRIE: And you can send us the specific numbers later.

DOT COMMISSIONER DOMINGUEZ: Yes.

SENATOR COMRIE: Thank you.

Two other questions. I thought I had 10 minutes.

CHAIRWOMAN KRUEGER: You do.

SENATOR COMRIE: Okay, good.

Can you tell us so that we can make sure that New Yorkers that are now getting these automatic speed ticketing fines -- how are they notified of this ticketing issue?

DOT COMMISSIONER DOMINGUEZ: The automated work zone speed cameras? There's a notice of violation that's sent, it's a picture that's taken of the license plate, and it's sent directly to the license plate owner.

SENATOR COMRIE: Okay. And will there be an opportunity for those speed camera

locations to be discoverable on Google Maps or --

DOT COMMISSIONER DOMINGUEZ: Every day that we are working -- every day that cameras are posted in a work zone, it is -- we put it on our website, New York State DOT website. Everybody can see exactly where the cameras are going to be statewide during construction season. So it's very transparent.

SENATOR COMRIE: And just another question on ticketing and fines.

Have we been able to integrate your fine issues and ticketing resolution with the Thruway Authority and MTA? As has been stated by a few members earlier, we have a major problem with people getting really major fines and fees that are leveraged upon them when they miss or a credit card has expired and they're not aware of it. Sometimes they wind up with thousands of dollars in fees, and then the fines are triple that, and they just can't afford to pay it.

DOT COMMISSIONER DOMINGUEZ: We don't

have the same type of system that the MTA and the Thruway are using. We're doing an immediate notice of violation, and it's basically a ticket with a set amount and it goes directly to the person that received the infraction.

And then we're working through local government, local county judges for enforcement, as opposed to some of the infractions where if you don't pay, some of the other collection services that the Thruway and MTA have.

SENATOR COMRIE: So people wind up with thousands of dollars in fees. Is there a percentage or a process for them to be able to eradicate some of the fines?

DOT COMMISSIONER DOMINGUEZ: There is, but I don't have the details of it and I'll have to get back to you.

SENATOR COMRIE: Thank you.

And just help me out, what's the stated percentage of good repair that you estimate that's within the state roadwork now?

DOT COMMISSIONER DOMINGUEZ: How much we're collecting?

SENATOR COMRIE: No, just the percentage of roadways that are in a state of good repair within the state or that need repair coming. Of the roadways and bridges especially upstate, how many of them are in a state of good repair?

DOT COMMISSIONER DOMINGUEZ: Right now the state of good repair for our roads across the board is -- we probably have close to 75 percent of our roads are in good or excellent condition.

SENATOR COMRIE: And then I ask this question every year. Are you embedding fiber into your roads, especially upstate where they need last-mile, first-mile opportunities for wifi?

DOT COMMISSIONER DOMINGUEZ: We are. We've been working very aggressively with fibre companies in particular to carry out the Governor's statewide initiative to include broadband and fiber-optic opportunities for people both in rural and

urban areas. And so we've streamlined our processes in a number of ways in working with the fiber companies, including putting surveys online --

SENATOR COMRIE: Do you have an estimate of how many -- how much roadway was done, how many miles were done with fiber optics?

DOT COMMISSIONER DOMINGUEZ: I don't, but I can get back to you.

SENATOR COMRIE: And can you explain DOT's policy on projecting asset use, the level of service, when prioritizing funding and preparing capital plans?

DOT COMMISSIONER DOMINGUEZ: I'm so sorry, sir, I'm having a really tough time hearing you.

SENATOR COMRIE: Can you explain DOT's policy on projecting asset use, called level of service, when prioritizing funding and preparing your capital plan?

DOT COMMISSIONER DOMINGUEZ: So our level of service literally goes through -- it's one of the components that we look at in

our asset management process. So how many vehicle miles traveled, the -- you know, the density of the population, a whole bunch of factors that go into it.

SENATOR COMRIE: And what percentage of capital projects that you're doing currently use design-build procurement?

DOT COMMISSIONER DOMINGUEZ: Well, it depends on the project itself and whether or not -- you know, we look at what the parameters are, how we can best get what we need for the project in terms of best use of taxpayer dollars, the efficiency of the design process, and the construction process.

But it's traditionally used for I would say some of our bigger projects, to make sure that we can get some of the best ideas out there as well as the best, efficient use of our funding.

SENATOR COMRIE: And --

DOT COMMISSIONER DOMINGUEZ: I don't have a percentage. Is that what you asked?

SENATOR COMRIE: Yeah.

DOT COMMISSIONER DOMINGUEZ: But I can

get you one.

SENATOR COMRIE: Thank you.

And just on also -- one of your initiatives from a previous budget involved accelerating construction lettings from the fourth quarter to the third quarter. Is that -- are you still doing those, accelerating letting statewide? And do you have any information on the results of that change? And was the state able to deliver more projects at reduced cost using that methodology?

DOT COMMISSIONER DOMINGUEZ: What we're doing right now is trying to get our program out as quickly as possible. So we have accelerated a number of projects this year. And we're getting third quarter out right now, and we're working on fourth quarter as well.

Fourth quarter is going to be extremely heavy. A lot of projects are coming out in the fourth quarter of this fiscal year.

SENATOR COMRIE: And can you talk

about the STOA funding? I want to support my upstate colleagues in making sure that we can ensure that all of our upstate highways are cleared and cleaned and maintained. Can you tell us about how effectively the STOA funding was used last year?

DOT COMMISSIONER DOMINGUEZ: I can't hear you. The what kind of funding?

SENATOR COMRIE: The STOA funding.

DOT COMMISSIONER DOMINGUEZ: STOA. STOA funding is being used across the board to make sure that we're working with our upstate transit colleagues on specific areas. So last year we had some specific investments on -- for some of the upstate transit projects. All of that has been invested.

We've also got an Innovative Mobility Fund that the Legislature passed, and we're executing that right now. You'll see some announcements on that this spring.

But it's a great way forward on -- the Governor continues to invest in upstate transit funding.

SENATOR COMRIE: Thank you. And we

want to continue to see that increased as well. It's an important part of our state's opportunity to encourage tourism and upstate travel. So I hope that we can get that increased as well.

I'm done.

DOT COMMISSIONER DOMINGUEZ: I apologize, sir. It just --

SENATOR COMRIE: Thank you. Thank you for your service, Commissioner. Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Assembly.

ASSEMBLYMAN MAGNARELLI: Member Fahy.

ASSEMBLYWOMAN FAHY: Thank you, Chair.

Thank you, Commissioner. Appreciate all the work you're doing -- especially, as you mentioned, in meeting our climate goals. And it seems like we have a weather-related disaster every week or two, so thank you for the work of you and your very busy team. Much appreciated.

Just a couple of other things. Thank you as well for noting the traffic safety and your emphasis on speed, which is a huge

issue, given the increase in pedestrian and bike deaths. Also thank you in your testimony for mentioning the Livingston Avenue Bridge, the long-overdue bridge, as well as public transit and our need for increased funding there.

A couple of questions, and I know we've mentioned these a few times before, but I think it would help to get on the record a couple of updates.

The I-787 and the canal project, the reimagining, if you will. I'm so thrilled to have got $5 million from a couple of years ago that we were able to get in the budget, and the engineering feasibility study is underway. Can you give us just a quick update on the next steps there and when you expect to see that? And then I've got a couple of other just updates as well.

DOT COMMISSIONER DOMINGUEZ: Well, we've been progressing the study. And so we will look to have some additional public engagement here this spring. But things are going well. I mean, we've had the

opportunity to talk to folks and we're on schedule, on budget, and look forward to continuing to develop that.

ASSEMBLYWOMAN FAHY: Okay, so we expect to hear more in the spring.

DOT COMMISSIONER DOMINGUEZ: Absolutely.

ASSEMBLYWOMAN FAHY: Terrific.

Another one, then, is Route 156, which I know you've heard about. It's been a couple of years, you've heard, in my district. As we mentioned previously in December, the federal Department of Transportation updated the long-awaited manual on uniform traffic control devices, MUTCD. And I'm told that will help with this 85th percentile in terms of driver speed.

Any updates on that in terms of flexibility that we might get in one of my busiest corridors that would love to see speed limit reduced, especially right there in front of Indian Ladder Farms?

DOT COMMISSIONER DOMINGUEZ: Well, as you know, we're continuing to work with the

community. We've done a number of traffic studies in that area. And as you and I talked about, I think there's other enhancements outside of the MUTCD and speed.

But the issue with regard to that area is really fundamentally about pedestrian safety. People are walking across a very heavily used roadway and -- you know, to enjoy the orchards and picking apples and what's available there. But we will continue to work with you and the community to see exactly how we might be able to enhance that safety feature.

You know, speed is one element of it, but the other portion is really fundamentally creating safe crossing spaces.

ASSEMBLYWOMAN FAHY: Yes, anything that would. It's one of the biggest tourist areas in my -- in this region, and want to make sure we don't have to wait for a serious accident.

And I'm out of time. We'll follow up with other questions. Thank you, Mr. Chair.

ASSEMBLYMAN MAGNARELLI: Thank you

very much. Thank you.

Senator?

CHAIRWOMAN KRUEGER: Senator Salazar.

ASSEMBLYMAN MAGNARELLI: May I just say one thing before we get to the good Senator. We have Member Fahy who has arrived, Members Wallace, Rivera, McDonald and Colton also. Thank you.

SENATOR SALAZAR: Thank you.

Thank you, Commissioner, for your testimony, for joining us today.

I want to ask, of course, about the BQE. As New York City is planning to potentially invest billions of dollars into the city-controlled portion of the BQE, the cantilever, what is DOT's long-term vision for the majority of the BQE that is state-controlled?

DOT COMMISSIONER DOMINGUEZ: So as we -- we've been working very closely with the city on the triple cantilever and their environmental process to help advance that work. And in conjunction with that, we've worked with the city on an application for a

Reconnecting Communities grant, a USDOT discretionary grant called Reconnecting Communities.

That -- those dollars, if we were to receive that grant, would go to further engaging the community on what some of those opportunities are, both north and south of the triple cantilever, and look to see how we could study that further.

I will tell you, just from a structural standpoint, we've put over $200 million, close to $300 million in the structural integrity of the BQE, recognizing that it's such a huge, an important freight corridor across the Northeast.

SENATOR SALAZAR: Excellent. And is the state -- or what money, rather, is the state investing in potentially finding other freight alternatives, whether it's maritime shipping, freight along the future IBX, to I guess offset the -- the burden on that?

DOT COMMISSIONER DOMINGUEZ: There have been a number of initiatives to look at to see how freight might be moving in and

around New York City. The city's taken on some of that, both with some of their water studies.

We're also looking at freight writ large at the state level, as part of our larger transportation master plan. So we'll be taking some more of that on with regard to freight.

SENATOR SALAZAR: Excellent. I'm sure some of my colleagues have additional questions about the BQE, so --

DOT COMMISSIONER DOMINGUEZ: Okay. Thank you, Senator.

SENATOR SALAZAR: Thanks, Commissioner.

CHAIRWOMAN KRUEGER: Okay, we're done -- excuse me. Thank you.

Assembly?

ASSEMBLYMAN MAGNARELLI: Okay, Chairman Ken Zebrowski is next in line.

ASSEMBLYMAN ZEBROWSKI: Thanks, Commissioner. Good to see you.

DOT COMMISSIONER DOMINGUEZ: Hello, sir.

ASSEMBLYMAN ZEBROWSKI: Thanks, Chair.

The Executive Budget has $11 million for the annual operating costs of the Lower Hudson Transit Link, the express bus service across the Mario Cuomo Bridge. Could you give us an overview of how that's working? You know, I worked a lot with the department pre-COVID really trying to get that bus service up and running. I felt like ridership was growing, the links to the buses over on Metro-North on the Westchester side of the river, we were getting better at the links -- and then of course COVID happened.

And so I was kind of wondering, you know, since COVID, has it been growing, where's ridership, is that $11 million sufficient? How have things been going with that program?

DOT COMMISSIONER DOMINGUEZ: It's a good question. I need to look at the ridership numbers. I know during COVID obviously it suffered greatly. We were actually working with the Thruway Authority during COVID to kind of encourage people to

go out. We ran some special services. We're still doing that to get people across the bridge if they want to take advantage of the bike pedaling on the Cuomo Bridge.

But that said, overall ridership I think is -- has certainly ticked up after COVID. I can get you the numbers directly. But we continue to fund it. We think it's a vital link and a vital service, which is why we continue to include it and the Executive continues to include it in the budget. It's one of those options that we have to consider. If we want to get people out of cars, we need to have the transit options that are available, and Hudson Link provides that. And it's a great carbon emissions reduction opportunity.

ASSEMBLYMAN ZEBROWSKI: Hundred percent. I'd love to work with your office -- I don't expect you to have those numbers right now, but I'd love to work with your office on outreach for that program, letting people know about it. Obviously on the west side of the Hudson we are so close

but so far in terms of, you know, mass transit opportunities to get over that river. You know, the Gateway project is probably the long-term best option, to get somebody on a train and, you know, go over into Manhattan.

But in the meantime, with Metro-North right there, expanding or at least maximizing that service and the linkage I think would be a great -- in so many ways, great for commuters, great for the environment, great for the overall system. So I'd love to work with you on that.

DOT COMMISSIONER DOMINGUEZ: I'd be happy to work with you on it.

ASSEMBLYMAN ZEBROWSKI: Now, in Rockland County, one of the biggest hubs for that system is on the Palisades Mall. Which is great, there's parking lots there. Which sort of is a link, no pun intended, to the other issue I've spoken to you about a bit on the -- it borders Route 59, which is the state highway, which has just been shut so many times due to flooding recently. And so it's a major corridor across Rockland County,

east to west, it connects to where the Thruway is, it would affect that Hudson Link system.

You know, I appreciate you and your department looking into that flooding scenario. And just overall, what I think is one of the issues -- and I don't know if it's here or other places -- is I suspect, don't know but suspect that the flooding is really not the cause of the state highway. But it's the state highway that's being closed.

And so I think we may have to -- or your department, if you will, you know, may have to serve as the quarterback, for lack of a better metaphor, on how to fix these things, you know. And I'd love to partner with you on it. It may take the Army Corps of Engineers and stream dredging or stream maintenance. It may take municipalities or the mall in terms of underground drainage. There's a train trestle there run by CSX that a lot of people think is backing up the water so it flows onto Route 59. All these not in your purview, but somehow we need to bring

folks together.

So sure, if we need to bring our federal representatives down to talk to CSX or to deal with the Army Corps, let's do it. But I think -- you know, our thinking needs to not just be siloed. Somebody needs to quarterback it. And if there's other agencies we need to push, let's push them so that we can solve some of these problems.

DOT COMMISSIONER DOMINGUEZ: Happy to work with you on it.

ASSEMBLYMAN ZEBROWSKI: Thanks. Thank you, Commissioner.

ASSEMBLYMAN MAGNARELLI: Senator?

CHAIRWOMAN KRUEGER: Okay, Senator Mattera.

SENATOR MATTERA: Great, thank you. Thank you, Chair.

And thank you, Commissioner. It was great speaking with you yesterday. And I really want to thank our office --

CHAIRWOMAN KRUEGER: Senator, one second.

He's a ranker, so he should have five

minutes. Thank you.

SENATOR MATTERA: Oh, my goodness. Thank you so much, Senator. Usually you don't give me that.

(Laughter.)

CHAIRWOMAN KRUEGER: I do too.

(Laughter.)

CHAIRWOMAN KRUEGER: Don't start up with me.

SENATOR MATTERA: No, I'm just kidding, she's always so -- she's very wonderful.

So yesterday -- and I want to thank Director Rich Causin for doing a great job down in the Long Island office. He's always very responsive, and I really, really appreciate that. But we -- yesterday, after we did speak, that Country Pointe issue is becoming worse. Because obviously the coordination and the design is now going to be changed because it's going to be held up too long, and now I'm hearing the design's going to be changed.

And by the design being changed, we

already got rid of -- which I was upset about, which we spoke about -- sound walls that should have been installed. Now they're looking to do away with more sound walls because of the cost factor of the delay because of that sewer height.

So, Commissioner, please, these sound walls are so important. We need to make sure that this area that we live in, right there, those sound walls need to be installed, and we cannot have it that the -- that just because of what's happening with Country Pointe, that we're going to be penalized because of a new design and the cost factor.

Can you please -- I have to have you on record with this one. It's very, very important. I know it's in litigation with the other part of it, the sewer, but this has nothing to do with the sound walls.

DOT COMMISSIONER DOMINGUEZ: But it does, because it's all part of the larger contract and what we're trying to execute. And so I'm going to -- as you know, it's in

litigation right now, and I'm going to have to defer to the fact that it's literally in litigation.

SENATOR MATTERA: But that has nothing to do with the sound walls, Commissioner. We could talk about the sewer main -- I know we can't talk about the sewer main because that's in litigation. But the sound walls, that shouldn't be penalized with my residents because of a situation that happened with the design.

So I'm asking you again, we talked about the design that the walls were taken away from certain areas. Now, because of this problem, now more walls aren't going to be installed. So we really can talk about this, Commissioner. And please, I really, really need you to look into this. This is not fair to my community because of a situation that happened with the sewer main. But again, those walls do not have anything to do with this.

DOT COMMISSIONER DOMINGUEZ: I'll be happy to talk with you offline again,

Senator. But again, this is part of a larger project, all of which is combined in one contract.

SENATOR MATTERA: Then I'm going to say it again, my residents are being penalized because of a situation that happened with something else with another -- another community with a sewer main.

You know, we talked about the CHIPS, and the CHIPS is so, so important. My question to you is, you know, have you been talking to the Governor's office that we're hearing about a decrease in our CHIPS funding? I know we're going to mention that. Everybody needs to mention it here up on this panel. Can you please give us a little heads-up what your feelings are about the decrease in CHIPS funding for this year?

DOT COMMISSIONER DOMINGUEZ: Well, I think, as I said before, the -- there's a larger concern about the fiscal state of the state. And so reflective of that, the transportation proposal as it's been put forward reflects, as the Governor pointed

out, some fiscal responsibility here across the board. And, you know, we have -- there are increases certainly in upstate transit, and looking at some of the opportunities to invest.

I think with regard to CHIPS, that will continue to be a discussion between the Legislature and the Executive moving forward in this budget cycle.

SENATOR MATTERA: You know, you and I, we discussed also too about what's happening also in our districts, in all of them, that we have drop shipping going all -- trucks all over, all -- seven days a week, what's happening with the drop shipping. So I do have a bill that hopefully, sooner or later -- and I just want to thank our chairman of Transportation for always doing a great job, and I appreciate you, Senator Kennedy, for always being there for us. But we have this drop shipping situation right now that is running rampant, and our roads are being worn out. And our CHIPS funds are so, so important, that they depend

on this. And nothing is happening with this.

So I'm hopeful that we are going to definitely look into this more with this. So please, we have to please make sure that our CHIPS funds are definitely not going to be decreased.

Are you going to do that? Okay. All right.

But I appreciate -- again, I appreciate your time. But please, those sound walls, very, very important.

ASSEMBLYMAN MAGNARELLI: Thank you, Senator.

SENATOR MATTERA: Thank you.

DOT COMMISSIONER DOMINGUEZ: I'll follow up with you, Senator.

ASSEMBLYMAN MAGNARELLI: Thank you.

Next we have Member Fall, please.

ASSEMBLYMAN FALL: Hello, Commissioner.

DOT COMMISSIONER DOMINGUEZ: Hello, Assemblymember.

ASSEMBLYMAN FALL: Good to see you.

Have a question related to the HOV

lane on the Staten Island Expressway.

So as you know, the HOV lane goes from Bradley avenue all the way to the Verrazano Bridge, and it's from the Verrazano Bridge to Bradley Avenue. And it's pretty much incomplete, because it doesn't go all the way to the Goethals Bridge. Because of that, there's a ton of congestion. And we're trying to see how we can get the extension for the HOV lane in the next capital budget plan.

DOT COMMISSIONER DOMINGUEZ: I'm sorry, can you repeat the last --

ASSEMBLYMAN FALL: The extension for the -- funding for the extension for the HOV lane for the Staten Island Expressway.

DOT COMMISSIONER DOMINGUEZ: So I recognize that it's an issue that the delegation has been looking at for quite some time. And our regional office has certainly taken a look at it, and I'm happy to follow up with you directly on it. It is not currently part of our five-year capital plan.

As you know, we've done a lot of

improvements on the HOV lane. We just completed one I think about a year and a half ago on the expressway. But it's a huge undertaking, to say the least, so --

ASSEMBLYMAN FALL: Well, you know, Staten Island is a transportation desert, so these little improvements make a big difference. This is one of those things where there is bipartisan support on the island. So we're fully behind it, and hopefully we can get your support to get it in that next capital plan.

DOT COMMISSIONER DOMINGUEZ: Thank you.

ASSEMBLYMAN FALL: Thank you, Commissioner.

CHAIRWOMAN KRUEGER: Senator Persaud.

SENATOR PERSAUD: Thank you.

Commissioner, it's great seeing you. And thank you for having a conversation with myself and my staff. And I just appreciate your staff working with us on some of the issues across my district. And I look forward to you coming to the district for us

to walk through to see some of the things that we're talking about.

Over the past week we saw -- you know, there's the push about electrifying buses. And over the past week we saw some issues with, you know, not having the capacity to recharge buses. Can you tell me how much of the $80 million that you have allocated for electrifying buses has been spent?

DOT COMMISSIONER DOMINGUEZ: We are working directly with NYSERDA on the electrification for school buses, and then we're giving those dollars that we have allocated directly to transit systems in the upstate areas. Those have already been allocated over the course of this last year.

SENATOR PERSAUD: I know NYSERDA has awarded some grants to some organizations that -- for example, that are working with the bus -- the minibus industry. Do you know how those grants were processed for the persons who were given the grants?

DOT COMMISSIONER DOMINGUEZ: I'm not familiar with the details of that. No,

sorry.

SENATOR PERSAUD: Okay. Thank you for that.

I know Senator Comrie asked some questions on the MWBE, but I wasn't sure that I heard the answer correctly. What's the percentage of MWBE contracts that you have allocated?

DOT COMMISSIONER DOMINGUEZ: We're averaging about 18 percent a year. It's gone up. It was up a little bit higher and then during COVID and -- and now we're averaging about 18 percent over the last three years.

SENATOR PERSAUD: Of those contracts, how many are the M's in the MWBEs?

DOT COMMISSIONER DOMINGUEZ: I don't have the breakout. That's a holistic number.

SENATOR PERSAUD: Is it possible for us to get that?

DOT COMMISSIONER DOMINGUEZ: Yes. I can -- I --

SENATOR PERSAUD: Why I'm asking that is because I was at an event, we were at this conference, and everyone's talking about, you

know, the amount of contracts we're giving to MWBEs. And when you're really seeing, it's not -- the M's are not being given those contracts. I just want to see in the state how are you doing with that.

DOT COMMISSIONER DOMINGUEZ: I'd be happy to provide you with a breakout.

SENATOR PERSAUD: Thank you for that.

One other thing I needed to ask about. As we're shifting to zero-emission buses -- again, back to buses -- there's the indication -- it's indicating a number of challenges, and I said that earlier. How much are you involved, or your agency involved, in providing technical assistance to --

(Overtalk.)

ASSEMBLYMAN MAGNARELLI: Thank you.

SENATOR PERSAUD: You can send that to us.

DOT COMMISSIONER DOMINGUEZ: Okay.

CHAIRWOMAN KRUEGER: You'll have to follow up.

SENATOR PERSAUD: Thank you.

ASSEMBLYMAN MAGNARELLI: Okay. Member Darling.

ASSEMBLYWOMAN DARLING: Hi, Commissioner, how are you? Hello. I just want to thank you again. It's been a pleasure working with you to repair and replace roads all throughout Long Island on the Southern State, the Meadowbrook State parkway, the LIE and I'm sure a bunch of other areas. You guys have done an incredible job. Our constituents are much happier, and a lot less potholes. So really great to partner with you and your team.

In the proposed Executive Budget will there be resources for a marketing campaign that targets communities experiencing high levels of unemployment in order to fill DOT employment vacancies?

DOT COMMISSIONER DOMINGUEZ: Well, we would love to partner with you and others. We have a great opportunity in terms of hiring at DOT. So we don't have a dedicated line item per se, if that's what you're asking, but the department -- we are

undertaking a very large-scale recruiting effort for all job categories -- highway maintenance workers, engineers, transportation analysts, a whole variety of skills.

ASSEMBLYWOMAN DARLING: Wonderful.

All right, that was my question. Thank you.

CHAIRWOMAN KRUEGER: We have Senator Brad Hoylman-Sigal. Oh, he left.

Then we have Senator Jeremy Cooney.

SENATOR COONEY: Batting up second here. Thank you, Chair.

And good to see you again, Commissioner. Appreciate your leadership, your team here in Albany and of course in Region 4 with Chris Reeve.

I want to particularly highlight and thank you for your work on the State Touring Routes. Under the leadership of Chairman Tim Kennedy, we've done a lot of great things across the state, and I want to thank you for that innovation for our cities.

I want to build off Chairman Kennedy's

question regarding STOA and specifically dedicated revenue for upstate transit. As you're familiar, Buffalo, Rochester, Syracuse and Albany all are experiencing low ridership rates in our public transit systems -- not because they don't provide great service, but rather because of the frequency of the routes and making sure that they can be reliable forms of transit for our constituents.

And my question is, in your time whether in Washington or talking to your colleagues across the country, are there models of dedicated revenue that are working that we can model here in New York State, that we can try in this budget session? Or are there other forms of revenue that we can look at?

DOT COMMISSIONER DOMINGUEZ: It's a great question, and I think we should definitely have that discussion. As I put it out earlier, there have been some dedicated forms that have been put in place, certainly that are benefiting MTA operating systems across the board in communities and -- in

downstate communities.

We've seen some success with the rental car companies and some other creative means of collecting those revenues. But happy to work with you and members of the Transportation committees -- certainly Senator Kennedy's been a big proponent of this.

But it's difficult. It's difficult to look at, too, because you have to -- you have to look at things differently. And we have had some success, and we can build off of that. But I want to commend the Governor, because she has been incredibly consistent about supporting STOA, about statewide operating assistance, in particular for our upstate transit systems.

(Overtalk.)

DOT COMMISSIONER DOMINGUEZ: Recognizing that we don't have that same level of dedicated sources, you know, she put it across the board another 5.4 percent increase.

SENATOR COONEY: We do appreciate

that, Commissioner. And we have to know that the opportunity to grow our public transit system does require additional resources. I agree with Chair Senator Kennedy in terms of that 15 percent or more number.

And I look forward to having continued conversations with your staff, whether it's to increase the STOA generally even more beyond the Executive Budget, or whether it is that dedicated revenue source that will allow us to think creatively about long-term solutions for public transit in New York State. We're absolutely committed to working with you to get that done.

DOT COMMISSIONER DOMINGUEZ: Thank you.

SENATOR COONEY: Thank you very much. I yield back my time.

CHAIRWOMAN KRUEGER: Thank you.

Assembly.

ASSEMBLYMAN MAGNARELLI: Thank you, Senator.

Mr. Simone, please.

ASSEMBLYMAN SIMONE: Thank you, Chair.

Thank you, Commissioner. I want to first thank you for doing a study of Route 9A. As you know, in my district along Route 9A and the Hudson River we have significant population growth; a section that will soon be in the congestion pricing zone, including 80 intersection; one of the busiest parks in the nation, the Hudson River Greenway, one of the nation's busiest bike corridors. And I know this because I often use my bike down the Hudson River Park Greenway, I walk my dog, and it's a mess. I would love to see an extra lane along the highway closed for increased use by pedestrians.

My question is, how will DOT be studying the change in vehicular traffic patterns after congestion pricing takes effect, and how this route can be better served with thousands of daily bikers and pedestrians along the West Side Highway of Manhattan?

DOT COMMISSIONER DOMINGUEZ: So with regard to 9A, there's a lot of work that, as

you know, we've done consistently. We don't have anything planned right now but, you know, the bottom line is is that we have to look to see what the impacts of congestion pricing will be and go from there.

I think that right now the -- there have been proposals, as you've suggested, to take another lane of traffic. But given the VMT that we have right now, the vehicles that are on the roadway right now, it doesn't seem -- from a congestion standpoint it doesn't seem to make -- you know, we need to look at some other alternatives. And one of them is actually putting people on transit. Which is why I think congestion pricing will hopefully get us there in many ways.

So happy to work with you in the future on what that might look like. But for right now, you know, it's going to take some time to actually see how this all plays out.

ASSEMBLYMAN MAGNARELLI: That's it? Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Senator Tom O'Mara, five minutes,

ranker.

SENATOR O'MARA: Thank you.

Good afternoon, Commissioner. Thank you for your time with us today.

I just want to reiterate the concerns I have over the cuts to the CHIPS funding. It's vital, particularly for upstate and particularly for our rural towns who many of them their entire road budget for the year is CHIPS, and that's all they have. So it's incredibly important. And a cut to them is a hit that those communities really can't sustain with the important work just to keep up with the needs of the local roads.

I understand, you know, we've got tough budget issues. And fiscal austerity is important, and I'm certainly a champion of that in many ways. But there's many areas of this budget that are far less important than our infrastructure and our roadways that should be the priority.

So just please take that back to the Executive. And in negotiations we certainly hope to be able to achieve at least level

funding from last year with that. So it's critically important.

One specific question from Senator Canzoneri-Fitzpatrick on Long Island looking for a status update, Loop Parkway Drawbridge. There's supposedly a feasibility study that's out there. What's the status of that, and what's the expectation there?

DOT COMMISSIONER DOMINGUEZ: We're working on the study right now. I think we'll be bringing it to conclusion pretty shortly and we'll be in touch. But we've been working on it to take a look at what some of the alternatives could be.

SENATOR O'MARA: Okay, thank you.

And I just want to also say thank you for the great work the department has done throughout my district, really, but in particular on State Route 54A, which runs along the west side of Keuka Lake, which is a very challenging section of roadway due to the steepness of the hillsides and slopes there, and it's constant work needing to be done. So it's been a very good relationship

working on that, so thank you.

DOT COMMISSIONER DOMINGUEZ: I greatly appreciate that, sir. I've been there, and to say that it's challenging is indeed an understatement.

SENATOR O'MARA: Thanks.

DOT COMMISSIONER DOMINGUEZ: So thank you.

CHAIRWOMAN KRUEGER: Thank you.

Assembly.

ASSEMBLYMAN MAGNARELLI: Member Slater.

ASSEMBLYMAN SLATER: Thank you very much.

Commissioner, great to see you.

DOT COMMISSIONER DOMINGUEZ: Good to see you.

ASSEMBLYMAN SLATER: I just wanted to follow up on some of our discussions that we've had previously. And by the way, I do want to thank you for your help with Route 52 in the Town of Kent. That was a great improvement that we've made. I'm hoping we can build on that moving forward, as we've

discussed.

And I also want to just applaud the Region 8 staff. As I said to you before, they have been fantastic to work with, very responsive to our needs, and so I do want to tip my hat to them as well.

But we did talk about some of the reports, specifically the Highway Pavement and Bridge Conditions Report. Now, it's my understanding that members of the majority received copies of that report, among others, but members of the minority, when we asked for it, were denied.

And so I'd like to know if we're going to be able to get copies of those reports, whether it's that, the Capital Program Letting and Implementation Report, the Capital Program Accomplishment Report, and the Downstate Suburban and Upstate Transit Capital Programs Report. Is that going to be made available for our conference?

DOT COMMISSIONER DOMINGUEZ: Sir, I can tell you that we submit the reports per the legislative requirements. So --

ASSEMBLYMAN SLATER: There's nothing prohibiting you from sharing -- it's my understanding there's nothing that prohibits you from sharing those reports with our conference as well.

DOT COMMISSIONER DOMINGUEZ: I'll be happy to talk, but the bottom line is we do it by statute. So ...

ASSEMBLYMAN SLATER: Understood. Understood. Well, I hope we can our hands on those reports as well.

I also just wanted to quickly, on Region 8, with my remaining time, there's an MOU project list that had to drop two scheduled projects, and you still spent more than was programmed. Obviously with inflation driving up the construction costs that will reduce the number of projects being delivered. But fewer projects means continued declines in the conditions.

So my question is, how much additional funding does Region 8 need over the remaining three years in the current capital program to deliver all the projects that are already

listed in the program?

DOT COMMISSIONER DOMINGUEZ: What we do with the capital program is actually for every region is make sure that whatever's been planned and programmed, we work with every region across the state, as the DOT, to make sure that we're -- if one project slips, so to speak, into an outyear, that we're pulling something else in to make sure that it's balanced over the five years.

So that's the goal, making sure that we're meeting the stated MOU requirements for both projects and dollars spent within the areas that the Legislature and the Executive agreed to.

ASSEMBLYMAN SLATER: So no additional funding needed to accomplish the five-year plan for Region 8.

DOT COMMISSIONER DOMINGUEZ: We have the funding based on the five-year plan that was passed by the Legislature and signed by the Governor.

ASSEMBLYMAN SLATER: Understood. Thank you very much. I really appreciate it.

With my remaining time, I do want to wish my colleague Tony Simone a happy birthday. Hey, Tony.

(Cheers; applause.)

ASSEMBLYMAN SLATER: Commissioner, thanks again for being here today. Really appreciate it.

DOT COMMISSIONER DOMINGUEZ: Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you. Senate.

CHAIRWOMAN KRUEGER: Senator Ramos.

SENATOR RAMOS: (Mic off.) Thank you. Well, good afternoon.

(Off the record.)

SENATOR RAMOS: Well, I'm loud enough.

(Laughter.)

SENATOR RAMOS: Good afternoon. I wanted to pick up our conversation on e-bike safety. As you know, there's great concern about folks driving their e-bikes down the -- you know, going the wrong way down streets, riding on sidewalks and that sort of thing. I know that in working with the Traffic

Safety Committee you've put together a brand-new PSA; it depicts a father purchasing an e-bike for his son. It largely focuses around helmet safety, not so much on speed limits or sidewalk riding.

And so I'm wondering, what's the plan to actually work with the target demographic, right: Delivery workers, the folks who are using e-bikes the most. I'm less concerned about kids and e-bikes, more so about, you know, those who are using it as a tool for work.

DOT COMMISSIONER DOMINGUEZ: So as you noted, Senator, we're working with the Governor's Traffic Safety Committee. And I can tell you that in initial discussions with them, one -- you know, it's a collaboration of state agencies, so DMV, State Police, DOT, et cetera, all coming together to try and enhance education around e-bike safety.

One of the initial areas was literally working with the delivery companies, Grubhub, et cetera, to make sure that information is getting shared. So I think there's

additional opportunity. This is the initial launch. But would love to work with you on how to actually advance it.

SENATOR RAMOS: Yeah, I would love -- I mean, if you need help brokering a meeting with these work groups, I'm -- you know --

DOT COMMISSIONER DOMINGUEZ: I think the --

SENATOR RAMOS: -- I'm happy to --

DOT COMMISSIONER DOMINGUEZ: I think that's the actual challenge, is actually not just getting to the companies, but the people that are actually using --

SENATOR RAMOS: But we can do a meeting, right? They're actually pretty organized. We can help disseminate information, create a brochure in Spanish, in their languages. I just -- I would love to see a lot -- I would love to see the DOT be much more proactive on this matter.

But to switch gears very quickly, actually Assemblyman Cunningham right here to my right, and myself, we've introduced a bill in order to establish scramble crosswalks

outside of schools during arrival and dismissal.

I know that unfortunately the Assemblyman was hit by a car outside of his school when he was young, and along Northern Boulevard in my district, we've lost at least 12 children over the last few years, and yet no agency at the city or state level seems to be exploring traffic treatments or ways to make it easier for these children to cross the street. Northern Boulevard, of course, being technically a state highway even though it's a street.

So I'm wondering if -- is there any plans there to --

ASSEMBLYMAN MAGNARELLI: Thank you, Senator.

SENATOR RAMOS: -- support that?

CHAIRWOMAN KRUEGER: Sorry, you're going to have to --

DOT COMMISSIONER DOMINGUEZ: I'll follow up with you directly.

ASSEMBLYMAN MAGNARELLI: Member Cunningham.

ASSEMBLYMAN CUNNINGHAM: I'll pick up where she left off.

(Laughter.)

DOT COMMISSIONER DOMINGUEZ: That was a good tag-in.

ASSEMBLYMAN CUNNINGHAM: I'll use the first part of my moments to just kind of restate the question, but wanted to get an answer on that question on the record.

DOT COMMISSIONER DOMINGUEZ: So the bottom line is I think the majority of the legislation that you all have introduced looks directly at some of the city roads and some of the school districts in there. But we'll be happy to take a look at the legislation itself and see what the opportunities are at the state level as well.

ASSEMBLYMAN CUNNINGHAM: Thank you so much.

And I think, going back to Jessica -- the Senator's first question about e-bikes, I guess I'm also concerned with the number of e-bike fires that happen, particularly the one that happened in my district right after

Christmas, right before New Year's.

Given the increase of e-bike sales -- I mean, e-bike fires, what policies do you have in place to make sure we have an accurate count of the amount of sales of e-bikes in the state?

DOT COMMISSIONER DOMINGUEZ: So that would be a question for DMV.

But I can tell you that the Executive did put forward some battery language in the budget looking at -- making sure that these fake batteries, for a better name, I'm -- anyway --

SENATOR RAMOS: -- lithium ion.

DOT COMMISSIONER DOMINGUEZ: Exactly. The secondary market here that has exploded, literally, figuratively, and is actually so that people are aware that they need to actually buy the battery as designated from the manufacturer, as opposed to the fraud that's taking place. So the awareness campaign.

And to Senator Ramos's other question with regard to what you were asking about

e-bike safety, this campaign that we've launched in the Governor's Traffic Safety Committee is in multiple languages. Happy to do additional outreach in various communities to make sure that we're actually reaching the users as intended.

ASSEMBLYMAN CUNNINGHAM: Particularly communities of color and immigrant communities --

DOT COMMISSIONER DOMINGUEZ: Absolutely.

ASSEMBLYMAN CUNNINGHAM: -- I think that would be specifically important.

The last thing I'll say is last November, just this past year, I had my first child. And as I walk the streets of Brooklyn and throughout the city in general, I'm concerned about just general street safety -- not just slowing down the streets or slowing down drivers, and the cameras, but also infrastructure.

What things can we put in place with some of the federal money and state money to ensure that our roads also are transformed in

a way that creates safer streets for children and families?

DOT COMMISSIONER DOMINGUEZ: So there's great opportunities across the board. And I know the city's engaged in a Vision Zero plan.

For State DOT, we've got an Active Transportation Plan that really looks at bike and ped safety and Complete Streets initiatives that we've launched, and literally apply as a screening criteria to every project that we undertake.

ASSEMBLYMAN CUNNINGHAM: The last thing I'll say, in the last 10 seconds, is 2022 was the deadliest year for children with vehicular traffic violations and people getting hit. We have to work urgently and hard to make sure this doesn't continue as a trend.

DOT COMMISSIONER DOMINGUEZ: And a large part of that is awareness and mental health.

ASSEMBLYMAN CUNNINGHAM: Thank you so much, Commissioner, for your time.

ASSEMBLYMAN MAGNARELLI: Thank you, Commissioner. Thank you.

CHAIRWOMAN KRUEGER: Thank you. And we've been rejoined by Senator Brad Hoylman-Sigal.

SENATOR HOYLMAN-SIGAL: Thank you, Senator Krueger, Chairwoman.

On e-bikes, it's an issue we hear about constantly from constituents. I will say that I think the delivery app companies, with whom we have met along with Senator Krueger and others, including birthday boy Assemblymember Simone, are -- should be held responsible for the unfair and I would argue inhumane way that they treat their drivers in terms of the algorithms that force them to deliver within an allotted time period.

I have legislation that would remedy that. I'll be happy to share that with you.

But I wanted to speak about double-decker tour buses, another plague in my district, and probably Senator Krueger's. Last summer one of those buses, in this case

a double-decker tour bus, crashed in Manhattan and sent 32 people to the hospital.

What oversight does DOT exercise over these double-decker tour buses? And I would venture that there might be gaps in your ability to ensure that these buses and their drivers are operating safely on our streets.

For example, the drivers are not held to the same type of training standards as regular bus drivers on city streets. Are you aware of that?

DOT COMMISSIONER DOMINGUEZ: We have a very rigorous bus inspection program. And I need to get back and actually look to see what the issue is with regard to double-decker buses. Because anything operating in -- in commerce, basically, in intrastate, should have oversight. The question is, is this interstate providers --

SENATOR HOYLMAN-SIGAL: These are tour buses that only tour within the five boroughs.

DOT COMMISSIONER DOMINGUEZ: New York City.

SENATOR HOYLMAN-SIGAL: Yeah. And in this case, probably just Manhattan. Okay, I'd love to follow up on that.

And then secondly, Route 9A, otherwise known as the West Side Highway in my Senate district, has been a clear and present danger for cyclists and pedestrians for many years. Do you have plans to redesign or upgrade Route 9A to ensure that New Yorkers can feel safe to jog safely or bicycle along the Hudson River?

DOT COMMISSIONER DOMINGUEZ: I would -- you know, we've done an enormous amount of work on 9A to not only make sure that we accommodate bikes and ped traffic but literally as we've rehabilitated portions of 9A over the years, we've enhanced that even further.

And so the opportunity is always there for additional safety work. But, you know, I will tell you we have done an enormous amount over the course of the last --

CHAIRWOMAN KRUEGER: Thank you. We're going to cut you off.

SENATOR HOYLMAN-SIGAL: Thank you.

CHAIRWOMAN KRUEGER: We go back to the Assembly.

ASSEMBLYMAN MAGNARELLI: Mr. -- Member Lemondes, please, ranker, five minutes.

ASSEMBLYMAN LEMONDES: Thank you, Chair Magnarelli.

Thank you, Commissioner, for spending so much time with us today. Really appreciate it.

I also wanted to thank you for your commitment to flooding mitigation upstate. We have no shortage of it; our topography lends itself to it. The deterioration in many of our roads and culverts also adds to that. And I would hope that you would continue helping us improve that. I have, in the 126th Assembly District, several direct needs for flooding mitigation in that area.

I'd like to secondly go to the I-81 project in Syracuse. With respect to the farmer's market, the CNY Regional Market there serves seven counties. If this project interferes with ingress or egress for that

market, it will disrupt the commerce, the agricultural commerce, our state's number-one industry, my Assembly district's number-one industry. It will severely -- could severely impact that.

Are you aware of anything that that project will disrupt with respect to the commerce for the CNY Regional Market?

DOT COMMISSIONER DOMINGUEZ: I personally am not aware of the -- if you're concerned about the logistics and the staging of the construction with regard to I-81, we'll be happy to work with -- we're working with everybody. I mean, it's a very complicated project, many construction sites in and around the city, and we're working with all the critical stakeholders as we move forward, because we have to.

I mean, one, we don't want to interrupt, we want to be as -- we want to be as least intrusive as we possibly can. But then again, it's major construction. So we'll be working with the critical stakeholders.

ASSEMBLYMAN LEMONDES: Thank you.

And similar to Chair Magnarelli, I have several direct DOT property transfer issues which I'd like to follow up with you on after.

Going to your testimony with respect to smart climate policies and EV weight, and with respect to the materials being used for the 75-year lifespan on our roads, is that taking into account the additional weight of these vehicles?

DOT COMMISSIONER DOMINGUEZ: It is. I can tell you that our specifications look at the weight of various vehicles. We have an 80,000 pound weight limit that we design for, and so far we're not seeing anything above that.

I think the larger question is is with the adoption, potentially in the future, of medium and heavy-duty vehicles. We are looking at our specifications right now on what the impact would be.

ASSEMBLYMAN LEMONDES: Thank you.

And with respect to the Governor's

commitment to these green policy changes, I'd like to go to EV batteries specifically. And as we know, EV batteries are dependent on the mining of rare-earth materials. For a thousand-pound battery it takes approximately 500,000 -- half a million -- pounds of earth to be moved to extract the rare earths for one battery.

Further, our commitment to mining rare earths is directly linked to the proliferation of EV batteries. I'm wondering if -- the data that we have is there's approximately 10,000 deaths of children in the countries where these rare earths are mined -- most of them in Africa, if not all; most of them Black children -- 40,000 injuries, and innumerable and unknown amounts of birth defects that will occur from now into the foreseeable future as a result of the poisoning these children are experiencing as they mine.

We know that no children in New York or the United States would be allowed to work in those conditions. Yet we get behind an

effort so we can have electric vehicles that is directly linked to the death, poisoning and injury of children on another continent.

Do you share any obligation in this at all?

DOT COMMISSIONER DOMINGUEZ: With regard to the manufacture of electric batteries and what you've pointed out, there are global climate concerns writ large. The climate objectives are to reduce carbon emissions. And as we look at how we do that, we have to look at everything. And that includes the electrification of our vehicle systems, both passenger, medium and heavy-duty vehicles.

The technology is advancing very quickly in the private sector on how those batteries are made and how these vehicles come to market, so --

ASSEMBLYMAN LEMONDES: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Commissioner, I think I'm the last one left on the Senate side. I have 10, but I won't use 10, so I don't care if my clock

says five.

First, as a follow-up to Senator Hoylman-Sigal's question about the double-decker buses -- which his district and my district are identical from this perspective -- my understanding was that these buses, even though they just only stay in Manhattan, maybe sometimes in Brooklyn, they are registering out of state and they garage out of state, and that somehow supposedly limits the state's ability to go after them for the same standards we apply.

Does that ring a bell at all to you?

DOT COMMISSIONER DOMINGUEZ: Senator, I would prefer to come back and make sure that I have the proper framework, because I want to make sure that I understand where these bus companies are registered, how they're operating, and provide specifics on the existing oversight that we have with regard to these companies that you're raising.

CHAIRWOMAN KRUEGER: So I look forward to the same concerns as Senator Hoylman.

DOT COMMISSIONER DOMINGUEZ: I appreciate that.

CHAIRWOMAN KRUEGER: Hoylman-Sigal, excuse me.

Are we at the point now where we're making sure that none of the chemicals or products used that's spread on roads and highways for snow and ice are not dangerous contaminants for the water table?

DOT COMMISSIONER DOMINGUEZ: We just undertook a very extensive look with a number of partners. The Legislature passed the Adirondack Salt Task Force legislation. Last year we constituted that task force. It produced a report. It was very much a collaborative effort with the members of the task force, which included environmental organizations. The DEC and DOT were cochairs.

A number of recommendations came out of that. They have launched -- the pilot programs in particular that DOT is undertaking right now launched this winter. So we're looking at -- the recommendations of

the task force included things like -- there's a pilot that we're doing right now in Central New York in the Utica area, just north of there, using all salt brine. How do we look at that?

How do we look at cold spots, meaning areas that frequently ice? But if we don't put salt down there for a period of time in this pilot, do we actually need to look at some natural, you know, basically making sure that we're landscaping properly and creating less shady areas and less ice.

We're also looking at -- we put what we call EVLs, which are basically cameras on our plows so that we're monitoring the salt usage, salt spread, and understanding exactly what the conditions are and how we're treating for them.

So the bottom line is is all these pilots have launched. We're collecting -- we'll collect the data and analyze it and report back out for the legislative requirement. But I do think we've got a good way forward on how we're actually managing

for salt, salt usage, and then, you know, reporting back out to see what's going to actually work and where we can -- if we need to make additional improvements, where that would be.

CHAIRWOMAN KRUEGER: And do you have a system in place for where this information, when you learn it and you get the pilots' findings, that that information is reported in some way so the public can track how we're doing on improving our climate goals from a, you know, public roadways perspective?

DOT COMMISSIONER DOMINGUEZ: We're collecting it right now. So we have not even begun the analytics of that yet. So we're going to continue to work with the task force, because that's the framework that we've got to actually do that.

We'll figure out how to -- it's all public in the end, so.

CHAIRWOMAN KRUEGER: Thank you.

DOT COMMISSIONER DOMINGUEZ: And anybody who wants to actually track a plow, we've got a -- you can go on our website and

actually look at it.

CHAIRWOMAN KRUEGER: Thank you. I think the Senate -- oh, we may have a three-minute follow-up.

But Assembly next.

ASSEMBLYMAN MAGNARELLI: Okay. Member Palmesano.

ASSEMBLYMAN PALMESANO: Thank you, Commissioner, for being here. It's always good to see you.

I first want to just give a shout out to your regional teams. They do a great job for our regions, so I wanted to say that first of all.

Earlier today we heard from Commissioner Janno Lieber talking about his wishlist and specific needs like replacing 20 percent of subway stations, 32 percent of Metro-North bridges, and so on -- megaprojects like the Second Avenue Subway. We know the MTA budget for both capital and operating is increasing. And I know you talked about the historic $32 billion DOT five-year capital plan, which pales in

comparison to the five-year, $51 billion MTA capital plan. There's no parity between the two. There used to be; there is no longer.

But yet even given the fact -- I know 25 percent was mentioned as far as the inflation rate. According to the FHA, the Federal Highway Administration, for the past 30 months the inflation rate for highway construction is up a record 58 percent, but yet this Governor has chosen to cut 10 percent, or $60 million, from the critically important CHIPS program, which provides money directly to these local communities.

As my colleagues mentioned, some of these communities, upstate rural communities, that's all they receive to fix their local roads and bridges in communities. And this is going to hurt the local communities, it's going to hurt the local property taxpayer in their ability to fix these roads.

This cut is absolutely unacceptable. Hopefully you'll take that back to the Governor. But also to my colleagues here, we

cannot let this cut stand. It shouldn't just be restored, there should be an increase to the CHIPS base aid. And no governor has ever cut the CHIPS base aid as long as I've been a member or a staff member 15 years previously. The CHIPS base aid has never been cut until this Governor chose to do it. The worst they've done, pull out Winter Recovery and mess with that, but never CHIPS base aid.

So that was just one thing I wanted to mention. But I wanted to ask my question on the EV issue. My colleague mentioned --

DOT COMMISSIONER DOMINGUEZ: Can I respond really quickly?

ASSEMBLYMAN PALMESANO: No, it was more of a comment, because you understand I got three minutes. So we can talk about this, but I just wanted to mention that, because you and my colleagues, we need to restore this money. It's wrong.

So I want to talk about EVs. So my colleague talked about the child labor issue with the Democratic Republic of Congo, I've talked about that time and again. One thing

for sure is cobalt is used to produce lithium ion batteries that are used to produce these batteries to power these electric vehicles.

And certainly we should all agree that child labor -- we shouldn't meet our climate goals on the backs of child labor in the Democratic Republic of Congo. It's proven, it's fact, they're dying, they're being maimed. So we should address that. And we shouldn't be supporting and buying these vehicles until they can demonstrate that child labor is not being used.

Wouldn't you agree, we should not be using child labor to produce these electric vehicles to meet our -- because you talk about the goal is to get carbon -- reduce carbon. But we shouldn't be doing it on the backs of child labor in the Democratic Republic of Congo, where 70 percent of the cobalt is extracted to produce these electric -- these batteries to power these electric vehicles.

DOT COMMISSIONER DOMINGUEZ: So let me -- first, with regard to the CHIPS

funding, I just want to make a clarification. Governor Hochul put forward $6.1 billion --

ASSEMBLYMAN MAGNARELLI: Commissioner. Commissioner, you're going to have to get back to him directly. Okay?

Senate.

CHAIRWOMAN KRUEGER: Tim Kennedy for three month -- three months? No, you can't go --

(Laughter; overtalk.)

DOT COMMISSIONER DOMINGUEZ: I don't think the clock goes that high.

(Laughter.)

CHAIRWOMAN KRUEGER: Three minutes.

SENATOR KENNEDY: Commissioner, I have three months.

(Laughter.)

SENATOR KENNEDY: Wonderful. Thank you for that generosity, Chairwoman.

Commissioner, thank you very much again.

A couple of things. So I just want to go back to my questions earlier, talking NFTA. Look, they're in the last year of a

five-year capital plan; $100 million was the first money in in 35 years. That money was basically spent before they got it. The system was failing, it was crumbling. They've done some good things. They need the next phase of that.

We're talking about a $50-plus billion capital plan for the MTA, with congestion pricing and everything else. The need for $150 million for the NFTA, I just want to make a note of that, is essential for the next five years.

STOA, you've heard a number of us talk about the need for improved STOA. These are all issues we can get into. But when it comes to the NFTA, there's the metro rail expansion that you're very familiar with. Can you talk about the DOT and your conversations, your support or lack thereof of this vision moving forward for the light rail expansion into Amherst from downtown Buffalo?

DOT COMMISSIONER DOMINGUEZ: So the NFTA has put forward what their proposal is

and what they would like to do. Again, it hinges on funding to actually make that happen. Beyond that, DOT -- that's how we've looked at it in terms of actually understanding what their proposal is and understanding what the funding opportunities would be to actually carry that out.

SENATOR KENNEDY: Yes. So one thing we're going to be looking for is a commitment of funding moving forward so that we can go after funding at the federal level. That's what's necessary from the state level. So we'll work with you on that. I would appreciate that greatly. And that would be a major, major impact economically on the community for the future.

And the last thing, because we have one minute left, I want to talk about limousine safety and the bill that was proposed. If you could please just outline that briefly, talk about the suggestions made by the task force, if they were fully included in what has been proposed, and -- the task force, please. Thank you.

DOT COMMISSIONER DOMINGUEZ: So I greatly appreciate, you know, the work that has been done across the board on limousine safety. Seven bills have been passed, and the agencies that are responsible -- DOT, DMV, et cetera, have all taken them extremely seriously and implemented them. We also executed the Limousine Task Force.

Governor Hochul put forward a comprehensive bill that takes the work of the Senate bill that was passed last year on limousine safety, and the Assembly work, and takes the recommendations from the task force and creates a more comprehensive safety bill.

We'd love to see -- work with you all on --

ASSEMBLYMAN MAGNARELLI: Thank you, Commissioner.

DOT COMMISSIONER DOMINGUEZ: -- passing that this year.

CHAIRWOMAN KRUEGER: Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you.

SENATOR KENNEDY: Thank you.

ASSEMBLYMAN MAGNARELLI: Member

Giglio, please. Is she here?

DOT COMMISSIONER DOMINGUEZ: She is.

ASSEMBLYWOMAN GIGLIO: Hello.

So first I want to thank you very much for taking the time to meet with me before this hearing today to discuss any concerns that I may have had. I thought that was very considerate of you, so I wanted to thank you for that.

And then I wanted to talk to you about new markets for recyclables that DOT may be considering, because we have a lot of problems with recycling, with redemption centers, with bottle bills and things of that nature. And I know that Easthampton, on Long Island, was pulverizing the glass and using it for roadbed or the road right-of-ways so that -- not necessarily on the road itself.

So I just wanted to touch base and see if you have any plans for new markets, recyclables that DOT could consider for other uses that we could work together on, number one.

And then number two, I know that there's a great need for mechanics with the DOT, and I'm wondering if you have considered working with union companies on Long Island and throughout the state for apprenticeship programs on those facilities so that they could train the younger generation, perhaps a BOCES certificate-holder, in order to get into heavy-equipment mechanics.

DOT COMMISSIONER DOMINGUEZ: So with regard to recyclables, yes, we definitely use them. And we're excited about using them in various projects.

I can tell you we just completed a project out in Utica and applied it -- recycled glass. And we do it, it's part of our specification process. And it's one more way that we're looking at to reduce carbon across the board. So can talk to you more about that, but it is definitely incorporated into our specs. And again, on our climate goals.

With regard to the mechanics, absolutely. We're doing everything we

possibly can to recruit and bring folks in. We've got a great -- excuse me -- program that we have with SUNY Cobleskill to teach mechanics and bring them in. It's a great partnership that we'd like to further leverage. Excuse me (coughing).

ASSEMBLYWOMAN GIGLIO: Yes, can you hold my clock?

Please, take your time.

(Off the record.)

ASSEMBLYMAN MAGNARELLI: Please, don't worry about it. Okay, Commissioner?

DOT COMMISSIONER DOMINGUEZ: Thanks. Let me just grab a cough drop.

ASSEMBLYMAN MAGNARELLI: Take it easy.

DOT COMMISSIONER DOMINGUEZ: You got me all worked up about --

(Cross-talk.)

ASSEMBLYWOMAN GIGLIO: I'm sorry, I --

(Laughter.)

DOT COMMISSIONER DOMINGUEZ: Okay, thank you.

So the bottom line is that DOT operations doesn't work if our equipment

doesn't work, so we're highly invested in our mechanics and our fleet operations. So recruiting and bringing folks in is fundamental to our work. And if you've got some ideas on how we can continue to do that on Long Island, we'd be happy to work with you on that.

But we've got a great model with SUNY that we're leveraging.

ASSEMBLYWOMAN GIGLIO: Okay, great. And I would also really like to thank you for your oversight of the project labor agreements on the Long Island Expressway and all of our state roads on Long Island. There has not been one that has slipped by. So we're very happy with that and keeping a living wage going on Long Island where it's very much needed. So thank you for that.

DOT COMMISSIONER DOMINGUEZ: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Senator Comrie, three-minute chair follow-up.

SENATOR COMRIE: Hi, Commissioner.

I always ask you every year, where's my Cross Island Parkway project upgrade? And have you been able to track the usage now that UBS Arena is in service?

DOT COMMISSIONER DOMINGUEZ: Sir, I appreciate you asking every year, and every year we go back with City DOT on that, so.

SENATOR COMRIE: I hope that we increase that access for that road. That's a very major roadway for Long Island to access the city. Some of the usage has gone up because of the arena, which is a good thing for commerce for the state. But for traffic traveling, time of travel, it's just making it harder for people to get back and forth from Queens to Long Island. I would hope that we can move that forward.

What does DOT do as far as making sure that vehicles are properly insured?

DOT COMMISSIONER DOMINGUEZ: Sir, that's under the jurisdiction of DMV on the insurance.

SENATOR COMRIE: So when the State Troopers do -- when the state -- you don't

oversee or monitor the numbers of arrests from the State Troopers pulling people over? They don't send that information to you?

DOT COMMISSIONER DOMINGUEZ: No, sir.

SENATOR COMRIE: And no one has reached out to you about the issues of insuring fleet vehicles and commuter vehicles at all? You don't get any information about those?

DOT COMMISSIONER DOMINGUEZ: Well, I think with regard to our own fleet, yes, we have to follow the state rules. But beyond that, we don't have jurisdiction over -- oversight over others. Other than -- the only thing I can think of as part of the inspection process for motor buses and --

SENATOR COMRIE: And just a final question. Have they improved the lifetime of the pavement that they're putting down now so that they don't have to pave as often?

DOT COMMISSIONER DOMINGUEZ: We do. We use a lot of different materials to try and make sure that we're using proper mixes to extend the life, as well as preserve what

we have right now. So we abide by a preservation-first policy.

SENATOR COMRIE: And the pavement that's been put down now is BHPA-free or free of toxic chemicals that may have seepage into the roadways or into the waterways?

DOT COMMISSIONER DOMINGUEZ: Well, it's a variety of chemicals and -- but I would also say that it's a variety of -- we're looking at -- we've applied a number of techniques that are looking at how do we reduce carbon emissions asphalt application. So cold in-place recycling and some other things, high-performance concrete -- everything that we can do to reduce the carbon that we're using with regard to road rehabilitation.

SENATOR COMRIE: Thank you. Thank you, Commissioner, for your service.

Thank you.

DOT COMMISSIONER DOMINGUEZ: Thank you.

CHAIRWOMAN KRUEGER: Assembly.

ASSEMBLYMAN MAGNARELLI: Member

Shimsky.

ASSEMBLYWOMAN SHIMSKY: Thank you very much, Commissioner. And let me join the chorus of praise for your willingness to dialogue with us on the issues in our areas. Your office has been great, and my DOT region, Region 8, has been working very, very hard -- but some really challenging issues.

Going back to Region 8, there are statistical analyses that suggest that Region 8's roads are among the most problematic in the state in terms of pavement condition scores and so on. And also it appears that the gap between Region 8 and other regions seems to be growing over time.

So what can be done to catch up Region 8? And is it time to consider tweaking the funding formulas?

DOT COMMISSIONER DOMINGUEZ: So I would say a couple of things. When we look at the capital plan, it's over five years. And so if there are parts of the state that DOT is executing the capital plan in, some years, you know, we oversubscribe in some

areas and undersubscribe in others. The bottom line is is to bring the balance and to bring the goals into line by the end of Year 5.

So I would say give us the ability to do all of that, because we have resources to actually help come into play across the board, meaning people, execution of contracts, that type of thing. So in the Hudson Valley in particular, if the concern is is that we may not have gotten to a contract or two -- like I said, sometimes we pull contracts that were -- or projects that were slated for outyears into the current year if they're more ripe. And then the same thing; give us the time to do it over the course of the five years.

ASSEMBLYWOMAN SHIMSKY: Okay. What is DOT's current view on the use of red-light cameras to prevent the kinds of traffic and pedestrian fatalities we've been talking about, and how do you see that view evolving over time?

DOT COMMISSIONER DOMINGUEZ: Right now

the Department of Transportation doesn't -- the only red-light camera authority we have is not red-light camera authority. It is actually cameras in the work zone. And that's the existing authority that we have to monitor speed and enforce it. It's specific to highway workers and their safety.

Over the history of the department, we've seen over 80 deaths in highway work zones. Which is why we are grateful to the Legislature and to the Governor for the legislation that was passed, and what we're implementing right now.

ASSEMBLYWOMAN SHIMSKY: We need to clean out our culverts. Thank you.

ASSEMBLYMAN MAGNARELLI: All right, we got that last word in there.

Member Gallagher, please.

ASSEMBLYWOMAN GALLAGHER: Hi.

DOT COMMISSIONER DOMINGUEZ: Hello.

ASSEMBLYWOMAN GALLAGHER: Nice to see you, Commissioner. Thank you, Chair.

I remember we had a great conversation about our environmental goals a couple of

weeks ago. And I was rereading the New York City Comptroller's report, and it shows that half of the highway formula funds spent in New York have been used to expand highways. So I was wondering, how does DOT calculate the associated greenhouse gas emissions, especially considering that there's substantial research that demonstrates that expanding highways induces more people to drive and leads to higher emissions?

DOT COMMISSIONER DOMINGUEZ: So I will tell you that one of the goals that we're looking to do across the board is, one, meet our CLCPA requirements, which requires carbon reduction. So as we take on projects as the State DOT, we're not looking at capacity-enhancing projects. We're not looking to build a wider footprint.

In fact, we're trying to actually make sure that we're not taking more land, that we're actually being very conscious about what we're doing to reduce vehicle miles traveled and the number of cars, and looking at alternatives. We want to drive more

transit, we want to drive more bike, we want to drive more pedestrian.

And so all of those criterias are part of how we scope out projects, so that we're limiting the expansion, so to speak, of any roadway. What we're looking to do is actually kind of refine it more, provide more alternatives, and meet those goals under the CLCPA.

ASSEMBLYWOMAN GALLAGHER: Okay. Well, then let's -- for example, in the Van Wyck Expressway, we're adding two more lanes to it. So I don't see how that is helping our climate goals. And in the Comptroller's report it said that we're adding lanes to most of these -- these projects.

DOT COMMISSIONER DOMINGUEZ: So the Van Wyck in particular is a project to do a couple of things. One, the roadway is very old and in need of repair. Two, it's creating a managed-use lane. And it's within the existing footprint, so we're not taking additional land. We're improving five bridges, including Long Island Rail Road

bridges, to enhance capacity and efficiency of the transit systems as well as create a managed-use lane along the Van Wyck, so that people can get to the airport in a more streamlined fashion.

The bottom line is you've got so much congestion on the Van Wyck right now. We need to get people moving faster so that the emissions are not as high. But the managed-use lane, moving forward, we can look at how we can use electric buses. How do we actually manage the use of that lane is, you know, to be determined. But the bottom line is there's a lot of different ways that we can utilize new technologies, new vehicles to actually make sure that we're using it wisely.

ASSEMBLYWOMAN GALLAGHER: Okay. Thanks.

ASSEMBLYMAN MAGNARELLI: Thank you, Commissioner. Thank you.

Member Jacobson.

DOT COMMISSIONER DOMINGUEZ: Hello, sir.

ASSEMBLYMAN JACOBSON: Hi, Commissioner. Good to see you again.

Usually at these things I'm ranting and raving about some problem, but I first want to thank you for following up on our conversation concerning Route 84 between the Thruway exit and the Newburgh-Beacon Bridge, which is so heavily traveled and was brutal. And I can finally go to that area worrying about the traffic and not the potholes and worrying about my car.

And thanks for meeting with me on the priorities in my district.

One thing I want to bring up is -- and I mentioned this briefly -- is that local municipalities are under the obligation, and frankly they should be, to comply with ADA rules when they're paving. And this happens in -- mostly in cities and villages.

I think there should be a new formula or an additional formula with CHIPS with additional money for ADA compliance. I mean, occasionally I'm able to get additional money, say, for the City of Newburgh to -- so

that they're able to get more done. But the difficulty is is that it costs -- it costs as much to do the -- or I'd say more, much more, to do the ADA compliance with the paving. So I hope that you would try to do something on that.

DOT COMMISSIONER DOMINGUEZ: I can tell you that the first thing that we've done is be very clear on the compliance portion of the ADA, and that goes with our local program specifications as well, when I talk about the achievements that we've made and I rattled the list off to Senator Kennedy, ADA ramps or curb cuts, we have instituted about 2180 statewide in the first two years of this capital plan.

So I realize it costs money. It's the right thing to do. And it helps across the board with accessibility.

ASSEMBLYMAN JACOBSON: I mean, even if the program was such that the municipalities could be reimbursed. Because obviously everybody would like to get additional money. But if they got reimbursed with proof of

doing the ADA compliance in certain spots, it could be a way of helping particularly cities that have the burden.

The other thing is you mentioned about the EV charging stations, which I've been a big proponent. One thing, though, the state -- and mostly NYSERDA, but you work with them -- has generally been pushing Level 2 and not Level 3. Level 3 is the quick one that you can get mostly done within a half-hour. Level 2 is the slow one. It's not as bad as Level 1 that you would have in your house.

But I was just hoping that you could push for that.

DOT COMMISSIONER DOMINGUEZ: So the NEVI program, the National Electric Vehicle Infrastructure program, we're working with NYPA and NYSERDA on that. That is the DC fast-charging Level 3.

ASSEMBLYMAN MAGNARELLI: Thank you, Commissioner.

ASSEMBLYMAN JACOBSON: Okay, good. Thank you.

ASSEMBLYMAN MAGNARELLI: Member Simon.

ASSEMBLYWOMAN SIMON: Thank you, Mr. Chair. And thank you, Commissioner, for weathering this long testimony here.

So first I want to thank you for always being accessible to me and to the elected officials in my district in Region 11, which is the really, really biggest, most congested region in the city. And as you know, we've been organizing a corridor-wide group of people, including elected officials, along the BQE corridor, which I know is the bane of your existence as well as mine.

And, you know, as you know, we're united in wanting a solution to the BQE corridor that focuses on climate and health impacts and improves air quality throughout the corridor, which is just evidence of Robert Moses and mostly environmental justice communities that are really impacted by this.

Now, I know that you've been working behind the scenes with City DOT on those things that State DOT has technical

competence on, and I really appreciate that. But one of the things we talked about is the fact that the public doesn't realize that the state is at the table. And I really want to ask if the state can come to the table and be more actively involved in engaging with the community, because they desperately want to hear from you. And I know you've co-submitted a federal grant. But if you could address that issue.

DOT COMMISSIONER DOMINGUEZ: So the -- we co-led an effort to submit the Reconnecting Communities grant, with City DOT. We have been at every public meeting, representatives of New York State DOT, that has occurred through the city process.

And if we were to win this Reconnecting Communities grant, it would be yet another series of public engagements to try and scope out what those opportunities would be as we looked at what the additional opportunities north and south of the triple cantilever would be. So we'll be doing that

in conjunction with the city.

ASSEMBLYWOMAN SIMON: Yeah, I think my point is that while people have been there, too few people realize that the state is there. So it would be helpful if people engaged a little bit, talked to people more, that kind of thing, so that the public knows that the state is at the table.

DOT COMMISSIONER DOMINGUEZ: Understood.

ASSEMBLYWOMAN SIMON: Thank you. I appreciate it very much.

And I'm not going to ask you about culverts. Although, you know --

ASSEMBLYMAN MAGNARELLI: Thank you.

DOT COMMISSIONER DOMINGUEZ: They're really important for resiliency. Thank you.

ASSEMBLYMAN MAGNARELLI: Okay, thank you, Commissioner.

Member González-Rojas.

ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Thank you, Commissioner. Thank you, Chair.

I've long been an advocate for pedestrian safety, cyclist safety, and public

transportation -- and now a statistic. I got hit two weeks ago in New York City, and obviously there's -- we've seen really high rates of both crashes and deaths in our communities. And Assemblymember Cunningham talked about children in particular.

So I think we spent some time today talking about traffic violence. It's at a high crisis right now. You talked about education, enforcement, information sharing. Our chairman mentioned supporting speed cameras. Is there any other very specific engineering changes --

DOT COMMISSIONER DOMINGUEZ: Yes.

ASSEMBLYWOMAN GONZÁLEZ-ROJAS: -- capital changes? Can you speak to them? What's your need, either this budget or moving forward, in order to really address the engineering or design to create more safe streets?

DOT COMMISSIONER DOMINGUEZ: So there's a number of categories that we look at from the engineering perspective. And it's not -- it's not all dollar-driven, but

there -- but if we were to define it, there's some highway safety improvement dollars that are leveraged at the federal level down to the states.

There's Complete Streets. We've got especially -- the Legislature passed last year $5 million that we're leveraging right now, Complete Streets and targeting, in particular, underserved communities. But this gives us an opportunity to look at the engineering as well as the execution, I'll say, of creating those safer environments.

I mean, quite frankly, the other thing that's -- the debate that's happening at the national level is also kind of the debate about the mental health of our country. Because you see people that are angry, they're distracted, and they're literally behind a car that weighs tons, and it becomes a vessel.

And I'm sorry for your injury, but there's -- it's a more comprehensive look that we have to undertake. There's a lot of research that's going on right now at the

national level, Transportation Research Board and others. National Academy of Sciences is looking at the science behind all this. But it's going to take a while to really understand it. In the meantime we need to do everything we can to both look at the three E's -- engineering, education, enforcement -- but then also, as the Governor put forward in the budget, look at the mental health of our citizens and how do we make sure that we're investing in all of that. Because it plays out in all different ways. Transportation's just one way.

ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Thank you so much.

ASSEMBLYMAN MAGNARELLI: Thank you, Commissioner.

Member Mitaynes, please.

ASSEMBLYWOMAN MITAYNES: Hi.

Sunset Park residents live every day with the continued environmental injustice of the Gowanus Expressway above Third Avenue. In addition to applying to the federal Reconnecting Communities grant, what

is the agency doing now to mitigate the harm and to protect and ensure the future plans for the BQE, to eliminate the division created by Robert Moses when it was built, the elevated highway, reconnect the community and reduce the air and noise impact of traffic on the neighborhood?

DOT COMMISSIONER DOMINGUEZ: Well, as you noted, we're looking at the Reconnect -- we've done a lot of work already just on the structure of the bridge itself. Over the last 10 years we've probably put in -- not the bridge, but the stretch of Roadway 278 across the board, probably like $275 million over the -- for the preservation of it.

That said, what you're asking about is how do we actually work with the community on some of the opportunities to improve the actual conditions around the structure. And that Reconnecting Communities grant that we have applied for -- we're hoping that we receive it -- will give us a plan, will, you know, give us dollars to actually perform a study to see what those opportunities might

look like in greater detail.

ASSEMBLYWOMAN MITAYNES: And what is New York State DOT's response to why New York City is still not allowed to set its own speed limit and use every tool available to reduce crashes and fatalities on our streets?

DOT COMMISSIONER DOMINGUEZ: I think you're referring to the city setting their own speed limits.

ASSEMBLYWOMAN MITAYNES: Yes. And what is your stance on the city not being able to do that?

DOT COMMISSIONER DOMINGUEZ: We -- that is -- it's not an issue that's within the purview of New York State Department of Transportation with regard to setting speed limits for the city.

ASSEMBLYWOMAN MITAYNES: Okay, thank you.

ASSEMBLYMAN MAGNARELLI: Thank you, Commissioner.

Member Ra, ranker.

ASSEMBLYMAN RA: Thank you.

Good afternoon, Commissioner.

DOT COMMISSIONER DOMINGUEZ: Where -- oh, there you are.

ASSEMBLYMAN RA: Let me also echo the sentiments of my colleagues. Thank you to certainly you and your staff for their responsiveness, especially down in the region on Long Island.

I do want to follow up on a couple of things, including what Mr. Slater asked about. I understand -- you know, I think, and I even went back and looked at it, I'm sure counsel within your department could confirm that there are no restrictions on DOT sharing those reports with the minority, so I really ask you to take a strong look at that. But to the extent that you believe that you're prohibited, I will be drafting a bill to add the minority to the distribution list and would ask for the department's support in doing so.

So putting that aside, though, I want to, on behalf of one of my colleagues, Anil Beephan, who is not a member of one of these communities so he's not able to

participate, but I believe he recently has written to the department regarding a guardrail on the Taconic State Parkway in the location near where a East Fishkill police officer was recently killed. And he just asked if I could just bring that issue up and bring it to your attention, because he's very eager to work with the department on trying to improve safety at that location.

DOT COMMISSIONER DOMINGUEZ: I did receive his letter, and we are looking at it.

ASSEMBLYMAN RA: Okay. Thank you. I appreciate that.

The other thing that I just wanted to get into is really a couple of local things down in the district I represent, both really -- I know they've been brought to the attention of the department in the past, but both relate to different sections of Hempstead Turnpike, also known as Route 24, you know, near the West Hempstead portion of this up to the Village of Hempstead line. I've gotten a lot of reports and complaints from constituents regarding the condition of

the pavement at that location.

There are other locations further west that I think were repaved in recent years, but it didn't go all the way to the village line, the Village of Hempstead line, so I'd ask you to look at that.

And then one that I think I pretty much have brought up every year for several years running is further up into East Meadow, and in the vicinity of the Nassau Hub property where there's a lot of talk about development there, including the Sands casino proposal. There's been some other development done in the location. And there's also talk very close to there of part of the Nassau Community College campus being used as a new medical campus.

And the Meadowbrook Parkway interchanges in that location I think have been in need of some modernization for several years. So that's another location that I'd appreciate continued dialogue with your office regarding.

DOT COMMISSIONER DOMINGUEZ: Will do.

ASSEMBLYMAN RA: Thank you.

ASSEMBLYMAN MAGNARELLI: Commissioner, I just have one more area I want to touch base with. So this is my second round here. Very quickly.

Last year the enacted budget included $5 million for Complete Streets infrastructure. What is the status of that funding? How is it being disbursed? Who is generally for the funding? And how does DOT ensure that bike and pedestrian infrastructure is included in state road and bridge projects overall?

DOT COMMISSIONER DOMINGUEZ: So I'll start with the second piece of your question first, which is we have a checklist for Complete Streets. And what I mean by a checklist is it's a really robust screening tool. So that as we look to, you know, launch a project, the Complete Streets checklist is utilized by our design engineers to make sure that we're looking at it from every aspect. How can we make sure that we're looking at geometry, design, lighting,

painting, everything -- crosswalk safety, ADA compliance.

ASSEMBLYMAN MAGNARELLI: So this is done on each project?

DOT COMMISSIONER DOMINGUEZ: With regard to the projects that are eligible for Complete Streets treatments, yes.

ASSEMBLYMAN MAGNARELLI: Okay. So --

DOT COMMISSIONER DOMINGUEZ: And then with regard to the $5 million investment in Complete Streets, we're moving on that. We've got projects that -- criteria that we've outlined and are applying right now.

So I can get you a more specific update on which projects those are. But we've taken the $5 million investment and we've looked at how we can actually look at the underserved communities that it was intended to actually serve, and then we're putting out opportunities with our local partners to figure out how those dollars can be spent.

ASSEMBLYMAN MAGNARELLI: Okay. I will follow up on those.

But which projects does the DOT look at for bike and pedestrian infrastructure to be included in these projects? How -- which ones get it automatically? Which ones do your engineers automatically look at Complete Streets?

DOT COMMISSIONER DOMINGUEZ: There's a category within our project list. It's a 1R category. I don't know what that stands for; I wish I could tell you what the criteria are. But it's basically how do we actually look at Complete Streets features.

One of the things that we're looking at that we've done differently is instead of saying, you know, you need to put all of the elements of Complete Streets, we're looking at, okay, maybe we can't apply every element, but there are some feature of Complete Streets that we can apply to various projects.

ASSEMBLYMAN MAGNARELLI: Right. Right. Okay. So, I mean, but you're looking -- the engineers are looking at that all the time.

DOT COMMISSIONER DOMINGUEZ: Correct.

ASSEMBLYMAN MAGNARELLI: Okay. Not that they're going to do a Complete Streets, but they're going to look to see what might be feasible.

DOT COMMISSIONER DOMINGUEZ: Correct.

ASSEMBLYMAN MAGNARELLI: Okay.

DOT COMMISSIONER DOMINGUEZ: It's a change in philosophy.

And the other portion of that is that we're developing an active transportation plan which does the -- which enhances it.

ASSEMBLYMAN MAGNARELLI: Well, with that, I think we're going to let you go.

(Laughter.)

ASSEMBLYMAN MAGNARELLI: I want to thank you very much for sitting through all of this. I know it was not easy for you today, on a personal note. And I really do appreciate it. I know we all do, to you and the department. Thank you very much for answering our questions. I look forward to working with you this year.

DOT COMMISSIONER DOMINGUEZ: Thank

you. Thank you very much.

CHAIRWOMAN KRUEGER: The same for the Senate. Thank you very much.

DOT COMMISSIONER DOMINGUEZ: Thank you.

ASSEMBLYMAN MAGNARELLI: All right. We're into Panel A, I think. Is that what we're calling it?

CHAIRWOMAN KRUEGER: That's what we're calling it.

ASSEMBLYMAN MAGNARELLI: The New York State Department of Motor Vehicles and the New York State Thruway Authority, come on down. Thank you.

(Off the record.)

CHAIRWOMAN KRUEGER: If people can move in and out as quietly as possible so we can keep going. Thank you.

ASSEMBLYMAN MAGNARELLI: Okay, I guess we will start with the Department of Motor Vehicles. Commissioner, are you set?

(Off the record.)

DMV COMMISSIONER SCHROEDER: Okay?

ASSEMBLYMAN MAGNARELLI: Okay.

DMV COMMISSIONER SCHROEDER: Thank you. Thank you. Good afternoon. As a former member of the New York State Legislature, it is an honor to be with all of you today.

It is my privilege to serve as the Commissioner of Motor Vehicles and to lead a customer-focused organization of nearly 3,000 dedicated civil servants.

For the past five years, I have challenged the agency to reimagine our customer service model and embrace innovation to eliminate the status quo. Through that mindset, and by putting our strategic plan into action, we are serving customers in record time, we have more online transactions than ever, made it easier to contact the DMV, and we are very close to updating our technology to further build on our success.

Governor Hochul's Executive Budget provides $665 million for DMV to implement those critical improvements and to support operations at both state and county-run offices. This is more than offset by the

approximately $2 billion, $2 billion DMV generates annually.

Thanks to the continued investment by the Governor and the Legislature, we expect to launch a project this year to replace DMV's 50-year-old driver and registration systems with more streamlined and user-friendly technology. It will not only simplify and modernize our systems for today, but will allow us to implement technology changes more easily in the future.

The transformation of our call center will also continue. Last year, we launched and then expanded online chat and email interactions. This year, we will leverage the latest technology to make a more seamless journey whether New Yorkers visit an office, call us, or use our website.

Part of reimagining the DMV led us to look at our offices to make sure they are right-sized for the volume of customers they help and that we are being good stewards of taxpayer resources. Today, with more than 75, 75 online transactions available, we are

serving more customers from the comfort of their homes and fewer in person. In 2023, 8 million transactions were completed online. That customer benefit enabled us to consolidate our offices in Suffolk County this past August -- a change that has been positive and allowed us to boost staffing in the remaining four locations in Suffolk that historically served the most customers.

We also consolidated our innovation center to a prime location on the Empire State Plaza concourse that I know many of you and your constituents have used.

We will continue to evaluate our operational footprint and explore possibilities to minimize costs, as we further move into the age of digital transactions.

DMV staff have also been at the forefront of the state's fight against surging vehicle thefts and implementing various measures of the Governor's auto theft reduction strategy. This past year alone, DMV recovered $8.7 million worth of stolen

vehicles and vehicle parts, and we worked with auto dealers and manufacturers to assist vehicle owners in preventing thefts.

Regarding limo safety. At the direction of the Governor, DMV remains focused on enhancing safety and increasing enforcement surrounding stretch limousines. More than 15 arrests have been made related to illegal operation of stretch limousines because of extensive work and collaboration among DMV, DOT, and law enforcement. And I'm happy to report that many of the recommendations of the Stretch Limousine Passenger Safety Task Force, which I cochaired, have been implemented, and the ones requiring legislation have been included in a recent budget bill introduced by the Governor.

Regarding tolling. We also know that the modernization of the state's tolling system has presented challenges. DMV is working with tolling authorities to impose administrative actions against toll evaders, and we have partnered with law enforcement to

crack down on the use of illegal or defaced license plates.

Keeping our roads safe is central to the mission of both DMV and the Governor's Traffic Safety Committee, which I chair. Together, we recently proposed a series of regulatory amendments to make it easier to remove persistently dangerous drivers from our roadways. We anticipate this rule-making process to continue this year.

Regarding e-bikes. We recognize the transportation industry is never standing still, and we need to evolve with it to keep pace with emerging trends like the rise in e-bikes. The Governor's Traffic Safety Committee is proactively working with New York City's Vision Zero and other partners to promote safe operation and storage of these devices.

GTSC also instituted a focused effort to enhance traffic safety engagement in underrepresented communities that are disproportionately impacted by traffic crashes and fatalities. Specific attention

was given to pedestrian, bike, and micro-mobility safety.

Regarding diversity. We are also keenly focused on increasing equity within our agency and maintaining a welcoming and diverse place for our employees, vendors, and the residents we serve. This past year we established an office of Diversity, Equity, and Inclusion to advance our goals. I am also thrilled to say that more than 72 percent -- more than 72 percent of our spending is done through MWBEs, and more than 20 percent is done through service-disabled veteran-owned businesses, which is far above the 6 percent required by law.

Regarding reentry. As part of Governor Hochul's historic Jails to Jobs initiative, we also expanded a project to provide incarcerated individuals with state-issued IDs prior to their release. I am very proud to tell you that all 43 Department of Corrections and Community Supervision, DOCCS, facilities are now participating, and more 700 non-driver IDs

have been issued. This is critical to ensuring that that individuals can get a job, find housing, access services, and ultimately reenter society successfully.

Regarding CDLs. Addressing the shortage of truck and bus drivers continues to be an area of focus for DMV. At the Governor's direction we recently implemented a federal waiver for part of the commercial driver license road test to make it easier to get prospective bus drivers licensed and ready to meet the need of our schools statewide.

Regarding Donate Life. DMV is also uniquely positioned to support the state's organ donor registry. More than 80 percent of potential donors join the registry through the DMV. This past year we gave New Yorkers another way to join the registry by adding that life-saving question to vehicle registration transactions.

And finally, we like to have a little fun at DMV, so I was proud to tour the state last year to unveil new regional license

plates. They are reflective of the unique landscape and history across the state and give residents a way to show their pride in their communities.

As you can see, the DMV is as diverse as the people, businesses, and entities we serve and support. Our strength is in that diversity, our willingness to adapt, and the commitment of our workforce to provide exemplary service to the people of this great state. And it does not go unnoticed. I start every executive meeting with a reading of what I call customer kudos, compliments that people have sent in to praise DMV for a job well done. So I would like to take a minute to brag and share some of the recent comments we received.

One New Yorker said, "The best DMV experience I've ever had." Another said, "I was in and out in 15 minutes because the process was so efficient." Another New Yorker: "I pulled up in the parking lot and returned to my car in 10 minutes with new plates in hand." And finally, a customer

wrote: "Thank you for dispelling the stereotypes about nonresponsive government."

Those comments convey exactly what we have set out to do, but our work is not done. Transforming the DMV has become part of our agency's identity.

And I will entertain any questions that you might have.

ASSEMBLYMAN MAGNARELLI: Thank you. Thank you.

Acting Director? Not acting -- active director, right? What is the --

ACTING EXEC. DIRECTOR HOARE: Acting, Mr. Chairman.

ASSEMBLYMAN MAGNARELLI: Okay.

ACTING EXEC. DIRECTOR HOARE: Thank you. Thank you, Chairs Krueger and Magnarelli and Senator Kennedy and Chair Comrie and Chair Zebrowski.

My name is Frank Hoare. I'm the acting executive director of the Thruway Authority. With your permission, after having served here for 11 years as the general counsel to Chairman Denny Farrell, I

understand that brevity is the soul of testimony.

(Laughter.)

ACTING EXEC. DIRECTOR HOARE: So with your permission, I would dispense with my written remarks and just give the highlights. Thank you.

The Thruway Authority budget represents a total commitment of $1.3 billion. It provides the resources required to maintain the current levels of maintenance, safety and service that our customers have come to expect. This balanced spending plan includes $450 million for capital program improvements in the next year over the Thruway system.

Looking ahead, our five-year capital program will commit $2.4 billion into resurfacing our road, rebuilding and rehabilitating bridges, and enhancing safety features like guide-rail and road striping. That figure represents an increase of approximately $500 million from the 2023 budget, and it is made possible because of

the toll adjustment that took effect this past January 1st. Again, I repeat, that's $2.4 billion over the next five years. That means greater safety, and it means New Yorkers going to work.

The 2024 capital program makes critical investments and addresses infrastructure needs throughout the state and in our four operational divisions. In the Capital Region, we will be resurfacing approximately 36 lane miles between Schenectady and Rotterdam, and increasing the bridge height at the Exit 25 interchange bridge.

In the Mid-Hudson Valley, we will be resurfacing nearly 50 lane miles of I-87 between Harriman and Newburgh. In Western New York, we will be reconstructing the first four miles of the Niagara Thruway in Buffalo between I-90 and Elm Street, as well as resurfacing more than 64 lane miles on I-90 between Dunkirk and Westfield. Central New York will see the resurfacing of approximately 50 lane miles between

Canajoharie and Little Falls, in addition to the rehabilitation of approximately 24 miles in the Rochester area between Canandaigua and Victor. This work translates to a smoother riding surface for motorists, enhanced safety features, and a visual reminder of our reinvestment of our customers' toll dollars.

As a testament to our fiscal prudence and discipline, Standard & Poor's recently raised its long-term rating on our general revenue bonds to A+. Additionally, Moody's Investors Service revised their outlook to positive from stable and affirmed the A1 rating of the outstanding general revenue bonds. This translates to real savings by enabling the authority to borrow at lower rates, and therefore allows us to make further investments in our system.

In 2023, motorists took 397 million trips and drove 8.1 billion miles on the Thruway. The Thruway is the principal artery of commerce and serves as a catalyst of the state's economic activity, with 17 percent of our total traffic coming from commercial

vehicles and about one-third of that from out of state.

Our service areas, just like the Thruway system, provide benefits to local communities. For example, the Taste NY program, which recently celebrated its 10th anniversary, is prominently featured at our farmer's markets in our service areas. We are supporting local farmers and food and beverage producers.

Other community benefits include partnerships with local small businesses, who are awarded contracts to work on the Thruway system. The authority pays annually in excess of $270 million to contractors and other providers of goods and services that are based in New York.

That is part of our service area project of $450 million in investment, where 23 of the 27 service areas will be rebuilt, with significant renovations to the remaining four. Currently we are close to halfway through the project, with 13 new buildings open and three more by the start of the

summer travel season. Again I note that no toll dollars or federal, state or local taxpayer funding is being used in the reconstruction.

Another feature is the EV chargers along the Thruway as part of our continued commitment to the environment. Currently there are 59 EV charging stations in operation at Thruway commuter lots, select service areas, and welcome centers. We have an additional 38 high-speed charging stations that will be operational by this summer, for a total of 97 charging stations. Motorists can currently drive from New York City to Buffalo and be confident in their ability to access EV charging stations along the entirety of the Thruway.

The operator will be installing at least four high-speed EV chargers at each service area, and our plan is to create a robust end-to-end corridor of more than 130 fast-charging EV stations with an average of 30 miles between each location, which exceeds the federal standard, which is at

50 miles.

The authority currently meets the EV charging needs of our customers, and we are planning for the future of our customers' charging needs. Over the next approximately 10 years we will add 320 EV charging stations along the Thruway. In addition to addressing the EV needs of passenger vehicles, we are working toward increasing the EV needs of the medium and heavy-duty vehicle industry.

Because tolls are our primary revenue source, we expect all motorists using the Thruway to pay their tolls, and we make every effort to collect every single toll owed to us. The vast majority of our customers appreciate our commitment to them and pay on time.

To bolster our toll collection efforts, I want to express our support and thanks to Governor Hochul's Article VII toll violation proposal, which is in the TED bill at Part C. This bill will outlaw certain common toll evasion practices and it will enhance the enforcement by increasing fines

and providing law enforcement with the ability to seize materials affixed for the purpose of blocking numbered plates.

And speaking of great legislation, we want to thank you. We see the benefits of Chairman Kennedy and Chairman Magnarelli's Automated Work Zone Speed Enforcement program that Governor Hochul signed into law in September of 2021. We have seen drivers change their behavior by slowing down in work zones. We have seen them drop their average speed from 55 to 50. And since the program's inception, the authority has mailed more than 40,000 first violations to motorists and collected more than 1.6 million in violations, all of which is funneled back into safety programs.

And I would note that fewer than 360 motorists out of those 40,000 have disputed their notices of violation.

Finally, our accomplishments are made possible because of the dedication of our board of directors and the commitment from the 1700 employees of the Thruway Authority.

Their dedication and professionalism ensure that the Thruway continues to be a safe and reliable highway for all motorists.

A recent example of this selflessness and dedication are the most recent storms in Western New York that brought whiteout conditions, heavy winds, frigid temperatures and several feet of snow in some areas. The Buffalo division led the way and included reinforcements from the Thruway Authority's Albany, New York and Syracuse divisions, who worked around the clock in freezing temperatures to plow and assist commercial drivers who had ventured out, in defiance of the commercial ban that was instituted, and got stuck.

In closing, please know I remain committed to keeping the Thruway the safest and most reliable means of travel in the state. Whether one is commuting to work, visiting family or friends, enjoying the recreational opportunities around our state, or supporting the freight economy, the Thruway will take you there.

That concludes my testimony, subject to your questions. Thank you very much.

ASSEMBLYMAN MAGNARELLI: Thank you. We're going to start out with the Senate, I believe.

CHAIRWOMAN KRUEGER: Chair Tim Kennedy.

SENATOR KENNEDY: Thank you very much.

Commissioner Schroeder, thank you for that testimony. Very good to hear all the positive things happening at the DMV. Also to Executive Director Hoare, thank you so much for your leadership and your partnership. The both of you have been extraordinarily responsive. Anytime my office has reached out, your teams have been exceptional to work with, and I'm very grateful.

Starting with the DMV, I'm going to try and cut my time in half here. Just getting into the Internet Point and Insurance Reduction Program that's extended for a couple more years in the Executive proposal, it was first authorized back in 2005. Are

there any changes in the extension, or is it simply a clean extension? And is it something that you would like to see the IPIRP program made permanent by the Legislature?

DMV COMMISSIONER SCHROEDER: Senator, as you indicated, this started some time ago. It started when I was in the New York State Assembly, and it is part of TED Part F. And it will extend now to 2026.

The course is available for people who want an insurance discount or who seek to reduce the number of points against them on their driving record.

In terms of it being permanent, I would say respectfully that's probably something for the Legislature to consider. But for now we've been able to do everything we're supposed to do in terms of working it properly even through the extension program.

SENATOR KENNEDY: Great. Thank you.

The Executive proposal calls for an increase in appropriations at the DMV citing technology. Can you discuss what those

upgrades would be and what benefits that customers could expect to see?

DMV COMMISSIONER SCHROEDER: Thank you, Senator. And I often use your neighborhoods to talk about what DMV has gone through over the last 50 or 60 years. If you know, if you remember -- and I know you do -- in some of your old neighborhoods like Little Hollywood, the Old First Ward, and the Valley area, there's little cabooses on the end of their houses, right? And then when the couple were going to have another baby, there would be another caboose, and another caboose.

This is exactly what DMV has done over the last 60 years. We have legacy lines that date back to Governor Rockefeller. And then what did we do? In the seventies we added on, we added on, we added on. When you add on like that, it's not going to be a comprehensive product.

So what we're doing -- and this funding, this $168 million really does help us, so we're grateful to the Governor and to

the Legislature. This will underwrite the transformation and also the tech redesign. We probably have over 150 data lines. We don't need them. We're going to retire them. And then this project is helping us underwrite what we need to bring in the new technology.

So we're very excited about this. We've been working on this for a long time. I have 20 teams that have been working on this for as long as I've been the commissioner, since 2019. We are making tremendous progress. This is a five-year comprehensive plan. It's probably going to take us four years to enact, and we're deep involved in it right now, and we're grateful for your support.

SENATOR KENNEDY: Great. Great. Thank you very much.

Last year the Legislature passed and the Governor signed legislation that permits driver's license reciprocity. And I'm very grateful for your efforts with me and my colleagues in helping to make that happen and

work through the process so that it actually could become law.

Where is the DMV as it pertains to that agreement? And have there been any -- you know, in the process working it through, have there been any agreements with any nations or territories yet?

DMV COMMISSIONER SCHROEDER: Yes. So, you know, thanks to the Legislature, thanks to the Governor, it is law. In DMV, we embrace the law. And so we are 100 percent involved in this.

To date, to be specific, to answer your question, France, Taiwan and the Dominican Republic have expressed interest in establishing a reciprocal agreement.

The difficult part -- we're going to be able to do it, but the complexity here is that DMV now has the responsibility to revaluate the countries who are seeking reciprocity, because we have to make sure that we're on the same page here. And so we are prepared, DMV is ready to roll, and we will continue to report out the progress.

But it's not only for the three countries I just mentioned. Any country who has an interest in New York State, once they go through the application process, we will engage with them and make sure that we're successful.

SENATOR KENNEDY: Perfect. Thank you very much. And thank you again, Commissioner.

To Mr. Hoare, thank you again for your leadership, your efforts. I want to switch to the Thruway Authority. Can you give us an update on the status of the rest stop reconstruction project and when we can expect full completion?

ACTING EXEC. DIRECTOR HOARE: Currently there are 13 out of the 27 rest stops that have been completely rebuilt. They're open and functioning. In the next several months, by the start of the summer driving season, you'll see another three open up. And then that -- the remaining 11 will open up by the end of -- over the next 18 months, but by the end of -- we anticipate by

the end of 2025 the project being completed.

SENATOR KENNEDY: Great. So it is on track.

ACTING EXEC. DIRECTOR HOARE: Well, it's on a new track. There is an eight-to-10-month delay that we've experienced, allegedly -- the design-builder alleges because of COVID and geopolitical events, so we'll see.

SENATOR KENNEDY: But it's moving forward.

ACTING EXEC. DIRECTOR HOARE: It's moving forward, yes.

SENATOR KENNEDY: Construction continues.

ACTING EXEC. DIRECTOR HOARE: It does.

SENATOR KENNEDY: Thank you.

Are there any changes -- first of all, thank you for recognizing the work zone safety legislation that was passed and signed into law. You know, it's clearly working, and those numbers are eye-popping. Are there any changes that the Thruway Authority would recommend to that program, how successful

you've been catching speeders, and what we can do to enhance it, especially with repeat offenders?

ACTING EXEC. DIRECTOR HOARE: We've seen many -- maybe about 40,000 are repeat offenders {sic}. So at this point I think it's working. We see it in the numbers. And again, I think the most important fact is what we've seen from the data is that finally folks have that message and they are dropping their miles per hour as they approach a work zone. The word is out.

We operate 10 on a weekly basis. We move them around. And we have seen -- we've been successful in -- we think in dropping that number, and the numbers, the data support that.

SENATOR KENNEDY: Yeah, again, 40,000 violations is an eye-popping number.

ACTING EXEC. DIRECTOR HOARE: And I think the 360 only challenging it shows that that -- how many people realize what they did.

SENATOR KENNEDY: Right. Thank you

for that.

Just going back to the service area redesign and the redevelopment project, it calls for an installation of high-speed EV chargers at all areas. Do these plans leave room for growth as we continue to see EVs become more and more the norm? And what additional steps can we take to enhance the use of these EV chargers and the expansion of them in the redesign plan?

ACTING EXEC. DIRECTOR HOARE: Senator, the current contract to rebuild the Thruway service areas calls for a minimum of four to six EV chargers at each service area, depending on the size. But built into the contract is a provision that the operator must increase those numbers as demand grows.

So as I said, over the next 10 years the plan is to add an additional 320 chargers throughout the system. And again, we have them not just at the service areas, we have them at our park-and-ride lots, we have them at the landings on the Cuomo Bridge, and we have them at the welcome centers.

SENATOR KENNEDY: In part of my work as Transportation chair I've come across new technology that will allow for charging infrastructure for vehicles while they're actually moving. Is the Thruway Authority examining the feasibility of doing a pilot on this sort of technology?

ACTING EXEC. DIRECTOR HOARE: Well, we're following the technology every day. We are applying aggressively for federal grants. We hope to be part of some of the federal spending on that, to increase those numbers. But we are talking with partners in the private sector --

CHAIRWOMAN KRUEGER: Thank you, Frank. You'll need to follow up afterwards or in writing. Thank you.

SENATOR KENNEDY: Complete that sentence in writing.

ACTING EXEC. DIRECTOR HOARE: Yes, sir.

ASSEMBLYMAN MAGNARELLI: Okay, I believe I have a few questions, so we're going to start it with the commissioner of

DMV. Okay?

The proposed budget from the Governor calls for an increase of $184 million for the DMV, right? And about 178.4 million of that appropriation is for basically your IT upgrades, which we're kind of in the last phases of, from what I understand and from what you've been talking about.

But a couple of questions. Will any additional funding be required for this project? When will the upgrades be complete? What new services will be moved online, and what other improvements will your customers experience as a result of the project? Are there any specific benchmarks for improving service? And will these IT upgrades result in any savings?

So in other words, are we on stride? Is it going to cost any more money? And what are we getting out of it when it's done?

DMV COMMISSIONER SCHROEDER: Yeah, thank you. Thank you, Mr. Chairman.

And so this is what I refer to as a five-year comprehensive plan of excellence.

It's going to take us about four years to implement. And so we are going strong right now. And also the services in terms -- when I became the commissioner, we could do about 47 online transactions. We now can do 77.

The goal of DMV is meet your constituents and our customers where they are. So the goal is that we want to be able to do every single transaction online to give our customers that option.

The only two things that we're unable to do right now are federal requirements having to do with Real ID and the Enhanced Driver's License. But everything else we are trying. And this -- this opportunity of transformation and tech redesign, we're in the driver's seat to be able to do this.

In terms of the benchmarks that you talk about, when I talk about the kudos, the compliments, these are New Yorkers who are busy. These are legislators, Assemblymembers and Senators who are busy. And when they call us and when they email us to tell us a job well done, that means we are hitting the

benchmarks that we strive to do. When customers say, "You know, the last time I came into DMV it took me four hours; now it's 15 minutes." So things are really going well in that regard.

ASSEMBLYMAN MAGNARELLI: I understand that, Commissioner. And I consider those testimonials -- and you've gotten them from my office, okay? So I'm one of them.

DMV COMMISSIONER SCHROEDER: Thank you.

ASSEMBLYMAN MAGNARELLI: The bottom line, though, is like what are we comparing it against? Are we saving any money? Are we looking -- or is it just, and validly, it's just giving better service? Okay. But, I mean, what are we going to measure it against to see whether or not this program is successful?

DMV COMMISSIONER SCHROEDER: Yeah, it's a great question. And I can tell you anecdotally, and you'll know exactly what I'm talking about. If you recall, last year in Onondaga County the DMV office went down. It

went down because there were outages and glitches. That is a -- that's inconvenient for your constituents, but it also -- it also costs us money. So when we're able to be -- when we're able to have the proper technology, and that's the course we're on right now, there will be savings, no doubt.

ASSEMBLYMAN MAGNARELLI: There's one other question I want to ask you also. The Executive proposal Article VII authorizes DMV to replace the existing system to verify motor vehicle insurance with an online insurance verification system. Okay? I don't believe that's the same thing that Senator Kennedy was asking you about. But what I'm concerned about here in a nutshell is who's driving this, the DMV or the insurance companies? And who's going to make the final determination on the outcome?

Because I'm concerned about that. I want to make sure -- to be honest with you, I want to make sure the DMV makes the final determination of how we're going to do this. And that's what I'm looking at in that

Article VII language.

DMV COMMISSIONER SCHROEDER: So Mr. Chairman, to your concerns, they lay with DMV. DMV and our staff will be -- will continue to implement. This will be a technology. This technology will be integrated in with our four-year plan of reform.

ASSEMBLYMAN MAGNARELLI: Right. I guess my concern here is that it doesn't cost the state more money or more time. If it's something that's going to be for the convenience of the outside companies, that's fine, as long as it meshes with your system, your project, your people. That's all I'm saying.

DMV COMMISSIONER SCHROEDER: And it does.

ASSEMBLYMAN MAGNARELLI: Okay. All right.

Director Hoare, I've got a couple of questions here. First of all, you know, speeding, we're talking about speeding. And I want to pick piggyback on what

Senator Kennedy was saying as far as the work zone cameras are concerned and how good they are.

What about just speeding cameras? Because what I'm seeing -- and what I said to the DOT earlier, is that there is, as far as I can see, a proliferation of lawlessness, so to speak. People speeding, disregarding the rules of the road, the laws of the road completely.

Is there any thought of speed cameras on the Thruway?

ACTING EXEC. DIRECTOR HOARE: There's not. And we -- certainly anecdotally we have seen that over the last two years. It seems to be another symptom of COVID in terms of driving behavior. And successful, with your legislation, at least in the work zone slowing people down. But we have no present plans right now to add additional speed cameras to the Thruway system.

ASSEMBLYMAN MAGNARELLI: Okay. Well, that's something I'd like to look at.

Talking about EV needs into the

future, I just find it very hard to believe -- I'm not saying you're wrong, because I don't have anything to go on either. But the number, 130 or something EV charging stations on the Thruway, like that's going to be enough. I think even you said in your testimony that in 10 years you're going to need 320. That doesn't seem enough to me. But again, maybe I'm just plain wrong.

The one thing, though, that I have been talking to people about are the EV needs for medium and heavy-duty traffic, okay, on the Thruway. And not only the amounts of EVs that you have, but how that electricity is going to be distributed to your sites to take care of those heavy-duty vehicles. It's -- from what I'm being told, it's astronomical in terms of money and time to produce maybe not what's on your site, but what's going to get the electricity to your site.

Are there any conversations going on right now with the Thruway and the electrical distribution people, okay?

ACTING EXEC. DIRECTOR HOARE: Yes. We

are in those conversations. You identified what makes it so complicated. There are so many pieces to this. The utilities have said to us that putting these -- providing the power to do these EV chargers is like servicing a small city. So there are challenges ahead. We are in those discussions.

Part of the federal grant, as we apply for federal grants with our DOT partners, they are part -- "they" being the utilities are a big part of the discussion as well. And right now less than 1 percent of registered vehicles in New York are electric vehicles. So when I say we have the resources right now to provide those services, we do.

But we recognize -- we're not sitting back. We recognize that those needs are going to go up. I mean, it's a complicated problem. It's something that's being addressed nationally. Every day, if you look in the business papers or the newspapers, there's stories about EV manufacturers,

electric battery manufacturers. So it's something that we are working very hard. And I'm fortunate to have a lot of smart people that work for us at the Thruway who give a lot of thought to this, to plan and to be ready for the future.

ASSEMBLYMAN MAGNARELLI: I'm just thinking, if this is going to happen within the next 10 years that this is starting to ramp up, are we putting together some consortium of companies, distribution people, electric generating people, everybody together in a room to get some kind of a plan to really build this out?

I'm not seeing that anywhere. I'm seeing everybody talking in silos. This is going to be a problem, you're going to have a problem. We all agree, there's problems every step of the way. Are we putting anything together at this point in time?

ACTING EXEC. DIRECTOR HOARE: Well, again, I wouldn't call them problems, I'd call them challenges. And I think there's a recognition and an understanding that those

challenges are out there and we're going to work on it.

ASSEMBLYMAN MAGNARELLI: I call them problems. Okay, thank you.

Senator Comrie.

SENATOR COMRIE: Good afternoon, gentlemen. I'll start with Commissioner Schroeder.

I appreciate everything that you're doing with DMV. And I wanted to find out specifically regarding the issues of the Tollpayer Protection Act and how our citizens that are caught because they have extensive fines because they were not able to pay their bill or did not realize that their credit cards were no longer picking up the bill, how they can have more accessibility to try to get these issues resolved without dealing with excessive fines and fees.

I know folks have been battling back and forth about how this should be resolved, and I understand there's only one person for a region to try to resolve these complaints. Is that true?

DMV COMMISSIONER SCHROEDER: So, Senator, you're referring to the DLSR, the driver license suspension form that all of you implemented? And we have cleared 3.2 million New Yorkers so that they can start going forward. And so their license is no longer, you know, suspended so that they can go forward. Is that what you're referring to? Or are you referring to tolls?

SENATOR COMRIE: Tolls, primarily. And also there's a secondary issue, so that people can be able to continue to work or not lose their job because they are not able to get their licenses from the state.

Primarily tolls. You know, we have a lot of constituents in all of our areas now that wind up with thousands of dollars in fines that they did not realize because there was a gap between the bills or they didn't see the weekly bill or the monthly bill showing that they missed payment, because their payment systems were changed and they didn't realize it.

So we have a lot of constituents that

are struggling to try to keep up or to have some resolution because they're not getting any opportunity to have a real discussion with someone to get a resolution.

DMV COMMISSIONER SCHROEDER: Yeah. So -- so thank you, Senator.

We, DMV, we are supporting the Governor's vision by continuing to work with our tolling authority partners to crack down on motorists with defaced, obscured plates and to suspend the registration of vehicles that rack up unpaid tolls.

So we -- this is something that has been reoccurring all day, starting with MTA, Thruway Authority, DOT. This is something for all of us to have to try to figure out. And so we will continue to be a partner in that. And quite frankly, as you know, since the implementation of cashless tolls this has become problematic more and more. And so with more than 5 percent of plates going unread, accounting for hundreds of millions of dollars -- which is concerning to I know this Legislature and to the agencies involved

in transportation -- we together need to figure out how to do better. And DMV is committed to being helpful.

SENATOR COMRIE: I'm separating the scofflaws, because most of the people that are hiding their plates or doing, as was said earlier, James Bond-type tactics with their plates, those are the people that have to be prosecuted.

But we have a lot of constituents that because of technical issues or payment issues, they didn't pay for a month. They have their plates. It's not an issue of them not being able to see the plate or being a deliberate scofflaw. They've never been a scofflaw in the system before, but they wind up with thousands of dollars in fines and fees.

I would hope that we could triple the size of the integral folks that are working to try to resolve these matters, so that they can separate out the determined scofflaws from the folks that are just caught in the system. And I would hope that we increase

the size of that agency, or combine agencies to make sure we have more responsiveness to that area.

It's unfortunate that my office has to call 15 times or send 20 emails to try to get legitimate people resolved.

DMV COMMISSIONER SCHROEDER: Yeah. So, Senator, I understand exactly what you're saying. There are bad guys out there doing things that we have to figure out a way to prevent.

But what you're talking about are good constituents and good customers, and they get themselves in a situation. And when they call us, we do not do this (pointing in different directions). We will do our best to help the customer and we will try to figure out what pathway for them to go down so that they can avoid any suspension whatsoever.

SENATOR COMRIE: Thank you.

DMV COMMISSIONER SCHROEDER: You're welcome.

SENATOR COMRIE: And just the next

question. We've done a very successful program. We're creating opportunities for small businesses to act as mini-DMV facilities. They have a few of them now that are all over the city. Can you tell us how effective that program has been?

DMV COMMISSIONER SCHROEDER: What program, Senator, are you speaking of?

SENATOR COMRIE: Where you're allowing small businesses to act as DMV, the way you can go to -- instead of going to the big offices, go to the little businesses that are set up to handle plates and re-registration.

DMV COMMISSIONER SCHROEDER: Yup. Yeah. Thank you.

So what we're trying to do -- and in the testimony I talked about how DMV is trying to reach people where they are. So we have our offices, our brick and mortar, in Queens. We have, you know, 12 offices altogether in New York City. And we have seven offices in Long Island/Westchester. But we also have relationships with auto dealers, like over 300 auto dollars across

the state. And so when you go in to buy a new car, you are able to get everything that you would -- that you used to have to go to DMV, you can do it at the auto dealer.

The same thing that I'm so proud of I mentioned in my testimony with the 43 prisons across New York State, we are giving people who are there, incarcerated, an opportunity to get a license so they don't -- or if they get a non-driver I.D. so that they don't have to go to a brick-and-mortar place.

So we're going to continue, Senator, to do that to make it easier for your constituents and for New Yorkers overall.

SENATOR COMRIE: Thank you.

A question for Executive Director Hoare. Have you been able to look at the contract for Greenway to see if there's any way to have them ameliorate stations that need to have -- need to be larger? Because a lot of these stations do not have the proper capacity to deal with especially weekend travel.

ACTING EXEC. DIRECTOR HOARE: Senator,

you mean the service areas?

SENATOR COMRIE: The service areas.

ACTING EXEC. DIRECTOR HOARE: The service areas -- there are three sizes for service areas. And those three sizes were determined based on, again, data as far as --

SENATOR COMRIE: Right. But as you look at what's happening in those service areas, it's clear that they're overcrowded and they don't have enough capacity, especially in the stalls, the bathroom stalls in those areas, depending on the size, there's only four in places where there used to be 12, and there's only six in places where there used to be 18.

So will those adjustments be analyzed and assessed? And as I've asked you before, can the contract with Apple -- Apple -- Applegreen, or whatever they're calling themselves, you know, be amended to ensure that those adjustments can be made so we can have faster flow in these rest stops?

ACTING EXEC. DIRECTOR HOARE: Well, Senator, we're seeing faster flow and less

crowding as each one opens up. It's like relieving the pressure on a valve. The -- we had initial complaints and concerns about overcrowding when there were only three or four open. We're now up to 13, soon to be 16. And we're seeing less and less crowding.

But if we went back at this point where 13 are already completed, another 10 are under construction as we -- already under construction as we speak, if we stopped it right now we'd be talking about a minimal amount out of the 27. And it would be a great expense to go back and get them to change those plans.

SENATOR COMRIE: I would argue that it would give us actually more revenue if we had a faster and more compliant area to make sure that people could be able to not be crowded as they're moving between the vendors and the rest stops. So I think there would be a real opportunity to try to make sure that the customer is taken care of in a way that they would want to come through and not just go through every rest stop, but wait 20 minutes

to use the bathroom.

ACTING EXEC. DIRECTOR HOARE: Senator, that is our focus, safety and comfort for our traveling public, and we will continue to focus on that.

I think I can add to that. I'd be happy to look at it and have a discussion.

SENATOR COMRIE: Thank you.

And also in 2021 the vendor complaint, did that get resolved yet, the blind vendors?

ACTING EXEC. DIRECTOR HOARE: That was resolved with an agreement last April between the commission and the operator of the service areas. They will have access to more of the vending machines.

SENATOR COMRIE: Are you exploring hydrogen fuel cell stations at the rest stops as well? Because that is the new technology that's coming on board.

ACTING EXEC. DIRECTOR HOARE: That is not a technology I'm specifically familiar with.

We are constantly looking at technology and upgrading to make sure that,

again, we serve our patrons and do it in a responsible and environmentally friendly way.

SENATOR COMRIE: Thank you.

And are the EVs going to have canopies, the EV stations are going to have canopies? Or are they going to be open to the weather?

ACTING EXEC. DIRECTOR HOARE: I'm sorry, sir, I didn't --

SENATOR COMRIE: Right now the gas stations have canopies so that if it rains, you're not -- are the EV stations going to have canopies?

ACTING EXEC. DIRECTOR HOARE: The service areas at the -- those gas stations have canopies.

SENATOR COMRIE: Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you. Thank you.

All right. Chair Ken Zebrowski for 10.

ASSEMBLYMAN ZEBROWSKI: Thanks, Mr. Magnarelli.

Good evening, colleagues. Good to see

two former Assembly alumni here.

DMV COMMISSIONER SCHROEDER: Thank you.

ACTING EXEC. DIRECTOR HOARE: Thank you.

ASSEMBLYMAN ZEBROWSKI: No offense to you, Commissioner Schroeder, but my committee really oversees the authority, so I'll start with him. If I have any time, I'll ask you a couple of questions.

DMV COMMISSIONER SCHROEDER: That makes sense.

ASSEMBLYMAN ZEBROWSKI: Director Hoare, thanks for -- you really covered a lot in your summary. So I'm going to go through a few things where I saw some -- maybe some gaps that I have some questions about.

You talked a lot about the capital plan and some of the projects. I didn't hear anything specifically about like the pavement conditions on the Thruway, like where is that type of stuff in the capital plan, how do you generally plan that, what do you currently look at in terms of those conditions?

ACTING EXEC. DIRECTOR HOARE: Again, it's -- we look at data that's based on state and federal regulations. We assess the entire system -- again, it's 2800 miles of roadway in both directions, the lanes. So in terms of what our priorities are and how we address a particular project in 2024 versus 2025 or '26 is based on those needs. So that we get to where we need to get.

But I assure you that as it currently sits, the Thruway from your district to the Pennsylvania line is safe and reliable.

ASSEMBLYMAN ZEBROWSKI: We heard a lot about tolling. I think mentioned -- we had the MTA earlier, a lot of folks hear from constituents. Your office and my office have worked on specific constituent matters, and I appreciate the thoroughness by which your staff attempts to answer our questions and work through these matters.

I didn't hear you today kind of go through some of the changes you've made, which I think are helpful for folks to know, in that the tolling and the fine program, if

I understand it correctly, as complaints have been levied, you've made significant changes in how those fines are levied.

Could you kind of go through that for us?

ACTING EXEC. DIRECTOR HOARE: Sure. I mean, it's also important to recognize that in the last three years we've had 1.2 billion transactions on the system. So where there have been problems or issues, we address it aggressively and we want to make sure that our patrons, our customers are taken care of.

In terms of we have -- at least whether or not we assess those fines, we lowered the initial set of fines from -- to a maximum of $50 a bill, so a maximum of $600 a year. In previous years the policies and regulations called for fines and penalties based on each trip, so you saw huge numbers, you know, come out for some folks.

But we've lowered that. We have an office, created an office, my predecessor created an office that's dedicated to toll revenue and quality management of that

system. We are constantly in touch. We have a tollpayer advocate that in the last two years has talked to over 7,000 folks in an effort to resolve their issues. And we're in constant touch with people in an effort to resolve their bills.

So we're working hard to balance the fairness to those who pay the tolls with fairness to those who may need some help.

ASSEMBLYMAN ZEBROWSKI: Thank you. I think we do all have these stories of constituents in our office with, you know, eye-popping tolls and fines and fees.

So with those changes, like you said, now it could be a maximum of $600 a year -- not that anyone would be happy with $600, but theoretically that would be not paying the $50 every month for the 12 months. Theoretically, that should result in there not being these multi-thousand-dollar bills, correct?

ACTING EXEC. DIRECTOR HOARE: It should.

And again, 96 percent of our

tollpayers pay their tolls. That 4 percent is largely comprised of out-of-state commercial vehicles. And that's a problem. It's a problem not only for us, it's a nationwide problem. We're part of an international tolling association, and that's what we, I and my staff, hear from our counterparts in every other state on the attempt to collect.

And again, it's mostly on, you know, commercial vehicles who are intentionally doing it. And our biggest numbers come from Connecticut and New Jersey, who we don't have a reciprocal agreement with. Connecticut won't enter into a reciprocal agreement because they don't charge tolls, so they want to do it for their residents, and New Jersey can only do it by legislation, and that's been bogged down over the last couple of years.

So our partner at Port has been leading that in an effort, but so far they have not instituted a reciprocal program.

ASSEMBLYMAN ZEBROWSKI: With the

cashless tolling, have you done an analysis -- obviously, cashless tolling does two things. One is sort of efficiency and helps with traffic. That's probably the biggest, you know, benefit to it.

But have you done an analysis of just the financial aspects of it? You obviously save money by not having the infrastructure and the people working there. But obviously it seems to lead to more scofflaws, if you will. You know, you mentioned the out-of-state truck drivers. So have you done an analysis of that?

ACTING EXEC. DIRECTOR HOARE: We've looked at that. It wasn't done to save money, it was done for the safety and convenience of our patrons. And it was done to help the environment, which we've seen direct results on that.

So we still have expenses with the cashless tolling. Those expenses will be there. So because those booths and the people in them went away doesn't mean that the expenses went away. We still have -- it

still costs money to process transactions, to send out bills, to work with our customers.

Again, we're up to about 86 percent of New Yorkers having an E-ZPass. We're constantly pushing that because that -- having an E-ZPass not only eliminates problems or reduces the risk of problems, it also reduces your bill. So we're working hard to get to that system where more folks have E-ZPass.

On the other hand, for those that don't want an E-ZPass, we've worked hard with them to provide easy ability to pay that by cash or credit card. We have over 4,000 retail vendors across the state that you can walk in and, again, pay your bill or refresh your card, your account, with a credit card or with cash.

ASSEMBLYMAN ZEBROWSKI: To that point, you had closed some over the years, right? Do you have more now than you had, say, four or five years ago of those locations? I know in Rockland in particular at one point it was closed. Are you utilizing the county clerks

still? Not the DMV county clerks, but other county clerks to serve as E-ZPass stations? You know, what do you look at when you look at statewide to try to make sure that everybody has a place that they can go to that's in a reasonable driving distance?

ACTING EXEC. DIRECTOR HOARE: Well, we're looking at gas stations, we're looking at Dollar General, we're looking at Walgreens, Walmart, that sort of thing. So --

ASSEMBLYMAN ZEBROWSKI: Is there an interactive map people can go on? If they go onto your website, can they like put in their zip code and see where a place is?

ACTING EXEC. DIRECTOR HOARE: Yes. They can map and they get that information. And there's customer service numbers if they had a question of where to go on that.

ASSEMBLYMAN ZEBROWSKI: All right. Lastly, because I don't want to go over my time, let's talk about the Mario Cuomo Bridge. The toll was increased 50 cents annually starting in 2024 and ending in 2027.

Could you kind of talk about your overall financial picture with that bridge, the debt service, the maintenance costs, what do you see that 50 percent increase -- how is it going to help you pay for that? And are you already projecting what might be necessary after 2027?

ACTING EXEC. DIRECTOR HOARE: I'll take the latter first. We've projected -- the increases that went into effect on January 1st were based on projecting out for eight to 10 years.

We're seeing -- again, that money, those increases, as I said earlier, are rolled right back into -- it's allowed us to spend between $90 million and $100 million more in capital programs. You'll see that in Rockland and Orange, you'll see that in Westchester.

So the bridge costs money to maintain and operate. And there's yearly -- biannual requirements by the federal government to inspect every bridge in the state. So just on the Cuomo Bridge, one span is inspected

every two years. So every year we're going through an inspection. That costs money.

ASSEMBLYMAN ZEBROWSKI: How much debt is remaining on that bridge, do you know?

ACTING EXEC. DIRECTOR HOARE: Our current debt service is $3.6 million -- I'm sorry, $364 million, which is a 2.5 percent increase in -- from last year. Again, reflective of general economic conditions.

I don't happen to know specifically related to the bridge. We can get that to you.

ASSEMBLYMAN ZEBROWSKI: My time has expired. Thank you.

ACTING EXEC. DIRECTOR HOARE: You're welcome.

CHAIRWOMAN KRUEGER: Thank you very much.

Next we have Senator Mattera, ranker, for five minutes.

SENATOR MATTERA: Great. And thank you, Chair.

And this question will be for -- and thank you both for coming here today. This

is for our Commissioner Schroeder.

The question is since the legalization of cannabis it is not uncommon to see and smell cannabis being used as people are driving around. Last year when you were here, we were told that the DMV was taking steps, in conjunction with law enforcement, to address drugged driving. Yet it's still common to encounter drivers using cannabis while driving. What additional steps has the DMV taken to address this drugged driving?

DMV COMMISSIONER SCHROEDER: Senator, thank you for your question. And I do recall talking to you about this last year.

And the fact is this is, as you know, a very serious matter; 44 percent of fatal crashes in New York State are alcohol- or drug-related. And so we continue -- and I'm also the chair of the Governor's Traffic Safety Committee. As chair, I have a relationship and we have a relationship with all law enforcement across New York State.

Also, we administer the program -- the drug recognition experts. We have nearly 500

of them that we have trained. It is intense, Senator. I know you know it's an intense training for our officers across the state. I liken it to taking three parts of a CPA exam or sitting for the bar.

And so we are very happy to have men and women across New York State who are officers who are our DRE experts. We also have what is called an ARIDE program. This is training that we've been able to do with over 800 officers across the state.

So I understand your question. We continue to work with law enforcement and the Governor's Traffic Safety Committee to make sure we're doing the best we can to keep our streets and our highways safe.

SENATOR MATTERA: So when do you think we would have an answer that this is going to be enforced, enforceable? And if anybody was to be arrested, is this -- well, you probably have nothing to do with the cashless bail situation.

But my question again is, when do you think that this will be coming, moving

forward? Do you have any idea? Is it going to be a year from now, two years from now, three years from now? This needs to be done like yesterday.

DMV COMMISSIONER SCHROEDER: Yeah. So, Senator, just restate exactly what you're asking me. Because our involvement in GTSC and DMV is to -- many things. To work with law enforcement across the state in terms of impaired driving. To me, it doesn't matter if it's drinking or drugs. It's bad, it's impaired, and we need to do something about it. And the best thing that we can do is part of the training program, and that's what DMV and GTSC does.

Is there something in particular that you're asking me to answer?

SENATOR MATTERA: Well, again, I just want to see if there's a time frame. That's my -- I understand we're working on it, but last year -- I mean, I know you're being aggressive. This needs to be done, again, like yesterday. This is out of control. We're all driving home, going down the

Thruways, our roadways, all over the place, and that's all you do is you smell it. I smell it on -- going across our bridges. It is -- it's just out of control.

Everybody knows how I feel about this cannabis law. It's a total disaster. And this is something that really needs to be fixed because we have, you know, reasons why we have our law enforcement to do their jobs, and they can't even do their jobs. And we put cannabis laws into effect, and it was just something that I'm very upset about. I go to tree-lighting ceremonies, and you smell it all over the place. But the roadways are infested with cannabis drivers. It needs to be focused on -- this is something that needs to be a top priority with the DMV and with all the law enforcement.

DMV COMMISSIONER SCHROEDER: Senator, I agree. And it's a top priority for us, and we'll continue to do our best.

SENATOR MATTERA: Please. I would appreciate it. So would all New Yorkers also.

So this is actually a question for Acting Executive Director Hoare. I would appreciate -- you know, I'm going up the Thruway, which I appreciate the Thruway. Thank you so much for the work that both you gentlemen are doing. But, you know, being in construction, I'm seeing in these new -- in the new stop -- you know, the rest areas. And I was just wondering about the Thruway Authority didn't require the contract to install EV charging stations at some of our plazas. And, you know, they're finished.

Why wouldn't we do that as we're doing the construction, as somebody that's in construction?

ACTING EXEC. DIRECTOR HOARE: Well, they are part of the construction. They're -- the buildings themselves and the footprint are being addressed first. Again, I think we talked about some of the -- it takes a little longer because there's permitting issues involved, there's issues with -- or discussions with the utilities that make -- that take a little longer. So

they're opening up, and then there's a lag.

ASSEMBLYMAN MAGNARELLI: Thank you, Director.

SENATOR MATTERA: Thank you.

ACTING EXEC. DIRECTOR HOARE: Thank you.

ASSEMBLYMAN MAGNARELLI: Next we're going to call upon our Ranking Member Ra.

ASSEMBLYMAN RA: Thank you, Chair.

Commissioner, Acting Director, good to see you guys again.

Commissioner Schroeder, I have a question but I do want to, you know, echo what you said at the end. I really think you've done a tremendous job of taking something that for generations had this, you know, public perception of being tedious at best to visit a location.

And I certainly, in my personal experience, I've done all kinds of transactions. We have that new location in my district, and it's been smooth and, like was said, in and out in 15 minutes. And I've been very happy.

DMV COMMISSIONER SCHROEDER: Thank you. Thank you.

ASSEMBLYMAN RA: So kudos to you and your entire staff for the work that you've done.

I wanted to ask about -- I know the Legislature has taken some actions fairly recently to try to be another avenue to curtail catalytic converter theft, and I'm just wondering how enforcement's going in terms of those new requirements that are out there with keeping track of these parts and certainly how the partnership with law enforcement is with regard to that.

DMV COMMISSIONER SCHROEDER: Yeah. Thank you, Assemblymember. And I credit the Governor for really being strong on this. She initiated an Auto Theft Safety Program.

But DMV, quite frankly, we got started on this early because we were aware of it. We were aware of it because of our contacts. Through GTSC we have law enforcement contacts. And in New York City we kind of got a heads-up on this and we began to do the

best we can. And then the Governor initiated the law that the Legislature went through.

So, so far it is something that is working. We want to make sure that the most innocent, like our seniors, when they get up in the morning, they go out to their car and the catalytic converter is gone because the bad guys want to cash in on it, that is unacceptable to us. It's unacceptable to the Legislature. And we will continue to work with especially the auto dealers across New York State to make sure that the law written by -- every word written in that law is adhered to.

And we have a relationship with all of the six {sic} auto dealers across New York State. We will continue to work with them on that issue. So -- and thank you.

And the nice things you said about the DMV, I will extend that to my colleagues back in the DMV. Thank you.

ASSEMBLYMAN RA: Please do.

And as you may know, shortly before we passed that law on the state level,

Nassau County did something similar requiring registration. And, you know, as you know, this is all about hopefully curtailing that market as one of, you know, the many things we need to be doing. Because it's -- it really is a tremendous problem.

As you said, you have somebody, especially somebody on a fixed income, and they wake up and a part that expensive is suddenly missing from their vehicle, it really is a -- and frankly I think there's also, right, when somebody's impacted by a crime that somebody went into their own driveway or in front of their house and committed a crime, I think that just, you know, shakes the public safety of a community.

DMV COMMISSIONER SCHROEDER: Agreed.

ASSEMBLYMAN RA: So thank you. Thank you for your work.

DMV COMMISSIONER SCHROEDER: You're welcome. Thank you.

ASSEMBLYMAN RA: Acting Director, just -- Mr. Zebrowski did start to get into

this with regard to cashless tolling. And I know we've curtailed some of those problems we had early on. But, you know, where are we at this point? Do we feel it's working the way it was supposed to work? And has any, you know, savings been realized by the agency as a result of this now being fully rolled out?

ACTING EXEC. DIRECTOR HOARE: Yes, I think it's working. We have 1.2 billion transactions over the last three years. With some issues that have come up, we've been addressing them. Again, the point wasn't to save money, the point was to modernize for the purposes of giving greater safety and convenience to our customers and patrons.

ASSEMBLYMAN RA: Okay. Thank you.

CHAIRWOMAN KRUEGER: Thank you. Next we have Senator Tom O'Mara, ranker.

SENATOR O'MARA: Thank you, Senator.

Good afternoon, gentlemen. Thank you for being here.

DMV COMMISSIONER SCHROEDER: Good afternoon, Senator.

SENATOR O'MARA: Commissioner, first and foremost, thank you for opening the office on the concourse. Very convenient. I've actually used it a couple of times already, so it's nice to have it there.

With regards to electric vehicles -- and obviously we're getting more and more of them, and we're going to have this transition to electric buses all over the place. Are there any changes coming, in the works, for vehicle safety inspections that will be different for EVs as opposed to regular combustion engines?

Obviously you're not going to have the emissions requirement. But are there going to be any safety inspections with regards to the batteries? Because there's a really big concern out there about the safety and the fires that we've seen with these batteries. And is there going to be an inspection of these batteries for that type of safety concern?

DMV COMMISSIONER SCHROEDER: Senator, thank you for the question. And quite

frankly, what -- DMV and our inspection stations have been very aware, obviously, of the electric vehicle. And so our folks at DMV have been trained in terms of what to look for and what's most important.

So we continue to do that and will do that as EVs progress in terms of more being sold.

SENATOR O'MARA: Is there a particular criteria or checklist that the inspectors go through? With regards to the batteries and, you know, them combusting.

DMV COMMISSIONER SCHROEDER: Yeah, there is. I went to a seminar that was conducted by DMV, and all of our inspectors were there. And so there is quite a full informational section that they go through. I don't -- I don't know exactly what it all is, but I do know that we go through it. And I'd be happy to share it with you as well.

Also, Senator, you'd be interested in this. We are working also with 11 SUNY colleges, mostly in upstate, and these SUNY colleges have an automotive mechanic program.

And so we at DMV, we help in training the trainer for everything that needs to be recognized in terms of being, you know, equipped to service EVs. So we will continue that as well.

SENATOR O'MARA: Thank you.

DMV COMMISSIONER SCHROEDER: You're welcome.

SENATOR O'MARA: Thank you. Executive Director, on the Thruway a couple of issues that have been -- that I've been looking at. One, a 70-mile-an-hour speed limit on the Thruway, do you have a position on that?

It's come up around other states. Maybe get a little more -- smaller range of speeds on the Thruway? Because there's, you know, a lot of vehicles going faster than 65, and that speed differential is what is the cause of many, many accidents.

So not just -- you know, obviously I'm interested in raising it to 70, with vehicle safety that we have these days. But the minimum speed has to be enforced too, I think, to avoid those things.

Also, the other issue is the exit signs, an effort to change the exit sign to the mile marker like many states do, so you actually know that if you're going to -- you're at Exit 60 and you're going to Exit 120, you're 60 miles away. Not if you're going from Exit 18 to Exit 19, it could be three or it could be 15 miles, you don't know.

So those two issues, any thoughts on those?

ACTING EXEC. DIRECTOR HOARE: I do not have a position on increasing the speed limit. That's a discussion I'll leave to the Legislature and the Governor.

In regards to the mile markers, we have looked at -- we are looking at that. It's complicated because of the fact that in our system we go from -- once you hit Albany, 87 continues to work up to the Adirondacks and the Northway. So there are issues with that. We've had some discussions with Federal Highways. They would also be involved in that.

SENATOR O'MARA: I think they have a preference towards that. I think -- I've read that the Federal Highway Traffic Safety has a preference for the mile marker exit numbers.

ACTING EXEC. DIRECTOR HOARE: They have not expressed that to me.

SENATOR O'MARA: Okay. Thank you.

ACTING EXEC. DIRECTOR HOARE: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Assembly.

ASSEMBLYMAN MAGNARELLI: Is Member Simone here? (Off the record.) Okay, he left.

Member Shimsky?

ASSEMBLYWOMAN SHIMSKY: Thank you.

And to Commissioner Schroeder, everything everybody said is true. I used to work for the state 15 years ago. We never see complaints anymore, which is really exciting.

DMV COMMISSIONER SCHROEDER: Thank you.

ASSEMBLYWOMAN SHIMSKY: I just have two quick rookie questions.

As part of your metrics, do you keep track of average wait times?

DMV COMMISSIONER SCHROEDER: Yes, we do, Assemblymember. We do, and it is decreasing. And so it's now under 15 minutes. And with the ability for us to continue with transactions online, that also gives people just a particular reason to why they would go into a DMV.

ASSEMBLYWOMAN SHIMSKY: Do you break it down in terms of location and type of transaction as well?

DMV COMMISSIONER SCHROEDER: We do.

ASSEMBLYWOMAN SHIMSKY: Okay, great.

DMV COMMISSIONER SCHROEDER: Not only do we do it for the 27 district offices that we run, DMV, but we also have that data for the 51 county clerks in upstate, and we know what their record of accomplishment is, and they're doing a very good job as well.

ASSEMBLYWOMAN SHIMSKY: Okay. And with the federal waiver on the commercial

driver's road test, what are we eliminating, and are we sure it's not a problem eliminating it?

DMV COMMISSIONER SCHROEDER: Yeah. So at the Governor's urging of the federal government, it is what is called "under the hood."

So when a bus driver is taking a test, the bus driver doesn't ever pull up the hood.

ASSEMBLYWOMAN SHIMSKY: Gotcha.

DMV COMMISSIONER SCHROEDER: So that is being eliminated in the test.

ASSEMBLYWOMAN SHIMSKY: Okay, great. Thank you.

DMV COMMISSIONER SCHROEDER: It's not eliminated -- the Governor and the DMV has asked for a waiver.

ASSEMBLYWOMAN SHIMSKY: Okay, great.

And now to Director Hoare. First of all, I've been getting complaints about the condition of the bike and pedestrian path on the Cuomo Bridge. Just putting it out there for you.

The second thing I have on this is,

you know, user fees for a road, it's called. The old turnpike system has quite the history. There may be places where it's not quite as appropriate as it used to be. Do you see yourself seeking more, for example, federal funding and that to supplement your purse in the long run?

ACTING EXEC. DIRECTOR HOARE: We have not -- never received any federal funds. We are, as you point out, a user fee system. We rely on those tolls to operate the Thruway.

ASSEMBLYWOMAN SHIMSKY: Well, as I said, things -- things change. And it's like property taxes are a hard way to fund a school in the local government now. I suspect that this is true with this.

But you did say you did get some federal funding for some limited projects this year.

ACTING EXEC. DIRECTOR HOARE: We were very fortunate for the first time in our history to get three federal grants.

ASSEMBLYWOMAN SHIMSKY: Keep it up.

Thank you.

ACTING EXEC. DIRECTOR HOARE: Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

I think last for the Senate, Senator Roxanne Persaud.

SENATOR PERSAUD: Thank you.

Thank you, Commissioner. And thank you, Executive Director.

Commissioner, it's great always seeing you. And I'm looking forward to us having the conversation in reference to legislation I've been putting forward about -- commonsense legislation about stops on the road, things people need to know. And I'm really looking forward to us doing that so that we can make our road stops safer.

I want to ask you about the DMV mobile offices. Some county clerks have them. Is there a way for the state to have some mobile offices? And how does a community get a mobile office?

And then also the -- there was a question someone asked us about the DMV, the

data that you're collecting. Are you sharing that data with anyone? Other than, you know, the government office.

DMV COMMISSIONER SCHROEDER: So the mobile office, I was part of the celebration of Orange County when the county clerk in Orange County, she actually went after and received a grant to underwrite that expense.

So at DMV that would be a very costly thing to do, because there's 62 counties. So we encourage counties who are able to do that to do that.

But meanwhile, Senator, you know what we're trying to do, is we're reaching out to your constituents where they are. And that is one of the reasons why we're proud to have 77 transactions that your constituents can do online so that they don't have to go into an office.

And could you just repeat what -- the last question?

SENATOR PERSAUD: The data, the collection of data. Are you sharing that data with anyone outside of the --

DMV COMMISSIONER SCHROEDER: Yeah. So the answer, the short answer is -- is yes. And the reason why we do -- and I'll be very clear on what we share. Public Officer Law requires these records to be open and available. But we are very particular when DMV shares any of this information.

So when -- we sell data for very specific purposes like vehicle warranty notifications and insurance ratings. But all of the data sales sharing this information is monitored and it's within compliance of what the Legislature has set and the federal Driver Privacy Protection Act.

And so any user that uses the information specifically that I told you that we sell, the user must attest to proper usage when accessing -- when assessing any system, and activity is monitored. And DMV also audits that.

SENATOR PERSAUD: Thank you. Thank you both.

DMV COMMISSIONER SCHROEDER: You're welcome.

ASSEMBLYMAN MAGNARELLI: Okay. Member Palmesano.

ASSEMBLYMAN PALMESANO: Thank you.

My question is for Commissioner Schroeder.

It's good to see you again. I want to commend you on the work DMV is doing to really help and promote organ donation. It's an issue very near and dear to my heart. It's something we're really advocating for here in the state. So I want to commend you for the work on that front.

And I like your lapel pin, too, by the way.

But my question for you, Commissioner, is we know that in -- it's kind of a spinoff of Senator O'Mara's question about electric vehicles. We know that electric vehicles weigh 10 to 30 percent more, they're heavier than normal gas and diesel-powered vehicles. And weight of a vehicle takes its toll on the road. For example, a Ford Lightning weighs 6500 pounds and a Ford F150, 4700 pounds.

Knowing that, and knowing the impact

it has on the road, would the department be willing to impose a higher registration fee for EVs, since these types of vehicles do not pay gas taxes? And then the revenues from such fees could be deposited in the Dedicated Highway and Bridge Trust Fund in order to offset annual costs associated with highway and bridge maintenance.

Shouldn't that be something that should be looked at? Is that something you're looking into? Could it be done?

DMV COMMISSIONER SCHROEDER: Yeah. So, Assemblymember, as you know, being a former member of the Assembly I would expect the Assembly and the Senate to come up with these types of ideas. These would be legislative ideas, and then DMV would do everything that we could to make sure that we adhered to what the law is and what the intent is.

And so DMV and all of the units that I have, over 62 units, and I have deputy commissioners who are very adroit, very -- specialists in many things, we would be

willing to look at anything and everything that the Legislature sends over to us. So thank you for that.

And thank you for the kind words on Donate Life, and thank you for your participation. Wherever you or I go for Donate Life, I see you.

ASSEMBLYMAN PALMESANO: Well, thank you, I appreciate that. It's a personal issue for me, so I appreciate your leadership.

On that front, too, I know you talked about the success the DMV has had with -- through the licenses and now the registrations. And I kind of wanted to ask you, if I had time -- and I seem to do, it doesn't always work out that way -- but anything new or interesting or you're working on with the DMV to help partner with -- whether it's with local DMVs or any other agencies to help encourage or promote organ donations so we can continue to drive up those registration numbers to improve our status in the country?

DMV COMMISSIONER SCHROEDER: Yeah. The answer is yes. And I would be very happy offline to share it with you. But I'll just give you some quick highlights.

We have a comprehensive plan for 2024. And the bottom line is I'm very aware that Colorado has 62 percent of its residents who are enrolled on a registry. New York is way low, they're like 47 percent. And so we will do something, we are doing something about it. We take it very seriously. And we need all the help of the county clerks and our offices across New York State, and we're getting it.

ASSEMBLYMAN PALMESANO: Thank you, Commissioner.

DMV COMMISSIONER SCHROEDER: You're welcome.

ASSEMBLYMAN MAGNARELLI: Thank you.

Member Bores.

ASSEMBLYMAN BORES: Thank you for being here.

Commissioner Schroeder, you mentioned in your testimony e-bikes. The New York City

mayor today announced a new city agency to regulate commercial e-bikes. Did he consult with you or the GTSC before that?

DMV COMMISSIONER SCHROEDER: Yeah, so in my testimony, Assemblymember, that's exactly what I've said. And so -- but as you know --

ASSEMBLYMAN BORES: I'm sorry, the question is did the mayor consult with you before launching the new city agency today to regulate commercial e-bikes?

DMV COMMISSIONER SCHROEDER: We work with the mayor's New York Vision team, and I've been working with them since I've been the commissioner.

ASSEMBLYMAN BORES: That doesn't quite answer the question.

DMV COMMISSIONER SCHROEDER: Okay, let's try to get --

ASSEMBLYMAN BORES: Did he consult you on the new city agency regulating commercial e-bikes? Did he talk to you about that before today announcing it in the State of the City?

DMV COMMISSIONER SCHROEDER: Yeah, I -- the last time I've had a conversation with the mayor is when he was in the Legislature.

ASSEMBLYMAN BORES: Got it, thank you.

DMV COMMISSIONER SCHROEDER: Okay? You're welcome.

ASSEMBLYMAN BORES: So you also mentioned the traffic safety effort that you're undertaking, and specific attention was paid to pedestrians, bikes and micro-mobility. Obviously the MV-104 doesn't have a way to differentiate between e-bikes and bikes or between mopeds and larger motorcycles. So what data did you look at in doing that initiative?

DMV COMMISSIONER SCHROEDER: Yeah. So -- so we are aware of what DMV can and cannot do. So as you pointed out correctly, e-bikes and similar devices are not registered by New York State, where mopeds are. And so we have a role there.

Our role in e-bikes is really to work with the other entities and the law

enforcement and also with our partners, especially in New York City. And as the chair of the Governor's Traffic Safety Committee, I have been to New York City quite a few times over the summer trying to put together safety programs and also campaigns, media campaigns --

ASSEMBLYMAN BORES: Sorry, just because of limited time.

Specifically, the question is what data do you look at in terms of e-bike accidents or moped accidents, et cetera, since it's not tracked in the MV-104?

DMV COMMISSIONER SCHROEDER: So we get information through the Governor's Traffic Safety Committee. And that is the data that we look at.

ASSEMBLYMAN BORES: Okay, wonderful.

And then lastly, you actually have a tremendous record moving things online with the DMV.

DMV COMMISSIONER SCHROEDER: Thank you.

ASSEMBLYMAN BORES: Most government IT

modernization programs fail because they go through the waterfall process and they're too big and they're too large and they don't involve any changes in process, and they spend more in consultants than on coders.

What are you going to do differently to make sure this succeeds?

DMV COMMISSIONER SCHROEDER: Yeah, my compliments to you, because that's exactly right. And DMV has failed over the course of time. But we will not fail now because we are now embarking on a four-year plan of where we're implementing it. And because of the Legislature and the Governor, you have put in the money to underwrite the transformation and the tech redesign. We will not fail.

ASSEMBLYMAN BORES: Thank you.

DMV COMMISSIONER SCHROEDER: You're welcome.

ASSEMBLYMAN MAGNARELLI: Senate.

CHAIRWOMAN KRUEGER: Thank you.

I'm just going to jump in even though I said the Senate was done, because my dear

friend Alex Bores just triggered questions I realized I must ask -- thank you.

We overlap in districts, and we're very concerned about the abuse by electronic vehicles some of the time, but actually just vehicles that are supposed to be licensed and regulated by DMV -- mopeds that we know for a fact that there are thousands and thousands of these mopeds under state law having to be registered and state license plates and driver's licenses, and none of the above is happening. And it's a real problem because they are violating the law seemingly with no penalties.

So I'd really love to know what we can do to work with you to make sure that the existing laws are followed as we continue to have a growing set of problems with them.

DMV COMMISSIONER SCHROEDER: Yeah, thank you, Senator.

And so many times we really rely on law enforcement for the law enforcement end of this. And this is the reason why DMV and GTSC has spent so much time -- and I spent a

lot of time in New York City this summer -- trying to figure out a way to combat this. And we will work with other entities, other law enforcement agencies, the Legislature, the City of New York, to figure out a way to do better. But we're a part of it.

And we don't do this (gesturing in two directions). You know, we don't manage it because e-bikes in particular, you know, aren't registered through New York State, but mopeds are. And so therefore we have a responsibility to work with our partners, and we will continue to do that.

CHAIRWOMAN KRUEGER: Thank you.

And I don't actually have an answer. It's really a question, but I -- it's not a trick question. I have been told by many of the people doing car inspections in New York City that it's only $36 or $38 that they can charge, that it takes up a lot of time, and that we should really go to once every two years or once every X number of years, particularly with newer cars, because none of those things we're inspecting for are

actually a problem when a car is relatively new or of the kind of cars that are now being built.

Do you know if that's the right answer? Should we go to less frequent inspections?

DMV COMMISSIONER SCHROEDER: Yeah. Senator, I don't -- I don't know if that's the right answer. But we are seeking the right answer. We are doing this right now. We've just introduced a new program for inspection stations called NYVIP 3. I will not bore you with all the details of it.

But within that installation, we also are now looking at everything, including the amount and the fee that an inspection station gets. We are looking at all of it. And we will continue, and then we will communicate with the Executive and with the Legislature.

CHAIRWOMAN KRUEGER: And maybe I'm very conscious of it; I think I'm the only legislative district in the state -- well, maybe Alex Bores also -- there's no gas station at all. You have to go to someone

else's district. And you also have a little more trouble finding an inspection station. But that's not the question.

Actually, the next question is actually for the Thruway Authority. Thank you.

DMV COMMISSIONER SCHROEDER: Okay, thanks, Senator.

CHAIRWOMAN KRUEGER: And I don't know if this is true, but I was told that the charge meter at Exit 23 isn't working, so every time I get on and off when I come upstate I'm actually not getting charged. Is that true?

ACTING EXEC. DIRECTOR HOARE: That's not -- that's not correct. And I've had that conversation with some of your colleagues on that.

There was a glitch in terms of a lag in payment for some folks who have come through Exit 23, but we are collecting -- we are collecting from Exit 23.

CHAIRWOMAN KRUEGER: So even though we've moved now to an aut -- you don't even

know that you're going through, but you are -- the money is flowing as you would have hoped to flow from this new system without toll takers and tollbooths?

ACTING EXEC. DIRECTOR HOARE: Yes, it is.

CHAIRWOMAN KRUEGER: Thank you.

Thank you.

ASSEMBLYMAN MAGNARELLI: Member Otis.

ASSEMBLYMAN OTIS: Thank you.

Thank you, Commissioner. Thank you, Director. First, I want to compliment both of you in your agencies, not just on behalf of my office but everybody else, how great both of your agencies are in dealing with the individual constituent complaints and issues that come up. Both very responsive. Your teams are great. So thank you.

PANELISTS: Thank you.

ASSEMBLYMAN OTIS: For Commissioner Schroeder, for DMV -- I'm not going to ask you to respond to this, but something that I think if we could get something post this hearing, more detail about the digital

driver's license process, the technology behind that, and to understand that better, that would be a great thing for everybody.

So thank you for that, and we'll -- that will be shared.

And then Frank, nice to see you. Thank you for all the great Thruway Authority stuff.

One thing that a few people -- Bill Magnarelli, Bill had mentioned and Tim Kennedy had mentioned about the EV charging. And so I think, first of all, I was very pleased to see in your testimony that the EV charging rollout has actually been expanded over what it was a few years ago. So the Thruway Authority and your contractor have sort of responded to the increasing demand.

There was an article in the paper a couple of weeks ago about the auto manufacturers are having concerns about people buying electric vehicles because of the lack of EV charging out there in the world enough.

And so given the growth that you've projected, curious with your contract with your Applecore {sic} group, what is the ability, if you see six months from now that we want to ramp up more robustly in terms of EV charging, what's your ability to go beyond the numbers that are in your testimony if the Thruway Authority desires that?

ACTING EXEC. DIRECTOR HOARE: The agreement, Assemblyman, that we have with the operator is expressly that they must keep up with demand. So as demand increases, they will add additional EV charging sites.

Again, they want to do it. This is not a battle. They make money off of this, so -- but they are ready. We've recognized that need, and they are going to be ready and willing and able to accomplish that.

ASSEMBLYMAN OTIS: That's great to hear.

The other thing, with my 30 seconds that are left, is I don't know where the Thruway Authority is on this, but it's a question that periodically comes up in

electricity requirements for EV charging, other things that are there. Are you continuing to look at expanding Thruway-right-of-way solar as part of the solution for energy supply for these locations?

ACTING EXEC. DIRECTOR HOARE: Yes, we've worked with our partners at NYSERDA and NYPA to explore those possibilities. We have a couple of sites that we have solar.

ASSEMBLYMAN MAGNARELLI: Thank you, Director.

ASSEMBLYMAN OTIS: Thank you.

ACTING EXEC. DIRECTOR HOARE: Thank you.

ASSEMBLYMAN MAGNARELLI: Member Simon.

ASSEMBLYWOMAN SIMON: Success. Thank you. And thank you, Chair Magnarelli.

So, Commissioner -- I want to say, Mr. Hoare, I'm probably the only person who doesn't get complaints about getting tickets for not having an E-ZPass. So I'm letting you off the hook.

But I wanted to, first of all,

thank you for your responsiveness and your staff's responsiveness to some of the sort of wacky issues I've brought to your attention.

But -- and also I recently wrote in support of the proposed changes that you were making with regard to consistently dangerous drivers, but also suggested a couple of alternatives, one of which is we have so many alcohol-related deaths -- there were over 7,000 alcohol-related crashes last year, with 335 deaths, I believe, and a 30 percent overall increase in alcohol-related fatalities since 2019 -- and suggested that we need to lower the blood alcohol content from .08 to .05 when we know we have cognitive and psychomotor impacts at that level. Because that only will then make it worse if somebody's using some other substance which is harder to detect.

And also the idea of ignition interlock devices, which for those people who have been found to have driven drunk but who keep getting on the road and are persistently dangerous drivers from alcohol, working on

ignition interlock devices, which will keep people away from -- the car won't start.

Can you tell me what work you're doing on those two areas?

DMV COMMISSIONER SCHROEDER: I will. So thank you, Assemblymember. And thanks for all of your help. And you've been helping our office over the last little bit, and we look forward to continuing to work with you.

But as I mentioned earlier, impaired driving, 44 percent of fatal crashes in New York State are alcohol- or drug-related.

To the Governor's credit, the Governor in the State of the State and within the budgets has put in information to keep those dangerous drivers off the road. And we continue to need the Legislature's help to continue to do that. Most of my work with the Governor's Traffic Safety Committee has to do with that.

And so we will continue to work with the -- our partners across the state and also law enforcement and the drug recognition experts are very, very helpful in having them

statewide to be able to detect those who are impaired, either by alcohol or by drugs. So we will continue to work hard.

ASSEMBLYWOMAN SIMON: Yes. But, you know, the drug substances are a little bit more fluid now in terms of what we know and how much we know and who's impaired with what substance at what level.

And that's one of the reasons why I think it really makes sense to really focus to alcohol, which we know a lot more about.

DMV COMMISSIONER SCHROEDER: Agreed. And I remember, Assemblymember, you brought this up last year in terms of Utah has a 0.05.

ASSEMBLYMAN MAGNARELLI: Thank you, Commissioner.

DMV COMMISSIONER SCHROEDER: I do know that there's legislation pending, and that's a legislative matter, and DMV would be very interested in working with the Legislature in whatever you come up with.

ASSEMBLYMAN MAGNARELLI: Thank you, Commissioner.

DMV COMMISSIONER SCHROEDER: Thank you.

ASSEMBLYWOMAN SIMON: Thank you, Commissioner.

ASSEMBLYMAN MAGNARELLI: Member Mitaynes, please.

ASSEMBLYWOMAN MITAYNES: Thank you.

My question is to the DMV Commissioner.

What is the DMV doing to ensure that people who are unaware of their obligation to submit a vision test for a license obtained during the pandemic are not fined or otherwise punished?

DMV COMMISSIONER SCHROEDER: Could you repeat the beginning of that, Assemblymember? I'm sorry.

ASSEMBLYWOMAN MITAYNES: That's okay.

What is DMV doing to ensure that people who were unaware of their obligation to submit a vision test for a license obtained during the pandemic are not fined or otherwise punished?

DMV COMMISSIONER SCHROEDER: So what

we are doing, Assemblymember -- and thank you for the question. It's the first time this has come up.

There were probably 500,000 people who did not have to take the vision test because it was during COVID. But we did make the stipulation that they would have to do it thereafter. And so we are now down to only 7 percent with possible license suspension. That's about 40,000.

But we are continuing to communicate with all New Yorkers. And if any of your constituents are involved with this, we will call them to tell them what the easy steps are to be able to do the vision registry. They could do it at a DMV office. They could do it at a supermarket. They could do it at a drugstore. Wherever we have a registered vendor, and we have them all over New York State.

ASSEMBLYWOMAN MITAYNES: Thank you.

Legislation like the Crash Victims Bill of Rights would provide crash survivors and their loved ones a voice at DMV

administrative hearings. Do you support policies that establish procedures for individuals' next of kin, for persons killed in a crash, to present victim impact statements at DMV fatality review hearings?

DMV COMMISSIONER SCHROEDER: Yeah. So, Assemblymember, the question that you just gave to me I've heard before. Because we work with groups, especially across New York City, who are very involved in this matter.

Specifically what you're talking about would -- are legislative matters. But we communicate on a quarterly basis with groups who have this concern, and we try to do the best we can, especially for pedestrian safety and, in this particular case, in New York City.

ASSEMBLYWOMAN MITAYNES: I just have a follow-up.

Do you support extending these hearings to individuals who have been seriously injured in crashes?

DMV COMMISSIONER SCHROEDER: What's

the beginning of that?

ASSEMBLYWOMAN MITAYNES: If you support extending these hearings to individuals who have been seriously injured in crashes.

DMV COMMISSIONER SCHROEDER: So again, Assemblymember, I would prefer to take this offline. I don't completely understand the question. I don't want to answer it quickly. But we will take a look at it, and we will get back to you.

ASSEMBLYWOMAN MITAYNES: I appreciate it.

DMV COMMISSIONER SCHROEDER: You're welcome. Thank you.

ASSEMBLYMAN MAGNARELLI: Yes, okay. Member Jacobson, please.

ASSEMBLYMAN JACOBSON: Thank you, Mr. Chairman.

Good to see both of you again.

DMV COMMISSIONER SCHROEDER: Thank you.

ASSEMBLYMAN JACOBSON: I happen to have the good fortune of using some of the

new technology from the DMV when I purchased a car. And another thing that happens is when the release of lien is filed, then it's on record almost automatically. There's no wait. And they have the plates and everything, and it was quite amazing.

DMV COMMISSIONER SCHROEDER: Thank you.

ASSEMBLYMAN JACOBSON: And I'm always harping on who's ever there to make sure the job is being done. But when things are done right, I want to follow up, and that's with the director. So good job on the Thruway, particularly in my area, because that's so busy between Exit 17 and Route 84 with all the trucks going all the time.

I would hope that you can do those busy areas more often and not wait till the end or something. And I realize you got a lot of funding at one point, but just to keep up on that as it goes along.

ACTING EXEC. DIRECTOR HOARE: Will do. Thank you, Assemblyman.

ASSEMBLYMAN JACOBSON: And as I

mentioned here earlier, there still is a bad spot just a little south of New Paltz going north, and a little bit north of New Paltz going north, so it's -- but it's so much better.

Concerning your electric charging stations, it's good to see. I think you've got to have six -- a minimum six or eight in one area so we don't have knife fights when these things become popular. Are these Level 3? That's the fastest one, that you can get it done in a half-hour.

ACTING EXEC. DIRECTOR HOARE: Yes, the new ones that are going in at the service areas are Level 3.

ASSEMBLYMAN JACOBSON: Good. That's good. Because sometimes NYSERDA with the grants they give out is for Level 2, and I want to make sure they didn't sell you on that. All right.

The other is there's still some bathrooms missing on some of the rest areas. So it would be nice if you could get the portable bathrooms that they use in

construction sites and things like that.

ACTING EXEC. DIRECTOR HOARE: Are you talking about at the service areas that are under construction?

ASSEMBLYMAN JACOBSON: No, I said construction sites get portable toilets and bathrooms. Right? So I don't see why we couldn't get those on -- at the rest areas where we need them.

ACTING EXEC. DIRECTOR HOARE: The ones that are open and functioning, to supplement the number of bathrooms available?

ASSEMBLYMAN JACOBSON: Yeah, they function. I mean, you just want to get them because therefore -- you know, because you're not done yet with some of the spots.

ACTING EXEC. DIRECTOR HOARE: Yes, we'll look at that.

ASSEMBLYMAN JACOBSON: I think it would be a very simple, cost-effective solution. And it might save us all in time of emergencies.

(Laughter.)

ASSEMBLYMAN JACOBSON: That's it.

Thank you.

ACTING EXEC. DIRECTOR HOARE: Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you.

Member Manktelow.

ASSEMBLYMAN MANKTELOW: Thank you, Chair, and Director. Just a couple of questions in regards to the Thruway.

Out in my district I have some first responders that go to MVAs on the Thruway. They're small voluntary fire departments, and it's my understanding they get the bill from the Thruway Authority for that call.

Is there something that we can do to simplify that so our first responders don't even have to deal with that? Because in a rural area with small fire departments it seems to be an issue. Just something I'm asking you to look into, if it's not already being done.

ACTING EXEC. DIRECTOR HOARE: I will look at that. I haven't really gotten those complaints. They've gone online. It's a fairly simple, straightforward way to go

online and get that reimbursement.

ASSEMBLYMAN MANKTELOW: That's what I thought too, as well, but that doesn't seem to be the case, at least -- we've worked with a couple of them several times, so maybe we'll be in contact with you.

ACTING EXEC. DIRECTOR HOARE: I will look into it and get back to you.

ASSEMBLYMAN MANKTELOW: Okay, thank you.

Second question, Director. Speed camera tickets. Of course I'm getting quite a few calls, as many of us are. And it's my understanding that when the individual gets the ticket, they have to pay the ticket, it's my understanding that the company that's actually getting the money back is actually out of state. Is that correct?

ACTING EXEC. DIRECTOR HOARE: Our vendor is here -- has a presence in New York. I'm not sure where they are. Well, their headquarters is, but they're -- they're here in New York and working with us on this speed camera program.

ASSEMBLYMAN MANKTELOW: All right. Because some of my constituents are saying, you know, why are we sending this money to a company that's out of state and not doing it to a company that's in state? And I just wanted an answer to give to them.

ACTING EXEC. DIRECTOR HOARE: Well, I guess the simplest answer is it was done to a public RFP, and they responded and won in an open, transparent process.

ASSEMBLYMAN MANKTELOW: So I'm assuming they're the lowest bid, then, correct?

ACTING EXEC. DIRECTOR HOARE: Lowest is not the only element of it, or criteria. But they gave the best -- the best value deal, is presumably how they got picked.

ASSEMBLYMAN MANKTELOW: And my last question. Talking to some of our local highway guys back home, you know, with the movement of going to electric vehicles, what percentage of the Thruway fleet is now electrified, or electric vehicles?

ACTING EXEC. DIRECTOR HOARE: A small

portion. I don't have that number exactly, but it's a small portion of our passenger vehicles are electric.

We, you know, continue, as we buy new ones -- we try and go through the life of the existing vehicle. So we're looking at that. It's on the books. And looking at some point to go to the heavier-duty vehicles as well.

ASSEMBLYMAN MANKTELOW: So are there any commercial-sized vehicles, snow plow trucks, that are electric vehicles now?

ACTING EXEC. DIRECTOR HOARE: Not at this time. My understanding is that that technology does not exist as we sit here.

ASSEMBLYMAN MANKTELOW: Okay. Thank you both for your time.

ACTING EXEC. DIRECTOR HOARE: Thanks.

DMV COMMISSIONER SCHROEDER: Good to see you, Assemblymember.

ASSEMBLYMAN MAGNARELLI: Thank you, Commissioner and Director. We appreciate your patience in answering all the questions. Well done. Thank you. Thank you for being here and for all of the employees that you

represent. We appreciate your work.

DMV COMMISSIONER SCHROEDER: Thank you, Mr. Chair.

ACTING EXEC. DIRECTOR HOARE: Thank you all very much.

CHAIRWOMAN KRUEGER: Thank you.

ASSEMBLYMAN MAGNARELLI: Panel B. This is the New York Public Transit Association, Permanent Citizens Advisory Committee to the MTA, Riders Alliance, and Empire State Passengers Association. All one panel.

CHAIRWOMAN KRUEGER: And for all members who are still here, we are now past the government representatives. Everybody has a three-minute maximum, with no round twos.

ASSEMBLYMAN MAGNARELLI: No Round 2.

CHAIRWOMAN KRUEGER: And the testifiers also have a three-minute maximum.

ASSEMBLYMAN MAGNARELLI: Right.

CHAIRWOMAN KRUEGER: Thank you.

(Off the record.)

ASSEMBLYMAN MAGNARELLI: Right. All

right. Members of the panel, each member of the panel has a three-minute introduction, okay? And we're trying to stay to it. I am keeping all of the members and Senators on board with that, so we're going to keep you on board with it too.

So who would like to begin? Go right ahead.

MR. MORRELL: Thank you for your support of public transportation and giving NYPTA the opportunity to testify today.

I am James Morrell, president of NYPTA and director of public transit for NYPTA in Buffalo, New York. Earlier today you heard from MTA, and we support their priorities. I will address the needs of transit systems in upstate New York and in the downstate suburbs.

The mobility provided by public transit is essential to economic activity across New York State. Our communities are asking for more services, expanded frequencies, and new mobility choices like on-demand service. Over the prior two years,

state aid to non-MTA transit has grown by 15 percent. This is an endorsement of the critical role that transit plays in supporting the economy, environment, social equity, and affordable housing.

At the same time, the cost to operate transit service is rising as inflation pressures operate on capital budgets. We thank Governor Hochul for recognizing the importance of public transportation in her Executive Budget. Operating aid to upstate transit will grow by 5.4 percent, and 5.6 percent for downstate.

Adding to the Governor's proposal to maintain the 15 percent annual growth in state aid will provide funding predictability essential to delivering the quality services our communities need. With more resources, transit can increase bus frequencies, extend and expand service and coverage, introduce bus rapid transit, and add on-demand services where needed.

In Buffalo we would increase service levels on many of our heavily used buses and

continue our effort to serve employment opportunities. Upstate transit faces a further hurdle in being reliant on state general funds, comprising nearly 50 percent of upstate transit aid in the Executive Budget.

Our systems need and deserve dedicated, sustainable revenues to provide essential services and support the state initiatives. Fixing upstate funding requires dedicated revenues to replace or supplement the current underperforming sources and adequately fund transit in the future.

In 2022, the Governor and the Legislature approved a five-year capital plan for non-MTA transit funding at $159 million per year. The Executive Budget reduces this amount to 139 million by eliminating the past appropriation to NFTA for modernizing our rail infrastructure.

NFTA recommends continuing this $159 million appropriation and addressing additional member agency capital needs such as the NFTA and reappropriating their

five-year capital program.

Thank you.

MS. DAGLIAN: I've been watching for hours. I should know this by know, right?

(Laughter.)

MS. DAGLIAN: Hi, good evening. I'm Lisa Daglian. I'm the executive director of the Permanent Citizens Advisory Committee to the MTA, PCAC, created by the Legislature in 1981. Thank you.

PCAC represents riders on the MTA's Long Island Rail Road, Metro-North Railroad, and New York City subways, buses, and the Staten Island Railway.

Our role is to advocate on behalf of riders and advise the MTA on operational performance and capital projects through policy recommendations and reports. Thank you very much for holding this hearing today.

On behalf of the millions of people who use the system, thank you for everything you do and did last year to fully fund the MTA's operating budget like the essential service that it is, going even further and

increasing service. And we thank our colleagues in advocacy here, particularly Riders Alliance, for all the work that they did to move the needle on that.

And we're pleased that the Governor continues to likewise show her understanding of the vital importance of transit to riders as an economic driver to the region.

There's still a lot of work to be done to make transit more reliable, safe, equitable, and affordable for riders. We have several proposals that we've shared with your office and that we're happy to discuss with you in more detail. We look forward to working with you this budget season to advance more fare discounts and options so that transit isn't cost-prohibitive for any rider and opens up opportunities for education, jobs, leisure travel, entertainment, and all the region has to offer.

Affordability is key for all New Yorkers, and that's why it's crucial to expand fare discounts and options around the

MTA system. We support the proposal to forgive a rider's fare evasion summons if they enroll in Fair Fares, but that doesn't translate at the moment to the Long Island Rail Road and Metro-North, because Fair Fares doesn't exist on the commuter railroads. And we think it's time to change that.

Low-income New Yorkers should be able to afford to ride the rail infrastructure that runs through their backyards and also to be afforded the same opportunities as people who ride the subways.

We'd like to see a CityTicket weekly offered, with available transfers to subways and buses, to fill the void from the elimination of Atlantic Ticket Weekly. We've asked the MTA to initiate a field study this year to assess its feasibility.

We're also calling for extending the senior and disabled Medicare 50 percent fare discounts to the morning peak on the Long Island Railroad and Metro-North, currently the only time when this discount doesn't apply. It's time to send a clear

message that New York values these groups' contributions to the workforce and our communities.

We also strongly support the Rider Representation Act, which would provide voting seats on the MTA Board for its rider representatives, currently the only members on the board required to ride transit. We'd also add a new member with disabilities, recommended by the Mayor's Office for People with Disabilities with input from the respective disability organizations.

Congestion pricing. We spoke a lot about that, and we'd love to talk more about it, but my time is up. Thank you.

CHAIRWOMAN KRUEGER: Thank you so much.

ASSEMBLYMAN MAGNARELLI: Thank you.

I've got to push hard too. Riders Alliance.

MR. PEARLSTEIN: Good afternoon.

My name is Danny Pearlstein. I'm the policy and communications director at the Riders Alliance. We are a grassroots

organization in New York City of subway and bus riders fighting for better public transit. And thanks to you all in significant part, we have a pretty good record.

New York, as Lisa was describing, is uniquely positioned post-pandemic to have a thriving public transit system, and that is due to the good work you put in place both before the pandemic -- not being able to see what would happen with congestion pricing -- but also last year, you know, with new sustained funding to replace some of that fare revenue lost due to work-from-home primarily. So we are immensely grateful.

We are spending a lot of our time and energy right now organizing to improve what is unfortunately still the slowest bus service in the nation. You know, obviously we have heavily congested streets. Congestion pricing will help with that. But we need more and better priority for what is also the largest bus-riding population in the nation, the people in the five boroughs. So

we are working actively on that.

On congestion pricing, as you all discussed with the chair earlier, there has been widespread misinformation about the work that's gone into preparation for the program. And I just want to highlight that, you know, the MTA spent more than two years preparing more than 4,000 pages of environmental studies of the program under the close supervision of the United States government.

So the reason that opponents of the program are able to point to particular potential environmental impacts is in fact because they have already been studied exhaustively. Had we not known what they were, they couldn't be pointing them out today.

But I want to shift gears a little bit and talk a little bit about some work that we're now doing on the state level, organizing with folks all across the state -- Buffalo, in Rochester and Syracuse, here in Albany, as well as the Hudson Valley and Westchester and Long Island -- in an emerging

coalition that we'll be introducing up here in a couple of weeks called New Yorkers for Transportation Equity. And our proximate goal is to change the conversation around how the State DOT operates.

New York obviously spends more money than any other state on public transit, but we could be doing better. And we could be providing more options for more New Yorkers in rural, suburban, and urban communities to get around. Right?

And the DOT commissioner spoke effectively to that when she was answering Assemblymember Gallagher's question, that she wants to create more opportunities to walk, bike, and ride public transit. But as she also said, in response to the same question, the state is spending lots of money on highway-widening still to this day, and that includes in New York City, where the State of New York is investing $5 billion to widen the Van Wyck, the Bruckner, the Belt, and the FDR Drive.

And so there is a lot that we could do

if we were able to reinvest those funds. There's a lot more freedom and opportunity and mobility that we could create all across New York in all of our communities and, as people discussed, in between our communities, with better rail connections. And so we're eager to discuss that with you all today.

Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you. That was quick.

Empire State Passengers Association.

MR. STRAUSS: Good afternoon, Finance Committee Chair Krueger, Transportation Chairs Magnarelli and Kennedy, and members of the legislative committees here today.

Thank you for the opportunity to testify on the proposed budget for the Department of Transportation. My name is Steve Strauss, and I am the executive director of the Empire State Passengers Association. ESPA is a statewide advocacy organization working on behalf of intercity passenger-rail riders for more reliable, more frequent, and faster Amtrak service in

New York.

Let me start my testimony with a rhetorical question. How many of you knew that the state had released an $8.8 billion plan to improve intercity passenger-rail service -- a plan that proposed spending $350 million a year to rebuild the tracks between Niagara Falls and New York City, construct 370 miles of new track, reduce the travel time between Buffalo and Albany by an hour, and add four additional trains over the next 25 years?

I'm guessing that few of you knew this unless you had heard it from an ESPA-member constituent, or maybe your staff had heard it from me. That's part of the problem.

If you review the FY '25 Executive Budget briefing book, you will not find much mention of an expanded intercity passenger-rail program. What you will find is about $90 million of proposed spending on passenger rail, nearly identical to prior years. Amtrak will receive about 44 million to pay for the cost of providing Amtrak

service in New York state. The remaining 45 million supports the Passenger and Freight Rail Assistance Program, which funds capital improvements to freight and passenger rail service.

The administration's budget proposes a 10-person increase in full-time equivalents for the department, but no increase in staff for the Office of Passenger and Freight Transportation. Without more resources, new state hires, consultants, and capital funds, DOT will not be able to get this rail improvement program off the ground.

Even worse, this lack of resources and, more importantly, lack of commitment from senior-level staff puts us at risk of continuing to fall short at winning our share of discretionary funding from the infrastructure bill.

Now let me pivot to a novel idea for additional funding for the state's intercity passenger-rail program. You may remember that Governors Cuomo and Murphy announced a handshake deal with the Biden administration

to pay for 50 percent of the gateway tunnels and related infrastructure improvements.

Today, the federal funding of the Gateway Project is now over 68 percent of the projected costs. This means that New York has a potential savings of about $1 billion that it could reallocate to other intercity passenger-rail improvements and perhaps commuter rail.

Let's take that money and invest it in projects to advance the Empire Corridor Rail plan.

Thank you for allowing ESPA to testify today. I would be happy to try and answer any questions that members of the committee might have.

ASSEMBLYMAN MAGNARELLI: Perfect timing.

Do we have anyone?

CHAIRWOMAN KRUEGER: We do.

ASSEMBLYMAN MAGNARELLI: Go right ahead.

CHAIRWOMAN KRUEGER: Oh, thank you.

Senator Kennedy, our Transportation

chair. Only three minutes, everyone.

SENATOR KENNEDY: Thank you very much.

First of all, thanks for all of your testimony, your leadership over many years.

James, great to see you. You had mentioned the NFTA. I want to give you another opportunity to talk about the importance there, about the five-year capital plan. The ask is $150 million. Can you talk about what that $150 million will be used for with that five-year capital plan?

Also STOA. Obviously, it's important to all of the public transit authorities. If you could talk to it from your perspective. And we'll start there --

MR. MORRELL: Sure.

SENATOR KENNEDY: -- capital and STOA.

MR. MORRELL: Sure. Thank you, Senator.

As you indicated, NFTA was appropriated $100 million over five years. That was gone before we even got it. We are doing great things with that. We need another five years -- as you indicated,

150 million.

Tunnel and fire protection needs to be replaced. The panel liners is crumbling within the station. We have to upgrade all the elevators and escalators. There's not a difference with an elevator and an escalator in downstate and New York City than in Buffalo.

We have a number of issues that we are working on continuously in a state of good repair that is needed to provide the level of service that our community needs. So the additional funding, along with the 159 million for all of non-MTA capital, would continue to provide for the level of service that we need.

And also, with the 150 million, it would allow us to be able to have -- to leverage the federal funds from FTA for new projects.

SENATOR KENNEDY: And let me just accent that real quick. We've got a minute left. I want you to hit on the drain financially that light rail is to the

operations of the system.

MR. MORRELL: Sure.

SENATOR KENNEDY: And the need for more funding.

MR. MORRELL: Sure.

So for many years we've taken away our operating resources to put into capital, and that has not allowed us to extend service, hire individuals. So providing 150 million will do great things to modernize the system, to be ready for expansion, but also hold harmless the operating budget from STOA at the 15 percent that's been generated over the past two years.

SENATOR KENNEDY: And so 15 percent operating, that's the ask. The Executive Budget put in about 5.

MR. MORRELL: Yes.

SENATOR KENNEDY: Can you talk about the need to bump that up by another 10 percent?

MR. MORRELL: Sure.

SENATOR KENNEDY: Statewide.

MR. MORRELL: So what it will do is it

will provide the opportunity for NFTA and other upstate properties, as well as non -- the suburban areas in -- outside of New York City -- to expand service, to provide additional services where we're not going currently.

SENATOR KENNEDY: Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you, sir.

Member Shimsky, please.

ASSEMBLYWOMAN SHIMSKY: Thank you so much, all of you, for everything you do.

The one issue I wanted to bring up was when we're talking about mass transit and how to grow mass transit either in the suburbs or even in the outer parts of the outer boroughs, it's going to be time to come up with a hybrid system, a combination of fixed-route and other ride sharing, other potential conveyances using some ride-share principles. Because you're never going to have enough fixed routes. That would be prohibitively expensive, and you wouldn't have enough people using them.

So I hope that as you're looking where to advocate in future years, I hope we could talk more about that.

MR. STRAUSS: Excuse me, are you aware -- last year the Legislature appropriated $5 million for, I believe, new technologies and last-mile services. And CDTA here in Albany has announced a new program, they will have an on-demand shuttle from the Rennsselaer Train Station to Downtown Albany, and that is -- they were hoping to get it into operation by next month. I'm not sure what the start date is. So --

ASSEMBLYWOMAN SHIMSKY: So do -- are -- we have pilots on the ground already? Excuse that bad pun.

(Laughter.)

ASSEMBLYWOMAN SHIMSKY: Do we have pilots operational at this point?

MR. STRAUSS: Let's say that the CDTA program is on track.

And three other upstate systems have $1 million each, and then I think there's a

million dollars of discretionary money that State DOT will make available to other transit systems in the state. I believe that's the way it's set up.

MS. DAGLIAN: In the MTA system, you know, first-mile-last-mile is something that's really critical, particularly because it's very linear, it's very expensive, it's very old. And in some places it's worked, some places it hasn't worked as well to put in on-demand service.

The MTA, to their credit, developed a first-mile-last-mile toolkit that it worked with local communities to shop around, to see what would work, how would the local communities make the best of what resources they have. And it will help those communities and municipalities apply for grants that they're eligible for.

ASSEMBLYWOMAN SHIMSKY: Okay.

MS. DAGLIAN: So there is a lot of work on the MTA level.

Now, we as the Permanent Citizens Advisory Committee to the MTA have been very

involved in developing the bike/ped report and recommendations that we put forward to the MTA that they incorporated into their report, into their recommendations. That's not just for New York City, that's also for the counties outside and for the systems outside. Because it's -- you have to get there and home.

ASSEMBLYWOMAN SHIMSKY: Yeah. Thank you.

Do you think this all has a future? Jump ball for everybody.

MS. DAGLIAN: It has to.

ASSEMBLYMAN MAGNARELLI: Good question to end on. Thank you. Thank you very much.

Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Senator Comrie.

SENATOR COMRIE: Thank you.

Lisa Daglian, thank you for being here. Thank you all for being here today, Danny as well.

Can you drill down into why you think the Fair Fares program would make sense for

commuters?

MS. DAGLIAN: I'd be delighted to, thank you.

So the Fair Fares program works on city subways and buses, and it doesn't work, we think, as well as it could because it is -- it's good for -- for people who are eligible, who make 120 percent of the federal poverty level. We've been advocating with our colleagues in advocacy for 200 percent of the federal poverty level; that would allow more people to access it.

But it's still for just subways and buses. It means that people who have a commuter rail -- that's Long Island Rail Road, Metro-North -- running through their backyard but can't afford the fare, can't -- you know, may have to ride two hours on subways and buses in order to get to work or to school.

So by cutting the fare in half for them and enabling them access to opportunity with a reduced fare, we think the city is able to fund that with the Fair Fares funding

that they currently have, since it's not currently utilized, which is also a shame.

SENATOR COMRIE: And can you elucidate the Fair Fares program that you're talking about to make sure that commuters can understand or see that there's a clear and concise program across the different modalities to take the -- take either the train or the subway that we discussed?

MS. DAGLIAN: Mm-hmm. So right now a few are -- it's an income-eligible-based system for subways and buses. If you are making 120 percent of the federal poverty level as an individual or family of four, you can apply for Fair Fares and get a card that allows you to ride on subways and buses at a half-fare.

But you can't use that on subways and buses because there's no parity on the Long Island Rail Road -- I'm sorry, you can't use that on the Long Island Rail Road and Metro-North. There's no parity between the systems. Which is a whole other conversation on fare integration and rationalization that

we hope will come together.

But right now we think the time has come for expanding Fair Fares to the Long Island Rail Road and Metro-North within the city, so that the city -- it makes sense for the city to fund it.

SENATOR COMRIE: Can you also talk about the creating of the program so that each region would have its own clear fare system so that people could understand, and why you think that would increase ridership.

MS. DAGLIAN: I'm sorry. So that the --

SENATOR COMRIE: Each region in the MTA area to create a clear zone fare system for --

MS. DAGLIAN: Oh, absolutely. Right now it's a very legacy system on each of the different railroads that is sort of -- if they eliminate one zone, they just didn't renumber it. So you can't tell -- it's not a distance-based formula.

So we think that making it rational makes sense so that people can understand

where they're going and how much they're paying.

ASSEMBLYMAN MAGNARELLI: Thank you.

SENATOR COMRIE: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Assembly.

ASSEMBLYMAN MAGNARELLI: I don't see anybody else, so I think we're finished. You? Member Simon? No? Okay. We're all set.

(Inaudible exchange; laughter.)

ASSEMBLYMAN MAGNARELLI: You're all advocating. Very good. Thank you all very much for your testimony. Thank you.

CHAIRWOMAN KRUEGER: Thank you.

MS. DAGLIAN: Thank you.

ASSEMBLYMAN MAGNARELLI: Next we go to Panel C: Associated General Contractors of New York State; Construction Industry Council of Westchester and Hudson Valley, Inc; New York State Association of Town Superintendents of Highways; Rebuild New York Now.

And also, is the New York State County

Highway Superintendents Association here? If you are, just raise your hand. Nobody checked in. Oh, you are. Okay. So we've got all five.

(Off the record.)

MR. SMITH: Good afternoon, Senator Krueger, Assemblymember Weinstein, and other members of the New York State Legislature. I am Jeff Smith, highway director for Tompkins County and the president of the New York State County Highway Superintendents Association.

As always, we appreciate the annual opportunity to discuss the Executive Budget proposal and report to you on the conditions and needs of New York's local transportation system.

First I'd like to begin by talking about the BRIDGE NY program, which directs federal and state funding to local bridge and culvert projects throughout the state. In all four rounds of BRIDGE NY thus far, the number and value of project applications far exceeded the funding available for each

region of the state. In 2022, only a little more than half the bridge applications received funding, and less than one-third of the culvert applications secured an award. And we expect the same to happen in the current round as the applications are due this week.

On Monday, the latest Graber Report was released by the Department of Transportation. According to the report, over just the last three years, from 2020 to '22, 1.25 million square feet of local-owned bridge deck have moved from good/excellent to fair/poor, and an additional 1.24 million square feet of state-owned bridge deck became deficient.

While the overall bridge deck decline is huge, it is much worse as a percentage of the entire local system since the state maintains two-and-a-half times as many square feet of bridge deck than local governments. This comes as no surprise, since during the same three-year period DOT spending on state bridges was cut by over

350 million annually. From 2020 to '22, New York spent an average of 1.2 billion annually on its bridges. In the three years before, 2017 to 2019, the state averaged 1.5 billion annually. Thus a 350 million annual reduction in bridge spending.

While bridge spending was being reduced, highway construction costs have increased as a result of inflation by a record 58 percent, according to FHWA.

BRIDGE NY is a great program, but more needs to be done to protect these valuable assets. My colleague Greg will be speaking in more detail about our funding asks, but I would like to mention our request to add language to amend the Highway Law to increase the CHIPS competitive bid threshold from 350,000 to 1 million. Increasing the CHIPS bidding threshold to -- or eliminating the threshold altogether will give municipalities more flexibility to pursue the most cost-effective option on behalf of the taxpayers.

ASSEMBLYMAN MAGNARELLI: Thank you.

CHAIRWOMAN KRUEGER: Thank you.

ASSEMBLYMAN MAGNARELLI: I'm sorry. We have to keep our time limits to everybody.

Next, sir?

MR. HALLBERG: Good afternoon. I'm Greg Hallberg, president of the New York State Association of Town Superintendents of Highways and highway superintendent for the Town of Ellery in Chautauqua County.

As you know, between the county and the town associations, our collective membership and union workforce is responsible for ensuring safe operation of 87 percent of the state's public roads, half of its bridges, and plowing not only our huge system but over a quarter of the New York State Department of Transportation's roads. This massive local system consists of over 97,000 centerline miles of roadways and 8600 highway bridges.

Governor Kathy Hochul's Executive Budget proposal continues the third year of the 32.8 billion five-year investment plan for the New York State Department of

Transportation and local road systems. As Jeff mentioned, record high inflation rates in highway construction materials have severely increased the costs, and as a result local governments are seeing a significant reduction in the real dollar value of local highway maintenance programs.

Unfortunately, the Governor's Executive Budget is cutting CHIPS aid and the lifeblood of local highway departments by 60 million and State Touring Route aid by 40 million, $100 million less than local road funding as compared to last year. In addition to this 100 million hit to these two programs, the other local programs remain flat.

It is critical that last year's funding levels be restored and an additional 150 million be added to the 2024-'25 budget for local highway programs like CHIPS and Extreme Winter Recovery. This will allow us to recoup some of our real funding loss in the inflation since the five-year program was adopted in '22.

In previous years, you, the members of the Legislature, have responded to the dire conditions of the state's transportation system and argued for CHIPS and other local transportation funding. But more is required to reverse deteriorating conditions of our local transportation systems and make significant progress in its rehabilitation.

Funding shortages mean many local governments' preventive pavement preservation strategies to apply well-timed and targeted maintenance treatments fall short of what is necessary to avoid more costly major rehabilitation and reconstruction down the road.

Based on these conditions we discussed above -- the rising costs -- we make the following requests. Support increasing the Executive Budget proposed level for CHIPS by 160 million. Support increasing the Executive Budget proposal level of Extreme Winter Recovery funding by 90 million. Support and maintain the other vital local transportation funding programs

like Marchiselli, BRIDGE NY, PAVE-NY, State Touring Routes, and the Pave Our Potholes.

As public servants ourselves, we understand the difficulty in trying to meet all of our constituents' needs and resources. Thank you for your time.

ASSEMBLYMAN MAGNARELLI: Thank you, sir. Thank you.

Next?

CHAIRWOMAN KRUEGER: Press hard.

ASSEMBLYMAN MAGNARELLI: There you go. There you go.

MR. COONEY: Thank you, Walter.

Good evening, Chair Krueger, Chair Magnarelli, and Chair Kennedy. Thank you for the opportunity to contribute to this important public hearing.

My name is John Cooney, Jr., and I serve as the executive director of the Construction Industry Council of Westchester and Hudson Valley, Inc.

The CIC acts as a collective bargaining agent for some 600 employers in the heavy-highway contracting community as

well as hundreds of suppliers and builders throughout the region aligned with New York State DOT Region 8.

As advocates for the heavy-highway and transportation infrastructure sector of construction, CIC partners with some 30 union locals of organized labor.

As I speak to you today, we are coming close to the completion of the second full year of the current five-year New York State capital plan. The 32.8 billion five-year capital plan represented a 2.8 billion increase over the previous five years of capital investment.

The present capital plan, at its onset, provided for the approximately 4.1 billion of new funding for priority projects such as the Van Wyck I-81 in Kensington. The new funding was in a major sense developed by a 2.8 billion increase in funding combined with 1 billion cut from the New York State DOT core program.

Despite the 2.8 billion increase in spending over the present five-year plan to

date, conditions of roads and bridges across the state have worsened. In reviewing over 10 years of data, New York State presently has a record high 4,264 deficient bridges.

Pavements. In 2017, 25 percent of New York State roads were in fair or poor condition. In 2022, 42 percent of New York State roads were in fair or poor condition. The Hudson Valley, represented by New York State Region 8 -- my home region -- has and has had the worst road and bridge conditions in New York State. All of this information is derived from New York State DOT data.

Why, despite a 2.8 billion increase in funding, are conditions worse? Since the onset of the capital plan in 2021 through the end of 2023, there has been a 21 percent cost increase for highway construction, as noted by the Federal Reserve. And then the stripping of 1 billion out of that core program has hampered -- has put a constraint on all of the regions of New York State to take care of their normal stock of roads and bridges.

Without increased funding, the decline in road and bridge conditions will continue to decelerate and get worse. We at the Construction Industry Council believe that at least 400 million should be added to the 2024-'25 budget for core highway and then 150 million for CHIPS funding.

ASSEMBLYMAN MAGNARELLI: Thank you, sir.

CHAIRWOMAN KRUEGER: Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you.

Walter?

MR. PACHOLCZAK: Thank you. And thank you, Chairs Krueger and Weinstein, for the opportunity to testify today. Thank you to the chairs, rankers, and members of the committee.

First, I just wanted to say that AGC commends the leadership of Governor Hochul, DOT Commissioner Dominguez, Thruway Executive Director Hoare, MTA Chair and President Lieber. Thank you to all the dedicated employees of the Executive Chamber, of the Division of Budget, the state agencies and

authorities. They're our partners in rebuilding New York.

But before I speak about the New York State Department of Transportation capital program, AGC would like to commend the leadership of Governor Hochul and the Legislature and all those involved to help make work zone and workplace safety a priority through initiatives like Operation Hard Hat and the Work Zone Traffic Safety Camera program. Safety is always a priority.

This is the third consecutive year that AGC was afforded the opportunity to testify at the Transportation budget hearing, public hearing today. As we enter the third year of this five-year, fully funded DOT capital program, AGC has accurately forecasted in '22, '23 and '24 that the enacted funding levels and inflationary pressures will result in declining road and bridge conditions.

I think inflation -- here is something that we all agree on -- erodes a capital program that's essentially flat. So when

you're looking at this now, what we see over the course of the five-year program is that you're losing 20 percent. You might lose a full year of the DOT capital program, which is something that we all don't want to see. It's important not only for jobs, for economic development -- it helps really to keep our state moving.

But, you know, looking back at 2022, we're all excited: $4.6 billion coming in from the federal government, it's going to save the day. And at the end of the day, though, we actually spent a little less on the overall capital program compared to prior years.

Last year we said the same thing. You know, we're not -- inflation is eroding the capital program, we're not keeping up, and therefore you see declining road and bridge conditions not only last year, but you'll see it this year as well.

In reviewing the '24-'25 DOT capital program, we see some similar declines in conditions in the core and highway and bridge

investment there as well. I'm not going to go through the data, because a lot of that is in our testimony. I think we all share the same data, for the most part; it's all from the same source. But conditions continuously decline when you're talking about a record capital program.

So with 28 seconds left to go, a couple of things we want. We want to see an investment. In a letter signed by more than 40 organizations, including business, labor, and local governments, and distributed to the members of the committee, the coalition is supporting an additional $400 million to the DOT core capital program.

We're also supporting the County and Town Highway Superintendents call for an additional 250 million for our local roads and bridges. You know, that's our bread and butter for a lot of these guys here.

And thank you for your time.

CHAIRWOMAN KRUEGER: Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you.

Fred, you're next.

MR. HIFFA: Hi. Good evening.

I first want to start off by thanking everybody on behalf of Rebuild NY Now. Because of your efforts, we finally have the DOT putting out reporting requirements. Ironically, the Graber Report, which tells us about the bridge inspections, even though it's in statute, was three years behind and got released Sunday night, four days before this hearing. So I wasn't able to include that in my original testimony, but I want to talk about it.

I also want to talk about the fact that in 2001 you finally put in statute that the pavement and bridge reports have to be put in place by the DOT and reported to you annually, because in 2020 they hadn't done a report since 2015.

So when we look at the Graber Report, what do we see? Two and a half million square feet of bridge decking became deficient in just the last three years. That's the equivalent of 40 miles of bridges becoming deficient in the past three years.

The other thing the report tells us is it tells us where the money's being spent and how much. Over the last three years, spending on bridges has declined by an annual amount of $350 million. So this 32.8 billion program is delivering less than the previous program. We've gone from spending about 1.1 billion a year on bridges to about 1.4.

That's why we're seeing these huge declines. Right now we have -- one out of four bridges is deficient in this state. When we look at the pavements, we see the same. We see four out of 10 miles are now deficient on pavements. The overall numbers are really staggering.

So how does the Governor look at, in the proposed budget, of dealing with these declining conditions? Eliminate the $100 million that you folks added to the local program. Keep the core funding virtually flat -- it's a $4 million add. And then she adds $500 million as it is called for in the capital program for priority projects.

That 500 million will never be spent this fiscal year or next. When you look at the first two years of the spend-out compared to the plan on priority projects, they are $1.3 billion behind in the first two years.

These are tough projects. I'm not blaming someone. But to take that 500 million and put it -- when we've got these declining conditions, and not take it and put it into the core makes no sense.

The money is there, the appropriation authority is there. We always see a lag. You've got about a billion and a half dollars of past programs for priority projects moved into this capital program. A delay on these complicated projects is not unusual.

So I think what we need to look at is at least, at a minimum, reappropriating the money that's been made available in this budget. And then the other thing that we'd look at is, you know -- and the biggest thing -- is the cost, because a deficient bridge is 16 times more expensive to rehab -- excuse me, pavement, in order to rehab, than

if it's kept in a state of good repair.

So when we have 40 percent of our pavements going into --

(Time clock alarm.)

MR. HIFFA: I apologize. So -- but my request is the same as theirs: 400 million, 250 million for the locals.

Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you. Thank you. All right. Do we -- we will start with Member Durso, please.

ASSEMBLYMAN DURSO: Thank you, Chairman. And thank everybody for being here and testifying today.

Walter, you had spoke specifically about that everybody's kind of in agreement with the crumbling infrastructure, the bridges, the pavement, inflation, the amount of money that's set up in the five-year capital plan.

Do any of you believe that the projects and what's meant to be reached over the past -- you know, over that five-year time span -- can be reached?

MR. PACHOLCZAK: Yeah. I mean, I think that -- listen, it's going to be up to the Governor and the Legislature to make that commitment over the final couple of years here to make sure that projects are done on time.

It's also our responsibility as a trade association and as participants here to also help out the DOT, as an example, to try get some more federal dollars for a project such as the Livingstone Avenue Bridge here, which is a $400 million project. That should be a federal responsibility. I know DOT has applied for funding, and they will reapply for funding again.

And we are also on Capitol Hill with AGC of America fighting to make sure that New York gets its fair share. Despite what -- some of the rhetoric you hear in Washington, we have a good -- we have a very strong congressional delegation led by Senator Schumer, Congresswoman Stefanik, and Congressman Jeffries, to make sure that we get the job done here for New York.

So it can be done. It's going to take some time.

ASSEMBLYMAN DURSO: So you believe that without additional resources added to it, as you were saying, do you think they could do it under the current -- with the current resources that are funding now? Can it be done? Would you need additional resources?

MR. PACHOLCZAK: I don't see how you do it in a regular household budget if you have 20 percent less to spend over the course of five years than what -- the money has to come from somewhere. Unless then you're going to maybe eat a little less better, or you might be able to put off some repairs.

But the longer we put off these repairs, to Fred's point, with bridge decks and other things, the cost just -- it combines and multiplies, and you have a much bigger problem on your hands down the road. Which then we all will be voting on two years from now, four years from now, or however long you're here.

ASSEMBLYMAN DURSO: Agreed. So is there a specific number, as opposed to when it comes to money or a percentage? Or is it the rate of inflation that you think that it needs to be -- the resources need to go up to keep up with inflation?

Does anybody -- anybody can answer.

MR. PACHOLCZAK: Yes, sir. Yes, sir.

And we think that number is the $400 million number. You know, that's something that we look -- we look -- for this year?

ASSEMBLYMAN DURSO: For this year.

MR. PACHOLCZAK: For this year alone? That represents 20 percent of the core budget, actually, so you get that 20 percent back. And we have some work to do, though.

ASSEMBLYMAN DURSO: Okay. Anybody else want to jump in? I have 26 seconds. You can all jump in if you'd like.

MR. HIFFA: What Walter said.

(Laughter.)

ASSEMBLYMAN DURSO: Oh, okay. What Walter said? Okay, I'll go with that. Thank

you, everybody. I appreciate it.

CHAIRWOMAN KRUEGER: Senator Tim Kennedy.

SENATOR KENNEDY: Gentlemen, thank you so much. It's great to see you all. Thank you for your leadership. You have been consistent in your messaging.

You know, we've had great accomplishments here in increasing funds at every level, whether it's been capital funds, whether it's been the CHIPS funds, whether it's been -- record levels -- whether it's been the State Touring Routes, new program. You know, we're very, very pleased with the work that we've done over many years with you, so thank you all.

Obviously this is a very important moment, and I want to just get into, in a very short time here -- you've already said it a couple of times, but drill into that 400 million and the importance of that.

We know, number one, it's capital, so we can accommodate that under our bonding ceiling. And, you know, look at -- we've put

forward a number in the past that was five times as high as that number to accommodate the inflation. But 400 million is the number that we need to push for, you heard me mention it earlier; you're mentioning it now. Talk about the importance of that, please.

MR. HIFFA: Yeah, I think -- and I would look at it that the 400 million, as Walter said, is basically the 20 percent on the existing core. But again, you have a record amount of priority projects.

The commissioner talked about the Livingston Bridge, and I think it's a great thing DOT is doing. The feds have come up with rail grant money that she's competing now for for that 400 million for the bridge. She's going to apply -- I talked to her yesterday. She's applying for another round. That's 400 million that you have in your budget already that hopefully there will be a new revenue source for, for her to move forward with it.

So, you know, the concern that we

would have is that -- use the existing appropriation authorities on top of them going after that money that we're losing for the inflation, but we can't wait till the third and fourth year to do it. Because we're losing more to inflation. Because inflation has slowed down, but you're still paying more than you were when we -- when you developed this plan, significantly more.

SENATOR KENNEDY: I want to get to -- thank you. Just short on time here; thank you for that, Fred -- CHIPS funding.

You know, we know how important this is for local roads. Again, our conference, working with the Assembly -- the Democratic Conference, Majority Leader Andrea Stewart-Cousins made it a priority for increasing CHIPS funding in the record levels, and then we built on that last year.

Can you just talk to the importance of the need for CHIPS funding?

MR. HALLBERG: The record levels, it helps. But with the inflation, you're not gaining and getting ahead. You're still

going to be behind, with what we do and the costs of everything that --

CHAIRWOMAN KRUEGER: Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you. Thank you.

CHAIRWOMAN KRUEGER: Assembly?

ASSEMBLYMAN MAGNARELLI: Yes.

Member Palmesano, please.

ASSEMBLYMAN PALMESANO: Yes -- (mic off; inaudible.) First, I wanted to say thank you to you, gentlemen, and all your members around the state for what you do each and every day in our local communities to help improve our local infrastructure and roads, bridges, and culverts.

I also want to thank you for your annual advocacy, for coming up here to remind the Governor and us in the Legislature how important a program like CHIPS is to your operations and the impact that it has.

And Senator Kennedy mentioned the importance of CHIPS, and I know you talked about -- you were talking about how, you know, the inflationary increases and things

like that for your diesel and your asphalt and things of that nature, are impacting those operations and eating into that.

Can you talk a little bit about that? And also like for your members, you know, is there something you could present to us showing like what percentage of your municipal budgets are impacted by CHIPS as a percentage of your transportation budgets as well?

MR. HALLBERG: Yeah. A lot of the towns, that's their only money, is CHIPS. With it being a reimbursement program, they spend what they have and then they get it back to run the rest of their budget -- the CHIPS money for their roads. And with the inflation and even the cost of new equipment, which you can purchase -- and that has, you know, more than doubled in the last few years --

ASSEMBLYMAN PALMESANO: And how does that --

MR. HALLBERG: -- trucks and -- you know, it puts a burden on the local

taxpayers.

ASSEMBLYMAN PALMESANO: And how much of a negative impact is the $60 million proposed cut by the Governor going to do to your local communities and your local taxpayers and your ability to do work?

MR. SMITH: I just think that CHIPS is the lifeblood of many municipalities all across New York State. We all receive CHIPS. Inflation is taking a big part of that, but also the crumbling infrastructure, the maintenance of large culverts and bridges and smaller bridges and things like that that the towns have to deal with.

It's really a great program in New York State, the ability to receive the funding every year, roll it over but not roll it over, allows us to use it every year -- it goes right back into the infrastructure and an increase in the condition of our roads and bridges.

Like Greg said, a lot of the smaller towns, that is their only highway budget. Without it, it would be -- it would certainly

be going backwards.

ASSEMBLYMAN PALMESANO: And I think you used a good word, lifeblood. That's also -- CHIPS is the lifeblood of our upstate rural communities, our local transportation projects. Just like the MTA is the lifeblood of the downstate transportation network. We should fund it.

But when we see increases in the MTA and don't see the parity with our upstate roads and bridges when the five-year MTA capital plan is 52 billion but the DOT capital plan is 32 billion, where's the parity? And this cut could be devastating to you and hurtful for what you do.

MR. SMITH: Agreed. Thank you.

MR. HALLBERG: Yes.

CHAIRWOMAN KRUEGER: Thank you.

Senator Tom O'Mara.

SENATOR O'MARA: Thank you.

Good evening, gentlemen. Thank you all for being here. Appreciate your testimony. You certainly have my full support and sympathies for where we are in

this budget process right now.

Jeff, I just wanted to give you an opportunity -- you were cut off at the end of your testimony talking about some recommendations, changes to bidding requirements, thresholds. If you want to get a chance to add, give us that, please.

MR. SMITH: Appreciate that, thank you.

You know, for years the threshold of CHIPS was $100,000, and we were able to make it increase up to $350,000. When it was increased to $350,000, the price of blacktop per ton was $40 a ton. It's now $80 a ton. If you were able to do, with 350,000, three miles of road, we can only do a mile and a half now.

So that whole three miles needs to get done. And that's why we're here asking to increase the threshold or take it away altogether. It would really be a great help to all of us to allow us to do our job better and better spend the limited funds that we have. Thank you.

SENATOR O'MARA: Okay. Thank you. Thank you all.

ASSEMBLYMAN MAGNARELLI: All right. Member Otis, please.

ASSEMBLYMAN OTIS: Thank you.

And thank you all for your testimony. I read all of your testimony in advance of today, and what you all provide that is so valuable are the metrics that make the case for why we need to sustain and increase this funding.

One of the things mentioned in some of your testimony was the fact that if you defer maintenance, the cost goes up, if you defer repairs. And that's something I learned when I used to be a local official.

I'd like to get any of your comments about another factor, which is weather, extreme storms. Many of the bridges that are being rebuilt in communities I represent are not just being rebuilt, they're being redesigned for resiliency -- which adds cost and expense, but means they're going to survive the next storm.

Can you -- anyone want to weigh in in terms of that factor, in terms of the need for this kind of funding? Because it's not just replacing what we have, it's upgrading to deal with increased deterioration because of weather.

MR. SMITH: Yeah, I can start real quick, if somebody else wants to join in.

But I think that as a rule, anytime you're replacing a culvert or a box culvert all the way up, in big and small, you're always going to really look at the area and see what kind of history is in the area, if there's been any kind of flooding, upstream and downstream as well.

What we really do is upsize. And there's a lot of resources that tell us the right correct size that it should be based on, you know, the HEC analysis and the watershed that reaches that point and the road where it needs to cross.

I think that the recent storms are real. It's definitely more focused. Microbursts come across. Sometimes when it

hits you, you're the one and only that has to bear the brunt of the storm. I know Warren County just received some really harsh weather, and they're under the gun to replace some large culverts presently.

It does happen. It's very focused. And when it happens to you, you don't feel very lucky. Sometimes it misses you and you feel lucky, but in the end you have to repair it. The size is really determined by what we feel is necessary and will sustain the next storm, it's based on that.

That's pretty much all I had to say. Thanks.

MR. PACHOLCZAK: Yeah, I just want to add that the Governor has built resiliency into the DOT capital program, and we're grateful for that.

The thing you do have to remember about building resiliency -- and it does cost more money -- I think that we're also looking at potentially some culvert money in the Environmental Bond Act funding which should be released -- it's starting to be released

now, and hopefully a little bit more next year -- this year, I'm sorry.

Fred?

MR. HIFFA: No, just quickly, though, one of the other things that the report helps us look at is -- is that bridge decking that we were talking about. Because you look at it, in about 2.5 million square feet, a little over half of that was local bridges.

Now, when you look as the percentage, though, local bridges are a third of the deck space of state bridges. So they're declining a lot faster than those state bridges.

Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you.

ASSEMBLYMAN OTIS: Thank you very much. And a special shout-out to John Cooney, who does a great job in our region. So thank you.

ASSEMBLYMAN MAGNARELLI: Member Shimsky, please.

ASSEMBLYWOMAN SHIMSKY: Thank you, Mr. Chairman.

Mr. Hiffa, would you go back to the

end of your original testimony and complete your thought on the metrics on how much money you end up wasting if you defer maintenance?

MR. HIFFA: Yeah. So on a bridge, it's about five times the cost if you keep it in a state of good repair. Going to poor -- which again, we have a -- 26 percent of our bridges deficient. On pavements, which we're 40 percent deficient, it's 16 times. These are DOT's numbers.

You know, it is a huge cost to do this deferment of maintenance. It's tragic.

I also wanted to add, so just to reinforce, though, it was 400 million on the increase and 250 for the local. So it's on that too, so -- thank you.

ASSEMBLYWOMAN SHIMSKY: Okay. And of course those numbers don't include personal injury and wrongful death settlements.

The second thing on CHIPS, Mr. Hallberg, your point about rural communities is very well taken. But no one should underestimate the importance of CHIPS to suburban areas like mine, like

Mr. Cooney's. And BRIDGE NY as well. We have a big bridge in Tarrytown that is going to be ruinous for the village to fund if it does not -- or has not gotten enough BRIDGE NY funding.

CHIPS and BRIDGE NY are really for everybody, and that's why it's so important to raise them. If anyone wants to comment, you've got a minute twenty-seven.

MR. COONEY: It goes back to you have to stay up on these things. And the villages and towns, the cost of their infrastructure has gone up just like anyone else. And in many situations, the condition of their infrastructure is worse as well. So if you cut that funding, you're only making what is not a good problem a much more expensive problem.

And some of the smaller -- BRIDGE NY is a great program, but some of the smaller municipalities have a difficult time participating in it. They need that help. But that -- someone said it earlier, it truly is the lifeline of local infrastructure, that

funding. And it's extremely important in a situation where inflation has eaten away 20 percent of what's going on and the conditions of that local infrastructure are continuing to deteriorate.

ASSEMBLYWOMAN SHIMSKY: Okay, thank you. And certainly we cannot maintain this society or this economy if we let our transportation and transit go down the tubes. So thank you very much for your advocacy.

ASSEMBLYMAN MAGNARELLI: Well, thank you all for participating today in this panel. I just want to say something personal. I think I meet with all of you and I'll be meeting with you over the next few weeks -- sometimes over and over again, because it takes me a little longer to get it.

But I do believe the Legislature has been listening to you over the last few years, not only in the Assembly but in the Senate as well. And so we take what you're telling us to heart, and let's see what we can do in this budget.

I thank you all for being here. Thank you for your presence.

MR. COONEY: Thank you very much.

MR. HIFFA: Thank you.

CHAIRWOMAN KRUEGER: Thank you very much.

ASSEMBLYMAN MAGNARELLI: Next we have our last panel, Panel D. Panel D: Adirondack Council, AdkAction, New York Aviation Managers Association, Putnam County, and New York Construction Materials Association. Please come down.

(Off the record.)

ASSEMBLYMAN MAGNARELLI: Who would like to lead off? Go right ahead.

MR. CHLAD: Let's get into it.

Well, good evening, everybody. I'm Kevin Chlad, director of government relations for the Adirondack Council.

So you might be wondering why is Kevin at the Transportation Budget Hearing. The EnCon Budget Hearing isn't until February 7th. Well, as you know, New York State's currently facing a budget gap, and

even larger budget gaps in outyear projections. So the Adirondack Council would like to highlight a costly overused expense in New York's budget where we think taxpayers can save money: Road salt.

Before we explore this even further, I want to be clear. Our staff live in the Adirondack Park and commute long distances. We'll be the first to state that no efforts to reduce road salt pollution should come at the expense of public safety.

Our colleagues at great organizations such as the Adirondack Watershed Institute, River Keeper, AdkAction, the Lake George Association -- they've all made formal contributions to the record for this hearing, and I want to thank them for lending their expertise.

Since the 1980 Winter Olympics, enough road salt has been applied to each lane mile of Adirondack roadway to fill an olympic-sized swimming pool. It all has gone somewhere. Runoff from paved roads ultimately enters our lakes, streams, and

groundwater. New York State's emergent liability costs derive from homeowners who are finding that their dishwashers are rusting and their health is imperiled as a direct result of their wells being polluted by salt runoff. And that's coming from state roadways.

Rust is a hidden tax imposed on New Yorkers. Corrosion is costlier than all other natural disasters combined, amounting to 3 percent of GDP nationwide, or $437 billion annually.

So salt is costly and bad for the environment. Can we replace it? No. Can we stop using it? No. So what do we do? The solution is a lot of hard work and careful attention to detail, but we can save the state and its taxpayers a ton of money in the process.

We need to calibrate our equipment and measure what we're putting down. We need to take preventative measures to ensure that we're not wasting the salt we have and use. We need to continually analyze the efficacy

of our practices and make adjustments to keep using less. And like I said, it's hard work that requires careful attention to detail, but it can save a ton of money.

How much money? Let me point to the Town of Hague in the Lake George Basin. Using best management practices for road salt use, the Town of Hague has been able to reduce their winter road maintenance budget by more than 50 percent without reducing driver take-home pay. They provide same level of service on their roadways and have significantly reduced road salt pollution in their community.

Thanks for the opportunity to testify.

MR. EPSTEIN: Excuse me. Good evening, and thank you for having me here today. My name is Ron Epstein. I'm with the New York Construction Materials Association.

I have written -- verbal comments here, but in the interest of time I think I'm going to leave a lot of it on the cutting floor. But trust me, it was brilliant.

I do want to start out with a quote

from Senator Schumer, Majority Leader Schumer, one of the nation's primary authors of the bipartisan infrastructure law, because it kind of sets the context for what we're talking about. "Crumbling bridges and roads are a hazard to motorists and impede economic development."

He goes on to say that with over 1700 bridges across New York in poor condition, we can no longer afford to have the mindset that we'll cross that bridge when we get to it. And that's what we're really talking about today, is we can't afford to defer any longer.

I will very quickly cite some of the statistics which you've heard before today. My wife's a teacher, she always says "Say it, say it, and say it again."

We have 1600 bridges in the State of New York that, according to the Federal Highway Administration, are in poor condition. That's 30 percent higher than the national average. The percentage of fair and poor pavement conditions in New York State,

which is 40 percent, is among the worst in decades. In certain regions of the state -- Buffalo, you know, the Mid-Hudson region, the Western New York region, the Long Island region -- they went from among the best to the worst conditions in the state in that decade.

For higher volume roadways in the state, the interstates, and other types of facilities in the state, New York ranks 46th in the nation for these facilities in terms of the highest percentage of lane miles in poor condition. This is what supports our interstate commerce. This is what supports of course our global competitiveness.

So what can we do? Well, you know, it's clear it starts with the current budget. We don't have the resources that we need, but we urge you to add $400 million to DOT for core construction for this year to offset the inflationary impacts.

We urge you to restore the $100 million that was cut from the CHIPS and EWR programs. We urge you to provide

$150 million in additional local aid to help locals offset the impact of their declining conditions. And we hope and urge the State of New York to make available no less than $500 million in the Environmental Bond Act for culverts.

Failure to include these asks will result in the state having the lowest conditions and actually getting the least in terms of accomplishments-per-dollar-spent in more than a decade.

And lastly, I do want to say, as a point of personal privilege, having worked in the Department of Transportation, I took a great interest that the Executive Budget included legislation to extend criminal penalties for retail workers that were the subject of assault. We fully support that.

But I also strongly urge you to finally include -- to amend this proposal -- the assault and menacing of highway workers as well as intrusions into work zones. Let's make sure they can come home every night and see their families again while they're trying

to do their job and keep us safe. So please include highway workers in that legislation.

Listen, you didn't create this problem. The current Executive didn't create this problem. But let's work together on trying to figure out a way out of it.

Thank you. Appreciate your time.

ASSEMBLYMAN MAGNARELLI: Thank you, sir. Thank you.

Next?

MR. HEEFNER: Good evening, Chair Krueger, Chair Magnarelli, and Chair Kennedy. I am Mark Heefner, president of the New York Aviation Management Association, NYAMA. I'm also the commissioner of aviation for the Greater Binghamton Airport.

I'd like to express my appreciation for this opportunity to provide comments on the 2024-2025 Executive Budget as it relates to airports and the aviation industry in New York.

As you probably already know, airports are major economic engines, and the benefits

of New York State airports are extremely impressive. The aviation industry contributes over $72 billion in annual economic activity in New York State, and more than 500,000 New York-based jobs in aviation or aviation-related industries, generating 25 billion in payroll and over $6 billion in state and local tax revenue each year.

Now, NYAMA commends Governor Hochul, the Legislature, and the unwavering support of the Legislative Aviation Caucus cochairs, Assemblywoman Lupardo and Senator Martinez, for supporting the capital needs of airports and supporting investments in New York's airports and aviation industry that drive economic development, modernize facilities, create high-quality, sustainable jobs, and attract private sector investment.

The Upstate Airport Economic Development and Revitalization Program is beginning the transformation and modernization of airports in upstate New York. Since its inception in 2016, 14 airports have received awards under the

program. It's important to note that this program leverages tens of millions of dollars in funding sources such as federal and local and private-sector investments that compound the economic benefits to the state and local economies.

NYAMA urges the Senate and Assembly one-house budgets to include funding for Round 3 of this program to expand and include additional airports and to increase the Aviation Capital Grant Program to reflect the impact and return on investment that the aviation industry has in New York.

Traditionally the State Aviation Capital Funding Program is provided through two program categories: the Airport Improvement Program, which delivers a matching share to federal AIP grants, funded in the Executive Budget at $14 million; and the Aviation Capital Grant Program that, unlike the federal AIP money, can be used to finance revenue-producing projects at airports such as parking lots, fuel farms, hanger construction, and concession

development which result in a tremendous return on investment.

Unfortunately, the Aviation Capital Grant Program is grossly underfunded at a paltry $12.5 million per year. NYAMA continues to advocate for a minimum state financial commitment of $40 million per year for the Aviation Capital Grant program and $250 million for the Round 3 program of the Upstate Airport Revitalization competition.

NYAMA looks forward to working with you and your legislative colleagues on developing strategies to maximize the economic benefits from the state investments in the airport and aviation industry.

Thank you.

CHAIRWOMAN KRUEGER: Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you.

Go ahead.

MS. BAILEY: Good evening. Thank you so much for having me here today.

I want to tell you a story. A friend of mine was pregnant --

CHAIRWOMAN KRUEGER: Who are you? We

actually know, but for the record --

MS. BAILEY: Oh. My name is Sawyer Bailey. I'm the executive director of AdkAction, a nonprofit in the Adirondack Park working to solve problems to help people and nature thrive.

The story I want to start with is one of my friend who was pregnant a few winters back. She was going to visit her father-in-law on a snowy afternoon, and as she was climbing the steps to go inside, she slipped on ice and fell.

Now, everybody freaks out when a pregnant woman falls. Nobody wants that. And luckily she was fine, but the next time she visited his house a few weeks later, the steps were just covered in road salt.

And that's when it clicked with her. We salt because we care. It's our desire to keep our communities safe, to protect them. But the problem is what's preventing a sudden fall is slowly causing our loved ones and so many more across the state so much pain. But it's a slow type of violence.

Now, I told you about my friend, but who I haven't told you about are the hundreds of people I know in the Adirondack Park whose well water has been polluted by salt downslope of state highways and is now undrinkable, not to mention the countless lakes and streams that have been jeopardized.

Far too many families find that salt in their water has cost them their farm, their health, their savings, and their time. They have shouldered significant extra expense when it's hard enough just to make ends meet these days. We have not kept them safe. We have let them bear our collective burden.

But I want you to know that we can change, because I've already seen our Adirondack town and county highway departments change. You have not seen proud until you've stood in a highway garage with them, hearing about their brine-makers, which pretreat roads with a 23 percent salt content mixture to melt snow and ice on contact, or seen them post photos of their live-edge

plows, which move with the road surface to lift up more snow so there's less left behind to salt.

They are so proud of these changes, and they're proving we can bring them to scale. AdkAction has the benefit of working with 25 Adirondack town and county highway departments to empower them with the tools, the expertise, and the support they need to control costs, maintain a high level of service, and reduce their use of road salt and sand.

These departments have been able to reclassify lines of their budget to infuse savings back into their departments, and I believe the State of New York should do the same. If our towns and counties are leading the way, the state should be right there by their side. This is a challenge we can solve together.

Thank you.

CHAIRWOMAN KRUEGER: Thank you.

Hi. Next?

COUNTY EXECUTIVE BYRNE: Hi. My name

is Kevin Byrne. I'm the Putnam County Executive and a proud former member of the State Legislature. I decided to try this side for a change.

Putnam County is a key part of New York State's Department of Transportation Region 8. We heard a lot about that in previous testimony. It's north of Westchester County, south of Dutchess County, and it's connected to both the Hudson River as well as the Connecticut-New York State line. And it is fortunate that it has both the Harlem and Hudson Metro-North lines traveling through it.

Back in 2018, when I was a member of the Assembly, I actually served with my good friend and colleague Phil Palmesano, where we cochaired the Assembly Minority Conference's Task Force on Critical Infrastructure and Transportation. That year we gained greater insight into our needs for the state's transportation system and how we can accomplish more by working together with so many of our local partners. And I'm proud

that several of those concepts and findings that were supported by that task force have since become a reality.

I would say that this year we will once again, as people in local government and county government, we'll be asking our friends in the State Legislature, seeking your assistance to restore funding for our transportation infrastructure, specifically, $60 million to restore cuts from the Executive Budget for CHIPS.

And we know there's a lot of other different programs that are very important for our transportation infrastructure.

Last year Putnam County, a small county of less than 100,000 people, we received over $1.2 million in CHIPS funding alone. That's $1.2 million that otherwise would have been raised by property taxes if not for the state assistance. Which would have very much undermined our ability to move forward with our paving program.

Something I have learned in state government is that nearly nine out of every

10 roads in the state are maintained under local jurisdiction, totaling over 97,000 centerline miles owned by local governments -- compared to just over 15,000 owned by the state. Of the nearly 17,500 bridges in the state, more than half -- over 8,000 of them -- are owned by local governments.

Putnam County -- again, just serving nearly 100,000 people -- our small county government is responsible for maintaining 83 large-diameter culverts, 31 bridges, and 116 centerline miles of county road. And again, like so many other people in local government and county government, inflation has its toll, driving the cost of labor, asphalt, and diesel fuel for us to make sure that we can move forward with so many of our programs and plans.

I would say that we have a very strong partnership with our friends at the Department of Transportation. We know there's limits in finances, but for us to be able to move forward and do what we do in

county government, we're all part of that same transportation system that links one road to the other. That's important for our hospitals, for our schools, for our emergency first responders, for our businesses.

We need to work together and view it as that same shared commitment. I just would ask you for your support, the Legislature to step up again, as it has so many times before, to put those additions into the state budget.

Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you.

Senator?

CHAIRWOMAN KRUEGER: Senator Tim Kennedy.

SENATOR KENNEDY: Thank you very much.

Great to see you all. First of all, let me thank all of you for your efforts, for your leadership in various ways. You know, we've worked on these issues for a number of years and have had great victories with the Adirondack Road Salt Reduction Act.

I want to ask you about that, but I

just want to make a quick note, County Executive. Good to see you in your new role. I'm a little disappointed that you didn't come in with the bagpipes playing but, you know, we'll save that maybe for another day.

But I want to ask about the task force and the pilots that are currently under way testing different deicing methods. Do you think what is being tested is enough? And are the pilots being funded at the level that they need to be funded and are there other methods of deicing that ought to be tested in this moment?

MR. CHLAD: Well, first off, thank you for your leadership in advancing the Randy Preston Road Salt Reduction Act. We wouldn't have a task force or a task force report without your leadership, so thank you so much.

Everything is in there, in the task force report. The answers are in there. What's missing is an action plan and a timeline with clearly set reduction targets, a game plan. There's no budget. Those are

the things that are missing.

I do -- my understanding is that task force members did push to have those items included, but those were not ultimately included. So I think there's going to be a need to have -- conduct some follow-up work, perhaps with the Legislature, perhaps also with DOT in partnership, to put that together, put together the action plan, the timeline, the budget, et cetera, so that this actually, you know, comes to fruition.

But we've got a map, we've got a menu, we've got a game plan.

SENATOR KENNEDY: Excellent, thank you.

That's all I have. Thank you.

ASSEMBLYMAN MAGNARELLI: Member Palmesano, please.

ASSEMBLYMAN PALMESANO: Thank you.

First, to all of you, thank you for your patience and perseverance. You are the last panel, so we appreciate your patience.

My question is for my friend Kevin. Kevin, obviously you sat on this side of the

table as a state legislator where you've advocated and voted for funding to go to our local communities through important programs like CHIPS. Now you are the county executive, where you're tasked with making critical infrastructure improvements for your community and for the people you serve.

So my question is regarding the $60 million cut to the CHIPS program. What percentage of your transportation budget that you use to fix your roads, bridges, and culverts comes from the CHIPS program, and how would this cut impact your ability to provide these critical services to fix local infrastructure in your county?

COUNTY EXECUTIVE BYRNE: So of our about $14 million operating budget within DPW, Department of Public Works, our paving program budget is approximately about $3 million. I mentioned $1.2 million are CHIPS, but when you add in some of the other state programs that are very much driven as state assistance and local aid for paving, it's approximately $1.9 million. That would

account for approximately two-thirds of our paving program's budget.

So it would create tremendous stress for the county government to maintain its county roads and its commitment to the people of our county. But I also know just from working productively in collaboration with our leaders in town government and village government, we have some large towns and some very small towns. We don't have a city in Putnam County. One of our smallest villages is Nelsonville, in the Town of Philipstown. It's less than one square mile. They don't even have a DPW. They largely outsource so much of the work. So every dollar they get from CHIPS goes into their paving program, and it would virtually completely hamstring them.

And just from that task force that we participated in over five years ago, I know that there are other towns and county governments in upstate New York that solely rely on CHIPS for their paving program. So it would cause tremendous stress.

ASSEMBLYMAN PALMESANO: Thank you.

And one other question. During that task force, obviously we learned a lot of things. What was probably some of the most -- takeaway from that that you learned and that you applied here as a legislator and now you're now seeing it back home?

COUNTY EXECUTIVE BYRNE: So I think part of it's the partnership that we have with state government and the federal government. And it's really one transportation system.

So I heard you, you talk about every year it's about parity with the MTA. And in my county obviously I care about the Metro-North and our DOT, because I'm in that spot where we're just about an hour north of the city.

But that forward thinking, that planning and that commitment so we don't have to fight with the Legislature or advocate with the Legislature to restore cuts, whether it's in EWR, Extreme Winter Recovery -- which should really just be in the base of the

CHIPS funding -- but having that long-term vision where we were looking for, I know, a $100 million commitment in CHIPS funding each year for a five-year span, increases in BRIDGE NY funding, make sure we index it for inflation -- boy, wouldn't that make a lot of sense right now with the way that inflation has been running rampant.

ASSEMBLYMAN PALMESANO: Thank you.

ASSEMBLYMAN MAGNARELLI: Thank you. Thank you.

Member Otis.

ASSEMBLYMAN OTIS: Thank you, Mr. Chair.

Kevin Byrne, nice to see you. Always a pleasure.

I have a question for our two Adirondack panelists. Either of you can tackle this, which is in terms of salt reduction, what has been the activity of the local governments in the Adirondacks to reduce their use of road salts?

MS. BAILEY: Thank you for that question. And it's really been inspiring to

see what our municipal and our county highway departments and their town boards and county boards have been able to make possible.

There's been a lot of inspiration and motivation and a lot of learning in our region. And I'm proud to say that, again, 25 towns and counties are working with us, not to mention the ones who have been pursuing solutions on their own to reduce their use of road salt and sand.

We have seen some of our town highway departments reduce their use of chloride by 50 percent -- at the same time, bringing in 80,000 in savings to reinfuse in the department to upgrade their equipment, to help make sure operators are keeping pace with what, you know, pay should be for people in that line of work.

These folks are heroes. And I feel like they're really piloting solutions that we can bring to a state level.

ASSEMBLYMAN OTIS: Great. Thank you very much.

MS. BAILEY: Thank you.

CHAIR MAGNARELLI: I think that concludes this panel, and it concludes this hearing for the day.

I really appreciate your taking part and giving testimony, and look forward to working with you all in the coming weeks. Thank you.

CHAIRWOMAN KRUEGER: Thank you also.

(Whereupon, at 6:38 p.m., the budget hearing concluded.)