

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

3 JOINT LEGISLATIVE HEARING
4 In the Matter of the
5 2025-2026 EXECUTIVE BUDGET
6 ON TRANSPORTATION

7 Hearing Room B
8 Legislative Office Building
9 Albany, New York

10 February 6, 2025
11 9:38 a.m.

12 PRESIDING:

13 Senator Liz Krueger
14 Chair, Senate Finance Committee

15 Assemblyman J. Gary Pretlow
16 Chair, Assembly Ways and Means Committee

17 PRESENT:

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

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

22 Assemblyman William B. Magnarelli
23 Chair, Assembly Committee on Transportation

24 Senator Jeremy Cooney
Chair, Senate Committee on Transportation

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

Assemblyman Edward C. Braunstein
Chair, Assembly Committee on Corporations,
Authorities & Commissions

1 2025-2026 Executive Budget
2 Transportation
2-6-25

3 PRESENT: (Continued)

4 Assemblyman Jonathan G. Jacobson

5 Assemblyman Charles D. Fall

6 Assemblywoman Emily Gallagher

7 Assemblywoman Jessica González-Rojas

8 Assemblyman Steven Otis

9 Assemblywoman Jo Anne Simon

10 Senator John C. Liu

11 Assemblywoman Marcela Mitaynes

12 Senator Roxanne Persaud

13 Assemblyman Philip A. Palmesano

14 Assemblywoman Michaelle Solages

15 Senator Peter Oberacker

16 Assemblyman Scott Bendett

17 Assemblyman Harvey Epstein

18 Assemblywoman Claire Valdez

19 Senator Siela A. Bynoe

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1 2025-2026 Executive Budget
2 Transportation
2-6-25

3 PRESENT: (Continued)

4 Assemblywoman MaryJane Shimsky

5 Assemblywoman Jodi Giglio

6 Assemblyman Michael Durso

7 Senator Monica R. Martinez

8 Assemblyman Matt Slater

9 Assemblyman Brian D. Miller

10 Assemblyman Tony Simone

11 Assemblywoman Yudelka Tapia

12 Assemblyman George Alvarez

13 Assemblyman Alex Bores

14 Senator Cordell Cleare

15 Assemblywoman Gabriella A. Romero

16 Assemblyman Manny De Los Santos

17 Assemblywoman Larinda C. Hooks

18 Assemblyman Chris Eachus

19 Assemblyman Jake Blumencranz

20 Assemblywoman Andrea K. Bailey

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1 2025-2026 Executive Budget
2 Transportation
2-6-25

3 LIST OF SPEAKERS

4 STATEMENT QUESTIONS

5 Marie Therese Dominguez 6 Commissioner 6 NYS Department of 7 Transportation	12	22
8 Janno Lieber 8 Chairman and CEO 9 Metropolitan Transportation 9 Authority (MTA)	174	185
10 Mark J.F. Schroeder 10 Commissioner 11 New York State Department 11 of Motor Vehicles 12 -and- 12 Frank G. Hoare 13 Interim Executive Director 13 NYS Thruway Authority	324	341

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16
17
18
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21
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23
24

1 2025-2026 Executive Budget
2 Transportation
2-6-25

3 LIST OF SPEAKERS, Continued

4 STATEMENT QUESTIONS

5 James Morrell
6 President
6 NY Public Transit Association
-and-

7 Michael Burrige
8 NYS Director of Government
8 Relations
ACEC New York

9 -and-
10 Gary Prophet
10 President
10 Empire State Passengers Assn.

11 -and-
12 Richard O'Malley
12 Director of Government Affairs
-and-

13 Lisa Daglian
13 Executive Director
14 Permanent Citizens Advisory
14 Committee to the MTA

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1 2025-2026 Executive Budget
2 Transportation
2-6-25

3 LIST OF SPEAKERS, Continued

4 STATEMENT QUESTIONS

5 Colleen Thomas
6 Director, Planning and
7 Infrastructure Department
8 Saint Regis Mohawk Tribe

9 -and-
10 Matt Mustico
11 President

12 NYS Association of Town
13 Superintendents of Highways
14 -and-

15 Kevin Hajos
16 President
17 NYS County Highway Superintendents
18 Association

19 -and-
20 Walter Pacholczak
21 VP of Government Affairs
22 Associated General Contractors
23 of New York State

24 -and-
25 John Cooney, Jr.
26 Executive Director
27 Construction Industry Council of
28 Westchester & Hudson Valley, Inc.

29 -and-
30 Fred Hiffa
31 Consultant
32 Rebuild NY Now
33 478 495

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1 2025-2026 Executive Budget
 2 Transportation
 2-6-25

3 LIST OF SPEAKERS, Continued

4 STATEMENT QUESTIONS

5	Sawyer Bailey		
6	Executive Director		
	AdkAction		
7	-and-		
	Ronald L. Epstein		
8	President & CEO		
	New York Construction		
9	Materials Association		
	-and-		
10	Mark Heefner		
	President		
11	New York Aviation Management		
	Association (NYAMA)		
12	-and-		
	John Hroncich		
13	Director, North American		
	Transit Sales		
14	BAE Systems		
	-and-		
15	Kevin Byrne		
	County Executive		
16	Putnam County	522	539
17	Christopher D. Greif		
	President		
18	ADA Accessibility		
	Transportation Group	559	563
19			
20			
21			
22			
23			
24			

1 CHAIRMAN PRETLOW: I'm Gary Pretlow,
2 chair of the Assembly Ways and Means
3 Committee. Today we begin the sixth in a
4 series of hearings conducted by the joint
5 fiscal committees of the Legislature
6 regarding the Governor's proposed budget for
7 fiscal year 2025-2026.

8 The hearings are conducted pursuant to
9 the New York State Constitution and the
10 Legislative Law.

11 Today the Assembly Ways and Means
12 Committee and the Senate Finance Committee
13 will hear testimony concerning the Governor's
14 proposed budget for transportation.

15 I will now introduce participating
16 members from the Assembly. After that,
17 Senator Krueger will introduce members from
18 the Senate. In addition, ranking Ways and
19 Means Committee -- ranking member of Ways
20 and Means Ed Ra will introduce members from
21 his conference.

22 We have Transportation Chair
23 Magnarelli, Corporations Chair Braunstein.
24 Also with us we have Tony Simone, Michaelle

1 Solages -- I'm sorry, Assemblyman Simone,
2 Assemblywoman Solages, Assemblyman Epstein,
3 Assemblywoman Mitaynes, Assemblyman Alvarez,
4 Assemblyman Eachus, Assemblywoman Valdez,
5 Assemblyman Fall, Assemblywoman Tapia,
6 Assemblyman Bores and Assemblywoman Shimsky.

7 Senator?

8 CHAIRWOMAN KRUEGER: Good morning.

9 I'm Senator Liz Krueger. I'm joined by
10 chair of Transportation Jeremy Cooney;
11 Senator Leroy Comrie, chair of Corporations;
12 Senator John Liu, Senator Roxanne Persaud,
13 Senator Bynoe. And I see Senator Oberacker,
14 the ranker on Transportation.

15 Are there any other Republican

16 Senators here?

17 (No response.)

18 CHAIRWOMAN KRUEGER: Okay, it's yours.

19 CHAIRMAN PRETLOW: Assemblyman Ra?

20 ASSEMBLYMAN RA: Good morning.

21 We are joined by Assemblyman Brian
22 Miller, our ranker on Transportation, as well
23 as Assemblyman Mike Durso and Assemblyman
24 Matt Slater.

1 CHAIRMAN PRETLOW: Thank you.

2 ASSEMBLYMAN RA: And Assemblyman Scott
3 Bendett, I'm sorry.

4 CHAIRMAN PRETLOW: Now I'm going to go
5 over the rules of the road.

6 Time limits. Governmental witnesses
7 will have 10 minutes to testify.
8 Nongovernmental witnesses will have three
9 minutes.

10 The chairs of the relevant committees
11 will each get 10 minutes to question each
12 witness, with the opportunity or option of a
13 three minute follow-up at the end of
14 questioning. Ranking members of each
15 committee will each get five minutes. All
16 other members of the relevant committees will
17 get three minutes each.

18 To all witnesses. All written
19 testimony has been submitted to the
20 Legislature in advance so we ask that all
21 witnesses please do not read your written
22 testimony to us. Instead, please summarize.

23 To all legislators. Please let myself
24 or Senator Krueger know if you wish to

1 question a witness or panel of witnesses.
2 After opening remarks of each witness or
3 panel of witnesses has been concluded, the
4 list will be closed.

5 To everyone. Witnesses and
6 legislators should locate a time clock and
7 keep an eye on it. Please note that when the
8 clock turns to zero, you will be alerted that
9 your time is up.

10 Please be considerate and respect the
11 clock so that everyone has a chance to be
12 heard. When you see the yellow light come
13 on, that means you have 30 seconds to finish
14 your question or your response -- or
15 actually, your response.

16 Please note that these time frames for
17 questioning include both questions and
18 answers. So members are respectfully
19 requested not to commence a new question with
20 insufficient time on the clock to permit a
21 witness to answer.

22 Due to the length of our hearings, we
23 have no alternative but to strictly enforce
24 these time limits.

1 I should add that any witness for
2 later in the day who is here and has not
3 checked in, please do so at the top of the
4 stairs.

5 With that, we will begin with
6 Commissioner of Transportation Ms. Therese --
7 no, I'm sorry, Ms. Dominguez.

8 Okay, good morning.

9 CHAIRWOMAN KRUEGER: Good morning.

10 DOT COMMISSIONER DOMINGUEZ:
11 Chairpersons Krueger, Pretlow, Cooney and
12 Magnarelli, and members of the State
13 Legislature joining us today. On behalf of
14 Governor Kathy Hochul, I'd like to thank you
15 for the opportunity to talk about the
16 Department of Transportation, the critical
17 work that we do, the diverse communities we
18 serve and, most importantly, the amazing
19 people who make it all happen.

20 It's New York State DOT's 8400+
21 dedicated employees: Snowplow drivers, who
22 are out and have been out all night, for
23 those of you coming in this morning;
24 mechanics, environmental specialists, drill

1 rig operators, engineers, motor carrier and
2 rail inspectors -- every member of our team.
3 They are truly our most important asset.
4 They are the ones who keep New Yorkers
5 moving -- safely.

6 Last year, more than 2800 lane-miles
7 of state and local highways were improved,
8 and more than 3100 bridges were replaced,
9 rehabilitated or improved, thanks to the
10 support of Governor Hochul and our partners
11 here in the Legislature. That vital work
12 continues in 2025.

13 Why? Because transportation moves
14 New York Forward. Private-sector employment
15 in New York increased by more than 7,000 jobs
16 in December alone, with the unemployment rate
17 at 4.4 percent. One key reason for that is
18 the historic investments being made in
19 infrastructure, which generate an estimated
20 13 jobs for every million dollars invested.

21 New York, under Governor Kathy Hochul,
22 is making nation-leading investments to
23 modernize our infrastructure, reconnect and
24 revitalize our communities, and grow our

1 economy. The people of New York are always
2 Governor Hochul's priority. She is always
3 working to make our state a safer and more
4 affordable place to live and work.

5 NYSDOT shares this vision and is
6 making it a reality by putting people at the
7 center of our transportation planning. With
8 the largest five-year capital plan in NYSDOT
9 history, currently proposed at \$34.1 billion,
10 our infrastructure is being transformed and
11 new jobs are being created across New York
12 every single day.

13 That growth will only continue with
14 the investments being put forward by the
15 Governor in this year's budget. DOT's
16 capital plan includes hundreds of road and
17 bridge projects that will enhance safety and
18 improve quality of life for residents in
19 every corner of the state. It is also
20 uniting communities long divided by concrete
21 highways -- undoing the planning mistakes of
22 the past, and providing new opportunities for
23 growth. It will certainly transform the
24 state's infrastructure, creating a safer,

1 healthier, and more sustainable New York.

2 We see that already in places like
3 Rochester, where the Inner Loop Project has
4 revitalized downtown neighborhoods, and in
5 Syracuse, where the project to remove the
6 Interstate 81 viaduct is generating jobs,
7 economic development, and a new vibrancy in
8 and around Central New York.

9 Here in the City of Albany, the
10 Governor's budget includes funds to begin the
11 environmental review process to reimagine the
12 Interstate 787 corridor and provide greater
13 access to the Hudson River. DOT is also
14 connecting the cities of Albanauer -- Albany
15 and Rensselaer -- maybe that's a new way of
16 calling it --

17 (Laughter.)

18 DOT COMMISSIONER DOMINGUEZ: -- Albany
19 and Rensselaer with a new Hudson River
20 crossing which will provide more reliable
21 train service by replacing the Civil War-era
22 Livingston Avenue Bridge.

23 In the South Bronx, we have begun the
24 environmental review process for a project to

1 repair and replace five bridges along the
2 Cross Bronx Expressway that have reached the
3 end of their service life. This safety
4 project, which is still in the design phase,
5 is foundational to our efforts to "Reimagine
6 the Cross Bronx" corridor, and we are
7 committed to meaningful community engagement
8 throughout the process.

9 Simultaneously, the Governor's budget
10 also contains funding to build on the work of
11 the Reimagine the Cross Bronx Visioning Study
12 and further assess options to reimagine how
13 we better connect the community, including
14 capping portions of the highway.

15 In Manhattan, we're commencing a study
16 on the West Side Highway to identify existing
17 needs and potential enhancements to better
18 serve all users of the system, including
19 pedestrians and cyclists.

20 In Western New York, the DOT is
21 embarking on a project to enhance safety at
22 an intersection in the fast-growing town of
23 Orchard Park, home of the Buffalo Bills,
24 where the construction of a roundabout along

1 Armor Duells Road is contemplated.

2 More than \$90 million will be spent on
3 projects to repave the Long Island Expressway
4 from the Nassau/Queens line to Exit 48 in
5 Suffolk County.

6 And in the Western Southern Tier we
7 will begin a \$57 million Gateway Connection
8 Project which will revitalize downtown
9 Hornell.

10 We're also making our infrastructure
11 more resilient with projects like the
12 \$26 million project in Westchester County to
13 raise Annsville Circle in the Town of
14 Cortlandt and to prevent flooding.

15 To achieve the objectives of DOT's
16 capital plan, the Governor's Executive Budget
17 includes an additional \$800 million to ensure
18 that the department has the purchasing power
19 it needs to make these projects a reality.

20 Additionally, there's \$100 million to
21 maintain CHIPS and State Touring Routes,
22 bringing the overall state investment to more
23 than a billion dollars in local assistance.
24 That's the largest amount of funding for

1 localities ever provided in a NYSDOT capital
2 plan and represents an increase of 85 percent
3 over the last plan.

4 Governor Hochul is also a big
5 supporter of mass transit. Transit Operating
6 Aid, under the Executive Budget proposal, is
7 projected to be over \$9 billion for statewide
8 transit systems.

9 Investing in transit and clean
10 technology is critical to achieving our
11 sustainability goals. The Regional Transit
12 Service in Rochester recently unveiled two
13 new hydrogen fuel cell electric buses with
14 support from the state, and this budget
15 proposes \$100 million in additional non-MTA
16 transit capital funding for similar
17 initiatives, with \$20 million to help transit
18 providers transition to zero-emission fleets.
19 This builds upon the \$100 million in state
20 funding under our Zero-Emission Transit
21 Transition Program, otherwise known as ZETT,
22 which the Governor just announced.

23 Ensuring affordable, reliable train
24 service is also a cornerstone of this budget,

1 which includes \$25 million to improve rail
2 service in the Hudson Valley, a region that
3 is experiencing some of the state's fastest
4 growth and is home to several major employers
5 and popular destinations, including LegoLand.

6 The Governor's vision includes
7 game-changing investments in upstate
8 airports, with work continuing under the
9 \$230 million Upstate Airport Economic
10 Development and Revitalization Competition.

11 And of course it's the dedicated men
12 and women at NYSDOT who make all of these
13 achievements possible. And that's why we
14 will continue to put a premium on worker
15 protection. Our maintenance workers operate
16 in inherently dangerous conditions, as we
17 witnessed with the tragic deaths of two
18 Thruway Authority workers last year. And
19 with the frightening video -- which many of
20 you may have seen -- of our own DOT worker
21 who was working down in the Southern Tier and
22 was nearly killed when a box truck driver was
23 distracted and ran off the road.

24 With your help, DOT implemented an

1 Automated Work Zone Speed Enforcement Pilot
2 Program to get New Yorkers to slow down in
3 work zones. Since the launch of the program
4 in 2023, there have been no recorded worker
5 injuries or fatalities in areas where we
6 deployed the program. And in locations where
7 the cameras have been present more than once,
8 fewer notices of violation are being issued,
9 meaning that people are slowing down.

10 The bottom line is the program is
11 working. The Governor's budget proposes to
12 make this pilot program permanent, and with
13 support from the Legislature we will do just
14 that.

15 In addition, the budget proposes
16 extending existing legislation to protect our
17 highway maintenance workers from assault and
18 harassment. We must do all we can to keep
19 our people safe, because they truly are the
20 ones who are out there on the roads every day
21 keeping us safe.

22 Our maintenance workers are also on
23 the frontlines against another menace --
24 climate change, which is increasing the

1 frequency and severity of weather events and
2 truly battering our roads, bridges and
3 culverts.

4 And there's no state that does snow
5 and ice and emergency response better than
6 New York State. New Yorkers see our DOT team
7 out there all the time, plowing in the frigid
8 weather, repairing damage from tropical
9 storms and tornados, fixing traffic lights,
10 bridges and culverts. We're out there
11 24/7/365. We're on it.

12 As I have stated, the New York State
13 Department of Transportation is integral to
14 the fabric of every community in New York
15 State. We keep New Yorkers on the move, and
16 we work to provide an accessible, reliable
17 and affordable transportation network that
18 drives our economy forward and, above all,
19 keeps people safe.

20 On behalf of Governor Kathy Hochul, I
21 look forward to working with you in each of
22 your communities as DOT continues to carry
23 out our critical mission and, together, we
24 move New York Forward.

1 CHAIRMAN PRETLOW: Assemblyman
2 Magnarelli, 10 minutes.

3 ASSEMBLYMAN MAGNARELLI: Good morning,
4 Commissioner. How are you?

5 DOT COMMISSIONER DOMINGUEZ: Good
6 morning, sir.

7 CHAIRMAN PRETLOW: Not a great day to
8 be the DOT commissioner --

9 (Laughter.)

10 ASSEMBLYMAN MAGNARELLI: -- and I'm
11 sure there's a lot of people out there who --
12 well, we all got here, so it be must have
13 been okay. All right? Well, thank you for
14 being here.

15 First of all, I'm going to get right
16 into the questions, not a lot of background,
17 okay?

18 The Executive proposal includes an
19 additional \$800 million in the DOT capital
20 plan to restore purchasing power. Is this
21 funding sufficient to restore the purchasing
22 power for the remainder of the capital plan,
23 or will another appropriation to restore the
24 purchasing power be required next year?

1 DOT COMMISSIONER DOMINGUEZ: The
2 Governor has put forward \$800 million to
3 restore our purchasing power, and indeed it
4 goes -- it is that amount of money that we
5 need to actually move forward our purchasing
6 power. We've seen all of the effects of
7 supply chain and other issues, COVID,
8 et cetera. We need to make sure that we
9 restore the ability for DOT to complete this
10 capital plan.

11 ASSEMBLYMAN MAGNARELLI: Well, we
12 don't disagree with that. I just wonder if
13 it's enough, or will we be looking at this
14 again next year? Which isn't a problem, it's
15 just a question.

16 DOT COMMISSIONER DOMINGUEZ: Sir, if I
17 had a crystal ball and were able to predict
18 everything, that would be one thing. But I
19 think that the amount that the Governor has
20 put forward is indeed a huge step in the
21 right direction to actually resolve a number
22 of issues.

23 ASSEMBLYMAN MAGNARELLI: That kind of
24 gets into my next question. Has inflation

1 slowed down the implementation of the capital
2 plan to date, up to now? How has this issue
3 been addressed up to this point without the
4 \$800 million? Are we behind?

5 DOT COMMISSIONER DOMINGUEZ: What we
6 do at New York State DOT is actually track
7 the cost indices for all of our materials,
8 whether it's steel, concrete, asphalt, fuel,
9 et cetera.

10 So regardless of what the supply chain
11 looks like or what some of the other
12 inflationary factors have looked like, you
13 know that DOT is delivering on our
14 commitments under the capital plan. That
15 commitment --

16 ASSEMBLYMAN MAGNARELLI: So we're not
17 getting behind in projects or not being able
18 to start projects or --

19 DOT COMMISSIONER DOMINGUEZ: What
20 we've been able to do very successfully is
21 make sure the projects that are contained in
22 the MOU, the agreement between the Executive
23 and the Legislature for the five-year capital
24 plan, those projects are being executed.

1 If we run into any concern -- it could
2 be we dig and we find something, a geological
3 impediment, et cetera -- and it's going to
4 delay the project and we know that it's not
5 going to happen in this capital plan, we have
6 other projects we can pull in to deliver on
7 the same commitments that the Legislature
8 made with the Executive, regardless of where
9 it is in the state.

10 ASSEMBLYMAN MAGNARELLI: Okay. Let's
11 move over to non-MTA mass transit capital.
12 The proposed fourth year of the capital plan
13 includes 220 million for non-MTA mass transit
14 capital, an increase of \$100 million above
15 the approved fourth year funding level.

16 Is this the level of funding targeted
17 toward -- is this level of funding targeted
18 the maintenance and the normal replacement of
19 assets? Or is it your expectation that this
20 level of funding would improve service?

21 DOT COMMISSIONER DOMINGUEZ: It should
22 do both, sir.

23 ASSEMBLYMAN MAGNARELLI: It should do
24 both? Okay.

1 The Executive proposal continues to
2 provide \$20 million for electric bus
3 procurements. The previous funding for this
4 program was allowed to accumulate for
5 five years before it was made available.
6 When do you expect this new funding to be
7 made available?

8 DOT COMMISSIONER DOMINGUEZ: We
9 actually have a solicitation out, so it
10 will -- the electric buses, what we tried to
11 do is make sure that we garnered enough money
12 together so that it would be a meaningful
13 notice of financial opportunity, a NOFO that
14 was available to all the transit agencies.
15 So when we actually did put out the
16 solicitation for electric vehicles, it was
17 significant.

18 In addition to all of that, like I
19 said in my testimony, we also just put out a
20 new program called ZETT, which is also aimed
21 for the non-MTA transit authorities,
22 \$100 million available for them to apply for
23 zero-emission vehicles.

24 As well as facilities, charging

1 equipment, a lot of other -- the component
2 parts that go into not just the purchase of
3 an electric bus, but all of the accompanying
4 materials that they might need access to.

5 ASSEMBLYMAN MAGNARELLI: Okay, thank
6 you.

7 Reconnecting communities. The
8 Executive proposal includes \$75 million to
9 advance plans to reconnect communities
10 divided by 787 and the Cross Bronx
11 Expressway. I'm going to leave that for
12 other people, because I know you're going to
13 get questions on that.

14 But I have questions on some other
15 plans. What is the status of Route 17?

16 DOT COMMISSIONER DOMINGUEZ: The --
17 which portion of Route 17? Is it the
18 17-to-86 project?

19 ASSEMBLYMAN MAGNARELLI: Yeah.

20 DOT COMMISSIONER DOMINGUEZ: So there
21 is a -- we have a very large project underway
22 down in the Hudson Valley to convert Route 17
23 to interstate standards, otherwise known as
24 86. We've been working on it, on the

1 environmental process. We've conducted
2 almost 50 outreach meetings over the course
3 of the environmental review process. And we
4 are advancing the project.

5 ASSEMBLYMAN MAGNARELLI: So it's
6 moving along.

7 DOT COMMISSIONER DOMINGUEZ: It is
8 moving along. And I have every expectation
9 that it will be literally commenced before
10 the end of this capital plan.

11 ASSEMBLYMAN MAGNARELLI: I'm trying to
12 stay within the 10 minutes, so pardon me,
13 okay?

14 The Kensington Expressway project has
15 faced judicial roadblocks. What is the
16 status of that project?

17 DOT COMMISSIONER DOMINGUEZ: It is
18 currently in litigation, awaiting a judicial
19 decision.

20 ASSEMBLYMAN MAGNARELLI: So it's kind
21 of stopped at this point.

22 DOT COMMISSIONER DOMINGUEZ: At this
23 point in time we're waiting for the judge to
24 rule.

1 ASSEMBLYMAN MAGNARELLI: When will
2 Hunts Point Access Project be completed? And
3 I've got to be honest, I don't even know what
4 that is.

5 DOT COMMISSIONER DOMINGUEZ: Hunts
6 Point Access Project is actually a really
7 exciting project that was done in multiple
8 phases down in New York City, trying to get
9 trucks off the local roads in the Bronx and
10 give them a more streamlined access to the
11 market.

12 And we'll be completed with the next
13 phase here this year, in 2025.

14 ASSEMBLYMAN MAGNARELLI: It will be
15 completed this year.

16 DOT COMMISSIONER DOMINGUEZ: Yes.

17 ASSEMBLYMAN MAGNARELLI: Well,
18 somebody's going to be happy.

19 DOT COMMISSIONER DOMINGUEZ: It's on
20 time and maybe a little ahead of time.

21 ASSEMBLYMAN MAGNARELLI: My favorite,
22 I-81.

23 DOT COMMISSIONER DOMINGUEZ: Yes, sir.

24 ASSEMBLYMAN MAGNARELLI: Are we on

1 time? Are we on point, moving right along?
2 We're going to be done in 2028?

3 DOT COMMISSIONER DOMINGUEZ: I will
4 tell you that given the delays that we
5 experienced at the very beginning of the
6 project due to litigation, which we overcame,
7 we are moving on all engines on -- firing on
8 all engines on the Interstate 81 project.

9 ASSEMBLYMAN MAGNARELLI: So do you
10 think it might be a little longer than 2028?

11 DOT COMMISSIONER DOMINGUEZ: Yes, sir,
12 because of the delay that we had from -- we
13 had a year's worth of litigation that put us
14 behind.

15 ASSEMBLYMAN MAGNARELLI: So that could
16 mean a year, two years?

17 DOT COMMISSIONER DOMINGUEZ: I don't
18 expect that it will be --

19 ASSEMBLYMAN MAGNARELLI: It
20 fluctuates?

21 DOT COMMISSIONER DOMINGUEZ: --
22 extended delay, but we started a year later
23 than we anticipated because of the
24 litigation.

1 ASSEMBLYMAN MAGNARELLI: No, I
2 understand. Right.

3 And finally, the Rochester Inner Loop
4 Project recently received a \$100 million
5 federal grant?

6 DOT COMMISSIONER DOMINGUEZ: Yes, sir.

7 ASSEMBLYMAN MAGNARELLI: Is this in
8 line with the assumed federal funding level
9 for this project, and can it be completed
10 within the current capital plan funding
11 level?

12 DOT COMMISSIONER DOMINGUEZ: We're
13 working with the City of Rochester, who's
14 actually executing the project. But that's
15 the goal.

16 ASSEMBLYMAN MAGNARELLI: Okay.
17 Centro. Okay, that's my bus company, bus
18 authority in Onondaga County, Oneida.

19 DOT COMMISSIONER DOMINGUEZ: Yes.

20 ASSEMBLYMAN MAGNARELLI: Okay.
21 They're going to take over the Cortland
22 County public transit system. That's going
23 to be added to Centro. Will Centro need
24 additional funding to integrate Cortland's

1 transit system?

2 DOT COMMISSIONER DOMINGUEZ: I'm not
3 aware of what their financial requirements
4 are right now. I do know that they're
5 looking at doing that. I know that our
6 office has been helping facilitate those
7 discussions to understand what may be needed.

8 We've seen a number of consolidations
9 across the upstate transit authorities, and
10 our office has been very --

11 ASSEMBLYMAN MAGNARELLI: Well, if they
12 didn't step in, there wouldn't have been any
13 bus service in Cortland.

14 DOT COMMISSIONER DOMINGUEZ: Correct.
15 So we want to make sure that there's --

16 ASSEMBLYMAN MAGNARELLI: And that
17 entity basically was bankrupt. So my feeling
18 is it's going to need some money. I don't
19 want -- I want to provide that service in
20 Cortland, but at the same time I don't want
21 service to deteriorate in the rest of the
22 Centro catch basin, so to speak.

23 DOT COMMISSIONER DOMINGUEZ: Well, I
24 think we all share the same objectives. And

1 the question is, is how do we make sure that
2 we facilitate that level of service.

3 ASSEMBLYMAN MAGNARELLI: I want you to
4 keep an eye on it for me.

5 DOT COMMISSIONER DOMINGUEZ: Yes.

6 ASSEMBLYMAN MAGNARELLI: Thank you.
7 Bridges. One minute. I get another chance,
8 so I can come back on this. Highway pavement
9 conditions improved to 57.9 percent in the
10 good to excellent condition in 2022, a
11 1.1 percent increase. Highway bridge
12 conditions got worse. Okay? They went from
13 64 percent -- they went from 66.3 percent to
14 64 percent.

15 Is there a highway and bridge
16 condition report ready for 2023? And what is
17 that going to show us, do you think?

18 DOT COMMISSIONER DOMINGUEZ: There's a
19 report that we do called the Graber Report on
20 Bridges, and we're working to finalize it
21 now. That should be out soon.

22 But you have -- we shared that with
23 the Legislature last year, so you've got the
24 historic analysis of our bridge conditions.

1 ASSEMBLYMAN MAGNARELLI: Okay. Well,
2 thank you very much and --

3 DOT COMMISSIONER DOMINGUEZ: And we
4 report -- oh, sorry.

5 ASSEMBLYMAN MAGNARELLI: We made it.
6 Thank you. I'll be back.

7 CHAIRMAN PRETLOW: Thank you.
8 Senator?

9 CHAIRWOMAN KRUEGER: Thank you. Our
10 chair, Jeremy Cooney, 10 minutes.

11 SENATOR COONEY: Thank you, Chair.
12 And good morning, Commissioner.

13 DOT COMMISSIONER DOMINGUEZ: Good
14 morning.

15 SENATOR COONEY: And let me start by
16 saying thank you to you and your team for
17 your help in this transition as I take on
18 this new role in Transportation.

19 Also, thank you and your workers for
20 getting us here safely and for your focus on
21 worker safety overall, an important part, and
22 we're glad to see that reflected in
23 Governor Hochul's budget.

24 Let me start by publicly stating my

1 support for the 800 million increase in the
2 state DOT's capital budget. As Chair
3 Magnarelli talked about, this is an important
4 part, an important investment of our core
5 projects and getting those projects finished.

6 But could you comment specifically on
7 the record about how many of these projects
8 would not have been able to have come to
9 completion if we did not have this
10 800 million proposed in the Executive Budget
11 for the core work that was originally part of
12 the DOT plan?

13 DOT COMMISSIONER DOMINGUEZ: So our
14 goal at New York State DOT is always to
15 complete the agreements that are made within
16 the capital plan every year. I can't
17 speculate to understand exactly, you know,
18 what that would be, given where we are. But
19 the bottom line is that we work every day to
20 maximize the dollars that are provided to us
21 by the Governor and the Legislature. And in
22 doing so, you know, everybody encounters a
23 number of questions along the way -- the
24 national economy, factors that influence it

1 along the way. And so the fact that the
2 Governor put forward \$800 million to make
3 sure that we have our buying power restored
4 really does allow DOT to execute to its
5 fullest over the course of this five-year
6 capital plan.

7 SENATOR COONEY: And we get lots of
8 questions, as you know, as I'm sure your team
9 does as well, about the status of these roads
10 and the maintenance of these roads and making
11 sure that our state roads are safe for
12 travelers.

13 So let's move on and talk about the
14 materials as part of those roads. We know
15 that in 2023 there was an engineering
16 bulletin, 23-008, issued in March of that
17 year, which addressed streamlining the
18 pavement type selection guidance. In other
19 words, I'm not coming with a specific agenda
20 in terms of what types of material are used,
21 but rather supportive of a mix that allows us
22 to achieve our climate goals as well as find
23 savings, hopefully, for taxpayers, to allow
24 these roads to be completed safely and

1 timely, but to maximize the dollars that we
2 spend as part of the capital plan.

3 Can you comment upon your focus on
4 resilient pavement types and what you're
5 doing to address this?

6 DOT COMMISSIONER DOMINGUEZ: I would
7 be happy to. It's something that New York
8 State DOT has taken on and very much
9 embraced -- not only the CLCPA requirements
10 that the state is working towards, but also
11 it's a particular factor in how we operate.

12 So construction materials. So what
13 are we doing. We're piloting the 20 percent
14 goal right now related to use of recycled
15 materials, making sure that they meet
16 performance standards. We're looking at
17 recycled asphalt pavement. We look at warm
18 asphalt mixes and how do we incorporate them.

19 Our engineering instruction that you
20 actually referred to is the guideline by
21 which we make sure -- and we build this into
22 our contracts -- that contractors have to use
23 these materials. Portland cement concrete,
24 recycled glass, reclaimed fly ash. These are

1 just samples of some of the construction
2 materials that we're utilizing.

3 And in particular, we just won, and I
4 really hope the federal government comes
5 through on their commitment, a grant
6 acknowledging New York State DOT -- USDOT
7 provided us grant funding to advance this
8 investment in low-carbon materials.

9 SENATOR COONEY: Well, that's
10 terrific. And I think, you know, in addition
11 to environmental factors, we also want to
12 consider durability factors. And so we know
13 that some materials have a longer lasting
14 period than others, and we want to make sure
15 that we're finding that mix in all of these
16 projects so that we can make the investments
17 where the most critical needs are. So I
18 appreciate that work and very hopeful for
19 that grant, Commissioner.

20 So we've talked about the plan and the
21 projects and the roads, but let's talk about
22 the vehicles that go on those roads. And I
23 want to talk about my support for public
24 transportation. We know that due to the good

1 efforts of Governor Hochul and her economic
2 development plan, a lot of these companies
3 that are coming to communities outside of
4 New York City -- talk about Micron in Central
5 New York, but also in my district in the town
6 of Gates, the new Amazon distribution
7 facility. They're locating outside of center
8 cities. And we want to make sure that we're
9 connecting workers to these economic
10 opportunities -- specifically, workers who
11 are often left behind. Right? Communities
12 of color, low-income populations. How do we
13 connect underserved communities to the
14 economic opportunities that we as a state are
15 working towards?

16 Can you give your thoughts on the role
17 of -- public transportation's role in making
18 sure that these workers have that economic
19 impact?

20 DOT COMMISSIONER DOMINGUEZ: So I
21 think it's integral. Right? We always want
22 to make sure that if we're fortunate enough
23 to have an employer anywhere in New York
24 State that is providing access to jobs,

1 that's providing an economic development
2 opportunity for our communities.

3 And so working with the transit
4 authorities in every portion of the state,
5 certainly the non-MTA elements, we want to
6 make sure that we do provide that level of
7 service in transit. The transit agencies
8 themselves undertake exhaustive study and
9 analysis about where those ridership trends
10 are. We are very much in support of
11 additional opportunities, and we've got them
12 built into our capital plan. How do we
13 expand, for instance, bus rapid transit? How
14 do we make sure we've got an innovative
15 ability fund that's actually looking to try
16 and do some of those elements. And I know
17 you're a big supporter of that as well.

18 SENATOR COONEY: I appreciate you
19 mentioning BRTs, or bus rapid transit lines.
20 I'm thrilled that Albany has kind of led the
21 way here, but I know that Syracuse and
22 Buffalo and hopefully Rochester are going to
23 be moving in that direction.

24 That's going to take funds. I am

1 proposing an additional \$5 million fund that
2 would allow these worker connections to take
3 place, what I call the Worker Access Transit
4 Fund, so that companies in all parts of
5 New York State have access to work with their
6 public transit authority to create those
7 direct routes for workers. And ultimately I
8 think that will help with economic growth
9 across the state. More information on that
10 later.

11 But again, I think STOA is the
12 underlying opportunity here. The Governor
13 has put forth a 3.4 percent increase. We're
14 thrilled by that. Obviously she continued
15 the legislative adds from last year. We're
16 really pleased that she recognizes this
17 value. But I think that kind of similar to
18 what we talked about with the DOT capital
19 plan and the inflationary factors there,
20 there are inflationary factors that impact
21 the ability to operate these public transit
22 systems. And I'm not quite sure that 3.4
23 gets us to where we need to be. I think
24 we're going to be pushing for additional

1 resources so that we can do those BRT lines
2 and some of the other innovative approaches
3 for operations, not just in RTS in Rochester,
4 but across transit systems in New York.

5 I know that Chair Magnarelli mentioned
6 earlier some expansion opportunities in
7 Centro, and obviously we've done that
8 successfully here in the Albany area with the
9 expansion of CDTA into Montgomery County. So
10 we want to continue to provide those
11 opportunities to New Yorkers wherever they
12 may be.

13 In my remaining two minutes I would be
14 remiss if I did not talk about our
15 opportunities to expand mass transit, and of
16 course that means my interest in high-speed
17 rail. Let me thank Deputy Commissioner Ho
18 for her work and her team's work in making
19 sure that we are advancing those Corridor ID
20 studies that came through the Bipartisan
21 Infrastructure Act.

22 Now, we're hopeful that federal funds
23 will continue to allow us to make those
24 investments in rail, but I still believe

1 very, very much that there's an opportunity
2 for New York to lead when it comes to
3 high-speed rail, specifically in connecting
4 the City of Toronto with the City of
5 New York. And, of course, thinking about
6 this in an analogous way with the Erie Canal
7 uplifting the communities in between and
8 creating opportunities for economic growth,
9 trade and population recentering.

10 And so I'm hoping that you could
11 comment if there are additional studies
12 available, whether it's a formal Corridor ID
13 study or research out there that looks at
14 alternative routes. As opposed to just
15 looking at the Amtrak CSX train track route,
16 are there additional parts of state land that
17 we have either right of way access to or that
18 we could have right-of-way access to, to
19 explore the creation of high-speed rail
20 across upstate New York? In addition to what
21 we're doing with the 90B plan for
22 higher-speed rail.

23 DOT COMMISSIONER DOMINGUEZ: Okay. So
24 a couple of things.

1 First, I just wanted to make sure, on
2 the transit question that you asked, there is
3 \$220 million in this year's Executive Budget
4 for non-MTA transit capital funding. That's
5 a 100 million increase to non-MTA transit
6 systems, both upstate and downstate. So I
7 just wanted to make sure, as part of the
8 discussion with regard to expanding transit
9 access, that is included in the budget.

10 With regard to high-speed rail and
11 what you're referring to, the department has
12 taken a very exhaustive approach, completing
13 a Tier 1 EIS with the Federal Rail
14 Administration which set the groundwork for a
15 look at everything that we could possibly do,
16 including, you know, exactly where potential
17 right-of-ways could go. That led to a
18 Corridor ID program that we are now
19 officially in, and hope to expand on that
20 investment.

21 CHAIRMAN PRETLOW: Thank you, Madam
22 Commissioner.

23 Assemblyman Miller.

24 ASSEMBLYMAN MILLER: Good morning,

1 Commissioner. I just want to thank you for
2 your testimony and I want to give a shout out
3 to all the DOT employees who are out there
4 fighting this adverse storm and weather we
5 have right now. I just came in from
6 New Hartford, south of Utica, and they're
7 doing a top-notch job, and along the Thruway
8 corridor too. And I'm just glad everybody is
9 well-behaved. So it was a safe trip there,
10 and I'm sure that the employees will be happy
11 to hear that.

12 I've got a lot of questions -- a lot
13 of the questions were already asked, so I'm
14 going to take a little different direction in
15 some of these here. And I'd like to start
16 out with electric vehicles.

17 As the attempt at adoption of electric
18 vehicles increases, does the department plan
19 to introduce new road wear-and-tear studies
20 specific to the impacts of the heavier
21 vehicle weights?

22 DOT COMMISSIONER DOMINGUEZ: So we
23 have -- we've done a number of things, but
24 first and foremost our engineers have taken a

1 very exhaustive look at what our existing
2 requirements are right now, and -- for the
3 state system. We've also undertaken some
4 studies with some local communities as well.

5 For the existing state system, our
6 engineers are basically coming back saying
7 our standards and our specs accommodate any
8 sort of additional weight that might be on
9 electric vehicles. We're already building to
10 a standard that would accommodate what could
11 be coming.

12 ASSEMBLYMAN MILLER: So all this
13 engineering work will aid to determining the
14 adjustments we're going to have to make in
15 our paving programs, in our bridge designs
16 along the way.

17 DOT COMMISSIONER DOMINGUEZ: I guess
18 what I'm trying to say is that it already is
19 accounted for, and so we are building,
20 presently our specs account for it already.

21 Now, I can say that there are probably
22 some local roads where currently buses can't
23 even go down or trucks might not be able to
24 access them because just the nature of -- you

1 know, they're not heavily traveled, they're
2 not built to the state standard.

3 I'm just trying to make a distinction
4 between the state requirements that I'm
5 talking about and how we're building to those
6 standards, versus there may be one or two,
7 you know, roads in a community, et cetera,
8 that might not be at that same level. So I
9 want to distinguish between the state system
10 and other local systems.

11 ASSEMBLYMAN MILLER: Okay, that brings
12 me right into my second question right here.
13 You know, I understand the department is
14 obligated to annually release several reports
15 on the highway pavement and bridge condition
16 report, capital program letting and
17 implementation report, capital program
18 accomplishments report, and so on and so on.
19 Are these reports available to all of us here
20 so we can -- you know, when we're asked?

21 Because, you know, a lot of our
22 offices get questions from different zones
23 on -- on their infrastructure may be lacking
24 in the Hudson Valley compared to the

1 infrastructure in the western part of the
2 state. So when we get that, we don't have
3 that information available at our fingertips,
4 so.

5 DOT COMMISSIONER DOMINGUEZ: We make
6 the reports available and have made them
7 available. So our bridge condition report,
8 which was what Assemblymember --
9 Chairman Magnarelli was asking me about, the
10 Graber report will be out -- the latest
11 update will come out here shortly. We're
12 working on finalizing it right now. But
13 you've got historic data that's available.

14 In addition, we provide quarterly
15 reports on how we're proceeding through our
16 capital plan. So all of that is available to
17 the legislative members.

18 ASSEMBLYMAN MILLER: Okay. I'd like
19 to go right over to our capital plan,
20 \$800 million increase. You know, it's an
21 inflation factor increase. How was that
22 determined? You know, what was the thought
23 process through that?

24 You know, I know we picked a number

1 that we -- you know, that our aggregate
2 costs are more, our labor costs are more,
3 et cetera, et cetera. I guess -- can you
4 elaborate?

5 DOT COMMISSIONER DOMINGUEZ: All those
6 factors are taken into account and looked at
7 how do we actually make sure that we are able
8 to deliver on the commitments that were made
9 under the five-year capital plan.

10 ASSEMBLYMAN MILLER: Okay, and on the
11 CHIPS, which that's our lifeblood up here in
12 upstate New York. You're saying there's a
13 hundred million dollar increase in the plan.
14 That's basically where we're starting flat.

15 And I know the highway -- the county
16 highway people, the town highway people
17 are -- you know, they're looking for,
18 minimum, a \$250 million increase in the CHIPS
19 programs. You know, right now we're barely
20 funding the decline in New York State. And
21 you know, I know we're trying to get ahead of
22 the game, but at this level it's not going --
23 it's not going to be there.

24 I'll come back.

1 CHAIRMAN PRETLOW: Senator?

2 CHAIRWOMAN KRUEGER: Thank you.

3 Next will be Chair Comrie for
4 10 minutes.

5 SENATOR COMRIE: Thank you.

6 Good morning, Commissioner.

7 DOT COMMISSIONER DOMINGUEZ: Good
8 morning, sir.

9 SENATOR COMRIE: Thank you for your
10 great work. I've enjoyed working with you
11 over the past few years. You've been very
12 responsive, and your agency has always sought
13 to try to find solutions, so I want to thank
14 you.

15 My throat just got wet on me.

16 I just wanted to ask you a couple of
17 questions regarding the -- how much is
18 New York spending on widening highways this
19 decade to include the capacity to include the
20 broadband cable while you're putting in the
21 roadways? How much -- I've been asking you
22 for the last couple of years to try to help
23 bridge the divide for last mile, first mile
24 upstate, to put in cable while you're adding

1 new roadways upstate.

2 How much of that is happening?

3 DOT COMMISSIONER DOMINGUEZ: Yes, sir.

4 We're looking at where there's opportunity
5 and where there's need. We do do that,
6 especially when there's companies or
7 communities that are interested in expanding
8 on that.

9 We also do it for -- we're also --
10 there's specific projects that we're looking
11 at, not just broadband but also how can we
12 also facilitate renewable energy.

13 SENATOR COMRIE: Okay. Have you been
14 working with the Thruway Authority with
15 access, to be able to get high-speed cable
16 from them to move to these projects, to these
17 different areas to bring broadband cable and
18 high-access opportunities to upstate?

19 DOT COMMISSIONER DOMINGUEZ: We work
20 with the Thruway on a daily basis. I -- I
21 couldn't point to a specific fiber or conduit
22 project, but I'm sure there. I'm sure if I
23 ask my right-of-way unit they would say they
24 are.

1 SENATOR COMRIE: Okay. And you --
2 also you mentioned the issues -- I'll switch
3 to another topic. But I would hope that you
4 continue to expand your opportunities to work
5 with the Thruway to put broadband upstate so
6 we can solve the last mile, first mile in
7 those communities.

8 In the South Bronx you said you
9 started the environmental review process for
10 the five bridges across the Cross Bronx
11 Expressway. Could you expand on that a
12 little bit?

13 DOT COMMISSIONER DOMINGUEZ: Yes, sir.
14 So we have -- we're working on two projects
15 simultaneously. The first is a project to
16 rehabilitate and/or replace five bridges
17 along just over a mile section of the
18 Cross Bronx. Those bridges have literally
19 come to the end of their useful life, and we
20 need to make sure that we rehab and/or
21 replace all five of them.

22 That project is foundational to the
23 work that we're also advancing with the City
24 of New York to reimagine the Cross Bronx.

1 We've undertaken a visioning study to really
2 trying to conceptualize what could the future
3 of the Cross Bronx actually be. And so we're
4 working on finalizing that vision report now.
5 That will then lead to some of the
6 investments that the Governor put forward in
7 the Executive Budget to really carry out that
8 next level of environmental assessment on how
9 do we start to actually act on what some of
10 those reimagining concepts might be to
11 include potentially capping portions of the
12 Cross Bronx.

13 SENATOR COMRIE: Thank you.

14 And then I'll move to the Van Wyck.
15 How are we doing with the Van Wyck project?
16 I know that the interchange is almost done,
17 it looks beautiful. But -- the Van Wyck
18 interchange at Grand Central. But how are we
19 doing with the Van Wyck repair project?

20 DOT COMMISSIONER DOMINGUEZ: We are
21 doing exceedingly well. We're trying to
22 complete that project as quickly as possible,
23 and we're making good progress.

24 SENATOR COMRIE: Have we decided which

1 roads between Hillside Avenue and the airport
2 are going to be permanently closed, the
3 exits? Has that been decided yet?

4 DOT COMMISSIONER DOMINGUEZ: I will
5 have to get back to you on that, sir.

6 SENATOR COMRIE: Okay, thank you.
7 Appreciate it.

8 Also, do you have an open database
9 that people can see your projects and your
10 contracts that you're working on so that
11 folks can take a look at it? And what's the
12 progress of that, and how is that working?

13 DOT COMMISSIONER DOMINGUEZ: Yes, sir,
14 we have a -- we have a project website called
15 Projects In Your Community that you can click
16 on, on our website and see exactly, you know,
17 what we're undertaking right now, what work
18 we're doing, what work we have planned to do,
19 and the details of all of that.

20 SENATOR COMRIE: And do you -- with
21 your MWBE program, do you regularly send out
22 notices to your bidders about these projects
23 that are coming up? And how is that MWBE
24 program working?

1 DOT COMMISSIONER DOMINGUEZ: It's
2 doing well. We have transformed our office
3 diversity and opportunity. And what I mean
4 by that is that we've enhanced our resources,
5 our leadership capabilities, et cetera.
6 We've got a great team in place and they work
7 cross-functionally across the entire
8 department.

9 This year we're -- I'll tell you
10 our -- I know you always ask about kind of
11 how our goals are proceeding. This year
12 we've achieved an 18 percent compliance.
13 That's up, and we're glad about that. We're
14 certainly getting back to where we were
15 before COVID. And we've got another program
16 that we've launched to really engage a number
17 of MWBE firms called WorkSmart NY. And it's
18 working smart with DOT and all of our
19 contractors to make sure the opportunities
20 are not only known but then working to make
21 sure that people can actually take advantage
22 of them.

23 SENATOR COMRIE: Great. And do you do
24 regular downstate opportunities or around the

1 state, not just downstate opportunities, for
2 vendors to see the DOT projects that are
3 coming up and --

4 DOT COMMISSIONER DOMINGUEZ: Yes, sir.
5 And we would love -- you know, we were
6 working with your office. I think that
7 there's some venues in the city that we would
8 very much like to perhaps do some outreach
9 around some of the opportunities that are
10 coming our way. And that's for the whole
11 state, but in particular I know there are
12 some projects that we're looking to launch
13 downstate in the city that we would like to
14 get the word out. So happy to collaborate
15 with you on that.

16 SENATOR COMRIE: Thank you. I look
17 forward to working with you on that.

18 And then a question -- as you know,
19 I've had a wildlife crossings bill that we
20 worked on last year, and I see that the DOT
21 is trying to work on that. And the Biden
22 administration gave you a grant of \$323,000
23 to conduct a two-phase study on the wildlife
24 collisions and ways to improve habitat

1 connectivity. Can you let us know what
2 you're planning on doing with that? And
3 hopefully we can enact the bill through the
4 study -- after the study.

5 DOT COMMISSIONER DOMINGUEZ: So first
6 and foremost, we were thrilled to win the
7 grant. Now we actually need to make sure
8 that we get the dollars that are associated
9 with it.

10 But we are working on that regardless
11 of whether or not the dollars flow our way.
12 I will tell you that NYSDOT is continuing to
13 progress all of the actions under the
14 community -- around the habitat connectivity
15 initiative, including some of the key
16 elements that I think we negotiated and
17 talked through with a number of the
18 advocates, including a toolkit so that we can
19 identify projects and locations where there
20 are actually connectivity needs for wildlife.

21 And also looking at the preliminary
22 design guidance that we would have to employ.
23 I think that is a huge step forward. And
24 also a framework for asset management -- how

1 do we make sure that we've got the ability to
2 continue to not only construct effective
3 wildlife crossings, but then actually
4 implement it and maintain the assets as well.

5 SENATOR COMRIE: Thank you. I
6 appreciate your answers.

7 I just want to bring up my pet
8 project, which is not happening and
9 unfortunately may not happen for another four
10 years, but the widening of the Cross Island
11 Parkway. I've been talking to you about
12 that. I know it's not on the agenda, but
13 hopefully we could get a design project or a
14 study project to look at it.

15 That corridor is consistently
16 overcrowded, and especially trying to access
17 the Grand Central or the Long Island
18 expressway, there's a 15-minute backup
19 sometimes. We need to take a look at it. So
20 I'm going to continue to raise that as an
21 issue. And now that we have UBS Arena there,
22 there's also another backup. So there's
23 truly a need to widen the Cross Island
24 Parkway.

1 I keep saying it; hopefully one day
2 we'll get the monies to do it. But I
3 appreciate any opportunity we can to take a
4 better study of it.

5 So again, Commissioner, thank you for
6 being responsive and always making sure that
7 whenever I ask you a question, you come back
8 with detailed answers.

9 Thank you.

10 DOT COMMISSIONER DOMINGUEZ: Thank
11 you, Senator.

12 SENATOR COMRIE: I'm early. I'm
13 early.

14 CHAIRMAN PRETLOW: Thank you, Senator.

15 Before I go on, we've been joined by
16 Assemblymember Simon, Assemblymember Shimsky,
17 Assemblymember Jacobson, Assemblymember Otis,
18 Assemblymember De Los Santos and
19 Assemblymember Gonzalez-Rojas.

20 Mr. Ra.

21 CHAIRWOMAN KRUEGER: And I'm sorry,
22 just -- Senator Martinez has also joined us.
23 Thank you.

24 ASSEMBLYMAN RA: As has Assemblyman

1 Palmesano.

2 Good morning, Commissioner.

3 DOT COMMISSIONER DOMINGUEZ: Good
4 morning.

5 ASSEMBLYMAN RA: Some of our members
6 from Western New York asked if we could --
7 I'm sure you're aware there's a road-salt
8 shortage that municipalities are dealing
9 with. I'm wondering whether there's anything
10 that DOT can do to assist with that.

11 DOT COMMISSIONER DOMINGUEZ: So we've
12 been -- I think what you're referring to is a
13 company out in Western New York that is
14 providing road salt to a number of
15 municipalities.

16 I can tell you that they are open and
17 available. And, you know, if there's any
18 concern with accessing their product or the
19 like, we are happy to work with our
20 colleagues at OGS as well as DOT to
21 facilitate that service.

22 But there's -- they're available and
23 they're operational.

24 ASSEMBLYMAN RA: All right. Thank

1 you.

2 So I wanted to talk a little bit about
3 some, you know, regional items for us down on
4 Long Island. You know we had that meeting a
5 few weeks ago and we talked about a few of
6 these issues. You know, we all know about
7 CHIPS. And as my colleague said, it really
8 is the lifeblood of upstate, with a lot of
9 local road paving.

10 Years ago there was a program called
11 SHIPs, which was the Suburban Highway
12 Improvement Program that, you know, pushed
13 aid through downstate communities, suburban
14 communities -- Long Island, Hudson Valley.
15 And there were a lot of our local folks
16 talking about trying to revive that effort.

17 Do you have -- I guess as a department
18 do you feel that we're adequately giving the
19 different regions of the state, you know, a
20 fair share of our highway funding?

21 DOT COMMISSIONER DOMINGUEZ: So I am
22 familiar that historically there was a
23 program called SHIPs.

24 I guess I think in answer to your

1 second question with regard to the
2 availability of funding, I would leave that
3 at the discretion of the Executive and the
4 Legislature with regard to the DOT capital
5 plan.

6 As it now stands, we have a historic
7 plan that we're executing on. The Governor
8 has added a billion more dollars to make sure
9 that we carry out this five-year plan. That
10 in and of itself is the road map for us
11 actually achieving our goals under the
12 capital plan that has been negotiated through
13 the Legislature and the Executive.

14 ASSEMBLYMAN RA: You know, I know
15 you're talking about the capital plan, we're
16 in, what, Year 4 of five with the current
17 capital plan. In my understanding, the
18 Long Island region is slated to receive
19 7.8 percent of capital plan funding this
20 year; the Hudson Valley is 9.6 percent;
21 New York City, 13.6 percent; Buffalo and
22 Western New York, around 40 percent.

23 I know you're aware there has been
24 some talk of an effort to have the

1 Long Island region develop its own
2 metropolitan planning organization to better
3 assist the region in securing a greater
4 amount of federal aid. Do you think that
5 would be a beneficial thing for Long Island?

6 DOT COMMISSIONER DOMINGUEZ: I don't
7 know that it would be, to tell you the truth.
8 So the reason being I understand the concern:
9 You want to make sure that there's
10 opportunity for Long Island. But right now
11 the way that the NYMTC, which is the New York
12 Metropolitan Planning Organization, actually
13 operates, first and foremost, the slice of
14 the pie that everybody is looking to access
15 is still the same. There's not going to be
16 an enhanced slice of the pie or an additional
17 slice of the pie coming in the form of
18 federal funding.

19 New York State receives the funding
20 that it receives, it's formula-driven, it's
21 by Congress, et cetera. That's 40 percent.
22 Forty percent of those federal dollars that
23 we're now executing on right now in the
24 Bipartisan Infrastructure legislation,

1 coupled with a record amount of state funding
2 that the Governor and the Legislature have
3 put forward, is what our five-year capital
4 plan is executed off of. That's the
5 \$34.1 billion that we're working off of.

6 If there is a separate entity in the
7 form of an MPO, you're going to have to staff
8 it up, you're going to have to do all kinds
9 of traffic analysis and everything that's
10 already being done by the existing staff.
11 It'll cost you probably about \$8 million a
12 year. I don't know who's going to pay for
13 that, so that's something to consider. It
14 will probably be at least an \$8 million
15 venture.

16 The third thing is to really look to
17 see, like, the same people that would
18 represent Long Island on the MPO are the same
19 people who have voting seats on the existing
20 NYMTC. It's the county executives,
21 et cetera. So ...

22 CHAIRMAN PRETLOW: Thank you,
23 Madam Commissioner.

24 ASSEMBLYMAN RA: Thank you,

1 Commissioner.

2 CHAIRMAN PRETLOW: Senator?

3 CHAIRWOMAN KRUEGER: Thank you.

4 Next is Senate Ranker Oberacker.

5 SENATOR OBERACKER: Commissioner,
6 good morning.

7 DOT COMMISSIONER DOMINGUEZ: Good
8 morning.

9 SENATOR OBERACKER: Good to see you.
10 And a big shout out, as everybody has said,
11 to our plow and sanding efforts there to get
12 us all in here today. So thank you -- thank
13 you for that.

14 A lot has already been covered, so I'm
15 just going to hit on a couple of high notes
16 to start with and go from there. So, you
17 know, we are flat on our CHIPS funding, our
18 Extreme Winter Recovery money, our BRIDGE NY
19 and PAVE-NY. So just suffice to say that I
20 am concerned that we are flat. I would like
21 to see us, of course, add something to that.

22 And I've always been taught that if
23 you raise an issue but don't have a solution,
24 that you're whining. So I'm not whining,

1 Commissioner. But what I would like to
2 propose is a community-level emergency
3 assistance grant program, otherwise we are
4 calling it CLEAR funding. I have spoken to
5 you a little bit previous about this, and my
6 thanks too to our chair for Transportation
7 for giving me input as we put this together.

8 But in essence what I'm talking about
9 is a fund, a \$62 million fund, a million per
10 county. And for those municipalities within
11 those counties that would realize a
12 10 percent or more weather issue -- that
13 would be based on their total highway
14 budget -- that this would qualify them then
15 for some funding under this CLEAR program.

16 It is a way of I think being a bridge
17 program from CHIPS being flat in our budget,
18 acting as just a little bit of a -- you know,
19 a bridge, to quote that term, and helps them
20 out.

21 So I would like to talk more about
22 that in the future, but I think it's
23 something we could look at.

24 Another way that we could look at if

1 CHIPS is going to stay flat, you know, we
2 are -- under Section 5 of the -- it's
3 actually subdivision section 5 of our law, it
4 states that where the service life of these
5 projects are at least 10 years, they can use
6 CHIPS funding for road repair. I'd like to
7 see us look at reducing from the 10 year to a
8 possible eight-year term. Those two years
9 would be very, very helpful in allowing our
10 municipalities to utilize some CHIPS funding,
11 and it may help smooth out some of the issues
12 of not being able to gain some extra
13 additional funding.

14 On the subject of EVs, I would really
15 like to see us, Commissioner, do a -- just do
16 a carveout or extend the runway, if you will,
17 in three classes: For emergency vehicles,
18 again for our school buses, and for our plows
19 and heavier machinery.

20 And the reason is, is because as we
21 look at the infrastructure, it's not just
22 electrical that's driving this, it is also
23 bridge weights. They would need to be
24 reevaluated. Guardrail strength on the

1 highways. School lifts to lift these EVs.
2 And more appropriately, I'm a firefighter and
3 a first responder, and so for us when we
4 attack an EV vehicle versus a conventional,
5 it changes things.

6 We were talking about mass transit and
7 the chair brought up about the high-speed
8 rail. I'm suggesting a low-speed rail, a
9 green hydrogen rail project that would take
10 folks from Port Jervis up the beautiful
11 western parts of the Catskills -- just
12 happens to be in my district -- all the way
13 to Binghamton. And I really think that this
14 is a green-hydrogen-fired locomotive.

15 The interesting part about that, the
16 diesel engine can be easily converted by use
17 of green hydrogen. I think it hits our
18 carbon issues and also is a way of looking at
19 bringing some of the folks into the beautiful
20 parts of upstate New York that we all love.

21 Safety zones. One hundred percent in
22 favor. We really need to crack down on the
23 issues of speeding through safety zones.

24 And then lastly, I would really like

1 just to compliment you and give a quick shout
2 out to Director Andy Styles from Region 9.
3 I've worked very closely with him. I think
4 it's a reflection of the people that you have
5 put around you, your guidance, as far as that
6 goes. He's been available, very informative.
7 And again, Commissioner, I think it speaks
8 well to your stewardship.

9 There was a question in there
10 someplace, but I'll let you determine where
11 that is.

12 (Laughter.)

13 DOT COMMISSIONER DOMINGUEZ: Okay.

14 SENATOR OBERACKER: Thank you for the
15 time.

16 CHAIRMAN PRETLOW: We'll look for it.

17 DOT COMMISSIONER DOMINGUEZ: I really
18 appreciate it. I will reiterate again --
19 well, first of all, thank you. It's always
20 great to engage you.

21 And I know you're looking at the
22 hydrogen model for rail. And I do think
23 that, you know, we are -- it's a
24 technologically challenging area, so it will

1 be good.

2 SENATOR OBERACKER: Thank you.

3 CHAIRMAN PRETLOW: Thank you,
4 Commissioner.

5 All right, the remaining
6 Assemblymembers on my list will all have
7 three minutes for both question and answer.
8 I have a list that was given to me in the
9 order that was asked. If you wish to be
10 moved up on the list, you must get permission
11 from everyone in front of you on the list.

12 (Laughter.)

13 CHAIRMAN PRETLOW: I don't think
14 that's going to happen.

15 With that, Assemblymember Solages.

16 ASSEMBLYWOMAN SOLAGES: Greetings. I
17 want to return back to talking about
18 Long Island.

19 So as you know, Nassau and
20 Suffolk County are the only counties with
21 more than a million registered vehicles.
22 Long Island is ranked first and third in
23 center-lane-miles. It also experiences high
24 volumes of truck traffic because of our

1 limited freight infrastructure. And then
2 according to the department's most recent
3 pavement assessment report, we have some of
4 the poorest road conditions next to the
5 Hudson Valley.

6 But despite all that, we only receive
7 about 7 percent of the upcoming DOT capital
8 program. And so we have -- in the funding
9 formula we have received about 23 percent in
10 the past, but now we're down to 7 percent.

11 So can you explain why Long Island's
12 share of transportation funding has dropped
13 so dramatically? And how can we ensure that
14 our roads, whether they're the LIE, the
15 Southern State, the Sunrise Highway, receive
16 equitable investment moving forward?

17 DOT COMMISSIONER DOMINGUEZ: Thank you
18 very much for the question, Assemblymember.

19 I'm not quite sure where the figure
20 7 percent that you're citing may have been
21 drawn from, but I'm happy to sit down with
22 you and go through it. I'm not quite sure
23 that it's accurate.

24 The MOU for the current five-year plan

1 that we're executing on right now, the MOU
2 between the Executive and the Legislature, is
3 about \$1.5 million for the Long Island
4 region. That includes \$268 million in the
5 MOU itself that we're moving on. That
6 represents about 12 percent of the core
7 State Highway and Bridge Program over the
8 five-year period and 15 percent of the
9 portion for State Highway and Bridge Program
10 that's actually subject to the MOU.

11 So those numbers are very different
12 than the number that you're citing. And so
13 when we look at what the larger investment
14 is, these percentages are actually in keeping
15 with the historical allocations that have
16 been agreed to between the Legislature and
17 the Executive, those higher set of numbers
18 that I just quoted.

19 So over the last 15 years the regional
20 allocations for Long Island over the
21 five-year planning periods have really
22 fluctuated anywhere between actually
23 12 percent and 16 percent for our core Bridge
24 and Road Program. So double at least some of

1 the numbers that you were providing.

2 Relative to the projects, we're
3 continuing to actually deliver on absolutely
4 every single project that's within the MOU
5 for the Long Island region and across the
6 state --

7 ASSEMBLYWOMAN SOLAGES: And so just
8 really quick because I'm running out of time,
9 so what -- so the last project of regional
10 significance was the LIE HOV lanes. That
11 happened decades ago. So what project is
12 planned for Long Island in the current
13 capital plan or the future capital plans?

14 DOT COMMISSIONER DOMINGUEZ: So two
15 things. Within the last year the Governor
16 put forward \$100 million that actually went
17 towards paving the LIE, and then the next
18 capital plans --

19 ASSEMBLYWOMAN SOLAGES: Of regional
20 significance.

21 (Time clock sounds; overtalk.)

22 CHAIRMAN PRETLOW: Thank you.

23 ASSEMBLYWOMAN SOLAGES: Thank you.

24 DOT COMMISSIONER DOMINGUEZ: Well, I

1 would say the LIE is regionally significant
2 (laughing).

3 CHAIRWOMAN KRUEGER: Thank you.
4 Senator John Liu.

5 SENATOR LIU: Thank you, Madam Chair.
6 And good morning, Commissioner. Welcome.
7 Good to see you.

8 DOT COMMISSIONER DOMINGUEZ: Where are
9 you? There you are. Hello, sir.

10 SENATOR LIU: I know there's a lot of
11 us down here.

12 Thank you very much for your work and
13 leadership on these issues, and I want to
14 give a thank you to Assistant Commissioner Ho
15 as well, and to Assistant Commissioner
16 Gibbon, who has been very responsive on many
17 of the local issues.

18 I don't have much time, so I just want
19 to get right into it.

20 Last year you may recall we had a
21 great hearing, led by former Chair Kennedy,
22 and our new Chair Cooney was really very much
23 on top of it. He started asking questions
24 about the state rail plan.

1 DOT COMMISSIONER DOMINGUEZ: Yes.

2 SENATOR LIU: And so my first question
3 is, is there any update since the hearing we
4 had last spring?

5 DOT COMMISSIONER DOMINGUEZ: Well,
6 what we've done is actually complete the
7 Tier 1 EIS. We've taken that to a new level
8 and we've applied for Corridor ID funding and
9 acceptance into the Corridor ID program at
10 FRA. And those elements are moving forward.

11 That allowed us to actually apply for
12 federal funding and grants. So thank you all
13 very much for your support. Those grants
14 that we are receiving we are actually
15 executing on. So it has been a huge step
16 forward on the rail side.

17 SENATOR LIU: And that was to the
18 Federal Railroad Administration, is that --

19 DOT COMMISSIONER DOMINGUEZ: Correct.

20 SENATOR LIU: Okay. And with the
21 incoming -- well, they're no longer incoming,
22 they're there, the new federal
23 administration. Is there any -- I mean, are
24 we just going business as usual or are there

1 any kind of updates or modifications to that
2 application that we might foresee would be
3 necessary?

4 DOT COMMISSIONER DOMINGUEZ: So I have
5 to see -- like each of you, every day brings
6 a new twist. So we're looking -- I was just
7 in Washington earlier this week with the
8 Congress and the new administration, looking
9 to see what some of the new requirements may
10 be.

11 As you know, some of the executive
12 orders have come out and then they've been
13 withdrawn. We're looking to see exactly what
14 the U.S. Department of Transportation, how
15 they're going to execute their program.
16 We'll look to see exactly what the
17 opportunities are for both formula funding,
18 which should not change -- I vociferously
19 suggested it should not change -- but the
20 discretionary funding, how that will actually
21 play out as well.

22 SENATOR LIU: Let's hope for the best.
23 My final question is -- it's good to
24 see the Executive Budget has another

1 \$25 million for Amtrak service between
2 New York City and Poughkeepsie.

3 DOT COMMISSIONER DOMINGUEZ: Yes.

4 SENATOR LIU: Was that discussed with
5 Amtrak?

6 DOT COMMISSIONER DOMINGUEZ: Yes, it
7 was. What we were doing is really looking to
8 make sure that to leverage all the work that
9 we've been doing, the Governor put forward
10 \$25 million to have -- to make some critical
11 investments in the reliability of that
12 service.

13 SENATOR LIU: Thank you.

14 CHAIRMAN PRETLOW: Thank you.
15 Assemblymember Valdez.

16 ASSEMBLYWOMAN VALDEZ: Good morning.
17 Thank you to the chair, and thank you for
18 being here with us today.

19 I wanted to ask about a specific
20 proposal in the Governor's Executive Budget.
21 She proposed legislation around speed limits
22 on bike lanes and bike paths. I have
23 concerns about overpolicing, you know, a
24 population that's already very much very

1 heavily policed -- namely, immigrants,
2 workers of color. And I'm worried that this
3 proposal won't actually do very much to move
4 the needle on public safety in New York City.

5 My question is, what role do you think
6 that delivery apps like DoorDash and
7 Uber Eats might play in protecting not only
8 workers but the pedestrians and cyclists who
9 use those spaces too?

10 DOT COMMISSIONER DOMINGUEZ: I hear
11 your question. Jurisdictionally, that
12 actually falls within the Department of Motor
13 Vehicles in terms of the proposal that's been
14 put forward.

15 I will tell you that we're members of
16 the Governor's Task Force Safety Advisory --
17 DOT is -- Committee, and looking to make sure
18 that the outreach on any e-bike measure or
19 speed-related measure or pedestrian safety
20 measure or bike safety measure is something
21 that the Governor's Traffic Safety Commission
22 takes very seriously. So just know that from
23 our perspective jurisdictionally, that's
24 where --

1 ASSEMBLYWOMAN VALDEZ: Sure. No, and
2 I appreciate the response. Thank you so
3 much.

4 I did want to ask too about CLCPA, and
5 that's come up a couple of times already.
6 What -- or how is the department anticipating
7 complying with CLCPA if the intention is to
8 continue expanding roads and highways?

9 DOT COMMISSIONER DOMINGUEZ: Well,
10 with regard to how we're implementing CLCPA,
11 we are -- there's not an aspect of it that
12 we're not actually working on. So whether --
13 it's like I talked about before construction
14 materials and how we're incorporating them.

15 But also we have a very rigorous
16 environmental process that we go through with
17 any project that we have. We are not looking
18 to enhance capacity by any means whatsoever.
19 We have to -- we are compelled by law to make
20 sure that we look at every single
21 opportunity, and that's why we usually put
22 forward in some of our larger environmental
23 reviews different alternatives.

24 But how we select those alternatives,

1 we try to make sure that everything that we
2 do falls within the framework of making sure
3 that it's complying, first and foremost, with
4 CLCPA.

5 ASSEMBLYWOMAN VALDEZ: All right.
6 Thank you so much for the responses and for
7 your commitment to expanding mass transit and
8 public transit around the state. Thank you.

9 CHAIRMAN PRETLOW: Senator O'Mara.

10 SENATOR O'MARA: Good morning,
11 Commissioner. Thanks for being with us
12 today.

13 DOT COMMISSIONER DOMINGUEZ: Good
14 morning, sir.

15 SENATOR O'MARA: I want to thank you
16 for your department's great involvement with
17 our local communities in the flood responses
18 that we've had this last year, but in several
19 years running now, unfortunately. And more
20 recently, in the Village of Ovid, with the
21 devastating community fire they had there and
22 the assistance that DOT provided to the
23 locals there. It's a great department to
24 work with, from my perspective, and your

1 regional director in Hornell, Brian Kelly, is
2 one of my favorites. So just a shout out to
3 him for that.

4 DOT COMMISSIONER DOMINGUEZ: Thank
5 you, sir.

6 SENATOR O'MARA: On the \$800 million
7 for the capital plan, basically it's an
8 inflation -- to cover inflation, is that what
9 it's basically for?

10 DOT COMMISSIONER DOMINGUEZ: It's to
11 help restore our purchasing power, yes.

12 SENATOR O'MARA: Over what period of
13 time is that \$800 million --

14 DOT COMMISSIONER DOMINGUEZ: It's for
15 the remaining period of the existing capital
16 plan, so for the next two years.

17 SENATOR O'MARA: Okay. And what
18 percentage does that come out to, the
19 800 million?

20 DOT COMMISSIONER DOMINGUEZ: Of the
21 overall capital plan?

22 SENATOR O'MARA: Of -- for the next
23 two years. If it's covering two years,
24 what -- is it related to inflation at all?

1 DOT COMMISSIONER DOMINGUEZ: I went to
2 law school, not math, but -- there was no
3 math requirement. But I think that -- the
4 bottom line is we're executing on
5 \$34 billion. So it's 800 -- the capital plan
6 for five years was set at 33.1. This is an
7 increase of an additional billion.

8 SENATOR O'MARA: Okay. Well, I think
9 that's important and needed.

10 How did you arrive at that number?

11 DOT COMMISSIONER DOMINGUEZ: The
12 bottom line is, is that this is -- this is
13 the number that, you know, was worked through
14 a number of factors, but -- you know, working
15 through with the Department of Budget and
16 others, this is what the Executive proposal
17 is.

18 SENATOR O'MARA: To basically cover
19 for increased costs in these --

20 DOT COMMISSIONER DOMINGUEZ: To
21 restore the purchasing power to make sure
22 that we can get through the existing
23 five-year capital plan that the Legislature
24 and the Executive agreed to.

1 SENATOR O'MARA: So following that
2 rationale, then, how can we justify keeping
3 CHIPS, PAVE-NY, BRIDGE NY, Touring Roads,
4 Winter Recovery, potholes -- how can we
5 justify keeping all those flat? Have these
6 local communities, these local governments
7 not seen the same types of inflationary
8 pressures? And why should we not be
9 increasing these programs?

10 DOT COMMISSIONER DOMINGUEZ: Well,
11 sir, I would say that over the course of the
12 existing five-year capital plan we've seen an
13 enormous investment in local programs across
14 the board. More than \$6.3 billion has been
15 provided in our existing five-year capital
16 plan, and now a billion dollars on top of
17 that. And that's just for local highway and
18 bridge programs.

19 That's an increase in this capital
20 plan of over 85 percent from the previous
21 five-year capital plan -- 85 percent increase
22 in local programs.

23 What do I mean by local programs? I
24 mean CHIPS, I mean Pave Our Potholes. I mean

1 State Touring Routes. I mean Extreme Winter
2 Weather Recovery. All of the programs that
3 are accessible to locals.

4 Local governments are actually
5 receiving a billion dollars in direct local
6 assistance for roads and bridges. And, you
7 know, an additional \$350 million increase per
8 year under Governor Kathy Hochul's capital
9 plan is really more than we've ever done
10 before. And I think it's pretty
11 extraordinary.

12 I know that we work very, very closely
13 with the local governments to make sure that
14 they can actually execute on all those
15 dollars. We've made changes in the program
16 to make sure that they've got the flexibility
17 and the payment processes to do everything
18 they can to spend those dollars quickly and
19 effectively. There's a lot of coordination
20 that goes on with the local programs.

21 SENATOR O'MARA: We have had some
22 increases, but not much last year and there's
23 none in this year. And I think we need to
24 work as a Legislature with the Executive to

1 do better on that in this year's budget. And
2 we'll certainly be working towards that.

3 You talked a little bit to some of the
4 other questioning about the standards that
5 you're building roads to at the state for the
6 new heavier electric vehicles. What
7 percentage of our roads -- state roads at
8 this point are actually built to those
9 standards, and what percentage is going to
10 need upgrades to meet those demands of
11 heavier vehicles?

12 DOT COMMISSIONER DOMINGUEZ: So all of
13 our roads are built to the standards that are
14 specified within our manuals and our
15 engineering instructions.

16 And what we're seeing basically is
17 that there doesn't need to be any changes in
18 our current bridge load postings in any of
19 the practices that we actually undertake
20 right now to accommodate electric buses.
21 Because based on what we've done, the
22 analysis that we've done looking at bus
23 weight information and the work that we've
24 performed through our structural engineering

1 team, electric bus weights and the
2 configurations that they fall into are all
3 provided for within our existing standards
4 and our load-weighting assessments.

5 CHAIRMAN PRETLOW: Assemblyman Simone.
6 Assemblyman Eachus.

7 ASSEMBLYMAN EACHUS: Thank you.

8 And good morning, Commissioner. I
9 want to reiterate that I called you a few
10 months ago and thanked you and all of your
11 workers for all the great work that you do on
12 a daily basis.

13 DOT COMMISSIONER DOMINGUEZ: Thank
14 you, sir.

15 ASSEMBLYMAN EACHUS: I want them to be
16 recognized, and please pass that on.

17 But of course we're here, each of us
18 representing a different area or region -- in
19 your particular case, with the DOT -- and
20 we're all asking for more. And I certainly
21 am asking for more for my region because we
22 have the greatest number of miles, I believe,
23 out of any region. And yet we're nowhere
24 near the top of the funding -- you know,

1 receiving the top funding amount.

2 I don't know how you do your -- or how
3 it's broken up, but I would hope that you
4 would reconsider that.

5 I would also like to reiterate what
6 was brought up, which was Route 17 to I-86.
7 You are, as you've told me, doing the SEQRs
8 now and environmental reviews for that. And
9 I believe you said that should be done so
10 that shovels in the ground in 2026, is that
11 correct?

12 DOT COMMISSIONER DOMINGUEZ: Yes.
13 We're looking to begin the -- to actually
14 start the project before the end of this
15 capital plan.

16 ASSEMBLYMAN EACHUS: Okay, I
17 appreciate that very much.

18 I know there's been many, many backups
19 on that plan, and none of them really we can
20 say were your fault, but there has been a lot
21 of them there.

22 So I also would like, like everybody
23 else, to increase the amount for CHIPS. I
24 would like the \$450 million increase, not

1 just the \$100 million, because we definitely
2 live in communities that use CHIPS to, you
3 know, repair our roads and so on like that,
4 and I'm constantly asked by my DPWs to
5 increase that amount. And of course also
6 allow them to use different methods of
7 resurfacing that we always want to keep in
8 there too.

9 So the final thing that I have to say
10 is I have discussed with you State Route 218.
11 I thank you for repairing that and for
12 putting the money out, because we only get
13 75 percent of the money from FEMA. And we
14 did get that.

15 But I appreciate your very positive
16 outlook, as I posted to you, that we would
17 like to change -- or I think I would like to
18 change 218 into what I'm calling a linear
19 park. And I believe you know the reasons
20 behind that, because specifically of safety
21 reasons, but also I think it's what we need
22 to do with that length of road.

23 So I thank you very much for being
24 positive on that. Now I have to get Parks to

1 be positive about it.

2 DOT COMMISSIONER DOMINGUEZ: Well,
3 thank you for your compliment of our
4 workforce. And all the members who have
5 complimented our workforce, I greatly
6 appreciate it. You see folks out on the road
7 today, and they're at it all the time,
8 keeping us safe. So thank you for that.

9 With regard to 218, you know, it was a
10 devastating loss with that intense, extreme
11 weather event that happened in the summer
12 of -- what was it, 2023, that really took out
13 218 across the board. And we're glad we were
14 able to repair that road and a number of
15 other roads and the significant
16 Popolopen Bridge in your district. So --

17 ASSEMBLYMAN EACHUS: Thank you.

18 DOT COMMISSIONER DOMINGUEZ: --
19 extreme weather is real.

20 CHAIRWOMAN KRUEGER: Thank you.

21 Senator Martinez.

22 SENATOR MARTINEZ: Good morning,
23 Commissioner. Good to see you here.

24 Just to follow up on my colleague's

1 questions, since you didn't have time to
2 finish. Can you please explain the projects
3 that are currently in completion on
4 Long Island and those that are in
5 commencement?

6 And aside from that, aside from the
7 fact that you've heard that Long Island and
8 the Hudson Valley have the worst streets and
9 pavements, what are you doing or have planned
10 to do, and where are we with the additional
11 types of projects that we need on Long Island
12 such as the Southern State Parkway, which is
13 one of the deadliest highways here in the
14 State of New York, the Meadowbrook expansion,
15 the Northern State Parkway expansion, and
16 Oakdale Merge?

17 DOT COMMISSIONER DOMINGUEZ: So I'll
18 start with the Oakdale Merge. We are in the
19 process of doing environmental work on it.
20 In answer to the question I think that
21 Assemblymember Solages was also asking that
22 you're referencing, that is a very
23 significant project. It is a project of
24 regional concern. It is a cloverleaf

1 project. It's in an area with extreme
2 wetlands.

3 There's a lot of work that's going on
4 as we look at getting ready to do a
5 full-scale EIS on the project. That would --
6 it's a very labor-intensive but also
7 significant project that we're looking to
8 undertake on Long Island itself.

9 SENATOR MARTINEZ: And thank you for
10 that. My concern, too, when you just
11 mentioned the clover is many of our -- many
12 of our on- and off-ramps really need to be
13 looked at, specifically on Southern State
14 Parkway.

15 DOT COMMISSIONER DOMINGUEZ: Yup.

16 SENATOR MARTINEZ: We -- as I
17 mentioned before, one of the deadliest roads.
18 And part of the issue are on- and off-ramps
19 and the clover construction. And we
20 discussed this before, that the Southern
21 State Parkway was not meant to carry all the
22 amount of cars that it carries now. But
23 honestly, we need to start looking at what we
24 have on the island to stop the amount of

1 crashes that we're seeing. And not just
2 crashes but, honestly, deaths that we're
3 currently seeing on Long Island.

4 DOT COMMISSIONER DOMINGUEZ: So we've
5 undertaken an enormous amount of work over
6 the last 10 years, I would say. Most
7 recently we have done an upgrade on all the
8 Wrong Way Do Not Enter signs, all the
9 pavement markings, all the counter-flow
10 arrows that are in and around all of the
11 exits. We've upgraded in advance all of the
12 bridges' bridge height signs. We have milled
13 and filled the Southern State Parkway from
14 the Queens/Nassau line up to the Sagtikos
15 State Parkway. We've done concrete pavement
16 repairs to all the ramps from the
17 Queens/Nassau line to the Sagtikos. We've
18 extended numerous ramps across the board.

19 The projects that we currently have in
20 construction on the Southern State include a
21 westbound Southern State Parkway
22 reconstruction project at Exit 15, the Corona
23 ramps. That's going to eliminate some of the
24 south -- we're going to take out a ramp there

1 and --

2 (Time clock sounds.)

3 DOT COMMISSIONER DOMINGUEZ: Anyway,
4 the bottom line, I just want to say we've got
5 upcoming work and additional enhancements on
6 the Southern State, so please know that we
7 are continuing our work.

8 CHAIRMAN PRETLOW: Thank you,
9 Madam Commissioner.

10 Before I go on, we've been joined by
11 Assemblymembers Gallagher, Romero and Hooks.

12 Next on my list is Assemblymember
13 Alvarez.

14 ASSEMBLYMAN ALVAREZ: Good morning,
15 Commissioner, and thank you for your
16 testimony and the good work that you're doing
17 at DOT.

18 Let me go back to the Bronx. I'm
19 seeing that the Executive proposal for the
20 fourth year of the DOT capital plan includes
21 a combined 75 million to advance the plan to
22 reconnect communities divided by the
23 Cross Bronx Expressway, as well as the
24 Interstate 787 here in Albany.

1 Regarding the communities along the
2 Cross Bronx Expressway, what specific
3 measures does the plan entail?

4 DOT COMMISSIONER DOMINGUEZ: What
5 we're looking to do is build off of the --
6 the Governor specifically included in her
7 Executive Budget dollars for New York State
8 DOT to begin an environmental assessment.
9 We're really looking at that PEL study, which
10 is a linkage study -- that will help us then
11 further expand into a full-scale EIS -- on
12 what the vision of the Cross Bronx could be.

13 So right now we're partnered with the
14 city on a visioning study to reimagine what
15 the Cross Bronx can be. The next step in
16 that process -- because we're about to
17 publish the visioning report -- the Governor,
18 anticipating that, included money in her
19 Executive Budget to take us to that next step
20 and invest in it. And that includes the
21 beginning of the environmental review
22 process. And that's what those dollars are
23 for.

24 That will then take us to defining

1 more specifically what the alternatives could
2 be, how we could look at potential capping in
3 different sections of the Cross Bronx, all
4 the things that we've been discussing, and
5 initial discussions with the community will
6 now be taken to that next level and really
7 enhanced.

8 ASSEMBLYMAN ALVAREZ: Thank you.

9 I have another question here. I also
10 noticed two new appropriations meant to
11 offset the proposed All Funds that decreases
12 the DMV by 26.5 percent from the last fiscal
13 year. Can you provide more specifics
14 regarding the 5 million General Fund
15 appropriation for the hiring of drug
16 recognition experts related to driving while
17 intoxicated?

18 DOT COMMISSIONER DOMINGUEZ: No, sir,
19 I can't, but I'm sure my colleague who will
20 be testifying later this afternoon from the
21 DMV might be elaborate on it.

22 ASSEMBLYMAN ALVAREZ: Oh, I thought
23 DMV belongs to DOT.

24 DOT COMMISSIONER DOMINGUEZ: Correct,

1 no.

2 ASSEMBLYMAN ALVAREZ: Fine. Thank
3 you. I'll yield my time back to the chair.

4 CHAIRMAN PRETLOW: It goes into the
5 ethos {sic}.

6 (Laughter.)

7 CHAIRMAN PRETLOW: Senator?

8 CHAIRWOMAN KRUEGER: Thank you.

9 I think I'm the last Senator. I'll
10 take my ten minutes now.

11 Appreciate all your work,
12 Commissioner. And it's certainly a complex
13 world we're living in.

14 So all of the state agencies are
15 responsible for evaluating particularly their
16 capital projects in relationship to the
17 CLCPA. So I believe you have 40 new capital
18 projects in your pipeline; I could be wrong
19 on the number. And so I'm curious, do you
20 have a system in place to evaluate the impact
21 of those projects from the standards of the
22 CLCPA and also impacts on disadvantaged
23 communities as required within CLCPA?

24 DOT COMMISSIONER DOMINGUEZ: We do,

1 Madam Chair. What we do is we look at
2 everything through the lens of, first and
3 foremost, the environmental review process
4 that we have to go through, the standards
5 that are articulated in NEPA.

6 And in doing so we also look at what
7 the CLCPA requirements are and how we are
8 complying with each of those. So as we do
9 that, we look at everything, like I said,
10 from impacts on communities, what those
11 are -- air, traffic, the like. And in
12 addition to that, we're also looking at
13 making sure that all the materials -- if we
14 go into construction, what are we looking at.

15 In terms of some of the things that
16 we've been able to advance, we just got a
17 federal grant, as I was stating earlier, to
18 really look -- and I really hope the federal
19 dollars come through -- at low-carbon
20 construction materials.

21 So the gamut of everything that we
22 look at in our projects is pretty robust, to
23 help us execute on it.

24 CHAIRWOMAN KRUEGER: So a number of

1 states have actually put into law
2 requirements to attempt to decrease the
3 number of miles driven in their states --
4 again, as part of their environmental goals.

5 And some people wonder if efforts by
6 State DOT to do expansion of the width of
7 various highways is actually in conflict with
8 those goals. And I'm curious how you do that
9 kind of analysis in your department.

10 DOT COMMISSIONER DOMINGUEZ: So there
11 are a number of efforts I would say
12 nationwide to look at how vehicle miles
13 traveled are actually examined.

14 And we are learning -- we are part of
15 different consortiums with sister states, I
16 would say in particular Eastern states, that
17 are looking at vehicle miles traveled and
18 what some of the results of some of those
19 studies are.

20 So we're keeping an eye on all of that
21 and how that actually translates then into
22 potential opportunities for New York. I'll
23 say that we are definitely studying it.

24 The second piece of it is really to

1 look at -- we're not interested -- I think
2 some folks are really looking at what we do
3 and what we look at. We have to, by law,
4 look at every alternative when we look at a
5 project, especially capital projects.

6 And, you know, I think some of the
7 concern that's been expressed, as you just
8 stated, is are we, you know, in some way
9 looking at building additional highway
10 lane-miles. We have to, by law, look at
11 every alternative, whether it's a no-build
12 alternative or perhaps looking at additional
13 lanes.

14 Does that mean that we actually select
15 those? We have to work with the community on
16 every single project on how we actually are
17 going to select alternatives when we go
18 forward.

19 But the number of aspects or the
20 reasons to move a project forward can be
21 really diverse. Is it asset preservation?
22 Is it safety? Regardless of whatever it is,
23 we want to make sure that we're going through
24 a thoroughly robust environmental process,

1 whether that's for air quality emissions, et
2 cetera, health-related concerns, and making
3 sure that we require these mitigation
4 measures to offset anything that we're
5 actually doing.

6 And, in addition, to make sure that
7 we're complying with our CLCPA requirements.

8 I would say, if it's -- you know, RPA
9 actually did a study recently that they
10 published that said that NYSDOT was cited as
11 leading the country in terms of transit
12 investments -- which is obviously a
13 low-carbon alternative both for capital and
14 operating budgets -- and by continuing to
15 grow the transit aid, as this Executive
16 Budget reflects.

17 And, you know, just under 1 percent of
18 the current projects that are on the
19 Statewide Transportation Plan are really
20 devoted to helping us do that.

21 Anyway, RPA deems that highway
22 widening or, you know, highway capacity is
23 really under that 1 percent threshold, and I
24 would cite that to anyone who's looking to

1 understand how we're actually doing it.

2 CHAIRWOMAN KRUEGER: Thank you.

3 So this isn't really a TV commercial,
4 but I'm just pointing out the Comptroller's
5 office has shown up every day with these
6 handy cheat sheets on audits and reports
7 they've done on whatever agency is in front
8 of us that day. So I want to thank the
9 Comptroller for doing these kinds of reports.
10 But also I think it highlights how important
11 oversight and questions are.

12 So one of the reports they did a
13 couple of years ago was the Dedicated Highway
14 and Bridge Trust Fund, which I believe is
15 under your department, and they made
16 recommendations to reduce the Dedicated
17 Highway and Bridge Trust Fund expenditures
18 for state operations and debt service,
19 increase the share of capital funds financed
20 through pay-go rather than bonding, and
21 reduce reliance on annual General Fund
22 transfers.

23 Has your department reviewed that
24 audit and followed up on any of these

1 recommendations?

2 DOT COMMISSIONER DOMINGUEZ: We have
3 looked at it. And I would say at the end of
4 the day a lot of that gets to the financing
5 of how transportation is paid for. And I
6 would leave that to the discretion of the
7 Executive and the Legislature.

8 CHAIRWOMAN KRUEGER: And let's talk
9 about design-build, because that's been
10 relatively controversial up here for a number
11 of years, and we the Legislature have
12 expanded it and allowed it for some things,
13 and you've used it I believe quite a bit.

14 DOT COMMISSIONER DOMINGUEZ: Yes.

15 CHAIRWOMAN KRUEGER: So have you been
16 able to evaluate the pluses and minuses of
17 our giving you and other state agencies more
18 design-build authority?

19 DOT COMMISSIONER DOMINGUEZ: So we --
20 I would say New York State DOT was an early
21 adopter of design-build within the state
22 agency framework. It has been a very
23 valuable tool in our toolbox. It has given
24 us a lot of flexibility and allowed us to

1 move forward on projects that we might not
2 have otherwise been able to.

3 It's particularly helpful in some of
4 the larger, more complex projects. But what
5 I mean by it's a good tool in our toolbox is
6 it's not the only tool.

7 We're able to, for instance, on the
8 I-81 project, we have a mix of contracts that
9 we're able to execute. And in doing so,
10 whether it's design-bid-build or
11 design-build, it gives us the flexibility to
12 work with the contracting community to make
13 sure that we've got contractors available
14 that are able to do the work. At the same
15 time it can run on the time frame, if you
16 will, and the project design elements that
17 we're interested in executing.

18 And I would say the other opportunity
19 under design-build that is really unique --
20 and New York I think is a leader nationwide
21 on our design-build application -- is that it
22 gives us some flexibility on alternative
23 technical concepts that we might not have
24 been able to otherwise capture in a

1 traditional bid process.

2 So the contractors come to the table
3 with some concepts that we're then able to
4 evaluate. So it's an interesting ...

5 CHAIRWOMAN KRUEGER: Okay. And
6 someone earlier asked you about a shortage
7 perhaps of salt in upstate New York, and I
8 think you answered that there's not a
9 problem.

10 But there's concerns occasionally
11 about certain municipalities using products
12 on their roadways that are very
13 environmentally dangerous, particularly in
14 the runoff into the water system.

15 So does DOT have specific rules or
16 standards that are used for what products can
17 and cannot go on the roads in New York?

18 DOT COMMISSIONER DOMINGUEZ: We look
19 at a series of things. We just actually
20 completed a study in the Adirondacks,
21 Adirondack Park, along with DEC, the
22 Adirondack salt Task Force. Our work with
23 DEC was completed with a number of
24 stakeholders from the park last year.

1 And we came up with a variety of I
2 think really critical recommendations that
3 we've been executing on along with DEC. Part
4 of those recommendations, in addition to the
5 best practices that we're undertaking at DOT,
6 include helping to further educate local
7 municipalities on salt usage. And that would
8 include materials -- what are they using,
9 what types of salt -- you know, what are they
10 doing to make sure that they're addressing
11 snow, ice, and the relevant vegetation
12 concerns, et cetera, and some of those best
13 practices.

14 Because obviously just -- best
15 practices are what really need to be applied
16 here. One of the measures that New York
17 State DOT has done is we've calibrated our
18 trucks and we are monitoring how much salt
19 we're actually distributing. And in doing
20 so, we understand exactly what the existing
21 condition on the roadway is, how much salt
22 we're applying, and the safety factor that
23 we're accounting for.

24 So it's been a huge tool for us. We

1 hope to share a lot of those best practices
2 with localities.

3 CHAIRWOMAN KRUEGER: Thank you very
4 much.

5 CHAIRMAN PRETLOW: Thank you.
6 Assemblymember Mitaynes.

7 ASSEMBLYWOMAN MITAYNES: Thank you.
8 Can you share with us an example of
9 how the agency has been applying Section 7 of
10 the Climate Law to the decisions regarding
11 how to allocate federal highway funding?

12 DOT COMMISSIONER DOMINGUEZ: So with
13 regard to how we're actually looking at
14 federal highway aid, we look at -- like I
15 said before -- a number of factors.

16 So we have -- what we're trying to do
17 right now is put together all the
18 requirements that are under Section 7. We
19 have a plan that we're executing and we're
20 developing -- we're developing, and then we
21 will execute.

22 Specifically on those requirements,
23 we're following the Executive Order 22 that
24 the Governor has put forward to implement

1 CLCPA and all the requirements under that.

2 ASSEMBLYWOMAN MITAYNES: This is
3 around the Governor's proposal to require
4 daylighting within 1,000 feet of elementary
5 schools in New York City. What safety impact
6 will this have?

7 DOT COMMISSIONER DOMINGUEZ: I hope
8 that it will have a huge safety impact in the
9 sense that, first and foremost, it's not
10 something New York State DOT has control
11 over. It's not jurisdictionally ours. It is
12 actually with City DOT.

13 But the bottom line is anything -- I
14 support the Governor's actions in the sense
15 that anything we can do to enhance safety for
16 school-age children is important.

17 CHAIRMAN PRETLOW: Is that it?

18 ASSEMBLYWOMAN MITAYNES: Yes.

19 CHAIRMAN PRETLOW: Senator?

20 CHAIRWOMAN KRUEGER: Ah, thank you.

21 We have Senator Bynoe.

22 SENATOR BYNOE: Thank you,

23 Madam Chair.

24 Good morning, Commissioner.

1 DOT COMMISSIONER DOMINGUEZ: Good
2 morning.

3 SENATOR BYNOE: So I'm representing
4 Nassau -- some of Nassau County's South Shore
5 communities. And with the severe weather and
6 flood-prone areas, I'm wondering, with the
7 aging infrastructure, what are you doing in
8 terms of funding those issues on Long Island
9 to build out resiliency?

10 DOT COMMISSIONER DOMINGUEZ: I will
11 tell you that every single project that we
12 undertake in Long Island factors that in.
13 Because obviously it's an island, so you've
14 got a number of flooding-related factors.
15 That, along with the actual materials -- you
16 know, you don't have to dig too far to
17 actually hit sand.

18 So realizing that drainage and flood
19 mitigation is critical to absolutely
20 everything that we do. We just completed a
21 project on Crooked Hill Road that encompassed
22 all of that, created one of the -- a very
23 significant drainage improvement for that
24 whole area.

1 So it's factored into everything.

2 SENATOR BYNOE: Okay. And then could
3 you talk a little bit about the State Touring
4 Routes and that program?

5 DOT COMMISSIONER DOMINGUEZ: Sure.

6 It's something actually that the
7 Legislature put forward. Senator Cooney's
8 predecessor put forward a proposal to create
9 State Touring Routes that are directed
10 primarily at more urban centers, where
11 localities have access to funds to help
12 support the roadways in those areas.

13 SENATOR BYNOE: Okay. And to your
14 recollection, is Nassau County participating
15 in that program?

16 DOT COMMISSIONER DOMINGUEZ: I would
17 imagine so, but I would have to come back to
18 you with the exact opportunity. It usually
19 does have opportunity in larger urban areas.

20 SENATOR BYNOE: Okay. And then in
21 terms of electrifying the buses, I'm
22 wondering if they're tapping into those funds
23 as well.

24 DOT COMMISSIONER DOMINGUEZ: Yes. A

1 number of the non-MTA transit authorities are
2 looking at opportunities, especially with the
3 new ZETT opportunity the Governor just
4 published last December. We are working with
5 all the transit -- the non-MTA transit
6 authorities to look to see how those funds
7 can be accessed.

8 And that does provide not just buses,
9 zero-emission buses, but charging facilities
10 and the buildout that goes along with that.

11 SENATOR BYNOE: Okay. Thank you very
12 much, Commissioner.

13 DOT COMMISSIONER DOMINGUEZ: You're
14 welcome.

15 CHAIRWOMAN KRUEGER: Assembly.

16 CHAIRMAN PRETLOW: Assemblymember
17 Tapia.

18 ASSEMBLYWOMAN TAPIA: (Mic off.)
19 Thank you. Good morning. Thank you,
20 Commissioner, for being here -- (mic on).
21 Okay, I didn't put the thing. Thank you.

22 (Laughter.)

23 ASSEMBLYWOMAN TAPIA: I represent the
24 Boogie Down Bronx, and I want to ask you

1 specifically about the Cross Bronx
2 Expressway, which is something that we are
3 really, really worried about it.

4 We have heard concerns from residents
5 and from advocates regarding the proposed
6 east-west connector to repair the five
7 bridges across the Cross Bronx. And
8 specifically, we have concerns that this
9 would increase car traffic in the Bronx.

10 Can you just provide some more
11 information regarding the ramifications of
12 that project? Because, I mean, what we are
13 doing with one hand, we might be destroying
14 it with the other one if we increase the
15 number of vehicles that are going to be
16 trafficking.

17 DOT COMMISSIONER DOMINGUEZ: I'd be
18 happy to.

19 So what we started to undertake last
20 September, we're undertaking an environmental
21 review process to look to develop some
22 alternatives about how we would actually
23 undertake the rehabilitation and replacement
24 of these five bridges. In other words, what

1 would the projects look like, and what would
2 be the means and methods by which we looked
3 at it.

4 So there's five bridges that need to
5 be looked at and that need to be replaced or
6 rehabilitated along a one-mile stretch of the
7 Cross Bronx. Looking at that, there's
8 several different alternatives that we --
9 based on the conversations that we're having
10 with the community and the engagement that
11 we're undertaking, you know, we can go
12 everything from don't do anything, the
13 no-build alternative, all the way up to a
14 number of other opportunities.

15 But I think the two critical things
16 that are on the table are: Do we undertake
17 the project within the existing parameters of
18 the Cross Bronx? Which would mean that we
19 would have to stage traffic in different
20 ways. It would likely take two years longer
21 in construction. Or do we build a diversion
22 road to take traffic off of the Cross Bronx
23 so that we could complete the project, the
24 five bridges, complete those five bridges two

1 years faster?

2 So that's kind of the difference. The
3 question then would be if we did build the
4 diversion road, would that be a road that
5 remains a road or do we turn it into a
6 pedestrian and bike access facility only? Do
7 we limit it just to MTA and, you know,
8 transit options?

9 There's -- those are the conversations
10 and the engagement that we're trying to
11 undertake right now with the community to
12 best understand what's going to be in the
13 best needs of the community, understanding
14 that we have to undertake the construction,
15 but what's going to be that positive way
16 forward.

17 ASSEMBLYWOMAN TAPIA: Thank you,
18 Commissioner.

19 CHAIRWOMAN KRUEGER: We have Senator
20 Roxanne Persaud.

21 SENATOR PERSAUD: Good morning,
22 Commissioner.

23 DOT COMMISSIONER DOMINGUEZ: Good
24 morning, ma'am.

1 SENATOR PERSAUD: I do not have any
2 questions for you per se. I just wanted to
3 make sure publicly I thank you and your staff
4 for working with myself and my staff on the
5 issues that we've brought to your attention.

6 I think sometimes, you know, we're
7 constantly calling and we seem to have a
8 hotline to your team. But they have always
9 been responsive and receptive to anything
10 that we have asked them to assist us with,
11 especially the complaints about pigeons and,
12 you know, the issues. Anyone who has pigeons
13 in their district with major issues, they'll
14 understand what we're talking about.

15 (Laughter.)

16 SENATOR PERSAUD: But again, I really
17 want to thank you and your team for always
18 working with us. Thank you.

19 DOT COMMISSIONER DOMINGUEZ: Thank
20 you, Senator. That's very kind of you.

21 I have to say I've learned a lot
22 myself.

23 (Laughter.)

24 DOT COMMISSIONER DOMINGUEZ: I

1 appreciate that, and I'll take it back to our
2 team. Thank you.

3 CHAIRWOMAN KRUEGER: Thank you.

4 Chairs are allowed to have a
5 three-minute follow-up, so Chair Jeremy
6 Cooney.

7 SENATOR COONEY: Thank you, Chair. I
8 appreciate it.

9 Commissioner, let's talk about worker
10 safety if we can. I know this is important
11 to you, and I want to be on record with
12 supporting the Executive's proposal for
13 worker assaults and criminal penalties. We
14 have to get that done. I carry that
15 legislation in the Senate.

16 But I want to talk about the Work Zone
17 Speed Camera Program specifically, if I can.
18 The proposal if the Executive Budget is to
19 make that Work Zone Speed Camera program
20 permanent. And since there hasn't been a
21 report yet on that program, can you talk
22 about the effectiveness of that program?

23 And specifically I want to point
24 you -- and we've talked about this before --

1 to one of the cameras that was operating in
2 my district in the City of Rochester where
3 there were 25,000 tickets issued over the
4 course of 24 days, which seemed a little
5 excessive to me.

6 But can you talk about not only the
7 effectiveness of the program -- are we
8 meeting our goals to increase safety -- but
9 in terms of the signage and the notification
10 so that drivers know to be prepared for these
11 new work site speed zone cameras.

12 DOT COMMISSIONER DOMINGUEZ: So
13 foremost, thank you for your support of the
14 program.

15 Overall it is one of the things that,
16 you know, in talking to my colleagues up and
17 down the East Coast, but then nationwide --
18 like I said before, I was recently in D.C.
19 earlier this week. Work zone safety is I'm
20 sure going to be -- I think New York is one
21 of the national leaders. We've had some
22 states on the East Coast that have also taken
23 this initiative.

24 But I do look forward to it being a

1 national issue, perhaps in the
2 reauthorization at the federal level of the
3 Surface Bill.

4 With that said, in answer to your
5 question, the bottom line is the program's
6 working. We -- part of our requirements in
7 setting up a work zone are to make sure that
8 the work zone is set up according to
9 engineering standards but, more importantly,
10 to make sure that the signage is there so
11 that any driver coming through understands
12 that this is a camera-enforced work zone.

13 The data is showing that, just like
14 the site we had in Rochester, the longer the
15 work zone is in place, the fewer notices of
16 violations. While that number was
17 significant, that area happened to be a
18 40-mile-an-hour speed limit. We didn't
19 reduce the speed limit in that area. We just
20 simply put up a sign that said "This is a
21 work zone." People were still moving through
22 there really fast, and that's why they got
23 ticketed.

24 SENATOR COONEY: Well, and there was a

1 lot of money collected through that process,
2 through the fine process. And I understand
3 that that goes to the Worker Safety Fund in
4 terms of being able to be reinvested into
5 things --

6 DOT COMMISSIONER DOMINGUEZ: Correct.

7 SENATOR COONEY: And I hope that -- I
8 know we don't have time today, but we can
9 talk further about how those dollars will be
10 allocated out of the lockbox so that we keep
11 our roads and communities safer. Thank you,
12 Commissioner.

13 DOT COMMISSIONER DOMINGUEZ: And they
14 go directly back into those worker safety
15 initiatives.

16 SENATOR COONEY: Thank you,
17 Commissioner. Thank you, Chair.

18 CHAIRWOMAN KRUEGER: Thank you.
19 Assembly.

20 CHAIRMAN PRETLOW: Assemblyman Bores.

21 ASSEMBLYMAN BORES: Hi, Commissioner.
22 Thanks for being here.

23 DOT COMMISSIONER DOMINGUEZ: Hello,
24 Assemblyman.

1 ASSEMBLYMAN BORES: There was a report
2 in August of 2023 about spending from the
3 Bipartisan Infrastructure Bill. Six billion
4 dollars at that point had been given to
5 New York State in flexible funds that could
6 be used for any kind of work. And about
7 90 percent had been given to highways and
8 car-based infrastructure, and only 1 percent
9 of those flexible funds had gone towards mass
10 transit or buses or sidewalks or things like
11 that.

12 I'm wondering if there's any updates
13 on those numbers of how, when we have the
14 choice of spending federal dollars, how we
15 end up spending them.

16 DOT COMMISSIONER DOMINGUEZ: So I will
17 tell you, we take the dollars and incorporate
18 them directly into our five-year capital plan
19 that we're executing now. So we're taking
20 the money that we got from the Bipartisan
21 Infrastructure Bill, along with a record
22 level of state investment, and that's what
23 we're executing on. That's the 34 billion
24 that we've got.

1 Off the top of the New York State
2 Department of Transportation's budget,
3 \$9 billion is going directly to transit.
4 Eight billion of that goes directly from
5 New York State DOT's budget into MTA.

6 ASSEMBLYMAN BORES: Oh, I want to be
7 very clear, I think you're doing a great job
8 supporting and we're spending money on the
9 MTA and transit outside of New York State.
10 So I don't mean to imply anything like that.

11 I'm just saying of the federal funds
12 where we have the option to spend it, are we
13 looking at how much is going into -- are
14 there any updates on how much is going into
15 car infrastructure versus transit?

16 DOT COMMISSIONER DOMINGUEZ:
17 Absolutely. And the other portion of those
18 funds that we give directly to MTA come out
19 of our CMAQ dollars. My point is, is that
20 regardless if it's federal or state funds off
21 the top from New York State's 33 -- hopefully
22 \$34 billion budget, 9 billion of that is
23 going directly into transit.

24 ASSEMBLYMAN BORES: Okay. Thank you.

1 that's looking at every level of mobility.

2 Regardless of how people want to move,
3 we want to make sure that there's access to
4 transportation and that there's the ability
5 to do it. If you want to walk, if you want
6 to bike, whatever you want to access transit,
7 it's going to be there. And that's the level
8 of investment we're looking at.

9 ASSEMBLYMAN BORES: Thank you.

10 CHAIRMAN PRETLOW: Thank you.

11 Assemblywoman Shimsky.

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

14 Thank you so much, Commissioner
15 Dominguez. Thanks to you and your staff for
16 always being accessible and for listening and
17 engaging with us.

18 I just want to say how grateful we are
19 for the \$800 million in increases for the
20 core roads and bridges program. Do you see
21 this money allowing additional emphasis on
22 improving pavement conditions?

23 DOT COMMISSIONER DOMINGUEZ: Yes, I
24 do.

1 ASSEMBLYWOMAN SHIMSKY: Great. Just
2 what I want to hear.

3 Is the work going to be done with new
4 projects, or is it just going to be
5 reprioritizing what's already on the --

6 DOT COMMISSIONER DOMINGUEZ: What
7 we're looking to do is making sure that the
8 existing projects that were within the MOU
9 scope are executed. If for some reason they
10 can't be within the time frame of the capital
11 plan, we will pull in other projects and make
12 sure that they are executed.

13 The bottom line is is that we want to
14 use the money wisely, according to our asset
15 management strategy, which is informed by
16 data, which gets to the road and bridge
17 conditions that we're trying to address.

18 ASSEMBLYWOMAN SHIMSKY: Right.

19 I just want to add to the chorus about
20 Region 8 and giving emphasis to parts of the
21 state with the most problematic conditions.
22 As you know, Region 8 has the largest number
23 of road miles. It also has the worst
24 conditions, and its relative conditions

1 vis-a-vis the average throughout the state
2 has been widening.

3 So anything we can do to make sure
4 that the Hudson Valley gets some of the
5 needed repairs, that would be really great.

6 DOT COMMISSIONER DOMINGUEZ: I
7 appreciate that. Understanding that you know
8 this better than anyone, we've got the most
9 lane-miles in the Hudson Valley, some of the
10 oldest roads in the state, and we also have
11 extreme weather that we deal with. So
12 oftentimes --

13 ASSEMBLYWOMAN SHIMSKY: (Inaudible.)

14 DOT COMMISSIONER DOMINGUEZ: Yeah,
15 exactly. Freeze-thaw cycles don't help.

16 So making sure that we can manage our
17 roadways and address the road conditions.
18 That's exactly what these dollars are
19 intended for.

20 ASSEMBLYWOMAN SHIMSKY: And having
21 this 800 million is fantastic. But in order
22 to fully catch up and make sure all of our
23 roads are in a better state of repair, we are
24 going to have to continue extra investments

1 going forward.

2 What do you see as the best ways to
3 keep the momentum going forward?

4 DOT COMMISSIONER DOMINGUEZ: I -- I
5 think that is a great discussion that the
6 Executive and the Legislature might
7 undertake.

8 ASSEMBLYWOMAN SHIMSKY: Okay, great.

9 In terms of CHIPS, my mayors don't
10 want any more bureaucracy. They want more
11 money into CHIPS. An extra \$250 million
12 would help put the local roads in parity with
13 the state roads in terms of additional
14 investment.

15 CHAIRMAN PRETLOW: Thank you,
16 Assemblywoman.

17 Assemblyman Fall.

18 ASSEMBLYWOMAN SHIMSKY: Thank you.

19 DOT COMMISSIONER DOMINGUEZ: Thank
20 you.

21 ASSEMBLYMAN FALL: Good morning,
22 Commissioner.

23 DOT COMMISSIONER DOMINGUEZ: Good
24 morning.

1 ASSEMBLYMAN FALL: And thank you for
2 being here. And thank you for your
3 leadership.

4 In the sixth paragraph of your
5 testimony, you mentioned the importance of
6 undoing the planning mistakes of the past and
7 providing new opportunities for growth.

8 That I think also applies for the
9 Staten Island Expressway. About a decade ago
10 there was some federal funding that was
11 received by the state, and there was a
12 massive undertaking of redoing the whole
13 Staten Island Expressway, but it did not
14 include expansion of the HOV lane. Right?

15 DOT COMMISSIONER DOMINGUEZ: Correct.

16 ASSEMBLYMAN FALL: And so as you know
17 very well, when you get closest to the
18 Bradley Avenue exit, it becomes a bottleneck.
19 Right? And that creates traffic in the area
20 where there's tough challenges or there are
21 challenges with public transit.

22 And of course we understand that the
23 proposed capital plan is \$34 billion. It
24 doesn't include any expansion for the HOV

1 expansion on the Staten Island Expressway.
2 Kind of curious to know, you know, where does
3 that fall in terms of priorities for the
4 State Department of Transportation?

5 DOT COMMISSIONER DOMINGUEZ: We've
6 done a number of elements to help improve the
7 Staten Island Expressway. Just completed a
8 big project there a couple of years ago.

9 The bottom line is is that project,
10 the expansion of the Staten Island
11 Expressway, is not currently part of the
12 executed MOU of the five-year capital plan
13 that we're doing right now.

14 ASSEMBLYMAN FALL: Okay.

15 DOT COMMISSIONER DOMINGUEZ: So I
16 would, you know, in the coming years, that
17 would be a point of discussion between the
18 Legislature and the Executive.

19 ASSEMBLYMAN FALL: All right. I'm
20 anxious for that conversation, because this
21 is something I often hear from about -- from
22 constituents. You know, it just doesn't make
23 sense to the public why it is that way. So I
24 would like to work with you and hopefully get

1 it in the next capital plan. All right?

2 My next question is related to -- you
3 mention in the tenth paragraph of your
4 testimony some of the work that's being done
5 on the West Side Highway in Manhattan. I
6 have part of that in my district.

7 And I met with some of your staff and
8 City DOT back in June of 2024 related to some
9 safety concerns that we have received from
10 pedestrians and cyclists that live in the
11 district and in the community. But we
12 haven't heard back after various follow-ups.
13 So if you could please have your team
14 follow up with my staff, we would like to
15 kind of get those issues addressed.

16 DOT COMMISSIONER DOMINGUEZ:
17 Absolutely. Be happy to.

18 ASSEMBLYMAN FALL: All right. Thank
19 you.

20 DOT COMMISSIONER DOMINGUEZ: Yeah,
21 we're just kicking off, so it's just the
22 beginning. There'll be lots of time for
23 engagement with the community. So I just
24 want to be clear about that.

1 ASSEMBLYMAN FALL: Okay. Thank you.

2 DOT COMMISSIONER DOMINGUEZ: But happy
3 to answer any questions with your staff.
4 We'll follow up.

5 ASSEMBLYMAN FALL: Appreciate it,
6 thanks.

7 CHAIRMAN PRETLOW: Is that it?
8 Assemblyman Palmesano.

9 ASSEMBLYMAN PALMESANO: Thank you,
10 Commissioner. I know we've talked before;
11 let me just say this really point-blank:
12 CHIPS, CHIPS, CHIPS, CHIPS.

13 Given the fact that 87 percent of the
14 roads in New York State are owned and
15 maintained by our local municipalities and
16 52 percent of the 18,000 bridges are owned
17 and maintained by our municipalities, and
18 given the fact that there's an \$800 million
19 increase for the core program -- which is
20 good, to help deal with the inflationary
21 increase -- and given the fact, according to
22 the Federal Highway Administration National
23 Highway Construction Cost Index, highway
24 construction costs over the past three years

1 have increased by 70 percent -- but yet this
2 budget, even though it's been perceived as an
3 increase of \$100 million, it's not. It's
4 flat from last year.

5 Last year the Governor proposed
6 cutting funding from CHIPS. We restored the
7 funding. So it's been flat basically the
8 past -- since the '23-'24 budget.

9 Given this 70 percent increase in the
10 inflationary costs, how do you justify not
11 increasing the CHIPS program? Forget the
12 historic improvements you've made in the
13 past. But isn't that kind of missing the
14 boat?

15 DOT COMMISSIONER DOMINGUEZ: I don't
16 think so, when you look at it in the
17 aggregate.

18 What we have to do is look at the
19 entirety of the program. And I think the
20 Governor acknowledged that in her budget
21 proposal: 800 million towards the larger
22 capital plan to make sure that we can restore
23 our purchasing power.

24 And in addition to that, that builds

1 off, as I stated before, the historic amount
2 of local assistance that has been provided in
3 the capital plan. That's \$6.3 billion --

4 ASSEMBLYMAN PALMESANO: I understand.
5 I understand.

6 DOT COMMISSIONER DOMINGUEZ: That's an
7 85 percent increase over anything we've ever
8 seen before.

9 ASSEMBLYMAN PALMESANO: I don't want
10 to sound rude, and I know I'm cutting you
11 off, and I apologize. But I've got three
12 minutes.

13 CHIPS is flat. The Governor did not
14 propose a CHIPS increase this year. She cut
15 it last year, she proposed cutting it last
16 year.

17 A 70 percent increase in the local
18 highway construction costs for
19 municipalities. This is -- and then we have
20 the electric vehicle mandate. There's a
21 study that I know we had some preliminary
22 reports at the electric infrastructure
23 hearing we had last week -- the school bus
24 mandate, it's the mother of all unfunded

1 mandates, is heading towards our school
2 districts.

3 And weight -- a diesel school bus
4 weighs about 10 tons per axle. An electric
5 school bus has 14 tons on the front axle and
6 25 tons on the rear axle. It's projected
7 that towns -- because the weight is going to
8 impact the life of those roads, maintenance
9 costs will increase \$20,000 to \$50,000 per
10 mile and major reconstruction will increase
11 550,000. Those are increases.

12 Is the DOT and the commissioner ready
13 to commit to significant increases in CHIPS
14 funding to help our local roads
15 infrastructure that are going to bear the
16 weight of these -- this major unfunded
17 mandate that's going to be put down on our
18 local school districts and our towns and our
19 property tax rates? Is the state ready to
20 make that significant commitment for the
21 future to deal with this unfunded mandate,
22 major unfunded mandate?

23 DOT COMMISSIONER DOMINGUEZ:
24 Assemblyman, I think that what we've been

1 clear about with regard to the existing -- we
2 don't see an impact on the state system for
3 these EV buses.

4 ASSEMBLYMAN PALMESANO: But our locals
5 are going to feel it, and they're going to be
6 hurt by it.

7 CHAIRMAN PRETLOW: Thank you,
8 Madam Commissioner.

9 Assemblymember Jacobson.

10 ASSEMBLYMAN JACOBSON: Thank you,
11 Mr. Chairman.

12 Good seeing you again, Commissioner.

13 Your regional office is quite
14 cooperative, but we still have some
15 outstanding issues in the Hudson Valley. You
16 know, I go from Beacon to Newburgh up the
17 Hudson, over to Poughkeepsie. On Route 9D in
18 Beacon, between the train station and the
19 bridge, Newburgh-Beacon Bridge, it is a
20 nightmare whenever a train comes in during
21 rush hour. Traffic is backed up.

22 The big reason is is that you have two
23 lanes going north by the bridge, and one lane
24 turning. What you need to do -- and I've

1 mentioned this before -- is just like you
2 have on the Newburgh side, on 9W, you have
3 two lanes merging quickly into one, and that
4 would alleviate the problem. That's a major,
5 major problem. Because traffic gets backed
6 up, sometimes it will take 20 minutes to get
7 from 90 to the bridge.

8 Route 52, from the City of Newburgh to
9 Rock Cut Road, is a disaster. I get calls
10 all the time.

11 Route 32, from the intersection of 300
12 to the Town of Newburgh or Ulster County
13 border, is terrible.

14 Route 300, from 52 to its intersection
15 with Route 32.

16 On big issues, we're part of Region 8.
17 Region 8 is the largest DOT region in terms
18 of roads. I mean, that's Westchester,
19 Putnam, Dutchess, Columbia, Rockland, Orange,
20 Ulster. It's huge. But we don't get the
21 proportion of the CHIPS money that we should.
22 So it should be done proportionally.

23 We need another CHIPS program for
24 ADA compliance, because I'm sure you know

1 that when you do streets in cities or
2 villages where there's sidewalks, the
3 ADA-compliance cost is much greater than for
4 the paving.

5 And while it's not in my district,
6 it's important to the region. When are we
7 ever going to start the expansion of
8 Route 17?

9 DOT COMMISSIONER DOMINGUEZ: The 17 to
10 86 project? What we're doing right now is --
11 is that your question? Like --

12 ASSEMBLYMAN JACOBSON: Yeah.

13 DOT COMMISSIONER DOMINGUEZ: We have
14 every intention -- we are advancing the
15 environmental review of that project right
16 now, and our goal is to actually start
17 construction before the end of this capital
18 plan, in the next two years.

19 ASSEMBLYMAN JACOBSON: I thought that
20 was done last year, the study.

21 DOT COMMISSIONER DOMINGUEZ: No, sir.
22 It's not complete.

23 ASSEMBLYMAN JACOBSON: Thank you.

24 CHAIRMAN PRETLOW: Thank you.

1 Assemblywoman Gallagher.

2 ASSEMBLYWOMAN GALLAGHER: Good
3 morning, Commissioner.

4 DOT COMMISSIONER DOMINGUEZ: Good
5 morning, Assemblymember.

6 ASSEMBLYWOMAN GALLAGHER: I am going
7 to play the role of nosy neighbor, because I
8 know that what happens in communities near
9 mine also impacts me. Right? So I'm going
10 to be helping out my friends from the Bronx
11 over here.

12 I know you already talked about the
13 Bronx expressway bridges project. But what
14 I'm curious about is this multimodal
15 community connector that there hasn't been a
16 lot of information out about. But I think a
17 reporter did a FOIL request, and they got
18 some interesting information. Like the speed
19 limit is 45 miles an hour, it's along the
20 Cross Bronx Expressway, but it's five lanes.

21 It doesn't really seem like it's
22 trying to connect people from the corner
23 store to the park. It sounds like it's like
24 an adjacent highway that's being added.

1 So I'd love to hear a little bit more
2 about that and, you know, what are your
3 plans. And how is it that the federal
4 government is giving us climate resiliency
5 money for something that is going to -- it
6 sounds like primarily -- I don't want to --
7 as a cyclist, I don't want to ride on a
8 45-mile-an-hour road. So I'm interested in
9 hearing more about that plan.

10 DOT COMMISSIONER DOMINGUEZ: Sure.

11 So I think -- let me just kind of
12 level-set where we are. We started an
13 environmental review process last September
14 for the five bridges project in the
15 Cross Bronx. What we're looking at in the
16 engagement we've been having with the
17 community is what should our approach be,
18 what can we -- because there's two different
19 approaches we could potentially take.

20 One, do all the work within the
21 existing framework, if you will, of the
22 Cross Bronx Expressway itself. And that
23 would take a certain number of years. It
24 would take an additional two years in

1 construction to do all the work that we need
2 to do to replace and rehabilitate the five
3 bridges.

4 Or should we look at a diversion
5 road --

6 ASSEMBLYWOMAN GALLAGHER: I just have
7 a quick question. I'm sorry to interrupt,
8 but I'm just watching my money -- my money
9 tick away? My time.

10 What is the community that you're
11 talking to, because I heard from a NYCHA
12 advocate that they had not been talked to.
13 And the NYCHA facility is right next to this
14 road.

15 DOT COMMISSIONER DOMINGUEZ: Yes,
16 across.

17 ASSEMBLYWOMAN GALLAGHER: So who is
18 the community that is being asked about this?

19 DOT COMMISSIONER DOMINGUEZ: So we are
20 doing continuous engagement with both the
21 Bronx Housing Authority, a number of the
22 community boards, a number of the advocate
23 organizations. We're trying to reach --
24 we're just -- our outreach is continuous.

1 Our engagement is continuous.

2 So I'd be happy to work with whoever
3 you're talking to --

4 ASSEMBLYWOMAN GALLAGHER: Yeah, no, I
5 can definitely connect you to my neighbors --

6 DOT COMMISSIONER DOMINGUEZ: Be happy
7 to reach out to them.

8 ASSEMBLYWOMAN GALLAGHER: -- who are
9 saying that they have not been reached out
10 to.

11 CHAIRMAN PRETLOW: Assemblyman Durso.

12 ASSEMBLYMAN DURSO: Thank you,
13 Commissioner, for being here today.

14 So I just wanted to touch back on what
15 some of my colleagues from Long Island was
16 talking about. When we spoke about this
17 7.8 percent number that we have with the
18 amount of capital funding we receive, you
19 were saying it was roughly 12 to 15 percent.
20 So maybe our numbers differ on the amount of
21 money that's coming to Long Island, but
22 historically Long Island got well over
23 20 percent, just -- and especially now, with
24 the amount of lane-miles that we do have, and

1 the highest concentration of registered
2 vehicles within New York State, do you think
3 that a program like SHIPs or maybe an MPO
4 would be able to help areas like Long Island
5 and regions like the Hudson Valley be able to
6 get that money that they need to start up
7 those projects and finish those road projects
8 that specifically even on Long Island we use
9 our union contractors to do that work?

10 Do you think that there's an appetite
11 for that work to get done by those
12 contractors and that the MPO and the SHIPs
13 program could help do that?

14 DOT COMMISSIONER DOMINGUEZ: So with
15 regard to the SHIPs program, that is a
16 program that was initiated some 30 years ago
17 or so. How that actually plays out I think
18 would be a discussion between the Legislature
19 and the Executive. It's not an existing
20 program now that we execute.

21 ASSEMBLYMAN DURSO: But it was
22 executed at a time, and I'm just -- that's
23 what I'm asking. Do you think a program like
24 that could help to make sure that those two

1 regions get the money in the capital program
2 that they deserve and need to keep their road
3 and infrastructure up?

4 DOT COMMISSIONER DOMINGUEZ: I think
5 there are a number of programs that are in
6 existence right now that the Legislature and
7 the Executive have to fund to make sure that,
8 you know, roads and bridges are actually
9 addressed in the course of our capital plan
10 as well as access for locals for assistance.

11 So my point is is that there are a
12 number of funding mechanisms across the board
13 right now. How you all negotiate on how to
14 change anything would be at your discretion.

15 ASSEMBLYMAN DURSO: So the
16 disagreement on the number, as far as we have
17 7.8 percent and you're saying 12 to
18 15 percent --

19 DOT COMMISSIONER DOMINGUEZ: I'm not
20 quite sure where that number came from. I
21 don't know --

22 ASSEMBLYMAN DURSO: How does that
23 number get worked out?

24 DOT COMMISSIONER DOMINGUEZ: It might

1 be like some sort of a split in one time in
2 one year.

3 But you have to look at the course of
4 our overall investment over a five-year
5 capital plan, and our numbers are
6 significantly higher over the course of the
7 entirety of a five-year capital plan. The
8 level of investment is almost double.

9 ASSEMBLYMAN DURSO: So is the number
10 of lane-miles and registered vehicles in a
11 region, in an area, taken into account when
12 they do the formula for the amount of money
13 that's going to go to those areas?

14 DOT COMMISSIONER DOMINGUEZ: The way
15 that we look at it is asset-based. We have
16 an asset management system that we actually
17 employ across the state. So what DOT does is
18 really look to make sure that we preserve our
19 assets as cost effectively as we possibly
20 can.

21 So we calculate the data, we literally
22 inspect all of our bridges. We look at the
23 bridge conditions, we look at our pavement
24 conditions, and then we look to see what

1 needs to be addressed based on those factors.
2 And then we share that information and
3 develop the MOU.

4 ASSEMBLYMAN DURSO: Thank you,
5 Commissioner.

6 CHAIRMAN PRETLOW: Assemblyman
7 Bendett.

8 ASSEMBLYMAN BENDETT: Thank you.

9 I had a nice time speaking with you
10 and your staff a couple of weeks ago, and we
11 discussed a few things. And the first thing
12 that I wanted to say was I know we're in this
13 room without any windows, but there's people
14 outside right now that are plowing and
15 literally risking their lives.

16 And the reason why I know that is
17 because I get behind the plow sometimes --
18 and I will be later today -- and so I
19 recognize that.

20 With CHIPS funding, one of the
21 problems is, is when it's held flat, our
22 local highway departments have to make
23 choices in order to continue to provide the
24 services that are necessary for our citizens.

1 And when they do so, they have to make cuts
2 to perhaps personnel, and different things
3 happen that create different safety issues.

4 And I just want to say that that is
5 something that really concerns me, knowing
6 full well what my colleague said, that all of
7 the materials have gone up so much in our
8 county and town highway departments are
9 continuously asked to do more with less.

10 Do you have any suggestions about how
11 our local highway departments can continue to
12 provide the services that they need to
13 provide when their funding has stayed flat
14 for so long now?

15 DOT COMMISSIONER DOMINGUEZ:
16 Acknowledging that first and foremost the
17 investment in local assistance, whether it's
18 through CHIPS or a number of the other
19 programs that are available -- Pave Our
20 Potholes, Extreme Winter Recovery -- all of
21 those local assistance programs have
22 fundamentally grown over the course of
23 Governor Hochul's tenure. She has invested
24 more than any other Executive in local

1 assistance.

2 And when we look at this capital plan
3 in particular, it's a \$6.3 billion investment
4 that's been leveraged. In this particular
5 budget, an additional hundred million dollars
6 has been added to help, again, with CHIPS and
7 CHIPS funding.

8 The department executes a very robust
9 local assistance program. We work with the
10 municipalities across the state, the
11 counties, to make sure that those dollars are
12 executed as efficiently as they possibly can
13 be. We've made some improvements in
14 literally the processing and the requirements
15 -- how do we make sure that municipalities
16 get the biggest bang for their buck and
17 they're not having to do additional
18 paperwork?

19 ASSEMBLYMAN BENDETT: Can I just
20 interrupt you quick? I appreciate all of
21 that. It's just that we continue to hear it
22 from our county and town highway departments
23 about how much they're struggling.

24 I hope that you'll go back and maybe

1 help sharpen that pencil and help these
2 people out. Thank you so much.

3 DOT COMMISSIONER DOMINGUEZ: You're
4 welcome.

5 CHAIRMAN PRETLOW: Assemblyman Slater.

6 ASSEMBLYMAN SLATER: Thank you very
7 much.

8 And good morning, Commissioner.
9 always good to see you. Appreciate the work
10 that you and your staff continue to do.

11 You know, it's funny, there's really
12 not many times that Republicans and Democrats
13 here in Albany come together and use a
14 uniform voice on something. But I'm hearing
15 it in the Hudson Valley. Because we all
16 know, whether you're Republican or Democrat,
17 that our communities are suffering right now.
18 And they're suffering because of the
19 conditions of the roads that we continue to
20 see. And we hear that from our constituents.

21 So I'm curious if you can tell me what
22 the current paving schedule is for the
23 Hudson Valley compared to the rest of the
24 state. Is it on par with the rest of the

1 state? Is it below? Is it going to take us
2 longer to pave the roads in the Hudson Valley
3 at the current investment rate that we're
4 going at?

5 DOT COMMISSIONER DOMINGUEZ: Well,
6 let's start from the premise that has been
7 stated, which is that in the Hudson Valley
8 there are more roadways, it's a denser
9 population, there are a higher number of cars
10 that are actually utilizing the roads.

11 That said, what we also do is, as I
12 mentioned before, we have an asset management
13 strategy that we undertake --

14 ASSEMBLYMAN SLATER: Yes, you
15 mentioned --

16 DOT COMMISSIONER DOMINGUEZ: -- to
17 make sure that we're addressing the most
18 critical roadways as part of identifying
19 exactly what needs to go into our capital
20 plan, and --

21 ASSEMBLYMAN SLATER: I understand that
22 we're being asked to approve an \$800 million
23 allocation. Which I think we all support,
24 but how do we know for sure that the

1 Hudson Valley, our constituents, are going to
2 benefit from that \$800 million investment?

3 Because it's a great headline, but
4 when it comes to actually seeing the results
5 in our communities, we just haven't seen that
6 in a meaningful way yet.

7 And so I'm wondering, how can you
8 assure us that the Hudson Valley will
9 actually benefit?

10 DOT COMMISSIONER DOMINGUEZ: Because
11 it's going to be maintained along the
12 historical allocations that have existed for
13 purposes of the MOU and how those splits are
14 made statewide.

15 ASSEMBLYMAN SLATER: And are you going
16 to be willing to share with us the different
17 allocations of dollars region by region?

18 DOT COMMISSIONER DOMINGUEZ: Those
19 are -- those are just -- those are an
20 agreement between -- we're doing it along the
21 same lines that the Executive and the
22 Legislature have historically made. We're
23 not -- we don't control that. That's a --
24 that's between --

1 ASSEMBLYMAN SLATER: So it sounds
2 like, though, what you're saying is the
3 allocation formula is really not changing,
4 meaning you can't tell us that we're going to
5 actually see a meaningful difference in the
6 Hudson Valley with a significant increase of
7 \$800 million.

8 DOT COMMISSIONER DOMINGUEZ: We are
9 going to be executing those projects that
10 need to be executed along the lines of our
11 asset management system.

12 ASSEMBLYMAN SLATER: I appreciate it.

13 DOT COMMISSIONER DOMINGUEZ: I do
14 think you will see --

15 ASSEMBLYMAN SLATER: In my remaining
16 time I do want to just bring up something
17 that -- I think it was Senator Comrie had
18 talked about, which was RAP. When do you
19 expect the pilot project to be completed on
20 recycled use of pavement?

21 DOT COMMISSIONER DOMINGUEZ: When do
22 we think that the --

23 ASSEMBLYMAN SLATER: You said -- you
24 were talking about a pilot project that

1 you're engaged in right now for DOT?

2 DOT COMMISSIONER DOMINGUEZ: We're
3 doing -- yes. We have projects that we're
4 executing to look at low carbon and
5 recycling.

6 ASSEMBLYMAN SLATER: When do you
7 expect it to be completed?

8 DOT COMMISSIONER DOMINGUEZ: I don't
9 know, but I'll be happy to get back to you.
10 I don't know what the timeline is.

11 ASSEMBLYMAN SLATER: Understood. And
12 then, if I could, CHIPS, CHIPS, CHIPS. Our
13 local highway departments need them
14 desperately. And I agree with what was said
15 before, we're not seeing the necessary
16 investment there either.

17 CHAIRMAN PRETLOW: Thank you,
18 Assemblyman.

19 Assemblywoman Simon.

20 (Pause.)

21 ASSEMBLYWOMAN SIMON: Okay, I'm
22 working on it. Technology, you know?

23 (Laughter.)

24 ASSEMBLYWOMAN SIMON: Good morning,

1 Commissioner.

2 DOT COMMISSIONER DOMINGUEZ: Good
3 morning.

4 ASSEMBLYWOMAN SIMON: Thank you for
5 your testimony today.

6 I have a few questions.

7 The first one is, as you may know, we
8 passed legislation for the weigh-in-motion
9 for overweight trucks on the BQE, which has
10 been wildly successful in reducing the number
11 of overweight trucks on the roadway there.

12 So it is about to -- the initial
13 authorization is about to expire, and I know
14 the Governor's office has included making it
15 permanent and some other uses of it in her
16 budget, which I want to thank you for.

17 But also I have a couple of things I'd
18 like to chat with you further about, based on
19 our experience using it.

20 And also just I want to make sure that
21 we mention that DEC is doing air monitoring
22 along that corridor, and of course it's a
23 very, very polluted area. And so that just
24 furthers the -- my concerns about needing to

1 use wind technology more broadly and more
2 effectively. Thank you.

3 And then -- but I do have a question
4 about speeding. We've had so much speeding,
5 increasing really through -- since the
6 pandemic. And we have lost like 250 people
7 to traffic violence in 2024 alone, including
8 16 or 17 children.

9 So there's a bill that would have --
10 for people who are found to have been
11 speeding, who have a lot of speeding tickets,
12 for example, to have a speed-limiter on their
13 car installed. Somewhat like the ignition
14 interlock device, but not that, that wouldn't
15 allow them to go beyond -- five miles beyond
16 the speed limit.

17 And, you know, I would really like to
18 know what measures are being addressed by the
19 DOT with regard to speeding, and your support
20 for such a bill.

21 DOT COMMISSIONER DOMINGUEZ: I'm not
22 familiar with the legislation. We'd be happy
23 to take a look at it. You know, we don't --
24 DOT doesn't have jurisdiction per se over

1 speed limits around the state.

2 We do determine on particular roadways
3 exactly what that -- you know, we do speed
4 studies to understand exactly what the
5 traffic should travel at.

6 But that said, you're right, the
7 numbers nationally have gone up, the numbers
8 in New York State have gone up, certainly in
9 a post-COVID environment. You know,
10 fatalities have gone up, and it is very
11 troubling.

12 We've undertaken a safe systems
13 approach to everything that we're doing for
14 traffic safety management, and I'd be happy
15 to go through the program with you in greater
16 detail. I know our time is limited.

17 But it is a very comprehensive
18 approach to safety, everything from design
19 standards to, you know, how do we actually
20 make sure that there's driver cognizance,
21 awareness, paying attention. It's half the
22 battle right now. People are not focused on
23 driving.

24 ASSEMBLYWOMAN SIMON: Thank you very

1 much. I appreciate it. I'll take you up on
2 it.

3 CHAIRMAN PRETLOW: Thank you.
4 Assemblywoman Giglio.

5 ASSEMBLYWOMAN GIGLIO: Good morning --
6 or good afternoon.

7 DOT COMMISSIONER DOMINGUEZ: Good
8 morning.

9 ASSEMBLYWOMAN GIGLIO: And thank you,
10 Commissioner. Thank you again for Region 10,
11 too. They're doing an awesome job. Rich
12 Causin and Karyn Meyer, shout out to them and
13 the entire staff at DOT. They're very
14 helpful.

15 And thank you for your phone
16 conversations before these hearings to tell
17 us what your priorities are. And I couldn't
18 agree with them more.

19 But my question has more to do with
20 what you were discussing earlier about the
21 recycled materials that you're using for
22 roadways and for backfilling. And we
23 currently can't use that on Long Island. So
24 I want to know if there are cost savings --

1 you know, in 1988 New York State adopted the
2 reclaiming before landfilling and mandated
3 state agencies promote recycling and find
4 uses for waste materials.

5 So I want to know what the cost
6 savings are for using those recycled
7 materials. With our landfills closing on
8 Long Island and with our -- really, we're
9 going to be trucking garbage out once our --
10 everything starts happening. So we really
11 need to focus more on recyclable materials.

12 And I want to know if they're
13 effective, what the cost savings are, and why
14 we can't use them on Long Island.

15 DOT COMMISSIONER DOMINGUEZ: I will
16 tell you that right now what we're doing is
17 we're recycling -- in terms of asphalt, we're
18 recycling about 1.6 tons {sic} of asphalt
19 pavement every year.

20 And what we're looking to do is make
21 sure that the -- what we're undertaking is
22 actually meeting the performance mixes that
23 we need to achieve in making sure that the
24 durability in everything that we do -- make

1 sure for -- the duration and durability of
2 our roadways is actually accomplished.

3 So the bottom line is is that we are
4 not only testing it, but we're actually
5 affirmatively putting in -- making sure
6 that -- we're testing it to make sure that
7 the performance is achieving what we want to
8 do.

9 As for the requirements on
10 Long Island, I'm not personally familiar with
11 that, but I would be happy to circle back.
12 I'm not familiar with why Long Island
13 wouldn't qualify for a performance --

14 ASSEMBLYWOMAN GIGLIO: Like I said,
15 our landfills are closing and they're on
16 extension. And a lot of it has to do with
17 the ash, which could be used for
18 right-of-ways and perhaps roadbeds or
19 drainage.

20 But we're currently not able to use
21 those materials. And if we are facing a
22 garbage crisis on Long Island, it would be
23 fantastic to be able to use these
24 recyclables.

1 So if you have a report on the
2 effectiveness -- I don't know how long
3 New York State DOT has been using these
4 applications in their roadways. I know the
5 act was adopted in 1988 by New York State.
6 But --

7 DOT COMMISSIONER DOMINGUEZ: We've got
8 an active pilot right now looking at the mix
9 design, and we'll be writing a report to
10 actually publish, and we'll share that with
11 you to see exactly --

12 ASSEMBLYWOMAN GIGLIO: Thank you very
13 much.

14 DOT COMMISSIONER DOMINGUEZ: -- what
15 worked and what didn't and what we need to
16 refine going forward.

17 The bottom line is, is that we
18 affirmatively want to make sure that we're
19 reducing carbon in the materials that we're
20 using, and that they're -- but at the same
21 time they have to make sure that they're
22 meeting the design standards and that they're
23 safe for the performance of our roadways.

24 ASSEMBLYWOMAN GIGLIO: Thank you.

1 CHAIRMAN PRETLOW: Thank you,
2 Commissioner.

3 Assemblyman De Los Santos.

4 ASSEMBLYMAN DE LOS SANTOS: Thank you,
5 Chair.

6 Thank you, Commissioner Dominguez, for
7 your time and for being here today.

8 You know, transportation is a form --
9 personally I believe is a form of quality of
10 life. And I represent Upper Manhattan, which
11 includes Washington Heights, Inwood and
12 Marble Hill. So can you share what the
13 department is doing specifically for my
14 district to improve conditions,
15 transportation conditions?

16 DOT COMMISSIONER DOMINGUEZ: So we
17 have -- we work very closely with New York
18 City DOT. The roads and bridges are uniquely
19 divided in New York City between --
20 jurisdiction between New York City and
21 New York State. So it could be any number of
22 road-related projects or bridges. I don't
23 have a list in front of me, but I'd be happy
24 to circle back with you.

1 ASSEMBLYMAN DE LOS SANTOS: So just to
2 be specific, what initiatives are being
3 funded in this year's budget to improve
4 pedestrian safety, especially for seniors who
5 rely on sidewalks, crosswalks, and pedestrian
6 signals in an urban area like my district?

7 DOT COMMISSIONER DOMINGUEZ: I'm not
8 familiar with the particular projects that
9 are specifically in your district, but
10 overall we look to make sure that pedestrian
11 safety is top of mind in all of our projects,
12 making sure that sidewalk projects, curb
13 cuts, et cetera, are all ADA-accessible.
14 It's part of our requirements.

15 ASSEMBLYMAN DE LOS SANTOS: In
16 addition to that, can you provide an update
17 on accessibility improvements in major
18 transit hubs serving high senior populations?

19 DOT COMMISSIONER DOMINGUEZ: That
20 would probably be best directed at the MTA.

21 ASSEMBLYMAN DE LOS SANTOS: All right,
22 thank you.

23 CHAIRMAN PRETLOW: Is that it?
24 Assemblyman Epstein.

1 ASSEMBLYMAN EPSTEIN: Thank you,
2 Commissioner, for all your time today.

3 I just want to follow up on the issue
4 of ensuring that we're complying with our
5 Climate Leadership and Community Protection
6 Act goals. I want to make sure that
7 throughout the process, through the
8 procurement, operations and the contractors
9 we hire, that we're deeply committed to
10 making sure that we're living up to those
11 goals that we passed five years ago.

12 Can you commit that your agency will
13 do whatever is possible to ensure throughout
14 all procurement and RFP processes we're going
15 to comply with those goals?

16 DOT COMMISSIONER DOMINGUEZ: As you
17 and I had a chance to discuss briefly, what
18 we're doing is making sure that we're
19 building into our standards that the
20 contractors then have to comply with the
21 CLCPA goals. So whether that's --
22 particularly I've been talking today about
23 our construction materials: What needs to
24 actually be built in, how do we make sure

1 that we're utilizing low-carbon materials.
2 And that is part of our engineering
3 requirements and specifications.

4 In addition to that, we also have to
5 meet goals for purposes, for instance, for
6 DOT for our fleet, our fleet mixes, whether
7 that's, you know, our regular cars that we
8 make available to our employees who have to
9 be out on the roadways executing, or how we
10 work with the equipment manufacturers to
11 develop medium- and high-duty, heavy-duty
12 equipment that could potentially be
13 battery-powered: Can they operate in the
14 conditions that we have in New York State,
15 where it's exceedingly cold and we need to
16 make sure that they've got charging
17 facilities.

18 All of those things we're working
19 actively right now, whether it's with
20 equipment manufacturers or with our partners
21 in New York State at NYPA, NYSERDA, DEC, to
22 make those types of equipment available for
23 our state forces.

24 ASSEMBLYMAN EPSTEIN: So it sounds

1 like you are committed to doing that in all
2 sectors of your contracting and procurement.

3 DOT COMMISSIONER DOMINGUEZ: We'll
4 look to that as well, yes.

5 ASSEMBLYMAN EPSTEIN: Thank you.

6 CHAIRMAN PRETLOW: Commissioner, I
7 have just a couple of questions. I won't use
8 my entire 10 minutes.

9 But just in looking through the
10 Governor's budget, there's \$40 million set
11 aside for the State Touring Route program.
12 What is that?

13 DOT COMMISSIONER DOMINGUEZ: It's an
14 opportunity -- it's a program that was
15 created -- actually, it was a proposal from
16 the Legislature that was put into action a
17 few years ago. It's a program to address
18 urban roadways. And I apologize, I think one
19 of the members asked me is it available for
20 counties. It's not. It's available for
21 urban municipalities to access for roads.

22 CHAIRMAN PRETLOW: And this is for
23 road improvement in urban --

24 DOT COMMISSIONER DOMINGUEZ: Yes.

1 CHAIRMAN PRETLOW: So that would be
2 the cities within the State of New York,
3 every city?

4 DOT COMMISSIONER DOMINGUEZ: Correct.

5 CHAIRMAN PRETLOW: And what do they
6 have to do to qualify for that? Do they have
7 to have a winery or a brewery or something on
8 that street or -- why is it a touring -- I
9 mean, like I represent Mount Vernon. No
10 one's touring through Mount Vernon. And it's
11 a city. Would they qualify for that?

12 DOT COMMISSIONER DOMINGUEZ: They're
13 very similar -- I'll say it's very -- there's
14 a lot of -- the requirements are not as broad
15 as -- they're very broad, rather.

16 There's a lot of different ways you
17 can look at State Touring Routes. I'm happy
18 to go through the requirements with you. I
19 don't have them in front of me, but they are
20 different.

21 CHAIRMAN PRETLOW: Okay. I'm just
22 interested in that. It seems like
23 \$40 million could be, I would think, more
24 used towards CHIPS than used toward the

1 touring. But if it helps the cities, I think
2 most cities do need road improvements. So
3 I'd have to look at it and see exactly what
4 the qualifications are or how someone would
5 apply for it.

6 I also noticed in the budget there's a
7 million dollars set aside to study transit
8 service in the Lower Hudson Valley, with
9 particular interest west of the Hudson River.

10 DOT COMMISSIONER DOMINGUEZ: Yes.

11 CHAIRMAN PRETLOW: I mean, I -- do you
12 need to spend a million dollars for that? I
13 could tell you right off the top of my head,
14 there are no trains going from Rockland to
15 Westchester or vice versa. You need more bus
16 service. The Tappan Zee Bridge isn't
17 sufficient at this time to carry the
18 workload, and people have to go to Jersey to
19 get downtown.

20 That didn't cost a million dollars,
21 but if you want to give it to me, I'll gladly
22 take it.

23 (Laughter.)

24 DOT COMMISSIONER DOMINGUEZ: We want

1 to make sure that it's documented.

2 So the Governor put forward
3 \$20 million to actually look at enhancing and
4 making the train service that's offered
5 between Poughkeepsie and New York City more
6 efficient. And that will fund a number of
7 projects between Metro-North, MTA, and
8 New York State DOT and Amtrak. So making
9 that ride efficient and reliable, a 90-minute
10 ride into the city from Poughkeepsie, is
11 incredibly important.

12 And to the question that you're
13 asking -- so anything we can do to enhance
14 it. That project actually includes, for
15 instance, adding a second track at
16 Spuyten Duyvil. Why do we need a second
17 track? Because at Spuyten Duyvil we get a
18 convergence of passenger rail, freight rail,
19 all coming in the same time. And oftentimes
20 trains are delayed there.

21 Eliminating any sort of delay -- if we
22 add a second track, it eliminates the delay.
23 Anything we can do to make train service more
24 reliable for our passengers in the

1 Hudson Valley, that's what the goal is.

2 In order to do that, the other thing
3 is is we also see a huge, as you well know,
4 increase in population density. People are
5 moving to the Hudson Valley in more
6 significant numbers. To do this destination
7 study that's been proposed, it's a million
8 dollars to quantify a lot of what you just
9 said and make sure that we understand what
10 additional transit options could we then look
11 at providing, as you stated.

12 Should we be enhancing our bus shuttle
13 service? What would that look like? Where
14 would we go? Start to flesh all of that out
15 so we can understand what some of the
16 potential transit options that we could look
17 to invest in moving forward.

18 CHAIRMAN PRETLOW: Okay. Now, is it
19 possible, with the Tappan Zee Bridge rebuild,
20 to have trains crossing that bridge? I know
21 it's built with a less than 12 percent grade,
22 which is what trains can't go over anything
23 much more than that. My understanding is is
24 that the bridge was built with the intention

1 of eventually adding rail service from
2 Rockland through Westchester into the city.

3 Is that still on the table?

4 DOT COMMISSIONER DOMINGUEZ: You're
5 referring to the ability of what was written
6 into some of the language when we put
7 together the Gateway Commission to actually
8 look at how we could get a ride from the west
9 side of the Hudson into Penn Station?

10 CHAIRMAN PRETLOW: Right.

11 DOT COMMISSIONER DOMINGUEZ: That is
12 still -- that is written into the
13 legislation. Right now the Gateway
14 Development Commission is moving
15 expeditiously on the Hudson Tunnel project,
16 and that would be considered Phase 2 of what
17 they could take on.

18 CHAIRMAN PRETLOW: Okay. So it is
19 still on the table that the Tappan Zee Bridge
20 can eventually carry rail service.

21 DOT COMMISSIONER DOMINGUEZ: It's
22 looking at how you get a -- it's the Bergen
23 Loop: How do you actually make sure that you
24 can get a ride from west of the Hudson into

1 the city and Penn Station.

2 CHAIRMAN PRETLOW: Okay. Thank you.

3 Mr. Magnarelli for his follow-up three
4 minutes.

5 ASSEMBLYMAN MAGNARELLI: Three
6 minutes, okay.

7 First of all, staffing. DOT has had a
8 longstanding issue with recruitment and
9 retention of engineers. What has been done
10 to address this? How do you feel about it at
11 this point in time, staffing?

12 DOT COMMISSIONER DOMINGUEZ: Well, I
13 think like any going concern, you know,
14 certainly with the state workforce as well,
15 we've had staffing challenges.

16 But that said, I'm really encouraged
17 by a number of things that have been put
18 forward in the Governor's proposal, including
19 a community college incentive for free
20 community college. That includes a number of
21 people that might be interested in going back
22 and getting engineering degrees,
23 architectural licenses, a number of
24 professions that would then benefit the state

1 workforce, including DOT.

2 ASSEMBLYMAN MAGNARELLI: Okay. So we
3 could use more.

4 DOT COMMISSIONER DOMINGUEZ: Yes.

5 ASSEMBLYMAN MAGNARELLI: Yes.

6 Okay, switching gears, what actions
7 has the DOT taken in its capital plans to
8 integrate needed infrastructure for
9 electrification and other forms of
10 zero-emission transportation?

11 How is the DOT prepared to deal with
12 the needs of commercial trucks when it comes
13 to electrification that's called for in the
14 Clean Trucks Rule -- that the Department of
15 Environmental Conservation is now
16 implementing -- with no means of these trucks
17 being electrified?

18 And does DOT have any plans to install
19 heavy chargers along the state routes and
20 interstates it manages? I'm talking about
21 concrete plans that you're going to go into,
22 you're going to fund, they're moving forward.
23 Can you give me any indication of where we
24 are on that?

1 DOT COMMISSIONER DOMINGUEZ: With
2 regard to the Advanced Clean Truck Rule, my
3 understanding is that DEC has extended their
4 enforcement of that rule --

5 ASSEMBLYMAN MAGNARELLI: Partially.
6 Partially.

7 DOT COMMISSIONER DOMINGUEZ: -- out to
8 2029.

9 ASSEMBLYMAN MAGNARELLI: Yup.
10 Partially. They haven't taken it off of the
11 manufacturers. Which means there's still a
12 problem.

13 DOT COMMISSIONER DOMINGUEZ: So as I
14 stated before, one of the goals of DOT is
15 we've been working directly with the OEMs to
16 see what is the technology that's being
17 advanced for medium and heavy-duty fleets.

18 And then from there -- this is for our
19 own fleet. For instance, for plow trucks.
20 How do we make sure that any technology
21 that's being advanced we can take advantage
22 of, pilot, procure and make sure that we're
23 including it in our fleet.

24 Right now there's not a lot of options

1 out there, but we're hoping as the
2 discussions and the investment --

3 ASSEMBLYMAN MAGNARELLI: Okay. Would
4 it be honest to say -- I'm talking for
5 myself -- that the DOT, along with a lot of
6 other agencies, hasn't really come to the
7 bottom line on how to do this and plan for
8 it, that we're just not there yet because
9 technologies, et cetera, are still, you know,
10 being developed?

11 DOT COMMISSIONER DOMINGUEZ: Well, I
12 will tell you that as part of the funding
13 that we receive from the federal government
14 under the NEVI program, the National Electric
15 Vehicle Infrastructure program, we partnered
16 with NYSERDA, NYPA, the Thruway Authority and
17 really -- and DEC, to really look at what are
18 those Alternative Fuel Corridors to include
19 heavy- and medium-duty charging.

20 ASSEMBLYMAN MAGNARELLI: Okay. Thank
21 you.

22 CHAIRWOMAN KRUEGER: Thank you. And
23 to close up questioning for you, Senator
24 Comrie for a three-minute follow-up.

1 SENATOR COMRIE: Thank you.

2 Design-build procurement. Can you
3 tell us how many projects the DOT is doing
4 that is under design-build? And has that
5 been helpful to you in your planning and
6 dissemination of projects?

7 DOT COMMISSIONER DOMINGUEZ: I don't
8 have the list in front of me, but I'm happy
9 to give it to you.

10 We've been doing it for over 20 years,
11 as soon as the authority was given to DOT,
12 and we've been executing design-build
13 projects across the board for many years.

14 SENATOR COMRIE: Okay. And you'll
15 send that to us.

16 Can you also send us a copy of your
17 department audits and how you verify the
18 savings that you're using for these projects,
19 the audits that you've had for the last
20 couple of years?

21 DOT COMMISSIONER DOMINGUEZ: Audits on
22 safety for design-build projects?

23 SENATOR COMRIE: Or just projects in
24 general. Your last capital projects. For

1 two thousand and -- I'm sorry, 2000 -- the
2 last two capital project budgets. What has
3 been spent on the budgets from the two --
4 2020 and the 2022 and the 2023-2027 capital
5 plans? Have you sent us an update on how
6 much has been completed and how much has yet
7 to be completed for those two plans?

8 DOT COMMISSIONER DOMINGUEZ: I'm --
9 I'm not sure, but I'm happy to follow up with
10 you directly and make sure that we're
11 responsive to your requests.

12 SENATOR COMRIE: Okay. Our staff is
13 looking for those. So if you can get that to
14 us, that would be helpful.

15 DOT COMMISSIONER DOMINGUEZ: Okay.

16 SENATOR COMRIE: All right, thank you.
17 That's my time.

18 CHAIRWOMAN KRUEGER: Thank you. Thank
19 you very much --

20 DOT COMMISSIONER DOMINGUEZ: Thank
21 you.

22 CHAIRWOMAN KRUEGER: -- for being with
23 us here this morning.

24 DOT COMMISSIONER DOMINGUEZ: Thank

1 you.

2 CHAIRWOMAN KRUEGER: We had a lot of
3 questions for you. Obviously transportation
4 means a lot to all of us. Appreciate your
5 work. And you're free.

6 DOT COMMISSIONER DOMINGUEZ: Thank you
7 very much. Appreciate the opportunity.

8 CHAIRWOMAN KRUEGER: And any
9 legislators who want to grab the
10 commissioner, please do so in the hallway and
11 continue your conversation out there, because
12 we need to move along with our next panel of
13 guests from the MTA.

14 (Pause; off the record.)

15 CHAIRWOMAN KRUEGER: Take your seats,
16 please.

17 CHAIRMAN PRETLOW: Would everyone
18 please take their seats so we can get
19 started.

20 Will the chairman and chief executive
21 officer of the MTA please take his seat?

22 (Pause.)

23 CHAIRMAN PRETLOW: Mr. Chairman,
24 good afternoon. You can introduce your staff

1 if you'd like, or you can begin your
2 testimony. You have 10 minutes.

3 (Mic issue; overtalk.)

4 CHAIRMAN PRETLOW: Speak kind of
5 closely to the mic so everyone can hear you.

6 MTA CHAIR/CEO LIEBER: Okay, will do.
7 I should be a veteran here; this is my fourth
8 go-round, but I'm not, so.

9 CHAIRMAN PRETLOW: Not your first
10 rodeo, huh?

11 MTA CHAIR/CEO LIEBER: I'm
12 Janno Lieber. I'm the MTA chair and CEO.

13 I am joined by the team that -- these
14 folks, along with many, many others, are the
15 reason that I've been able, we've been able
16 to accomplish a great deal. Shanifah Rieara
17 is the chief customer officer of the MTA.
18 Demetrius Crichlow is the president of
19 New York City Transit. Kevin Willens is the
20 CFO of the MTA, and he's joined by his co-CFO
21 Jai Patel. And hiding back there are a
22 couple of other folks who many of you know,
23 including John McCarthy, who runs policy and
24 external affairs and does so much with

1 members of this body.

2 CHAIRMAN PRETLOW: Thank you.

3 Listen, timekeeper, can you reset the
4 clock to 10 minutes? Thank you.

5 MTA CHAIR/CEO LIEBER: All right.

6 Thank you again for the invitation.

7 And this is the fourth year, as I said, that
8 I've appeared before you at this hearing.

9 And the MTA has faced down many, many
10 challenges because of the work that we -- and
11 it is we -- have been able to accomplish
12 together with you in the Legislature.

13 None was more existential than the
14 2023 fiscal cliff solution that we developed
15 with you. Back then the MTA was facing a
16 multi-billion-dollar operating budget hole.
17 At that time I called on the Legislature to
18 step up and help preserve the high level of
19 transit service despite the ridership and
20 financial challenges that had been brought on
21 by COVID. And those were challenges that
22 every transit system in the United States was
23 facing, and many of them at a much greater
24 rate than New York.

1 As I always say, and it's a bit of a
2 cliche coming from me now, transit for
3 New Yorkers is like air and water. We need
4 it to survive, full stop. And to your
5 credit, you acted. With the leadership and
6 support of Governor Hochul, you passed a
7 budget that made transit whole and kept
8 New York running. We preserved service, and
9 you were very much part of that success.

10 Today I want to tell you about the
11 ROI, the return on that investment.
12 Ridership has grown dramatically in the last
13 two years. The subways are regularly
14 carrying before four and four and a half
15 million people a day, more than the entire
16 United States aviation system. Every day.
17 Every day.

18 And that was thanks to your
19 investment. We were able to increase service
20 on 14 subway lines, a lot of it in the
21 weekend and the midday and the off-hours, the
22 time periods when we were seeing the most
23 dramatic growth. We are frequently seeing
24 over a hundred percent of pre-COVID ridership

1 in those times of day, when people really do
2 have options.

3 Both the Long Island Rail Road and
4 Metro-North are coming off their best years
5 ever -- ever, when it comes to on-time
6 performance. Long Island Rail Road on-time
7 performance was about 96 percent, despite
8 running much, much more service than ever
9 before. In fact, 13,000 more trains per
10 annum. And since 2023, ridership has surged,
11 and today is roughly 85 percent of pre-COVID
12 levels -- and customer satisfaction has
13 soared with the service improvements on the
14 Long Island Rail Road.

15 Not to be outdone, Metro-North on-time
16 performance was an amazing 98 percent, while
17 ridership grew more than 12 percent year over
18 year. Eighty-five percent of Metro-North
19 riders are telling surveyers that they are
20 satisfied and happy with Metro-North service.

21 And don't forget about buses. The
22 final plan for the Queens bus network
23 redesign was just approved by the MTA board
24 members. Tip of the hat to Senator Liu and

1 others -- Senator Comrie -- who participated
2 in that process. It includes a \$35 million
3 annual investment to increase bus frequency
4 in our most bus-dependent borough, and much
5 better connections to the subway and the
6 Long Island Rail Road.

7 All this is just on the operating
8 side.

9 Funded by the MTA capital program, we
10 are cranking out elevators and accessibility
11 projects at an unprecedented rate, more than
12 four times predecessor MTAs. There are now
13 more than 150 fully accessible subway
14 stations, with another 36 in construction.
15 More are on the way: 23 projects that are
16 funded by congestion pricing -- yes, I used
17 the word -- are actually in process, plus
18 another 60 slated to be included in that
19 capital plan you are taking up this year.

20 But with every project, not just ADA
21 projects, we are advancing the agenda of
22 inclusiveness in our contracting. For many
23 years now we at the MTA have been number one
24 of state agencies and public authorities in

1 dollars that we are expending to certified
2 MWBEs. In 2023, the last year for which we
3 have complete stats, almost 40 percent of MTA
4 contracts were awarded to MWBEs. And
5 together with the work that we do under the
6 federal program, which is slightly different,
7 there are more than a billion dollars going
8 to those companies.

9 And it's a source of strength for us
10 because it increases competition. It's not
11 just spreading the wealth, it's about more
12 competition in a huge space where we need it.

13 But together, and again with
14 encouragement from this body, we are running
15 a much smarter business. We hear from the
16 anti-transit crowd the same tired criticisms
17 of the MTA, a lot of them about our cost
18 structure. These are what I refer to as the
19 not-so-golden oldies.

20 Since Day One of my term as chair, I
21 have been all about efficiencies. So let's
22 talk about the results. The MTA budget,
23 ladies and gentlemen, today is 3 percent
24 lower than it was before COVID in real terms.

1 That's right, 3 percent lower. And
2 notwithstanding that we're running all that
3 extra service on the subways -- 40 percent
4 more service on Long Island Rail Road,
5 20 percent more on Metro-North, hundreds and
6 hundreds of ADA elevators that we're
7 operating -- and by the way, a little old
8 700,000 square foot railroad terminal -- and
9 yet our budget is lower. Much more is being
10 delivered at lower cost.

11 We did a presentation at our board
12 meeting last week -- and I don't know if it
13 came to any of your attention -- which went
14 through in detail how the MTA is actually the
15 most efficient transit organization in the
16 United States based on the cost per rider and
17 the subsidy per rider. We are the best deal.

18 Now, you have played a part in that
19 success. We did some serious belt-tightening
20 as part of that 2023 budget deal. And as
21 part of that, you challenged, we challenged
22 the MTA to cut out \$400 million in our
23 operating budget without cutting service or
24 doing any layoffs. We hit that target, and

1 now we're pushing that number to 500 million
2 in recurring efficiencies.

3 And we're not stopping there. We have
4 a wide range of efficiency initiatives
5 underway -- I'm not going to go through all
6 of them, but we want to get into them with
7 all of you. We have cut the time it takes to
8 do federally required inspections of every
9 railroad car. We are looking carefully and
10 saving money on the cycle of our overhauls.
11 We're even looking at each computer that MTA
12 employees have to make sure they don't have
13 software that we're paying for that they're
14 not using.

15 If you have Excel on your computer and
16 you ain't using it, we're taking it away.
17 And we're doing the same thing with phone and
18 other devices that are issued to MTA
19 employees that they don't use. How do I know
20 this? They took away my iPad because I
21 wasn't using it.

22 (Laughter.)

23 MTA CHAIR/CEO LIEBER: So this is
24 real. And we're going to keep going, because

1 this is the essence of good government. This
2 is what we want to be known for.

3 So I think it's time to retire the old
4 talking points about how the MTA doesn't
5 manage money. This is a new MTA, and we're
6 all about efficiency.

7 Now, obviously we have a long way to
8 go on key issues like public safety and fare
9 evasion.

10 We are making real progress, however.
11 In the last six months -- news flash -- fare
12 evasion on the subways is down 25 percent.
13 The buses, which are more challenging,
14 because you can't put a cop on every bus --
15 but we are also making progress and have
16 knocked fare evasion on buses down by
17 12 percent.

18 This did not happen by accident. Our
19 strategy: Stronger barriers, a ton of
20 publicity to push back on the misimpression
21 that seem to have developed among some people
22 that the whole system is free, and plenty of
23 enforcement, which I am for. And it's all
24 starting to pay off.

1 The gate guard program. If you ride
2 the subways, you see that we have security
3 guards blocking the gate to make sure that
4 the superhighway of fare evasion, which is
5 that fare code-required exit gate, does not
6 get opened. Many of you are riders, and
7 you've seen those people.

8 And it's making a difference, and
9 we're doing a ton of work with the physical
10 barriers. And also we are making sure that
11 our young people, that the students have
12 those OMNY cards, which have dramatically cut
13 down on student fare evasion. Success after
14 success, but we've got a long way to go.

15 I'm also a bear on fare evasion
16 because it creates a sense of lawlessness at
17 the entry point. And we want the subways,
18 the commuter rail system, and everything to
19 feel welcoming and safe. We've had great
20 support from Governor Hochul, from City Hall,
21 and from the NYPD. Customers tell us again
22 and again what they want is to see more cops.
23 And this is every demographic, every
24 neighborhood, every income level.

1 So everybody's agreed, and we're going
2 to keep pushing for more cops. And I bless
3 the Governor and the Mayor and Commissioner
4 Tisch for stepping up and putting cops on
5 every train at night.

6 We know that the high-profile
7 incidents have put New Yorkers on edge, and
8 especially these pushings -- which happen
9 infrequently but are terrifying, it's a
10 New York phobia -- and assaults on our
11 employees. So in addition to advocating for
12 our cops, I'm going to keep pressing our
13 criminal justice system to take seriously the
14 crimes that do take place in mass transit.

15 CHAIRMAN PRETLOW: Thank you,
16 Mr. Chairman.

17 MTA CHAIR/CEO LIEBER: You're going to
18 cut me off, all right.

19 CHAIRMAN PRETLOW: I hate to do it,
20 but we do have to move along.

21 Assemblyman Braunstein, chair, for
22 10 minutes.

23 ASSEMBLYMAN BRAUNSTEIN: Thank you,
24 Chair Pretlow. And thank you, Chairman, and

1 your team for coming up on this snowy day.

2 We appreciate it.

3 You didn't get to it in your
4 testimony, but I'll bring it up now, is the
5 MTA capital plan funding gap for the
6 2025-2029 capital plan. There's a
7 significant funding gap, I believe it's
8 somewhere around \$35 billion. The Governor
9 didn't propose any solution to that funding
10 gap in her executive proposal. You're
11 appointed by the Governor. Have you had
12 conversations with the Governor, or has she
13 given you any indication on how we should
14 move forward in closing that gap?

15 MTA CHAIR/CEO LIEBER: Listen, let's
16 talk about where we are. Right? One thing
17 I -- number one, I want to acknowledge your
18 chairmanship and the help that you've already
19 provided to us. So thank you.

20 Listen, every year there is a -- this
21 year there's a \$250 billion State Budget.
22 The MTA's budget, the capital budget, is
23 totally predictable. We had a \$55 billion
24 capital program. It's expiring, it's not a

1 secret. And it is a little bit of a mystery
2 to me that every time the MTA capital program
3 comes up, we treat it like, Oh, my God, they
4 need a bailout.

5 This is no different than Medicaid and
6 education and everything else that's done at
7 the state. It happens to be treated like an
8 off-budget item. So respectfully, I don't
9 agree with the paradigm that the MTA has a
10 gap. What it has is something that we all
11 know, which is 40 years ago there was an
12 acknowledgement, under Dick Ravitch's
13 leadership, that we need a capital program.
14 That we have a hundred-year-old system that
15 will fall apart unless we invest in it. And
16 we all need to step up and do that.

17 I have been thrilled that the Governor
18 has been clear that she supports the MTA
19 capital program and intends, with you, to
20 address the \$68 billion proposal, which is
21 not even -- which is below inflation, versus
22 the capital program that's expiring.

23 So I'm not going to get into who needs
24 to propose and who -- it's clearly something

1 the Assembly and the Senate and the Governor
2 are going to have to come to terms on. But
3 what I want to say is that I am pushing back
4 a little bit, and it's not at you in
5 particular, but at the idea that somehow this
6 is a -- you know, we have a budget gap that
7 needs to be addressed. This could be
8 addressed by the existing state budget. It
9 could be addressed, as we have proposed in
10 some cases, by some financing approaches that
11 could reduce the size of the challenge. And
12 it could also be addressed by new revenues.
13 We leave that to you under the division of
14 labor.

15 Our job is to frame the scale of the
16 need, and we did that with our 20-year needs
17 assessment, which was unprecedented in its
18 scope and detail.

19 ASSEMBLYMAN BRAUNSTEIN: So there's no
20 indication that Governor plans to try and
21 fund this in the budget, through your
22 conversations with her?

23 MTA CHAIR/CEO LIEBER: Again, my
24 discussion with her has been one of, you

1 know, appreciating -- listening and
2 appreciating the fact that she supported the
3 MTA \$68 billion capital program and
4 acknowledge that it was based on a really
5 detailed needs assessment and that it was
6 kind of a minimum program. But it's not on
7 the MTA, which doesn't have taxing authority
8 or any -- all we can do is raise fares, which
9 we don't want to do.

10 So it's not the MTA's to figure out
11 the power of the purse issues. That is
12 between the Executive and the Legislature,
13 and we are counting on you. Although we will
14 support you all along the way.

15 ASSEMBLYMAN BRAUNSTEIN: So is there
16 any discussion about when there's a new vote
17 on the capital plan, is it going to be the
18 same plan? Do we have a time frame?

19 MTA CHAIR/CEO LIEBER: Well, again,
20 I'm sure some of that is going to be shaped
21 by the dialogue that takes place today and as
22 the discussions in Albany unfold.

23 But from our standpoint -- you know,
24 I'm not being shy about this. Given the fact

1 that it was -- it cannot get smaller unless
2 you want to cut the expansion, and we don't
3 want to cut because the IBX is a generational
4 opportunity to connect the two biggest
5 counties in the state. Right? But it's not
6 going to get any smaller, because our bottom
7 line is we're not going to let the system
8 continue to lose ground with this
9 100-year-old infrastructure that's just
10 getting older and older and more and more
11 broken.

12 So, you know, would we have some --
13 potentially some small adjustments? Perhaps.
14 And we're in dialogue with all of you. But
15 it ain't getting smaller because we are at
16 the minimum point where we can assure that we
17 do not lose ground, that we don't end up with
18 elevated structures that are more likely to
19 fall apart or power systems that are more
20 likely to blow up like those did in Brooklyn
21 and at Columbus Circle in the last --

22 ASSEMBLYMAN BRAUNSTEIN: I'm sorry, I
23 have 10 minutes so I just want to move on.

24 MTA CHAIR/CEO LIEBER: You got it.

1 ASSEMBLYMAN BRAUNSTEIN: Has there
2 been any conversations with our federal
3 partners about contributing to the gap? I
4 know you don't like the term "gap," but --
5 you know, has there been conversations?

6 MTA CHAIR/CEO LIEBER: Listen. You
7 know, not news to anybody here that we're in
8 a tumultuous period of change in Washington,
9 right? And there's nobody who could give me
10 any specific guarantees about anything. I
11 mean, you know, I learned yesterday that we
12 might be -- federal money may be given out
13 based on, what was it, birth rates and
14 procreation rates --

15 ASSEMBLYMAN BRAUNSTEIN: Marriage
16 rates. Marriage rates.

17 MTA CHAIR/CEO LIEBER: I don't know
18 what to make of that. I do know what to call
19 it, however. It's that -- it's conception
20 pricing, I think is the right way to call it.

21 (Laughter.)

22 MTA CHAIR/CEO LIEBER: But I don't
23 know what to make of any of that.

24 But that said, we're going to let the

1 dust settle in Washington and then we're
2 going to have conversations. History says
3 that bipartisanship on transportation
4 investment prevails. We partnered with red
5 state transit systems through COVID, and
6 transit funding was preserved. So we are
7 optimistic. But obviously we're going to
8 have to wait for the dust to settle before we
9 have any indications.

10 ASSEMBLYMAN BRAUNSTEIN: Okay. Thank
11 you. And you did touch on -- the next topic
12 I wanted to discuss was toll and fare
13 evasion.

14 MTA CHAIR/CEO LIEBER: Yeah.

15 ASSEMBLYMAN BRAUNSTEIN: I know there
16 was a recent media report about the toll
17 repayment. I know it's disputed, some of the
18 numbers that were in that media report.

19 MTA CHAIR/CEO LIEBER: Just some of
20 the numbers. How about all of the numbers?

21 ASSEMBLYMAN BRAUNSTEIN: All right.
22 But if you can just give us a breakdown,
23 combined, of how much lost revenue the MTA
24 incurs with fare evasion and toll evasion

1 combined.

2 MTA CHAIR/CEO LIEBER: Okay. Listen,
3 the truth is I can't. We've made progress,
4 as I said, on -- dramatic progress on subway
5 fare evasion. We've made significant
6 progress on bus fare evasion. And we have
7 made significant progress on commuter
8 railroad fare evasion because instead of the
9 old system that I inherited where people were
10 being given IOUs -- like, you know, assuming
11 that they would then send in the money -- we
12 now say, Okay, give us an I.D. You know, in
13 effect you're given a ticket that you have to
14 pay or else a cop meets you at the next
15 station. So we have really cut fare evasion
16 across the board.

17 Toll evasion is a serious problem, and
18 that's why we appreciate the steps the
19 Legislature took last year. But the big
20 picture is we collect 96 percent of tolls.
21 Everybody loves open-road tolling. Nobody
22 wants to stop at tollbooths anymore. And
23 part of that is people need to pay bills.

24 Four percent of the bills go unpaid.

1 We then go after those folks, and we end up
2 collecting, you know, something like 30,
3 35 percent of those unpaid tolls, and then we
4 send it to collectors.

5 ASSEMBLYMAN BRAUNSTEIN: So the
6 issue's --

7 MTA CHAIR/CEO LIEBER: So there's no
8 neglect. There's no neglect going on. It's
9 like 150 million a year, I think is the
10 number on the toll evasion side.

11 ASSEMBLYMAN BRAUNSTEIN: Okay.

12 MTA CHAIR/CEO LIEBER: But this
13 legislative session we're going to ask for
14 more powers to crack down on toll evaders,
15 including those who cover plates and engage
16 in other kind of shenanigans.

17 ASSEMBLYMAN BRAUNSTEIN: So that was
18 my next question. It's more the people who
19 don't pay as opposed to people with altered
20 license --

21 MTA CHAIR/CEO LIEBER: Right now most
22 of it is people who just don't pay their
23 bills. You know, if we were a credit card
24 company, the numbers would be about the same.

1 ASSEMBLYMAN BRAUNSTEIN: Do you have
2 an idea of how much you lose because people
3 have altered license plates?

4 MTA CHAIR/CEO LIEBER: I'm going to
5 get back to you on that, because it is -- it
6 is a real issue.

7 But if instead -- I'm going to ask --
8 I'm asking the Legislature this year if
9 instead of like giving a people a ticket if
10 they cover their plate and letting them drive
11 away with the plate, we are empowered to
12 confiscate the device or even the car, which
13 is what we do with people who owe big money.
14 We would have a lot more power to push back
15 on this problem.

16 ASSEMBLYMAN BRAUNSTEIN: Okay. And a
17 dollar figure, combined, you said it was 150
18 for tolls and maybe 600 for --

19 MTA CHAIR/CEO LIEBER: But again,
20 again, it's not evasion, it's un -- whatever.
21 We'll give you -- we'll write to you a
22 specific response. I just don't have the
23 numbers at hand.

24 But the trajectory is -- I just don't

1 want anyone to think like the MTA doesn't
2 take fare evasion seriously. We've asked you
3 for more powers, we asked the NYPD for more
4 enforcement every day, all day. And we're
5 doing everything in our power to change the
6 physical technology, which is just -- you
7 know, those turnstiles ain't cutting it
8 anymore, no news to anybody.

9 So on every front we are fighting back
10 on fare evasion. And, you know, I'm just --
11 I'm sick of people acting like the MTA is
12 somehow letting money pour out. That is not
13 the game we're playing.

14 ASSEMBLYMAN BRAUNSTEIN: Okay. That's
15 my time. Thank you.

16 CHAIRMAN PRETLOW: Senator?

17 CHAIRWOMAN KRUEGER: Thank you.

18 We will start with Chair Leroy Comrie.

19 SENATOR COMRIE: Good afternoon, team,
20 Chair Lieber. I won't do a preliminary, I
21 just want to jump in with some questions if
22 you don't mind.

23 My understanding is that you're
24 cutting the MTA police budget \$20 million,

1 but you're getting \$77 million from the
2 Governor to put police officers in the
3 street? Can you explain to me why you're
4 cutting the MTA police budget \$20 million?

5 MTA CHAIR/CEO LIEBER: I'm going to
6 defer to Jai Patel, our co-CFO. I think
7 the -- we're not cutting anybody. We
8 actually tried to just make sure we manage
9 overtime effectively. And we have improved
10 the professionalism and the effectiveness of
11 the MTA police dramatically in the last
12 couple of years. Everybody is seeing cops on
13 trains -- MTA cops on the commuter trains a
14 heck of a lot more. So the number I think
15 you're talking about is about overtime.

16 One other point and I'll throw it to
17 Jai is we lost a grant from the Manhattan DA
18 that enabled us to pay MTA cops to do
19 additional fare evasion enforcement, and that
20 has also had an effect.

21 Jai?

22 MTA CO-CFO PATEL: Sure. Thank you,
23 Chairman.

24 I'll start with MTAPD has been vital

1 to our organization. They patrol both the
2 railroads and at subway stations. The number
3 of head count, for example, in 2021 was there
4 about 1100 MTAPD, and in 2024 we have about
5 1350 MTAPD. So we've been growing our PD
6 in-house and we have employees that are out
7 in the system --

8 SENATOR COMRIE: But there'll be no
9 loss in head count for this year, it's just a
10 way to --

11 MTA CHAIR/CEO LIEBER: No.

12 MTA CO-CFO PATEL: No. As the
13 chairman mentioned, it was a grant that we
14 had received. That was one time --

15 SENATOR COMRIE: How much was that
16 grant?

17 MTA CO-CFO PATEL: It was \$10 million
18 on an annual basis over four years.

19 And so we lost that funding from the
20 forfeiture fund, and so we've reduced that
21 funding --

22 SENATOR COMRIE: So the 77 million --
23 I'm sorry to be -- but I only got 10 minutes.

24 So the \$77 million from the Governor

1 could offset that 10 million, to make that
2 up.

3 MTA CHAIR/CEO LIEBER: No, the
4 77 million that the Governor's investing is
5 to put two NYPD cops on every subway train.

6 SENATOR COMRIE: Right.

7 MTA CHAIR/CEO LIEBER: And that's
8 good. And that's a great thing.

9 The NYPD patrols the subways. We have
10 four locations where the MTAPD is taking over
11 subway enforcement responsibilities, and
12 those are our terminals. So the subways at
13 Grand Central, and Penn, at Jamaica and
14 Atlantic are MTAPD-enforced. Otherwise, the
15 subway system is the NYPD's, and they're
16 doing a heck of a job.

17 SENATOR COMRIE: Gotcha. So you won't
18 lose head count with the MTA Police, but
19 you're able to supplement the money with the
20 MTA with the New York City Police Department.

21 And how long a period of time will
22 that 77 million last?

23 MTA CHAIR/CEO LIEBER: It's six
24 months, right?

1 MTA CO-CFO PATEL: I believe it's
2 six months.

3 SENATOR COMRIE: Six months, okay.
4 All right, then we'll move on to the next
5 question.

6 You talked about the fact that your
7 budget is lower. Can you talk about how your
8 dashboard is showing people that? And can
9 you talk about exactly how John Q. Public can
10 look at the dashboard and see how your money
11 is being spent?

12 MTA CHAIR/CEO LIEBER: So the MTA is
13 like the open data king of state government:
14 150 data sets with like trillions of
15 terabytes of data. Anybody should go online,
16 dig in, there's unlimited data.

17 Among the things that you have asked
18 us, in addition to all of those 150 data
19 sets, is a capital plan dashboard, and a
20 skeletal version of that has been posted. It
21 needs to be improved in terms of additional
22 functionality. You are right that it needs
23 to be, you know, more developed. We're in
24 the process of doing it. It will be in place

1 by the time that you all pass the capital
2 plan funding, and will be there.

3 SENATOR COMRIE: And will they show
4 procurement as well? Like you said they took
5 your laptop. Will they show the procurement
6 gains in the other \$500 million in gains and
7 how people can access that and see how well
8 you're spending your OTPS dollars on supplies
9 and everything else?

10 MTA CHAIR/CEO LIEBER: Yeah. I mean,
11 that is all absolutely part of it.

12 But I'm going to circulate, just since
13 you specified it, like the presentation that
14 was given at our board meeting so all the
15 members of this committee, of the various
16 committees have it. Because that goes
17 directly to the issue that you're raising.

18 SENATOR COMRIE: Got it.

19 And you said now that the issues
20 around fare evasion, the Fair Fares program,
21 as you know, PCAC has some ideas to increase
22 it to 200 percent of the poverty level -- we
23 fully support that -- and to do other things
24 to create opportunities for more ridership,

1 to create a kids program, and also to create
2 a transfer program. I hope you can support
3 their five platform ideas that would increase
4 ridership and increase prime-time ridership
5 as well.

6 MTA CHAIR/CEO LIEBER: Yeah, we love
7 the Fair Fares program. We pushed always for
8 more eligibility. And Shanifah, would you
9 talk about what we've done? Because we are
10 pushing more people to sign up to make sure
11 that low-income folks get that benefit.

12 Shanifah?

13 MTA CCO REIARA: Yup. So thank you,
14 Senator. Fair Fares, as the chair mentioned,
15 huge supporters. And we do everything
16 possible to push and promote getting people
17 signed up and enrolled. So much so that we
18 do monthly programmatic activity, setting up
19 spaces within the transit system and
20 encouraging people to sign up, in partnership
21 with the city.

22 So if you come out on-site, we
23 advertise and promote ahead of time. And
24 we're also going to be using our in-station

1 customer service centers for customers to
2 come out and sign up for Fair Fares very
3 soon, 24 hours a day or at their leisure.

4 SENATOR COMRIE: Great. I look
5 forward to the Fair Fares program. There
6 should be notice of it being expanded in all
7 the stations as well. And even with the
8 Long Island Rail Road, there needs to be
9 better notice of their discount programs so
10 that people can see it when they come in.

11 I appreciate that.

12 MTA CHAIR/CEO LIEBER: Can I just say
13 one thing on that topic? What you and we
14 have done in terms of funding the city zone
15 so that folks can ride the railroads inside
16 the city for five bucks or seven bucks at
17 peak, that is that the most satisfied
18 customer segment in our system, people riding
19 the railroads under the CityTicket program.
20 People are thrilled about it.

21 SENATOR COMRIE: Definitely. Glad
22 that we were able to work on that together.
23 I look forward to working on other ideas.

24 Right now the issue that came to me

1 regarding the trains and the availability for
2 new trains and the Alstom trains and the M-92
3 and M-96 or whatever. Now, I know you need
4 trains and -- but, first, have you figured
5 out why the wheels are disappearing so
6 quickly on, what is it, the R line?

7 MTA CHAIR/CEO LIEBER: Well, the
8 wheels aren't disappearing. What's happening
9 is that on the Queens Boulevard line, which
10 you and I both care about a lot, service has
11 been much better, well done, because we have
12 now modern signaling on that line. But the
13 wheels on the trains, you know, that are
14 working the Queens Boulevard line, that's the
15 A and the F and the M, and the R train,
16 sometimes are wearing out more than they
17 should, so there's a series of engineering
18 studies underway -- I'm not going to spend a
19 ton of time on that -- but that is being
20 studied deeply right now.

21 So we don't have an answer on that
22 issue.

23 SENATOR COMRIE: Didn't we put new
24 rail through that whole area? Didn't you

1 replace the rails?

2 MTA CHAIR/CEO LIEBER: Go ahead,
3 Demetrius.

4 NYCT PRESIDENT CRICLOW: Thank you
5 for the question.

6 It's more than just the rails, it's --
7 we increased speeds in the area. We -- you
8 know, over the last several years we've tried
9 to look at every way to improve our service,
10 which means increasing speeds, introducing
11 new train cars, we've updated our signaling
12 system.

13 So there are so many different changes
14 to the system, it's hard to determine exactly
15 why the wheels themselves are wearing more
16 quickly. So we have an engineering team, in
17 addition to a consultant, that's looking at
18 our overall operational experience to see
19 what could be impacting it. So it's being
20 tackled from many different fronts, from both
21 the car perspective, the wheel perspective,
22 and the wear of the actual -- whether or not
23 the composite of the wheels has changed,
24 going down to the actual trains, how they're

1 moving, and the tracks themselves.

2 SENATOR COMRIE: Okay. Can we talk
3 about the Alstom contract for a second?

4 MTA CHAIR/CEO LIEBER: So, open
5 procurement, so no details, obviously. We
6 have -- in the current capital program we
7 want to buy hundreds of railcars, in part for
8 commuter railroads, and we're continuing to
9 buy hundreds of subway cars under the
10 Kawasaki contract for the R211s.

11 We've recently -- since congestion
12 pricing was moving forward, we've moved
13 forward with an option on the R211 subway
14 cars.

15 You're talking about a commuter rail
16 contract that's been underway -- a commuter
17 rail procurement that's been underway for
18 years. We lost competition on that because
19 the feds kicked the Chinese out. You know,
20 probably a good decision, but it impacted on
21 the competitiveness. And we're in the middle
22 of that procurement right now.

23 So I can't really describe it other
24 than we're working our tails off to see if we

1 can make it work.

2 SENATOR COMRIE: Gotcha. How many
3 cars do you need right now? How many cars
4 are out of service?

5 MTA CHAIR/CEO LIEBER: Well, we are
6 proposing in the new capital program to buy
7 1500 railcars, including both subway and
8 commuter rail.

9 We have about 8,000 cars in the subway
10 system -- right?

11 NYCT PRESIDENT CRICHLow: About 6700.

12 MTA CHAIR/CEO LIEBER: Closer to
13 7,000 cars in the subway system. And I don't
14 know the offhand number. So we got to buy a
15 lot of cars.

16 SENATOR COMRIE: My time is --

17 (Time clock sounds.)

18 MTA CHAIR/CEO LIEBER: Your old friend
19 Dick Ravitch --

20 SENATOR COMRIE: My time is up for
21 this round. I'll come back; I get to do
22 another --

23 CHAIRMAN PRETLOW: Thank you both very
24 much.

1 SENATOR COMRIE: I get 10 minutes
2 later, right?

3 CHAIRMAN PRETLOW: So I guess MTA
4 stands for "More Trains Available."

5 MTA CHAIR/CEO LIEBER: Yes.

6 (Laughter.)

7 MTA CHAIR/CEO LIEBER: Better than
8 some of the other acronyms your friends have
9 come up with.

10 CHAIRWOMAN KRUEGER: That might work.

11 CHAIRMAN PRETLOW: Assemblyman
12 Magnarelli.

13 ASSEMBLYMAN MAGNARELLI: Thank you
14 very much, Mr. Chairman. I've just got a
15 couple of comments.

16 I'm from upstate New York. I'm
17 non-MTA, okay? And I just want to bring a
18 couple of things to your attention. We're
19 talking about tens of billions of dollars for
20 the MTA and its capital plan. It is what it
21 is. But when you look at everything else
22 that's going into the DOT, its capital plan
23 is \$34.1 billion. So all the rest of the
24 state, including New York City,

1 \$34.1 billion. Okay? When you talk about
2 non-MTA mass transit capital this year,
3 \$220 million, versus what the MTA is looking
4 for.

5 I only say these things to have you
6 realize what everybody else in the state is
7 looking at when they look at New York City.

8 Now, for me, I say to them if we don't
9 fix New York City, nothing else is going to
10 get fixed. And I've said that not only to
11 your people but to people in New York City.
12 We have to fix the subways, the buses, the
13 transit system in New York City because
14 basically it's the heart of our state. And
15 people don't realize that.

16 But at the same time I would like to
17 proffer to you that some education needs to
18 be done on a statewide basis, not only in
19 New York City, but to let people know just
20 how important that transit system is and why
21 we're spending that amount of money on it.

22 That's all I have to say to you today,
23 and I appreciate your being here.

24 MTA CHAIR/CEO LIEBER: I appreciate

1 what you're saying.

2 I mean, the numbers are staggering:
3 That, what is it, 85 percent of the personal
4 income taxes and 60-plus percent of the sales
5 taxes in the state come out of the MTA
6 region. That the 3 million jobs that are
7 enabled because of mass transit at our
8 density. And this is what to explain to
9 people who -- as you said, whether they're
10 from upstate New York or they're from Utah.
11 At our density, which is nine times Sunbelt
12 cities like Phoenix or Houston, we couldn't
13 have our economy without great mass transit.
14 It just doesn't exist. You can't have our
15 economy.

16 And that economy is the engine of our
17 great state and of our great region, and I
18 bless you for calling attention to that.

19 ASSEMBLYMAN MAGNARELLI: And I just
20 want to say one more thing.

21 Make sure it's clean and safe and stop
22 the crime that people perceive, anyway, okay,
23 because I think that makes a big difference
24 as well. I think -- that's all I have to

1 say.

2 MTA CHAIR/CEO LIEBER: We're doing our
3 best. You got it.

4 ASSEMBLYMAN MAGNARELLI: Thank you.

5 MTA CHAIR/CEO LIEBER: Thank you.

6 CHAIRMAN PRETLOW: Senator?

7 CHAIRWOMAN KRUEGER: Thank you.

8 Senator Roxanne Persaud.

9 SENATOR PERSAUD: Good afternoon,
10 Mr. Chair.

11 MTA CHAIR/CEO LIEBER: Good afternoon.

12 SENATOR PERSAUD: You know, we have a
13 scheduled meeting coming up.

14 MTA CHAIR/CEO LIEBER: Yup.

15 SENATOR PERSAUD: But I want to talk
16 about, as you hear me every year talking
17 about the express bus, particularly the
18 express buses that serve my area,
19 particularly the BM2.

20 What are we doing to improve the
21 service and the reliability of the BM2 bus?
22 I take the BM2 when I have to get into the
23 city, and I can tell you, the time -- it's
24 never on time, and it takes forever to get

1 into the city. What are we doing to improve
2 the service?

3 MTA CHAIR/CEO LIEBER: The one thing
4 we're doing -- and then I'm going to turn it
5 over to Demetrius -- is congestion pricing.
6 because that has dramatically improved the
7 speed of travel in and out of the city, from
8 New Jersey, from the boroughs -- in and out
9 of Manhattan and the Central Business
10 District, not the city.

11 And we've seen people gaining 10, 20,
12 30 minutes. And express bus speeds have
13 improved, and express bus ridership is up.

14 But to your specific question,
15 Demetrius.

16 NYCT PRESIDENT CRICHLLOW: So thank you
17 for your question. One of the things that we
18 realize particularly is that each of the
19 boroughs needs to have attention to the
20 system. The current routes that we had in
21 the past are not really indicative of what
22 our ridership or customers need.

23 So the most recent network redesign
24 was for Queens, because it was the borough

1 that needed it most at the time. So we spent
2 a whole lot of time making sure that what we
3 gave them for the Queens bus network redesign
4 was what our customers needed.

5 Brooklyn will be next. We will --

6 SENATOR PERSAUD: But in the
7 meanwhile, we're still suffering. If you
8 have a bus scheduled to be -- leave at
9 8 o'clock, you shouldn't be waiting till
10 8:30. That has nothing to do with the
11 design. It's about the management of the
12 timing of the buses. There should be someone
13 there that says "This bus is scheduled to
14 leave at 8:30, why isn't the bus there?"

15 And then the riders are waiting there
16 with no information. If you try calling that
17 number, forget it, that's a different story.
18 So the customer service and the call line is
19 not helpful. So we need to fix the bus
20 system, because we are in a transit desert.

21 And the people who are going into the
22 city, we want them not to be taking their
23 private transportation to the city, but to be
24 reliant on public transportation. But if

1 they can't rely on public transportation,
2 then what should they do?

3 NYCT PRESIDENT CRICHLLOW: Senator,
4 you're absolutely right, and I totally
5 understand your point.

6 I'm happy to take a look at this
7 specific route. You know, if there's a
8 problem with the specific route and the buses
9 themselves -- even with the snow today, we
10 got 98 percent of our buses out of the house.

11 So, you know, it's not an issue of
12 like us like providing the specific service.
13 But I'm happy to take a look at the specific
14 route.

15 SENATOR PERSAUD: Thank you.

16 CHAIRMAN PRETLOW: Thank you very
17 much.

18 Assemblyman Miller.

19 MTA CHAIR/CEO LIEBER: And we have to
20 get your people from your neighborhood,
21 because your district has more MTA employees
22 than any other.

23 SENATOR PERSAUD: I know.

24 MTA CHAIR/CEO LIEBER: So it is

1 especially important.

2 CHAIRMAN PRETLOW: He's on your time,
3 you know.

4 ASSEMBLYMAN MILLER: Okay, I'll be
5 real quick here. You can start the clock.

6 Okay, unpaid fares and tolls. The
7 audio here in this room can be a little
8 tough. With respect to -- the article in the
9 New York Post on January 26th revealed that
10 the MTA lost over 5 billion in unpaid tolls
11 since 2021, which has largely been attributed
12 to cashless tolling, 1.4 billion last year.
13 Does the authority intend to collect on this
14 unpaid toll revenue? And how will we make up
15 for these losses?

16 MTA CHAIR/CEO LIEBER: Okay. So I
17 think I dealt with most of this before, but
18 I'll take another crack.

19 Just for example, last year we had
20 \$2.5 billion tolled. We collected 2.3.
21 Another 60 to 70 million has already been
22 recovered. So the facts that are in that
23 article are misleading. I'm not going to go
24 through a specific critique, but we are

1 recovering tolls. And in fact with the
2 powers that you gave us last year, which are
3 to de-register cars that people owed tolls
4 on, we're actually moving more quickly to get
5 settlements and to get people to pay.

6 So there's progress on collecting
7 tolls. The article -- God bless the tabloid
8 media, they're occasionally not quite exact.

9 ASSEMBLYMAN MILLER: Okay, so that
10 power to collect tolls, unpaid tolls, I guess
11 what percentage of vehicles don't pay tolls?
12 And how many violators come from outside of
13 New York State?

14 MTA CHAIR/CEO LIEBER: Well, like I
15 said, the percentage of -- you know, it's
16 \$200 million out of 2.5 billion. So somebody
17 do the math; that will tell you roughly the
18 percentage.

19 So 96 percent of tolls are paid. And
20 then of the 4 percent we collect, roughly
21 35 percent of that remainder, just through
22 normal outreach and pushing people to pay.

23 You have helped us to accelerate those
24 payments. We are collecting more. And then

1 some of it, just like a credit card company,
2 just like anybody who has bills that they
3 collect on, some of them we have to send to
4 bill collectors, to collection agents. And
5 we're also successful with that.

6 So we're going to keep pushing.

7 ASSEMBLYMAN MILLER: Okay, so we have
8 collaboration with other states to be able to
9 collect these tolls from their drivers?

10 MTA CHAIR/CEO LIEBER: That's a good
11 question. We have reciprocity with a lot of
12 states.

13 Jai, you want to talk -- can you talk
14 to this issue? No?

15 But not all of them. So there is --
16 it is worth talking about in this legislative
17 cycle, how do we get tougher control on, you
18 know, toll deadbeats who are out of state
19 that we can't deregister their cars. That is
20 something that we would like to talk about.

21 ASSEMBLYMAN MILLER: Thank you,
22 Commissioner.

23 MTA CHAIR/CEO LIEBER: Thank you.

24 CHAIRMAN PRETLOW: Senate?

1 CHAIRWOMAN KRUEGER: Thank you.

2 Senator Bynoe.

3 Senator Cleare.

4 SENATOR CLEARE: (Mic off) -- the
5 transportation desert of East Harlem, but I
6 wanted to talk about the expansion west into
7 West Harlem. I know that we're planning on
8 stopping at Lenox, Saint Nicholas, and
9 Broadway. Where are we in that project? Do
10 we think the \$7.5 billion is enough? And
11 what's left? Because we want to see it
12 happen. And have we considered including
13 Metro-North and even possibly, in the future,
14 an Amtrak connection?

15 MTA CHAIR/CEO LIEBER: Well, bottom
16 line is we have -- the Second Avenue Subway
17 Phase 2 is a good project, and it's being
18 well-run, and I'm not going to drag you
19 through all the details. But we ain't going
20 to end up with a front-page article in the
21 New York Times like the first version that
22 says it was poorly run and there was a lot of
23 delay and waste. Okay? Number one.

24 Number two, we do have -- we do not --

1 have not funded the extra engineering and
2 tunneling that would extend it to Broadway.
3 That is a concept that is on the table. We
4 have set aside, in our proposal, \$800 million
5 for a lot of different potential projects.
6 And working with the Governor's team and the
7 Legislature, we will have to narrow that
8 down. That is a project under consideration
9 for that additional roughly billion dollars
10 that we have proposed in the capital program
11 to extend it.

12 The project all the way to Park Avenue
13 and Lenox, as you said, is funded. But the
14 idea of extending the tunneling all the way
15 to Broadway is not yet finalized funding, but
16 it is a concept that is under study and
17 eligible for consideration.

18 SENATOR CLEARE: Anything I can do to
19 help move that along, I am happy to do.

20 MTA CHAIR/CEO LIEBER: We're happy to
21 get into specifics with you. Let's get into
22 it.

23 SENATOR CLEARE: Okay. Okay.

24 And as for the 125th Street and

1 Broadway -- all my -- all our subway
2 stations, the accessibility is an issue,
3 especially for the elevated line at
4 125th Street and Broadway. That one in
5 particular because there is a partnership
6 with Columbia University, I understand.

7 Where are we in that?

8 MTA CHAIR/CEO LIEBER: Well, we have
9 advanced the discussions with Columbia. I
10 don't want to get ahead of myself, but I
11 think we're close to an understanding with
12 Columbia where they would take some
13 responsibility for enabling us to put in
14 elevators at the 125th and Broadway No. 1
15 line station.

16 SENATOR CLEARE: Okay, thank you.

17 CHAIRMAN PRETLOW: Assemblyman Ra.

18 ASSEMBLYMAN RA: Thank you.

19 Congestion pricing disability
20 exemption. I have had some communications
21 with constituents, and please tell me if I'm
22 correct about this process.

23 I know that you could be enrolled in a
24 previous, you know, Access-A-Ride or

1 something like that. But otherwise the
2 individual has to go and be seen at one of
3 the MTA's centers in order to get that
4 exemption? Is that correct?

5 MTA CHAIR/CEO LIEBER: Just like
6 paratransit, which has got 200,000 people
7 enrolled and found eligible, you have to go
8 through the assessment process. And we've
9 done that for thousands of people already.

10 ASSEMBLYMAN RA: But is there -- or
11 are you looking at potentially expanding that
12 to Long Island so that -- because for a
13 disabled individual who has mobility issues,
14 to get to the Bronx or Manhattan or Brooklyn
15 is -- can be difficult.

16 MTA CHAIR/CEO LIEBER: Yeah.
17 Respectfully, we require assessments for
18 folks qualifying for paratransit, and we've
19 had success with it, and we're using the same
20 process, including assessment centers in the
21 boroughs.

22 Honestly, Assemblymember, if somebody
23 wants an exemption to enable them to drive to
24 the Central Business District, it doesn't

1 seem unreasonable to go as far as Queens to
2 get assessed. So --

3 ASSEMBLYMAN RA: Well, the individual
4 I spoke to doesn't drive. You know, has very
5 severe mobility issues. And they've found it
6 just very difficult to get --

7 MTA CHAIR/CEO LIEBER: No, but wait a
8 second. They're going to get an exemption
9 that allows a particular car to be exempt.

10 ASSEMBLYMAN RA: Yes.

11 MTA CHAIR/CEO LIEBER: Not -- the
12 exemption doesn't --

13 ASSEMBLYMAN RA: They are not the
14 driver themselves.

15 MTA CHAIR/CEO LIEBER: So the person
16 who's going to drive them regularly and get
17 the exemption for their car needs to take
18 them to the assessment center in Queens, if
19 that's the most convenient one.

20 So we're comfortable that if you want
21 an exemption to drive to Midtown, you should
22 be able to get, you know, a third of the way
23 there to get assessed.

24 ASSEMBLYMAN RA: Going back to the

1 conversation you had with Chair Braunstein, I
2 understand you don't want to call it a gap or
3 whatever with the capital plan. But is there
4 a number that you feel needs to be addressed
5 in this budget in terms of additional capital
6 funding, whether it's through some new
7 dedicated, you know, funding source, tax,
8 whatever it is? Is there a number --

9 MTA CHAIR/CEO LIEBER: You could --
10 you could take it from the existing budget.
11 I don't buy the idea that we treat education
12 and Medicaid and healthcare and all these
13 other state programs as a given. Oh, we have
14 to fund those -- there's no gap, no one says,
15 Well, there's a gap. But when the MTA comes
16 with this predictable capital program, which
17 is below inflation -- so when everyone's
18 talking about gaps and bailouts, it ain't
19 right, it's not accurate. And I'm going to
20 keep pushing back on that rhetoric.

21 So with that said, the number that
22 needs to be resolved, whether it's through
23 existing revenues or the future, under our
24 proposal was roughly 33 billion over the

1 five-year period. That would require, you
2 know, a much smaller number of regular
3 revenue to be bonded.

4 And I think under the Governor's
5 proposal it's slightly larger because she had
6 some other variables.

7 But everybody knows the scale of the
8 issue. The point is you have the power of
9 the purse, along with the Executive, and
10 we're counting on you to solve it.

11 ASSEMBLYMAN RA: And as part of that
12 as well, do you need the gap between what was
13 initially projected from congestion pricing
14 and the lower amount with the lower fine to
15 be addressed?

16 MTA CHAIR/CEO LIEBER: No. We have --
17 without wasting everybody's time, we have
18 figured out how we make the lower numbers
19 of -- the lower revenue from congestion
20 pricing work in order to fund the projects
21 that were supposed to be funded, albeit at
22 slightly longer time frames.

23 ASSEMBLYMAN RA: Okay. And then you
24 mentioned the actions of a couple of years

1 ago with regard to the operating funding and
2 plugging that gap. Is everything now, you
3 know, basically where you are now in terms of
4 fares, in terms of all the dedicated taxes,
5 all of that stuff, everything basically lines
6 up right now? There's no funding gap?

7 MTA CHAIR/CEO LIEBER: No. We've made
8 good on -- the projections that you and we
9 all made together back in '23 have stood up
10 through the five-year period that was on the
11 table at that time. So we're balanced-budget
12 through '26.

13 The outyears have some gaps in them
14 which we'll need to talk about over time.
15 That's not a this-year issue. But it depends
16 on, you know, a lot of variables, including
17 how much the real estate taxes that you all,
18 we're all dealing with, a downturn in real
19 estate tax revenues, how well they perform.
20 So -- but that's not a this-year issue, and
21 we've made good on the commitments that were
22 made in '23.

23 ASSEMBLYMAN RA: Thank you, Chair.

24 CHAIRMAN PRETLOW: Senator?

1 CHAIRWOMAN KRUEGER: Thank you.

2 Senator Tom O'Mara, Finance ranker,
3 five minutes.

4 SENATOR O'MARA: Thank you.

5 Good afternoon, Chairman. Thanks for
6 being with us.

7 As you know, we have a very strong
8 railcar manufacturing base across the
9 Southern Tier of New York, with much work
10 that you've done with Alstom in Hornell over
11 the years, that we have CAF in Elmira, and
12 soon to come, Siemens in Horseheads, building
13 high-speed rail, building railcars for
14 municipal transit systems across the country.

15 My only question for you, and I thank
16 you for visiting us over the time, is -- and
17 I know you've been to Alstom with myself. In
18 fact, are you in discussions or anything with
19 CAF, the other manufacturer currently in
20 Elmira, on possibilities working for the MTA
21 and, you know, where do --

22 MTA CHAIR/CEO LIEBER: We were not --
23 listen, here's the bottom line. We're buying
24 15 -- I misspoke earlier. We're buying

1 1500 subway cars and 500 railcars in the
2 next -- I would love it if every one of them
3 were manufactured in the State of New York.
4 New York State was the historic center of
5 railcar manufacturing in the great rail age.
6 It ought to be again.

7 I'm thrilled that CAF, which is a
8 Spanish company, has started to expand in
9 New York State. I'm thrilled that Siemens --
10 and we're going to buy some dual-mode
11 locomotives from Siemens -- is doing it at
12 Horseheads. It's all great. Let's work
13 together to make the huge railcar needs a
14 part of our --

15 SENATOR O'MARA: Are there any tools
16 that the Legislature could help you with in
17 prioritizing New York State manufactured
18 railcars?

19 MTA CHAIR/CEO LIEBER: Let's have a
20 longer discussion about that. But yeah. I
21 mean, yes, I do think that we need those
22 companies to be enabled to produce MTA
23 railcars. They're producing all kinds of
24 different stuff. But there are some unique

1 characteristics of our operating environment
2 and otherwise that we need them to be able to
3 make MTA -- you know, it's not just a quality
4 issue, it's literally the physical type of
5 car that they can build at those facilities.

6 So we can talk about how do we work
7 together to get them there.

8 SENATOR O'MARA: And also
9 incorporating all the various and many
10 subcontractors that provide services and
11 parts and components to the larger Alstom and
12 CAF's -- keep those in mind too.

13 But just to follow up, I think you
14 were asked earlier about the M-9A contract.
15 You say that's in procurement right now, but
16 that's been going on for about nine years. I
17 know you can't get into the details of
18 procurement going on, but what's the timeline
19 we're looking at here? I mean, nine years
20 seems to be an awful long time.

21 MTA CHAIR/CEO LIEBER: I mean, thumbs
22 up or down, it's got to be sooner rather than
23 later. You're right, it is really
24 complicated to do railcar procurement. This

1 is not like going down to the hardware store.

2 But let me tell you, we would like
3 that one to be resolved, and for good or bad,
4 we have to resolve it, you know, in the next
5 six months.

6 SENATOR O'MARA: Well, thank you.
7 thank you for your leadership on that. And
8 anything that you or your crew comes up with
9 where we might be able to do something
10 legislatively to help ensure that that
11 manufacturing process happens in New York,
12 certainly I'm all ears, and I'm sure
13 everybody else here as well.

14 Thank you.

15 CHAIRMAN PRETLOW: Thank you.

16 Assemblyman Simone.

17 ASSEMBLYMAN SIMONE: Thank you.

18 Thank you, Chairman, for joining us.

19 I have a question about subway safety
20 gates. Last year 26 people were pushed in
21 front of the subway tracks according to the
22 New York Times. And I know we have these
23 half-assed gates up that don't even go all
24 the way up.

1 Are you looking and studying other
2 cities, what they're doing with their gates?
3 Like for instance in Eastern Europe and that,
4 they have the full-fledged rope gates that no
5 one can be pushed in front of a subway car
6 because they go all the way up. And they're
7 more costly -- less costly, and it takes --
8 it's quicker to build them, from what we've
9 read.

10 MTA CHAIR/CEO LIEBER: I'm happy to
11 look at any model that you're pointing to.

12 The big picture is this, that those --
13 in the modern railcar situation you have
14 these what they call platform screen doors
15 that block the entire platform. Our
16 platforms -- remember, this is a
17 hundred-year-old system. Our platforms can't
18 take that weight.

19 So we've gone to alternative
20 approaches which have been working and,
21 equally important, make people feel safe. I
22 don't accept the phrase half-assed,
23 respectfully. So --

24 ASSEMBLYMAN SIMONE: I mean, if you're

1 tall, you simply get pushed over.

2 MTA CHAIR/CEO LIEBER: So the bottom
3 line is we're putting in those -- what we
4 call the platform barriers. We've done it at
5 17 stations. We're going to do it at
6 100 stations in the next year. Thank you,
7 Governor Hochul, who's funding that.

8 ASSEMBLYMAN SIMONE: I have another
9 question, so --

10 MTA CHAIR/CEO LIEBER: Okay. But
11 that's my story.

12 ASSEMBLYMAN SIMONE: You answered my
13 question.

14 When we fight to secure MTA funding,
15 there's often criticism from constituents and
16 the media that we spend far more on projects
17 than peer cities. I know I read your
18 testimony that you've reduced costs by
19 3 percent; I commend you for that. But what
20 innovative approaches are you taking to
21 reduce the costs of construction?

22 MTA CHAIR/CEO LIEBER: Okay. You're
23 opening the fire plug right now, because this
24 is like -- this is my life.

1 ASSEMBLYMAN SIMONE: That's why I
2 asked.

3 MTA CHAIR/CEO LIEBER: I joined the
4 MTA in 2017, right as Second Avenue Phase 1
5 was being finished, attacked the specific
6 problems of that project, and set MTA
7 construction development on a new course.

8 And how we do it is, you know, we
9 changed the contracts so you're not randomly
10 putting risk on contractors. We've ended
11 customization. Limiting customization in the
12 designs is a dramatic driver of costs. We
13 bundle projects so every time you shut down a
14 line to get work done, you get maximum amount
15 of work done and you're getting economies of
16 scale.

17 We do A plus B procurements, is when
18 you take the schedule into consideration so
19 you can get more work done at a cheap rate
20 over a shorter time.

21 We do different project management --
22 this was my life when I ran the World Trade
23 Center project -- of how you manage risk.

24 And we innovate like we have in the

1 Park Avenue viaduct, where we are actually
2 rebuilding a hundred-year-old structure in
3 the middle of East Harlem in 21 months on the
4 weekends without shutting down service. And
5 I won't tell you how, but it is real
6 innovation. All of those areas.

7 CHAIRMAN PRETLOW: Thank you for that.
8 Senator?

9 ASSEMBLYMAN SIMONE: Thank you,
10 Chairman.

11 CHAIRWOMAN KRUEGER: Thank -- thank
12 you.

13 MTA CHAIR/CEO LIEBER: So I've got
14 another hour if you want it on that topic.

15 (Laughter.)

16 ASSEMBLYMAN SIMONE: We can do it over
17 cocktails.

18 CHAIRWOMAN KRUEGER: Thank you,
19 Chairman.

20 Senator Bynoe.

21 SENATOR BYNOE: Thank you,
22 Madam Chair.

23 Hi, I have a question regarding the
24 Long Island Rail Road bridges in Nassau and

1 Suffolk County. It's been reported that a
2 few of them are in poor condition, and it's
3 also been stated that there's a complexity in
4 the repairs because local governments share
5 responsibility in repairing those bridges.

6 Can you tell me, you know, how
7 impactful that is and how do you think we can
8 overcome the challenges with local
9 governments that might be under-equipped to
10 meet the needs?

11 MTA CHAIR/CEO LIEBER: Yeah, I mean,
12 everyone assumes always that we're fighting
13 with Nassau County because of politics.
14 Actually, Nassau County has been pretty
15 cooperative with us in those situations where
16 there's a shared collaboration. And what
17 bridge was that, John? There's a bridge
18 recently we did where there was that
19 collaboration. Yeah, Cherry Valley Bridge.

20 So I think there is occasionally
21 jurisdictional complexity and so on, but the
22 bottom line is this. We've got 80 bridges in
23 the Long Island Rail Road system that are in
24 poor or marginal condition. That does not

1 mean they will fall down. It means that they
2 need to be invested in so they don't get to
3 that point. And this capital program is the
4 one that's going to fund that, along with a
5 million other things.

6 So thank you for the question. It is
7 a big piece of the next capital program.

8 SENATOR BYNOE: Okay. And I
9 understand in Manhasset you had to close a
10 bridge? Were we in fear of that bridge
11 collapsing?

12 MTA CHAIR/CEO LIEBER: Well, what
13 happens frequently -- I don't know the
14 specifics, but what was happening all the
15 time with Long Island, we had low bridges all
16 over Long Island and trucks would run into
17 them, dopey truck drivers run into them, they
18 don't read the signs. And then we'd have to
19 shut down the railroad for half a day to make
20 sure that the bridge was structurally sound.

21 Because of the Third Track Project and
22 other projects we've done, we've dramatically
23 reduced those kinds of -- what do they call
24 it when the truck hits? Bridge strikes --

1 bridge strikes that shut down service, and
2 the result is much more reliability and more
3 service for Long Island Rail Road customers.
4 Great investment in the Third Track Project.

5 SENATOR BYNOE: Thank you.

6 CHAIRMAN PRETLOW: Assemblyman Fall.

7 ASSEMBLYMAN FALL: Thank you,
8 Chairman Pretlow.

9 Good morning, Chairman Lieber and your
10 team. Appreciate all the work that you guys
11 are doing.

12 Very happy about the new R211 trains
13 that are on Staten Island. Hear a lot of
14 good feedback about that. And also I am
15 impressed with the recent aesthetic
16 improvements to the Verrazano Bridge. I know
17 it's a long work in progress, but it's going.
18 Although the tolls are hurting us, so --

19 MTA CHAIR/CEO LIEBER: You can stop
20 there. I don't get "thank you" for more than
21 five seconds.

22 (Laughter.)

23 ASSEMBLYMAN FALL: And then
24 Access-A-Ride, your team has been really

1 responsive and helpful to my team on the
2 various issues that we have on that end, so I
3 want to commend you guys for that.

4 Now, a topic that's near and dear to
5 my heart, and I know it's something that, you
6 know, you also care about, the bus rapid
7 transit. What can I share with my
8 constituents on where we are with that?

9 MTA CHAIR/CEO LIEBER: So big
10 opportunity here. So bus rapid transit,
11 North Shore of Staten Island -- been working
12 on it a while. There is a major opportunity
13 to improve it and reduce the complexity of
14 the project by resolving conflicts with the
15 mall that's just west of the Staten Island
16 Ferry terminal, so you don't have to take it
17 onto the street. Nobody wants this bus rapid
18 transit system on the street if it doesn't
19 have to be, if it can be in its own right of
20 way.

21 So we're trying to resolve that. We
22 want to advance the design. We want to
23 resolve that issue and move the design
24 forward, and then we have to see if we can

1 get federal funding. That is -- you know,
2 we're going to -- we're in an unknown
3 territory with the federal government. But
4 we would like to work with you to see if that
5 is realistic, because that is an opportunity
6 that I think all of us want to pursue.

7 ASSEMBLYMAN FALL: I gotcha.

8 Going to the Fulton Station on the
9 Manhattan side of my district, I hear a lot
10 of quality-of-life concerns in that station,
11 and I'm kind of curious to know what are we
12 doing to not only address the quality-of-life
13 issues there, but to address the
14 concessionaire space that is empty? Because
15 there are various concessionaire space, and I
16 think that is also revenue that the MTA is
17 arguably missing out on.

18 So any thoughts on that?

19 MTA CHAIR/CEO LIEBER: So I'm going to
20 throw it to Demetrius in a second.

21 The bottom line is that's a real
22 estate deal. Westfield is the outfit that
23 runs the retail in the World Trade Center and
24 in the Fulton Transit Center and other

1 places, a big mall operator around the
2 country. They're getting out of America, so
3 they're spreading a lot of lies about the
4 quality-of-life issues in that so they can
5 try to get out of their lease. Period, end.

6 There is -- this is a big station, it
7 has -- you know, does have people who
8 misbehave and fare evade and stuff that we
9 see in the system, but it's not some dramatic
10 difference from experience that we're
11 struggling with elsewhere. We have private
12 security that we provide there, and we also
13 have the NYPD there. So we're going to keep
14 pushing on that issue.

15 ASSEMBLYMAN FALL: Appreciate that.

16 Tompkinsville Station, need help there
17 as well on Staten Island.

18 Thank you.

19 CHAIRMAN PRETLOW: Assemblyman Bores.

20 ASSEMBLYMAN BORES: Thank you,
21 Chairman Lieber, for being here. Agree with
22 you, we need to find a way to fund the full
23 capital plan. Thank you to you and the
24 Governor for your commitment to platform

1 barriers.

2 And also one thing I haven't heard you
3 talk about enough is the automated
4 accessibility assistance and MTA train time
5 app, which is a government-tech success story
6 that I think many states should learn from.
7 It was really a wonderful rollout.

8 I want to ask, since congestion
9 pricing has come into effect, what's the
10 total amount of revenue that's been forgone
11 because of credits to the Holland or Lincoln
12 Tunnel?

13 MTA CHAIR/CEO LIEBER: Listen, I don't
14 know the answer to that. We're -- just so
15 everybody's -- this is all going to be very
16 open-book. We're going to put the revenue
17 numbers out as soon as we have them.

18 Bear in mind that we don't get the
19 taxi and FHV revenues. Remember, that's a
20 big piece of the --

21 ASSEMBLYMAN BORES: Sorry, I just
22 wanted -- you are the open data king.

23 MTA CHAIR/CEO LIEBER: We are the open
24 data king.

1 ASSEMBLYMAN BORES: And using the open
2 data this morning, my team put a quick
3 estimate together, around 5.3 million --

4 MTA CHAIR/CEO LIEBER: Let 'er rip.
5 Let 'er rip.

6 ASSEMBLYMAN BORES: I would love to
7 get -- we had some assumptions in doing that.
8 I'd love to get the real figures from you
9 when we can.

10 MTA CHAIR/CEO LIEBER: Happy to do it.
11 And you can talk about how you think that
12 money ought to be invested, that's --

13 ASSEMBLYMAN BORES: Well, I was just
14 going to say, 5.3 million, how many
15 New Jersey residents have thanked you?

16 MTA CHAIR/CEO LIEBER: Yeah. There's
17 a large house down by Princeton that I know
18 has not thanked me. It's called the
19 Governor's Mansion.

20 ASSEMBLYMAN BORES: Fair enough.
21 So -- and then I also want to ask,
22 when you were setting up the tolls and now
23 obviously we've changed the price, at any
24 point in the modeling did you look at how

1 much it would cost to have a discount or
2 exemption for those that live in the zone?

3 MTA CHAIR/CEO LIEBER: Listen, you
4 know, there were some specific discounts that
5 were written into law. And then we gave it
6 to the Traffic Mobility Review Board, which
7 looked at all the discounts and what they
8 said is, Listen, we're not doing any more
9 rifle shots --

10 ASSEMBLYMAN BORES: No, I've read the
11 report, I'm just saying was it ever priced.
12 I haven't seen --

13 MTA CHAIR/CEO LIEBER: I don't know
14 that it was. But we were very, very
15 respectful of that group which studied every
16 one of the exemptions in detail, and we
17 adopted it with their recommendations. That
18 was kind of what the law that you wrote
19 intended for us to do.

20 ASSEMBLYMAN BORES: I agree. I just
21 want to be able to report to my constituents
22 the ratio of what we're giving to Jersey
23 versus to them. That's all.

24 I just want to ask, on the 59th Street

1 Bridge entrance, obviously that -- there's a
2 way to exit without paying the toll. There's
3 no way to enter without paying the toll. I'm
4 concerned for my constituents about more
5 people now driving up to the Triborough,
6 which has a lower toll overall.

7 Has that been studied? In the first
8 month, what's the data on how that's shifted
9 traffic?

10 MTA CHAIR/CEO LIEBER: Listen, that is
11 one of the complexities. The way the law was
12 written, we had 60th Street as the barrier
13 and we had to live with that. It created
14 some complexities. That's one of them, one
15 of the big ones.

16 The one thing I would say to you is
17 that what we believe from the studies that
18 we've done is if we had magically made that a
19 way to get in and out of the city for free,
20 your constituents on the far east side would
21 be living with a ton of extra traffic. So
22 there are tradeoffs.

23 (Overtalk.)

24 ASSEMBLYMAN BORES: If that could be

1 shared, that would be appreciated.

2 MTA CHAIR/CEO LIEBER: The law that
3 you wrote, we complied with, and the result
4 is you got a lot less traffic.

5 ASSEMBLYMAN BORES: If that could be
6 shared, that would be appreciated, the
7 report.

8 CHAIRMAN PRETLOW: Assemblymember
9 Epstein.

10 Assemblywoman Solages.

11 Assemblywoman González-Rojas.

12 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: All
13 right. Thank you, Chair Lieber. Proud
14 straphanger here.

15 So I want to state for the record that
16 I support revisiting the Free Bus Pilot. I
17 know that's on us. But until then, we know
18 that the Fair Fares Program has been a
19 lifeline for so many working-class
20 New Yorkers. Expansion of Fair Fares to
21 200 percent of the federal poverty level was
22 a key recommendation in the Blue Ribbon
23 Report on Fare Evasion.

24 So do you know why the eligibility is

1 only at 145 percent of the federal poverty
2 level years later?

3 MTA CHAIR/CEO LIEBER: So I'm going to
4 hand that one to Shanifah.

5 We have always supported raising the
6 threshold of eligibility because New York is
7 a heck of a lot more expensive. What it
8 means to be low-income or poor or even
9 working class in New York is different than,
10 you know, a lot of other places.

11 So we've supported increasing the
12 eligibility threshold. And our job, which
13 we're pushing hard on, is to sign everybody
14 up. And Shanifah and team have led that,
15 even though it's a city program.

16 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Great.
17 I'm excited to partner on that effort, and
18 I'm excited to share a bill with Senator
19 Comrie that would increase the federal
20 poverty level to 200 percent.

21 Can you provide an update on the
22 status of the Interborough Express Project
23 that runs between my neighborhood in
24 Jackson Heights, Queens, to South Brooklyn?

1 I saw that the MTA issued an RFP, but given
2 the hostile federal administration, I'm
3 concerned there might be an impact. So can
4 you share an update on that project?

5 MTA CHAIR/CEO LIEBER: Honestly, what
6 we've got to do now with that project --
7 which is a great project. It's going to
8 connect people, the two most populous
9 boroughs of the city which have very little
10 connectivity, rail connectivity. Huge
11 benefits for our economy. More people go
12 between those two boroughs for jobs, believe
13 it or not, than go across the East River.
14 That's a stat I'm always shocked by.

15 But -- so we've got to do it. It's an
16 existing right of way. It's crazy not to use
17 it. But it costs money. And we got -- what
18 we are going to do in this capital program is
19 get through the whole complicated
20 environmental review process and design the
21 thing. That's what the RFP is about.

22 So I'm not, you know, spending time
23 worrying about the feds are going to give us,
24 you know, a multi-billion-dollar grant.

1 We've got to get through the design and the
2 environmental, and then we'll be positioned
3 to go ask whoever is the next president for
4 federal money.

5 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: And I
6 think I know the answer to this question, but
7 I know a number of us had pushed to consider
8 expansion of the IBX to the Bronx. Is that
9 at all part of conversations or
10 consideration? Because I think that's such a
11 gap for us that rely on public transit.

12 MTA CHAIR/CEO LIEBER: We get it. But
13 chicken and egg problem. When we went for
14 Metro-North/Penn access, we put as much
15 railroad on that right of way, which is the
16 Hell Gate, as we can. So we can't jam
17 another operation onto that bridge and that
18 right of way. That's not an option.

19 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Thank
20 you.

21 CHAIRMAN PRETLOW: Thank you.

22 Assemblywoman Eachus?

23 Assemblywoman Mitaynes?

24 ASSEMBLYWOMAN GONZÁLEZ-ROJAS: Oh, no,

1 he's here.

2 CHAIRMAN PRETLOW: Gotta speak up.

3 ASSEMBLYMAN EACHUS: Thank you,
4 Chair Pretlow.

5 Wheels on some of the cars on some
6 lines are wearing faster than expected.
7 You've been in negotiations with a company
8 here in New York for three years, and yet you
9 haven't come to any type of conclusion on
10 what's wrong with those wheels, what is
11 needed, and so on like that? I don't get it.

12 And I really didn't like the comment
13 about, oh, we are restricted because we can't
14 use China anymore. What the heck are we
15 sending our dollars to China for when we have
16 companies -- and this is different than the
17 company that Senator O'Mara was talking
18 about.

19 MTA CHAIR/CEO LIEBER: Listen, I don't
20 know what -- what you heard, but I think we
21 answered the question about the wheels. That
22 hasn't been under study for three years,
23 that's about three months. So information
24 gap. But --

1 ASSEMBLYMAN EACHUS: I didn't say that
2 you were studying those wheels for three
3 months. I said you'd been in negotiations
4 with a company from New York, here in
5 New York, that builds railcars, for three
6 years. And you still haven't come to any
7 conclusion or drawn any conclusion at this
8 point.

9 Congestion pricing, the dagger in the
10 heart. I am from the 99th District. That
11 probably doesn't mean anything to you. That
12 is Eastern Orange County and Northern
13 Rockland County. We get like 1 cent back on
14 the dollar for all the payroll taxes we pay.
15 We have nearly zero service in our area. As
16 a matter of fact, we have to deal with the
17 PATH line and so on like that.

18 I don't know why you consider my
19 district to be a whipping dog, to continually
20 collect money from it and yet we don't get
21 any increase in services.

22 MTA CHAIR/CEO LIEBER: Okay.

23 ASSEMBLYMAN EACHUS: My wise chair,
24 Mr. Pretlow, asked the DOT just earlier today

1 about a proposed \$1 million study directed
2 mostly to the western side of the Hudson
3 River, and he was given some excuse back
4 about, Well, we'll have to look into double
5 track. We already procured \$10 million to
6 double one mile of track on our side of the
7 river. We don't need a million-dollar study.
8 There are no trains. The buses are terrible,
9 absolutely horrendous on our side. There are
10 very few of them, both trains and buses, such
11 that our people can't do anything except
12 commute into the city with cars.

13 And you put in congestion pricing.
14 It's a killer. It's a killer for my
15 district.

16 MTA CHAIR/CEO LIEBER: Is there a
17 question that I can answer?

18 ASSEMBLYMAN EACHUS: No. There's no
19 question that you can answer.

20 MTA CHAIR/CEO LIEBER: Okay, I didn't
21 think so.

22 ASSEMBLYMAN EACHUS: I'm just making
23 the statement so that the public knows what's
24 going on.

1 MTA CHAIR/CEO LIEBER: Okay. So
2 there's 80 percent of the people in Rockland
3 County who commute to Manhattan Central
4 Business District do take transit. We
5 acknowledge the fact that rail service on the
6 West of Hudson stinks. It is run by
7 New Jersey Transit. The tracks are owned by
8 the freight railroad. We have no ability to
9 alter that for you, much as we would like to.
10 That is the reality.

11 CHAIRMAN PRETLOW: Thank you,
12 Mr. Chair.

13 Senator?

14 CHAIRWOMAN KRUEGER: Thank you,
15 Mr. Chair and CEO. So I try to go after all
16 the other Senators, and I gave the Assembly
17 some extra time because there are more of
18 them.

19 So let me just start with where we
20 just closed. My understanding is the MTA
21 provides \$27.9 million of spending
22 specifically in Assemblymember Eachus's
23 district. Is that correct, do you know?

24 MTA CHAIR/CEO LIEBER: I don't know

1 the answer to that.

2 But the studies you've seen is that
3 every State Senate district, every
4 congressional district in New York State is
5 benefiting from the MTA capital program. And
6 I think the study that came out today saw
7 that the congressional district that includes
8 Rockland County gets like \$2 billion out of
9 the MTA capital program.

10 So we don't get anything -- if the
11 point is the question of who's getting what
12 back from the MTA capital program, I take
13 your point. Clearly our friends -- although
14 clearly there's a difference of opinion --
15 are benefiting from the MTA capital program.

16 CHAIRWOMAN KRUEGER: So that's really
17 the broader question I was going to ask.

18 So you need a lot of capital money,
19 and I understand why. But it's also, I
20 think, really important for people to
21 understand how much of that capital money
22 actually just goes right back into our
23 regional economy, with a multiplier effect
24 for jobs and for businesses throughout the

1 State of New York -- not just in the 12 MTA
2 regions, but everywhere.

3 So can you just talk about why you're
4 an economic generator as well as coming to
5 the State of New York saying, We need some
6 capital money?

7 MTA CHAIR/CEO LIEBER: Yeah. So I
8 think everybody's seen the recent Ernst &
9 Young study and the Reinvent Albany studies.
10 The MTA capital program creates -- is
11 estimated to create 73,000 jobs. One out of
12 four of those are outside in the State of
13 New York -- one out of four of those are
14 outside the MTA 12-county region. And the
15 average job among the 73,000 is north of
16 \$100,000.

17 So it is \$112 billion of economic
18 activity created by that -- our roughly
19 \$68 billion capital program. Those are the
20 estimates. And there are lots of other
21 metrics of the positive impact this capital
22 program has. Don't forget, it enables the
23 whole multi-trillion-dollar New York City and
24 regional economy. I mean, on top of the

1 specifics we're talking about. We don't have
2 that New York City/New York region economy
3 without mass transit that enables us to
4 function.

5 CHAIRWOMAN KRUEGER: So I live in that
6 city, so I actually understand what happens
7 when the buses and the subways aren't working
8 or when you're in a desert without enough of
9 them. So -- but I don't know if all of my
10 colleagues know how we talk in the city
11 about -- like when we had the Summer from
12 Hell, and what it would mean if we didn't
13 invest in the capital plan the way it's
14 needed, and one day we woke up and it just
15 wasn't working.

16 MTA CHAIR/CEO LIEBER: Yeah. So we
17 tried that. You know? We actually
18 experimented with not funding the MTA capital
19 program. It was 2015. And it had
20 consequences.

21 And I'll just remind everybody,
22 because I keep this in my office (showing).
23 This is the front page of the two big
24 New York tabloids in the middle of the summer

1 of 2017 during the so-called Summer of Hell.
2 It's got the same photo: It's people
3 standing 40-deep on a platform in Washington
4 Heights. They can't get anywhere because the
5 subway system fell apart. Enough.

6 So we've tried not funding the MTA
7 capital. That's where it brought us.

8 CHAIRMAN PRETLOW: We try not to use
9 props, I'm sorry. Due to the brains over
10 there.

11 (Laughter.)

12 MTA CHAIR/CEO LIEBER: You wouldn't
13 know I'm a rule-breaker, but occasionally I
14 resort.

15 (Laughter.)

16 MTA CHAIR/CEO LIEBER: Anyway, the
17 point is -- that's the point, is we tried it,
18 it didn't work. It killed our economy.
19 New Yorkers rose up.

20 And we have -- we had the 2020-2024
21 capital program, 55 billion. We're asking to
22 grow that by less than inflation. We can
23 afford to do that. You know how? We've
24 gotten better at being efficient in how we

1 spend capital money.

2 CHAIRWOMAN KRUEGER: And that actually
3 was my next question. Even though people
4 think the number seems very large, that when
5 you adjust for inflation, it isn't a
6 significant increase over what we would have
7 automatically expected. And yet you're
8 talking about needing more effort to good
9 repair of the existing very old system, plus
10 expansion.

11 So my understanding is some people's
12 analysis is that you really needed far more
13 than you're asking for.

14 MTA CHAIR/CEO LIEBER: Yeah, I mean,
15 listen. We're realists. So we went to
16 JPMorgan Chase and said: Compare us to a
17 freight railroad or Con Ed or some older
18 industrial operation. What would you need to
19 get to a state of good repair? And they said
20 to put you really there, that's 100 billion
21 over five years-plus. Actually, 112 I think
22 was the number.

23 Even the State Comptroller, who's not
24 known for encouraging more spending, said

1 that the right range was between I think
2 roughly 60 and 92.

3 So by being at 68, we are at the
4 low end of the range and well below what the
5 pros at JPMorgan Chase said.

6 That said, we think that this is the
7 minimum necessary in order to make sure we
8 don't end up at the end of this capital
9 program worse off than we are now, that we do
10 make progress. That's why we believe in it.

11 CHAIRWOMAN KRUEGER: One of the other
12 issues I hear about all the time, as someone
13 who is from Manhattan, is the critical need
14 for improving access to subways and buses for
15 people with disabilities. There have been
16 lawsuits, settlements. I don't know if
17 everyone's noticed, we're all getting older.
18 So the percentage of New Yorkers who use mass
19 transit are getting older, and therefore,
20 even if they don't meet ADA definition, they
21 can't get up and down those stairs. They
22 need elevators, escalators.

23 Tell me what happens for everyone who
24 is in that category if we don't come up with

1 adequate funding to make sure we get to these
2 targets.

3 MTA CHAIR/CEO LIEBER: Well, listen.
4 We've made a binding commitment to invest
5 enough in ADA accessibility projects to get
6 us within a 30-year period -- it's not
7 tomorrow, but within a 30-year period -- to
8 full accessibility. Which is what everybody
9 expects a modern transit system to be. You
10 know, we're 40-plus years past -- 40 years
11 past the ADA. We've got to get there.

12 But it doesn't just benefit people
13 with disabilities. We're talking parents
14 with strollers. Who do we want to keep in
15 New York who has financial challenges of
16 being in New York? Young families, seniors
17 who just can't get up and down the stairs
18 even if they're not in a wheelchair.

19 These are all -- this is a benefit for
20 everybody. And as you say, we're all going
21 to get older and need this.

22 So what we're proposing to do is
23 continue to make progress on the road to full
24 accessibility. We have quadrupled the pace

1 at which ADA -- stations are being made fully
2 accessible. Super-proud of that. And it is
3 probably, of all the things we're doing in
4 the capital program, the number-one most
5 popular aspect.

6 So we're going to keep pushing
7 60 stations in this coming program.

8 CHAIRWOMAN KRUEGER: So I have half of
9 my district in the zone, half of it right
10 next to the zone. We're all very concerned
11 about the environmental impacts that we were
12 hoping would come out of congestion pricing.
13 I know it's only been a few weeks, but I
14 think part of the deal was that you'll be
15 doing evaluations of the environmental impact
16 of less congestion.

17 You know, I'm reading every day --
18 today we got a report that despite some
19 people's concerns that fewer cars would mean
20 fewer business activity -- actually, it's
21 just the opposite and that we had a fantastic
22 January in the zone for all the businesses.

23 Do we know anything about the
24 congestion environmental impacts yet?

1 MTA CHAIR/CEO LIEBER: So you're
2 right. You know, fewer cars. You know,
3 we've got -- Broadway is doing great, much
4 better than last year. Streets are safer.
5 Half as many car crashes with
6 pedestrian/cyclist injuries. Traffic speeds
7 up dramatically. And lo and behold, you know
8 who's the biggest supporter of congestion
9 pricing? It's shocking: People who drive to
10 Manhattan regularly. In the recent poll,
11 66 percent of the people who drive to
12 Manhattan regularly say, I like this, I'm
13 getting there faster, I'm willing to pay that
14 toll.

15 So on the environmental front, we will
16 have data as soon as the environmental
17 scientists who manage the models, which are
18 fairly complicated, give us feedback. We're
19 collecting the data. Again, it's a little
20 like the financial results. We need to give
21 the pros time to do their work. It's
22 probably a couple of months off.

23 CHAIRWOMAN KRUEGER: But we do have
24 equipment to do that kind of evaluation,

1 right?

2 MTA CHAIR/CEO LIEBER: Yes. And we
3 were -- I was asked about a specific location
4 earlier, and we're going to check on that as
5 well.

6 CHAIRWOMAN KRUEGER: Got it.

7 And then with just my last minute,
8 somebody sent me a note saying that the state
9 still owes the MTA 2.3 billion from the
10 2024 capital appropriation. What's the
11 status of that?

12 MTA CFO WILLENS: Sure, yes. Both the
13 state and the city, out of their own bonding
14 program, committed 3 billion each to the
15 '20-'24 program. And we've actually
16 committed all the funds both on the state and
17 the city side. So the spending is going on.

18 There's obviously a little bit of
19 delay from COVID, but both the state and the
20 city have kept their commitment in the
21 '20-'24 plan where we've been able to move
22 forward on projects with that money.

23 CHAIRWOMAN KRUEGER: And in fact the
24 city was just up here the other day asking us

1 for additional transitional bonding authority
2 so that they could actually guarantee an
3 additional 3 billion for you in the coming
4 year.

5 MTA CFO WILLENS: For the next
6 program, correct. Yes.

7 MTA CHAIR/CEO LIEBER: It could also
8 be 4 billion, like the MTA Board proposed,
9 but go ahead.

10 CHAIRWOMAN KRUEGER: All right, fine.
11 We'll try to get to 4 billion.

12 My time is up. Thank you very much.

13 CHAIRMAN PRETLOW: Thank you.

14 Assemblywoman Solages.

15 ASSEMBLYWOMAN SOLAGES: Greetings,
16 everyone.

17 First I want to say congratulations on
18 your one-millionth rider at the
19 Elmont Station. The community is very happy
20 with the work being done. And we always like
21 increased capacity, but we already have a new
22 train station, so we're happy.

23 So on to the railcars. So as we
24 continue to discuss the new capital plan, I

1 want to ensure that we're not forgetting
2 about the current projects that are in the
3 pipeline.

4 So riders on the Long Island Rail Road
5 were promised new train cars many years ago.
6 You know, I've ridden -- I rode on the M-9,
7 they're nice. I've ridden on the old line,
8 the old cars. Would like to know if -- you
9 know, what's going on with that, when are the
10 riders going to expect the new railcars. And
11 how can we ensure this process doesn't get
12 delayed any further?

13 MTA CHAIR/CEO LIEBER: So I think we
14 talked about it earlier.

15 ASSEMBLYWOMAN SOLAGES: Yeah, I'm
16 going to talk about it with you now.

17 MTA CHAIR/CEO LIEBER: It's an open
18 procurement, so I can't get into details. I
19 said we would resolve, you know, go/no go in
20 the next six months.

21 But the good news is the Long Island
22 Rail Road's on-time performance is out of
23 sight last year. So even though they have a
24 few cars that are a little long in the tooth,

1 they are delivering for not just Elmont --
2 on-time in a budget project, by the way --
3 but also for everybody on the Long Island
4 Rail Road. We're very proud of that 96
5 percent. Right now it's 97-plus-percent year
6 to date.

7 ASSEMBLYWOMAN SOLAGES: Okay. And
8 about electrification of Suffolk County
9 rails, I know -- yeah. Even though I don't
10 represent that area, it's important that
11 Long Island gets increased capacity in the
12 future.

13 Are we looking at some type of
14 electrification like the Port Jefferson Rail,
15 you know, in the future?

16 MTA CHAIR/CEO LIEBER: So in the
17 board-adopted capital program, which was
18 vetoed by the Legislature but which in many
19 ways I expect to come back with, is
20 \$800 million for a range of potential
21 different electrification, slash, expansion
22 projects on Long Island. They're named in it
23 as possibilities. And those are very much
24 under consideration.

1 So that includes the PJ -- some of the
2 PJ investments, and it also -- one that a lot
3 of folks have been talking about, which is
4 moving the main line east to Yaphank and in
5 the direction of Riverhead. So those are
6 both under consideration, as well as some
7 others.

8 ASSEMBLYWOMAN SOLAGES: Okay. I hope
9 that we can remain that as a priority,
10 because it's very important to Long Island
11 for our region to have a strong rail system.

12 MTA CHAIR/CEO LIEBER: Well, my friend
13 Demetrius lives in Huntington, so he's very
14 much attentive to all those --

15 (Overtalk.)

16 ASSEMBLYWOMAN SOLAGES: I'm glad we
17 have an advocate on the inside. Thank you.

18 CHAIRWOMAN KRUEGER: Assemblymember
19 Mitaynes.

20 ASSEMBLYWOMAN MITAYNES: Thank you.

21 Right now the city is investing to
22 redevelop the Brooklyn Marine Terminal in
23 Red Hook, to change how the city envisions
24 the concept of a working waterfront, which

1 will bring new development to a community
2 that has experienced a lack of public transit
3 options over the last several decades.

4 Given the increased demand in
5 Red Hook, Brooklyn, for better transit
6 options, could the MTA consider implementing
7 a new bus route that connects Red Hook to
8 Lower Manhattan? This bus route would help
9 provide greater access for seniors, students,
10 NYCHA residents, and people with disabilities
11 to schools, cultural institutions and be able
12 to access Manhattan quickly.

13 MTA CHAIR/CEO LIEBER: So thank you.
14 You've let us know about your interest in
15 that issue, as has Congressman Bowman. And
16 I'm going to throw it to Demetrius, but we
17 are studying it.

18 NYCT PRESIDENT CRICLOW: So I
19 mentioned the Queens bus network redesign
20 earlier, where we actually looked at how do
21 we provide great service to all neighborhoods
22 that need it and, more importantly, the
23 connectivity to rail systems that need it.

24 And so the Brooklyn bus network

1 redesign will do that. If we do determine
2 beforehand that additional work is needed,
3 with every pick we have an opportunity to
4 make adjustments to our scheduled bus and we
5 could add additional service if that comes in
6 earlier than the network redesigns required.

7 ASSEMBLYWOMAN MITAYNES: Okay. They
8 did have that bus service and it was
9 discontinued, and since then the community's
10 been wanting it back.

11 I have a question. The MTA has
12 proposed a \$68 billion capital program for
13 '25-'29, which the Capital Program Review
14 Board recently vetoed. Disability advocates
15 are concerned that if the program is reduced
16 in size, it will affect the number of
17 accessibility projects you're able to do.

18 Is that the case? And how do you
19 determine specifically how many projects
20 wouldn't move forward if the capital program
21 falls below the 68 billion level?

22 MTA CHAIR/CEO LIEBER: So we -- very
23 quickly, we have a formula in our deal with
24 the disability community in settlement of

1 Simon, from Brooklyn.

2 ASSEMBLYWOMAN SIMON: Thank you.

3 So a couple of points I want to make
4 first. York Street -- I wouldn't be me if I
5 didn't do this. York Street, P71. And the
6 level of dysfunction that still exists in
7 Access-A-Ride is outrageous, right? And in
8 fact I don't know why anybody has to go
9 in-person to be documented to have a
10 disability. So many of these people we've
11 known for years. They're not going to not
12 have a disability.

13 And this is also a problem with the
14 congestion pricing process. You know, I've
15 had people who have gone for an evaluation
16 where, you know, somebody who's a lawyer goes
17 in and they're asked -- practically asked
18 where their guardian is. Right? So there's
19 a very insulting aspect to a lot of this too.

20 So whoever is the contractor doing
21 this, they have to get up to speed with
22 reality. The people who are going to be
23 driving in because they need to work and they
24 don't have access to transportation are the

1 people who are actually competent people and
2 need to be treated that way. So that's just
3 a concern I want to share with you and put
4 that on the record.

5 And I also just want to sort of just
6 follow up on this issue of elevators and why
7 we have -- because that's a separate
8 lawsuit -- why that hasn't been resolved. I
9 know a lot of the elevators are not built by
10 the public, they're built by developers, they
11 haven't been working. What can we do to
12 speed this along and make this actually
13 happen?

14 MTA CHAIR/CEO LIEBER: Okay, so -- but
15 facts do matter. And you and I have worked
16 together a lot and very successfully, so
17 thank you for all your support.

18 But here are some facts that are
19 really important. Ninety-seven percent
20 elevator availability. The lawsuit was from
21 a different era when elevators were broken
22 and not being fixed. But right now we have
23 for several years now -- is it 97 --
24 98 percent elevator availability. The

1 elevators are being fixed. And you are
2 right: To the extent that we have a little
3 more problem, it's because we have
4 developer-provided elevators and they're not
5 doing a good job, but we're beating the crap
6 out of them, to be honest.

7 ASSEMBLYWOMAN SIMON: Can we sue them?

8 MTA CHAIR/CEO LIEBER: What?

9 ASSEMBLYWOMAN SIMON: Can we sue them?

10 MTA CHAIR/CEO LIEBER: Oh, yeah. No,
11 but, you know -- but these are some big
12 developers. I'm talking about the
13 Barclays Center, that we lean on every day to
14 make sure they don't let the escalator or the
15 elevator go out of service. So that's
16 number one.

17 Number two, I am going to pass on your
18 message about any disrespect in the
19 assessment process. But as for
20 Access-A-Ride, we have by far the highest
21 customer satisfaction rates that we've ever
22 had, north of 80 percent. And we are -- I'm
23 sorry if you're -- or somebody is
24 communicating to you dissatisfaction. I'm

1 sure that, you know, stuff that goes wrong,
2 especially with -- you know, we hear a lot
3 about drivers not speaking English well
4 enough --

5 CHAIRWOMAN KRUEGER: I'm sorry,
6 Mr. CEO, you have to stop.

7 MTA CHAIR/CEO LIEBER: But 98 percent.
8 What?

9 CHAIRWOMAN KRUEGER: I have to cut you
10 off so we can keep going, I apologize. I'm
11 the bad guy. Okay, thank you.

12 We are next going to
13 Assemblymember Valdez.

14 ASSEMBLYWOMAN VALDEZ: Hello. Thank
15 you so much for being here.

16 Thank you, Chair.

17 I actually have a similar question to
18 you to the one that preceded mine. In my
19 district we have one accessible subway
20 station, it's Court Street.

21 MTA CHAIR/CEO LIEBER: Court Street?

22 ASSEMBLYWOMAN VALDEZ: Mm-hmm. So
23 obviously the connection between the G and
24 the 7, super important to our constituents.

1 And the escalators and elevators are
2 frequently out of service. My understanding
3 is that is another public-private
4 partnership. So my question is if you think
5 that private maintenance is part of the
6 problem, their service there, and if the MTA
7 anticipates using more public-private
8 partnerships to expand accessibility in the
9 city.

10 MTA CHAIR/CEO LIEBER: Well, the
11 reason we're getting more private maintenance
12 is because private companies -- the way to
13 make sure that they build the elevator right
14 in the first place is to make them
15 responsible with serious financial penalties
16 if it doesn't operate reliably.

17 And that has worked very, very well.
18 We're getting very high levels of operation.
19 So that, in answer to your question about
20 private versus public, we're not -- we're not
21 scaling back E&E, the elevator and escalator
22 division, we are in fact growing it. Right,
23 D? But that -- it makes sense to have the
24 guys who build an elevator be responsible for

1 making sure it operates. And that's what
2 we're doing.

3 But Court Street has been a challenge.
4 It's a privately developed elevator. I don't
5 know about the escalators.

6 Demetrius, do you want to add?

7 NYCT PRESIDENT CRICHLLOW: So I think
8 the other thing is the performance of what
9 we're maintaining, in addition to what our
10 contractors that we are overseeing, as the
11 chairman said, is at 98 percent, which has
12 been fantastic.

13 Privately owned escalators, elevators,
14 is a very different story. But we have
15 worked with them directly to improve upon
16 their performance. You know, somewhere back
17 around a year ago they were performing
18 somewhere in the mid-70s and have since
19 improved to the mid-80s. So they have
20 definitely made progress in how they're
21 maintaining their equipment, but there's
22 still work to be done.

23 ASSEMBLYWOMAN VALDEZ: Sure. Thank
24 you very much for that.

1 Just in the interests of time, I'm
2 grateful that my colleague also asked about
3 the IBX. It's a project that we're very
4 excited about in Queens. I'm wondering what
5 kind of funding the MTA would need to prevent
6 fare increases in the future. I'm very
7 committed to expanding our public transit
8 system, but we also want to make sure that's
9 affordable and want to continue fighting for
10 the money that we need on the inside here to
11 support all your work.

12 MTA CHAIR/CEO LIEBER: Say it again,
13 I'm sorry. Expanding fare what?

14 ASSEMBLYWOMAN VALDEZ: To prevent fare
15 increases. How much money, yeah. What do
16 you need?

17 MTA CHAIR/CEO LIEBER: Okay. So we
18 have embarked on a pattern that -- Dick
19 Ravitch created a commission about 15 years
20 ago, and we followed that pattern, which is
21 small increases every two years. We'd like
22 to stay on that pattern. It avoids the
23 situation that historically has happened with
24 MTA where all of a sudden you had to do a 10

1 or 20 percent fare increase and that blew
2 everybody up and was very harmful.

3 So that's what we're trying to stay
4 on.

5 CHAIRWOMAN KRUEGER: Thank you.

6 Next is Assemblywoman Hooks.

7 ASSEMBLYWOMAN HOOKS: Thank you,
8 Chair. Thank you all for being here today.

9 I did hear you talk about the
10 Queens bus redesign a couple of times. I'm
11 not a big fan of it in my district in one
12 specific area. So East Elmhurst, which is
13 next to LaGuardia Airport, it seems all the
14 redesign, the bus redesign, was just to get
15 people to the airport faster and forgot about
16 the community right in front of it.

17 Several bus stops were taken away. So
18 it's a NORC, a naturally reoccurring older
19 community there. Not only that, we are a
20 two-fare zone. We're a transportation
21 desert, right? So when we were able to have
22 one bus to at least get us to Queens
23 Boulevard, or at least get us to the other
24 section of Queens Boulevard, now it's become

1 a two-bus zone.

2 It was complained about in the
3 meetings, it was talked about a lot. And I
4 feel like it just wasn't -- they weren't --
5 the community concerns about it wasn't taken
6 into consideration.

7 That's one. We could talk more about
8 it later.

9 But the other one also is the youth.
10 To the youth now, if their MetroCard -- I
11 mean if their card was stolen, the school
12 card was stolen or if they lost it or
13 whatever, there's been real problems with
14 them to get on the bus still to come home,
15 even though they expressed that.

16 Several times, I know just from my
17 personal experience, so when the card was
18 stolen or lost and you sent the money for
19 Cash App or Apple Pay to pay, it wouldn't
20 register on -- when she tried to register it,
21 immediately, like instantaneously, it would
22 say "Declined." But then it would take the
23 money out around 2 o'clock in the morning.
24 But she didn't get on the bus because it

1 didn't register it.

2 So I think that needs to be looked
3 into, because it's not up to the speed --

4 MTA CHAIR/CEO LIEBER: Give us the
5 specifics. I mean, there are once in a while
6 problems with the OMNY machines.

7 ASSEMBLYWOMAN HOOKS: It's a lot.

8 MTA CHAIR/CEO LIEBER: But if somebody
9 specific -- we'll look into it and try to
10 make sure it gets fixed.

11 ASSEMBLYWOMAN HOOKS: Okay. After
12 this I'll send you a list of specifics and
13 when it happened.

14 The other thing is because
15 East Elmhurst is a desert, is there a way
16 that the MetroCard bus -- because we also
17 don't have the link there, we don't have the
18 check-cashing place, so it's not a place
19 where you can go and buy a MetroCard. So you
20 have to get to the train in order to purchase
21 a MetroCard. Is there a way that the
22 MetroCard bus -- not just my area, I know
23 it's not just for my area, it's for other
24 areas where there's desert areas, that the

1 MetroCard bus can just come -- be slated to
2 come like once a month or once every other
3 month so that people can get their MetroCard?

4 MTA CHAIR/CEO LIEBER: Yes. And we do
5 that all over.

6 You want to talk about that?

7 NYCT PRESIDENT CRICHLLOW: So we
8 absolutely do send the MetroCard van out to
9 all locations that -- as needed, so we can
10 certainly look at the schedule for you.

11 ASSEMBLYWOMAN HOOKS: Thank you.

12 CHAIRWOMAN KRUEGER: Thank you.

13 Next is Assemblywoman Giglio. No?
14 Okay, we'll skip her.

15 How about Assemblymember Jacobson?

16 ASSEMBLYMAN JACOBSON: Thank you,
17 Madam Chair.

18 Good afternoon, sir.

19 As you know, I represent both sides of
20 the Hudson, I go from Beacon to Newburgh up
21 the Hudson over to the City of Poughkeepsie.
22 So I'm happy that you're going to do
23 something maybe about the flooding on the
24 tracks going south. At the same time, you

1 should also fix the flooding at the
2 Beacon Train Station. It floods the parking
3 on the river side too often.

4 But today I'd like to focus on the
5 Orange County side, where you just said that
6 service stinks. How many people take the
7 trains from the west side of the Hudson on an
8 average day, daily average?

9 MTA CHAIR/CEO LIEBER: I don't have
10 the number. But it's a small number. And
11 it's -- as a result, it's highly subsidized.
12 And we're subsidizing the individual
13 ridership on West of Hudson. It's \$79 per
14 rider on the Port Jervis line; it's only
15 18 bucks on the Pascack Valley line.

16 But ridership is low. New Jersey
17 Transit runs that service. And I'll say it
18 again, it stinks. And we are --

19 ASSEMBLYMAN JACOBSON: Well, would you
20 say, what, about 500 a day, something like
21 that?

22 MTA CHAIR/CEO LIEBER: I don't have
23 the numbers offhand.

24 ASSEMBLYMAN JACOBSON: And how much

1 does Orange County pay into the MTA, with all
2 the taxes?

3 MTA CHAIR/CEO LIEBER: I suspect you
4 have the numbers at hand, so --

5 ASSEMBLYMAN JACOBSON: You don't?

6 MTA CHAIR/CEO LIEBER: I don't have
7 them. Why don't you tell me?

8 ASSEMBLYMAN JACOBSON: Well, I think I
9 can -- I can give you some numbers, because I
10 did a little research. Orange County
11 employers pay \$25 million of the Payroll
12 Mobility Tax. Orange County residents pay
13 8.57 million from the mortgage tax. There's
14 620,000 from the Metro-North commuter
15 railroad station maintenance use and
16 operation fees. There's 146,000 from
17 statewide mass transportation operating
18 assistance. And, from the sales tax, at
19 least \$1.46 million.

20 So that's -- that's a lot of money.
21 And I don't believe we're getting the service
22 that we deserve. And I don't think that the
23 train service has been expanded or updated.
24 You know, if the Moodna Creek Viaduct is

1 scheduled for repairs or routine maintenance,
2 well, that should happen. And of course
3 there's no direct train. We go to Hoboken.
4 But those on the western side of the county
5 have to take this loop to finally start going
6 south. So Orange County can do better.

7 Thank you.

8 CHAIRWOMAN KRUEGER: Thank you.

9 Assemblywoman Giglio is back with us.

10 ASSEMBLYWOMAN GIGLIO: Okay. So
11 hello, and thank you for being here.

12 With congestion pricing in effect and
13 increasing the number of people on the
14 trains, why is the MTA Police budget being
15 cut when this is a time when we need more
16 police for the safety of the public and our
17 employees?

18 The MTA Police has doubled in size in
19 the last few years. Next month they'll be
20 the primary law enforcement agency on the
21 Throgs Neck and Whitestone bridges, replacing
22 the TBTA officers. There's more work but,
23 right now, lack of support from the MTA.

24 So what are we going to do to fix

1 this? And with train patrols being pulled
2 off to fill in in these other spaces where
3 you need them.

4 MTA CHAIR/CEO LIEBER: So I sense the
5 MTA Police Department has been visiting with
6 some of you.

7 We've gone into this before, where
8 they have grown in size. We're not cutting
9 their budget, we're -- we have reduced the
10 amount of overtime we have scheduled. That's
11 because we are generally trying to manage our
12 workforce with less overtime and more
13 effectively.

14 But you're right that we are getting
15 more done with the number of officers we
16 have. We are policing, as you say, the
17 Whitestone and the Throgs Neck. That's good.
18 We're leveraging the force to account for the
19 fact that we have a reduced number of TBTA
20 officers because they've been given
21 accelerated pensions in a law passed last
22 year.

23 So I think we're doing better, and
24 we've got a lot more cops on the trains.

1 That's what our riders want to see. And we
2 think that the MTAPD is doing a good job and
3 they're being well-managed right now. So I'm
4 thrilled with the progress we've made.

5 ASSEMBLYWOMAN GIGLIO: Okay. And
6 inaccurate pension estimates, speaking of
7 pensions and retirees.

8 MTA CHAIR/CEO LIEBER: No idea. We'll
9 get back to you if you want a specific
10 pensioner's --

11 ASSEMBLYWOMAN GIGLIO: Yeah, just
12 because they've been overpaid and now they're
13 being asked to pay that money back. And
14 these are retirees. So it's catching up,
15 it's like 36 to 48 months behind as far as
16 getting caught up in what people are supposed
17 to receive in their pensions, and then the
18 expectations of them to pay back when they've
19 been overpaid.

20 MTA CHAIR/CEO LIEBER: Well, there was
21 some pension miscalculations by the pension
22 authorities that not only -- it's not a core
23 MTA function. And everybody is being -- who
24 underpaid, most people were overpaid, so they

1 got money back. Most of them are happy.

2 ASSEMBLYWOMAN GIGLIO: Yeah, but now
3 they have to pay them back.

4 MTA CHAIR/CEO LIEBER: But some
5 people -- no. No, some people who got too
6 much are being asked to pay it back, but
7 they're being given the benefit of no
8 interest and a long time to pay it back. So
9 it's a good deal. They got an interest-free
10 loan and at least in the financial world I
11 come from, that's not such a terrible thing.

12 But so far we've had mostly people who
13 are really happy with the way the MTA has
14 responded to the pension miscalculations that
15 have been identified.

16 ASSEMBLYWOMAN GIGLIO: Okay. We'll
17 follow up. Thank you.

18 CHAIRMAN PRETLOW: Assemblymember
19 Slater.

20 ASSEMBLYMAN SLATER: Thank you very
21 much. And good afternoon, Chairman.

22 I wanted to visit, if we could, the
23 emergency vehicle exemption plan for
24 congestion pricing. There were reports last

1 month of New York City elected officials who
2 utilized vehicles that fall under this plan
3 and are not paying congestion pricing when
4 they're traveling below 60th Street. Can you
5 confirm that to be the case?

6 MTA CHAIR/CEO LIEBER: So the way the
7 emergency vehicle exemption works is, you
8 know, ambulances, fire trucks, police cars.
9 Some of these elected officials you're
10 referring to are, to the extent they have
11 anybody driving them, are being driven by a
12 New York City police officer, so that car is
13 exempt.

14 ASSEMBLYMAN SLATER: Is it limited
15 just to the Mayor, the Comptroller and the
16 Public Advocate?

17 MTA CHAIR/CEO LIEBER: Elected
18 officials? I will have to get back to you on
19 that, honestly. I don't --

20 ASSEMBLYMAN SLATER: Is that something
21 that you would fall under?

22 MTA CHAIR/CEO LIEBER: I don't think
23 there are congest -- I don't think there are
24 councilmembers who are being driven around in

1 police cars. But I'll check to be sure.

2 ASSEMBLYMAN SLATER: Is that something
3 that you fall under, sir?

4 MTA CHAIR/CEO LIEBER: No, I don't.
5 My -- to the extent that the MTA Police
6 drives me around, they are not exempt.

7 ASSEMBLYMAN SLATER: Okay. And then
8 how does it work? Do you use the E-ZPass
9 tag?

10 MTA CHAIR/CEO LIEBER: No, the
11 vehicle -- the vehicle -- the way that the
12 exemption works is there are vehicles with
13 certain license plates that are exempted
14 because they're used in police or emergency
15 work.

16 And the ones that are ever used for me
17 are not exempt.

18 ASSEMBLYMAN SLATER: Understood.
19 Thank you very much. I appreciate it.
20 I cede back my time.

21 CHAIRMAN PRETLOW: Assemblyman Durso.

22 ASSEMBLYMAN DURSO: Thank everybody
23 for being here.

24 So I just wanted to go back to what

1 you were saying before about the MTA Police
2 overtime budget cut, which is roughly
3 20 million. And now obviously having --
4 right, that's what you had said earlier,
5 roughly about \$20 million?

6 MTA CHAIR/CEO LIEBER: It's 10. Ten.

7 ASSEMBLYMAN DURSO: Ten. So it's
8 being cut by 10. For the overtime, correct?

9 But now you also have NYPD basically
10 filling in, especially in the subways,
11 keeping trains safe. Correct?

12 MTA CHAIR/CEO LIEBER: No, I mean, the
13 principal role of the MTAPD, just to be
14 clear, they're responsible for safety on the
15 commuter railroad.

16 ASSEMBLYMAN DURSO: Understood.

17 MTA CHAIR/CEO LIEBER: Okay? There's
18 a narrow exception that we worked out with
19 the NYPD where we're taking on -- the MTAPD
20 takes on responsibility for the subways in
21 the terminals the MTA operates for commuter
22 railroads -- Atlantic, Penn, Jamaica,
23 Grand Central.

24 ASSEMBLYMAN DURSO: But now you have

1 the NYPD going to those areas also, right?
2 Currently?

3 MTA CHAIR/CEO LIEBER: No. I mean,
4 that's not the reason that there's been any
5 reduction. Overtime is like, you know --

6 ASSEMBLYMAN DURSO: I'm not saying
7 that's the reason why that's -- there's a
8 reduction.

9 MTA CHAIR/CEO LIEBER: No, the --
10 overtime is being well-managed. I think -- I
11 thought that everybody wanted the MTA to
12 manage overtime effectively. I keep hearing
13 that from all kinds of authorities --

14 ASSEMBLYMAN DURSO: Well, my concern,
15 and --

16 MTA CHAIR/CEO LIEBER: -- especially
17 the Legislature.

18 ASSEMBLYMAN DURSO: The reason why I'm
19 asking this is because, again, my concern and
20 the reason why I'm asking this to you is not
21 only the safety of the riders, but also the
22 workers. I've spoken to many conductors that
23 have the issue with being attacked on-train,
24 having people on the trains act against them,

1 and we don't have the police that are on the
2 trains.

3 So my question is, how in the future
4 are we going to not only keep the riders
5 safe, but also the workers?

6 MTA CHAIR/CEO LIEBER: Respectfully, I
7 think this is an area where we've made a ton
8 of really positive progress. We have now --
9 we've changed the fare evasion model where
10 there are no longer these IOUs being given
11 out. Either you produce an ID and you get a
12 ticket, or else there's a cop who's called at
13 the next station or, more often, a cop on the
14 train. Because there are a lot more cops on
15 trains than there used to be. That's been a
16 push of mine.

17 I'm thrilled that we've made progress
18 protecting those conductors. My relationship
19 with the conductors union, SMART, they say to
20 me that they are happy with the progress
21 that's been made on that front.

22 Happy to talk to you about the
23 specific issues that you know of.

24 ASSEMBLYMAN DURSO: Okay. So if we're

1 cutting the overtime, because you said you're
2 saving money and being more fiscally
3 responsible, are we going to be hiring that
4 many more MTA police to --

5 MTA CHAIR/CEO LIEBER: We have.

6 ASSEMBLYMAN DURSO: How many more have
7 you hired over the past --

8 MTA CHAIR/CEO LIEBER: There are
9 250 more MTA cops this year than there were
10 last year. And that's about a 20 percent
11 increase over last year. That's a goodly
12 increase.

13 ASSEMBLYMAN DURSO: Okay. And do you
14 know the numbers that they're supposed to be
15 at?

16 MTA CHAIR/CEO LIEBER: I'm going to
17 ask Jai to respond. Jai's on top of it.

18 MTA CO-CFO PATEL: Yeah, the budget is
19 1358, and that's what we're hired up to.
20 Previously we were at around 1100.

21 ASSEMBLYMAN DURSO: So you're
22 currently at the number that essentially
23 you're supposed to be contractually?

24 MTA CO-CFO PATEL: Yes.

1 ASSEMBLYMAN DURSO: Okay, thank you
2 very much.

3 MTA CHAIR/CEO LIEBER: Again, happy to
4 talk about specific issues.

5 ASSEMBLYMAN DURSO: Absolutely.

6 CHAIRMAN PRETLOW: Assemblywoman
7 Shimsky.

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

10 And thank you very much, Mr. Chairman.

11 So why don't we change the subject a
12 little bit to the Hudson Line and
13 Metro-North. It's -- I think everybody's
14 somewhat relieved that we have \$800 million
15 in the capital plan dedicated to saving the
16 Hudson Line.

17 What is the plan for that money and
18 for the process over the next five years?

19 MTA CHAIR/CEO LIEBER: Okay. So the
20 Hudson Line, because of where it sits, is
21 widely exposed to sea-level rise and also --
22 because, you know, the Hudson's going to get
23 higher as sea rises -- but also because of
24 the embankments. The slopes are so steep,

1 these torrential rainfalls we're getting
2 again and again are causing landslides.
3 Twice that's knocked out the Hudson Line.

4 The plan is to lift the tracks over
5 time. It's going to take a long process, but
6 to lift also the equipment out of harm's way
7 so the signals and all of the electrical
8 equipment aren't exposed, and to stabilize
9 those slopes, those embankments that are at
10 risk. All of that work.

11 It will not all be completed -- our --
12 the current proposed capital program, the
13 \$68 billion capital program, calls for it to
14 be done up to Croton-Harmon, with additional
15 work in capital programs to follow.

16 But really important. This is a
17 must-do. It's one of the reasons if we don't
18 invest in this capital program, we're in bad
19 shape.

20 ASSEMBLYWOMAN SHIMSKY: Right.

21 There are some questions about
22 ownership of sections of the embankment.

23 MTA CHAIR/CEO LIEBER: Yes.

24 ASSEMBLYWOMAN SHIMSKY: Do you have

1 the access you need to privately owned
2 embankments to at least learn whether or not
3 they pose an imminent risk?

4 MTA CHAIR/CEO LIEBER: It's not an
5 issue that I'm aware of. Does anybody on our
6 team -- we've had a couple of cases where
7 that was an issue, but I don't know all the
8 specifics on it.

9 ASSEMBLYWOMAN SHIMSKY: Okay. One
10 of -- I am a huge supporter of capital
11 investment, including yours. One thing I
12 hear when I talk about it with people is the
13 MTA is so in efficient spending money. Now,
14 last term I had a Zoom with a number of your
15 high-ranking capital people who talked about
16 all of the changes in process that the MTA's
17 made to help bring down the cost of capital
18 projects.

19 Are you aware of any metrics, any
20 comparisons that show how effective those new
21 measures have been in making our capital
22 investments more cost-effective?

23 MTA CHAIR/CEO LIEBER: A dramatic
24 reduction in signaling project costs, for

1 example. That's evident on the G Train
2 project, which is now a new project.

3 And the other is 22 percent lower
4 costs on elevators and escalators than in
5 prior capital programs. But we can give you
6 more specifics.

7 ASSEMBLYWOMAN SHIMSKY: Okay, thank
8 you.

9 CHAIRMAN PRETLOW: Thank -- thank you.

10 ASSEMBLYWOMAN SHIMSKY: And what
11 Jo Anne said on disabilities.

12 CHAIRMAN PRETLOW: I hate to keep
13 interrupting people in the middle of the
14 answer, but remember, the yellow light's
15 30 seconds. So if you ask a question and the
16 yellow light is on, you're not going to get a
17 full answer.

18 So anyway. Assemblymember Simon.

19 (Laughter; overtalk.)

20 CHAIRMAN PRETLOW: Oh, they put you on
21 the list again.

22 Assemblymember Blumencranz.

23 ASSEMBLYMAN BLUMENCRANZ: Thank you.

24 Chair Lieber, I can't help but think

1 back to the time just a few weeks ago I was
2 with some neighbors who saw you on television
3 celebrating the initiation of the congestion
4 pricing for my community in Oyster Bay. It
5 was frustrating and difficult with many of my
6 neighbors and constituents who are now
7 starting to realize this \$6,000 a year
8 potential burden on them just for going to
9 work.

10 My constituents are sick and tired of
11 feeling like the ATM to the MTA as far as a
12 lack of delivery for them in our communities,
13 of waste, of mismanagement, and with results
14 that aren't seen in the communities like
15 ours.

16 There's currently no independent
17 forensic audit of the MTA or legislative
18 oversight for that audit, something that
19 we've called for many times, myself and my
20 colleagues. I have some questions on some of
21 the spending that we have been privy to
22 seeing on a greater level, and I was curious
23 as to some of your opinions.

24 So the MTA has spent nearly

1 \$700 million on consultants for the
2 Second Avenue Subway first phase, when just
3 378 million was spent on actually boring,
4 tunneling and construction itself from 63rd
5 to 96th Street.

6 Is this the case? Was this --

7 MTA CHAIR/CEO LIEBER: I don't know,
8 but you're working on a project -- you're
9 talking about a project that finished eight
10 or nine years ago that I had nothing to do
11 with setting up and that's inconsistent with
12 our current practices.

13 Please be honest with your colleagues
14 and with your constituents. Eighty percent
15 of the people from your district take mass
16 transit to get into the city. They're paying
17 lower monthly fees than they were before
18 COVID, lower --

19 ASSEMBLYMAN BLUMENCRANZ: Just for
20 time --

21 MTA CHAIR/CEO LIEBER: -- lower than
22 before COVID. So any --

23 ASSEMBLYMAN BLUMENCRANZ: Procurement
24 still seems to be a systemic issue within

1 your organization.

2 MTA CHAIR/CEO LIEBER: Let's talk
3 about the ones we do now, or in the last say
4 10 years.

5 ASSEMBLYMAN BLUMENCRANZ: The
6 Comptroller just released a report. Do you
7 not find that his report on the issues about
8 procurement and the process you have there
9 has not met the efficiencies that he felt
10 like it would have met by now?

11 MTA CHAIR/CEO LIEBER: Yeah, I think
12 you're talking about the Comptroller -- it
13 was a wacky study. I love the Comptroller,
14 but to study \$33 million of the overall MTA
15 capital program and not -- didn't find that
16 we didn't save any money, but found that
17 we -- that somehow that the savings that we
18 accomplished were not attributable to
19 transformation that was set in motion in
20 2019. Not relevant.

21 Let's talk about the actual cost
22 savings that yielded that 3 percent reduction
23 in real terms. If you want to talk about
24 who's saving money, find me other state

1 agencies that are saving -- that are
2 3 percent less budgetarily and that are
3 providing a ton more service.

4 Especially to Oyster Bay. Especially
5 to your Oyster Bay constituents, where we
6 changed the schedule in order to make sure
7 that they had better services, and cheaper.
8 I'm happy with it.

9 ASSEMBLYMAN BLUMENCRANZ: You called
10 the organization the most efficient transit
11 organization in the United States. Is there
12 a way you think in the future we'll see
13 greater efficiencies compared to the global
14 transit --

15 MTA CHAIR/CEO LIEBER: Let's set a
16 meeting and we'll go over everything. We'll
17 go over everything.

18 CHAIRMAN PRETLOW: And end it here.
19 Assemblyman Palmesano.

20 ASSEMBLYMAN PALMESANO: Yes. Thank
21 you, Mr. Chairman.

22 I am in support of the MTA. I
23 understand, number one, it's the lifeblood of
24 the downstate transportation network.

1 But I do -- I think it's important to
2 mention what Chairman Magnarelli said, or my
3 colleagues up here, or the Governor. The DOT
4 capital plan and MTA capital plan -- the MTA,
5 \$66 billion, the DOT capital plan is
6 33 billion -- there was a time 10 years ago
7 that was never the case. It was parity.

8 And so many of us are just calling for
9 parity. We're not seeing DOT and the MTA
10 budget have parity with the system, because
11 the system has -- the DOT system billions in
12 unmet needs. Particularly the CHIPS
13 programs, which we talked -- that's the
14 lifeblood, just like the MTA is the lifeblood
15 of downstate transportation, CHIPS is the
16 lifeblood of our upstate transportation
17 network. And sometimes that's the only money
18 local communities have to spend.

19 But that being said, as you know, I
20 represent Alstom in Hornell, New York, and I
21 do appreciate the fact that you've been there
22 to visit and tour to see the gem we have. As
23 you know, Mr. Chairman, Alstom employs
24 hundreds of constituents in my district. As

1 you know, they've done great work for the MTA
2 and other systems and will continue to do so
3 if they're given the opportunity.

4 I can emphasize it -- I know
5 Senator O'Mara brought this up. I can't
6 emphasize enough how important it is to me
7 and our local workforce that the MTA
8 prioritizes working with them on the rolling
9 stock projects so they can continue to bring
10 good-paying jobs not just to my community,
11 but all New York.

12 So what -- just to get it on the
13 record again -- what is the MTA doing to
14 really ensure that you work with New York
15 manufacturers like Alstom so we can get these
16 projects moving now and in the future?

17 MTA CHAIR/CEO LIEBER: Well, I mean, I
18 think the biggest thing we're doing is
19 putting in our capital program 2,000
20 railcars. You know, that's an opportunity.

21 Everybody's got to compete; it's not a
22 secret. But we -- we're in the business of
23 buying railcars, but obviously it's
24 competitive and we've got to make sure that

1 the public's getting value. So we're going
2 to do our part to make a good deal.

3 ASSEMBLYMAN PALMESANO: And prioritize
4 our New York manufacturers. Is that a
5 priority?

6 MTA CHAIR/CEO LIEBER: Yeah, I said it
7 before. I would be thrilled if every railcar
8 we bought were from, you know, facilities in
9 New York -- Kawasaki has, you know, a
10 facility in New York, Alstom obviously,
11 Siemens, CAF --

12 ASSEMBLYMAN PALMESANO: Right.

13 MTA CHAIR/CEO LIEBER: And so on. So
14 we love that. But we have -- we do our
15 procurements competitively and we have to be
16 price-conscious.

17 ASSEMBLYMAN PALMESANO: Okay.

18 Maybe just one more question, since I
19 have a little time, which is very rare for
20 me.

21 (Laughter.)

22 ASSEMBLYMAN PALMESANO: On the
23 congestion pricing, since it's been
24 implemented, are you tracking the

1 implementation and are you seeing an increase
2 or decrease in the level of ridership on the
3 subways and buses as a result of the new
4 tolling program?

5 MTA CHAIR/CEO LIEBER: I'm going to
6 run out of time. We've got plenty of room,
7 right? We're only at 80 percent, roughly, on
8 buses -- I mean on subways, 90 percent on
9 buses. And we also -- room on the railroads.

10 So we have been ticking up in
11 ridership. It's hard to know whether that's
12 attributable to congestion pricing. Only
13 130,000 people drive to the CBD a day. We
14 carry 6 to 7 million every day.

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

17 CHAIRMAN PRETLOW: Assemblyman Otis.

18 ASSEMBLYMAN OTIS: Thank you.

19 Thank you, Mr. Chairman.

20 In your testimony you spoke in
21 responses to other questions about the
22 importance of the capital plan, but I'd love
23 you to talk a little more about the nexus
24 between on-time service, continuity of

1 service, modernization of the facilities, and
2 maintaining and growing ridership on both
3 subway and commuter lines.

4 MTA CHAIR/CEO LIEBER: I think it's
5 sort of self-evident. It's the virtuous
6 circle, right? When people can count on good
7 service, regular service, they are more
8 likely to use that option and not to go to
9 other options.

10 We've seen -- we have improved -- you
11 know, under Demetrius's leadership, subway
12 service is the best it's been in over a
13 decade. Long Island, Metro-North, best years
14 ever in terms of on-time performance.
15 ridership is growing. All a virtuous circle,
16 all what you want to see in our system.

17 ASSEMBLYMAN OTIS: So in the capital
18 plan most of it is very tied to sort of
19 essential moving parts.

20 MTA CHAIR/CEO LIEBER: Yes.

21 ASSEMBLYMAN OTIS: And so I think
22 that's sort of the case that you've made
23 previously.

24 MTA CHAIR/CEO LIEBER: Yeah, I mean,

1 know it's been brought up a few times
2 about -- it has to do with our disabled folks
3 and with the congestion pricing specifically.

4 So one question I have, as I've looked
5 through it, how much does it cost to operate
6 an IDEP Assessment Center?

7 MTA CHAIR/CEO LIEBER: Have to get
8 back to you. I just don't know the answer.

9 ASSEMBLYWOMAN BAILEY: And at that
10 assessment, if I have a disability or one of
11 my constituents has a disability, what is
12 done during that assessment process that
13 would be different than what the medical
14 documentation that they submitted with their
15 New York State parking permits identification
16 would include?

17 MTA CHAIR/CEO LIEBER: I don't know
18 the answer. We have made eligibility under
19 the New York City parking process, which does
20 allocate automatic -- I mean, allocate
21 eligibility to certain disabilities after an
22 assessment, we've made that automatic.

23 But I don't know the difference with
24 the New York State process that you're

1 describing.

2 ASSEMBLYWOMAN BAILEY: And I
3 apologize, I meant the New York City --
4 because it's a requirement that the
5 individual bring to their assessments their
6 permit from New York City, that they have
7 received that.

8 MTA CHAIR/CEO LIEBER: Yeah, it's not
9 duplicative, it's an automatic eligibility.
10 If you've already passed the assessment for
11 New York City, you do automatically get
12 eligible for the individual exemption on
13 congestion pricing as well. So there's not a
14 duplicative assessment.

15 ASSEMBLYWOMAN BAILEY: Okay, then I
16 might be misunderstanding this, and maybe I
17 can get clarity later.

18 MTA CHAIR/CEO LIEBER: Sure.

19 ASSEMBLYWOMAN BAILEY: Then why would
20 we have to jump through hoops to set up that
21 platform for the assessment to come to one of
22 the three locations if we already have that
23 New York City permit?

24 MTA CHAIR/CEO LIEBER: I don't know

1 the answer. Do you know, Shanifah?

2 MTA CCO REIARA: Yeah. So those who
3 were already eligible and were permitted are
4 automatically enrolled. Those folks do not
5 have to be reassessed.

6 Is that the question that you're
7 asking?

8 ASSEMBLYWOMAN BAILEY: Yup.

9 So on the website it actually
10 indicates that I have to bring that to my
11 assessment. Maybe I'm missing something
12 along in there that says that I'm
13 automatically eligible for it. But it says
14 that that's one of the requirements in order
15 to go to the assessment, that I need to
16 provide at the assessment.

17 MTA CHAIR/CEO LIEBER: I know you have
18 to provide the paperwork, the evidence of
19 your enrollment in the New York City parking
20 program. I don't know about the assessment
21 center process.

22 Let's clear this up together.

23 ASSEMBLYWOMAN BAILEY: That would be
24 great. Because if we're -- I would just like

1 to eliminate additional hoops that we're
2 making people jump through if the process is
3 already in place elsewhere, because then we
4 might be able to reduce some costs.

5 MTA CHAIR/CEO LIEBER: Yes.

6 ASSEMBLYWOMAN BAILEY: Thank you.

7 CHAIRMAN PRETLOW: Thank you.

8 Assemblywoman Gallagher.

9 ASSEMBLYWOMAN GALLAGHER: Hi. Thank
10 you so much. I am personally really invested
11 in transit safety. Not only do I ride the
12 MTA every single day, but my good friend was
13 murdered at a bus stop in 2023. The cops
14 were five minutes from that bus stop. They
15 did not catch the assailant, and they did not
16 save his life.

17 So I have serious concerns about
18 spending \$77 million for six months of
19 policing on the subway. Vera Institute for
20 Justice, Riders Alliance, TransitCenter and
21 Brooklyn College Center for Policing and
22 Social Justice all say that this is not going
23 to be effective.

24 And my constituents have sent me

1 (showing) hundreds of pictures of cops on the
2 subway doing nothing but looking at their
3 phones and zoning out and chatting.

4 So I have serious, serious concerns
5 about this. I have a DropBox of a hundred
6 photos like this that I'm going to send to
7 you guys, because --

8 CHAIRMAN PRETLOW: We don't use props,
9 please. I admonished --

10 ASSEMBLYWOMAN GALLAGHER: Oh, I didn't
11 know that that was a rule.

12 CHAIRMAN PRETLOW: You should have
13 been here when I --

14 ASSEMBLYWOMAN GALLAGHER: Can you
15 pause my time? Okay.

16 So I'm in touch with supportive
17 housing experts that have informed me that
18 \$77 million could result in current ESSHI
19 rates for 3,000 supportive housing units that
20 would be permanent for people who are
21 struggling with mental illness. I've also
22 heard that since the congestion pricing took
23 place, a significant impact has been reducing
24 violent incidents 36 percent.

1 So is it possible that \$77 million
2 would be better spent to stave off fare hikes
3 and improve service so that even more people
4 ride the subway?

5 Additionally -- my final question,
6 which you can answer in a moment -- is that
7 you've said that the MTA plans to fully
8 cooperate with law enforcement. Does that
9 include ICE?

10 MTA CHAIR/CEO LIEBER: Okay. I'll
11 deal with them sequentially.

12 On the issue of ICE, we -- and I think
13 all of our -- all state and city authorities
14 cooperate with federal law enforcement on
15 criminal matters. We don't historically have
16 anything to do with civil matters. And on
17 that question, we will be guided by state
18 policy. So we're -- we are obviously going
19 to take direction from the state.

20 There are EOs specifically dealing
21 with this issue, so I'm sure the state is
22 going to give us direction that is consistent
23 with those EOs, and I know you're interested
24 in that.

1 On the issue of cops on trains, I
2 respectfully disagree with you. First of
3 all, I'm not sure that we can allocate --
4 much as I love the success of congestion
5 pricing, and it is an across-the-board
6 success so far, I don't take credit for the
7 reduction of crime on subways in the month of
8 January on that -- is it 36 percent? -- you
9 were right, reduction in crime, but I don't
10 know that it's congestion pricing.

11 And I'll have to answer your other
12 question later.

13 CHAIRMAN PRETLOW: Thank you very
14 much. As you can see, I like to run things
15 on schedule, and I think MTA operates on a
16 schedule.

17 Now, to that point, you made -- you
18 mentioned earlier that traffic flows a lot
19 smoother in Manhattan since congestion
20 pricing came into existence. Have the bus
21 schedules been adjusted to reflect that?

22 MTA CHAIR/CEO LIEBER: That usually
23 takes a little time. We'll let Demetrius --

24 CHAIRMAN PRETLOW: So if they're

1 running on schedule, then they're still
2 running at the old speed and not the new
3 speed --

4 MTA CHAIR/CEO LIEBER: Yeah, even
5 worse than that --

6 CHAIRMAN PRETLOW: -- so they're
7 slowing down traffic.

8 MTA CHAIR/CEO LIEBER: -- they're
9 running ahead of schedule, and then they --
10 sometimes they have to stop in order to
11 preserve their compliance with the schedule.

12 CHAIRMAN PRETLOW: That's my point,
13 yeah.

14 MTA CHAIR/CEO LIEBER: But we are --
15 but we are adjusting the schedules, just so
16 we're clear.

17 We can't -- you know, it takes a
18 little while to adjust schedules. It's a
19 little technical. And we have to then do a
20 new pick for our union bus drivers so that if
21 we're running more service or more frequent
22 service, that we're assigning the right
23 number of people. That takes a few months.

24 We're in the middle of it, right?

1 NYCT PRESIDENT CRICHLLOW: So yeah,
2 this is a very new learned instance, right?
3 The fact that we have more time the buses are
4 operating faster than what they had initially
5 been intended to operate -- so it does take a
6 little bit of time to create a schedule.

7 But the team is currently working on a
8 schedule. We've selected I think it's two or
9 three bus routes specifically that we're
10 going to pilot. And we'll be revamping the
11 schedule to be able to have the buses run as
12 they're actually timed at this point.

13 MTA CHAIR/CEO LIEBER: But --

14 CHAIRMAN PRETLOW: Okay.

15 MTA CHAIR/CEO LIEBER: -- Mr. McCarthy
16 reminds me the express buses are getting the
17 whole benefit of the time savings already.
18 So they're showing up in Manhattan much
19 faster, and that is --

20 CHAIRMAN PRETLOW: Well, that's fine
21 to show up somewhere when there's no stops in
22 between. But if someone is depending on a
23 schedule and want to catch, you know, the
24 8:32 bus and it comes at 8:31 and leaves, and

1 I get there at 8:32 and I see the fumes
2 coming from the back of the bus, I'm going to
3 be a little bit upset when I was there on
4 time.

5 But you are working on that. And the
6 buses are now working -- or operating at the
7 old schedule, so they're actually going
8 slower than they should --

9 MTA CHAIR/CEO LIEBER: That -- hence
10 the rescheduling process we put underway.

11 CHAIRMAN PRETLOW: -- based on
12 traffic.

13 MTA CHAIR/CEO LIEBER: Yes.

14 CHAIRMAN PRETLOW: Okay. And this is
15 just a -- you had mentioned the police on
16 trains. And we had this conversation -- I
17 just want to put it on the record now --
18 about why we're not pushing for police on
19 buses. Because my understanding is that
20 people that walk on the bus are just as
21 flagrant as the ones who sneak on trains.

22 MTA CHAIR/CEO LIEBER: Absolutely.
23 And it's a conversation I've begun with the
24 police commissioner, that we do need -- we

1 need more help.

2 Now, we've had -- one of the reasons
3 that fare evasion has gone down on buses is
4 that we have had some police who will
5 cooperate with us in operations to push back
6 on fare evasion. I won't go into the
7 details, but that is part of the success.

8 We would like more cops assigned to
9 that. It's part of the 1994 agreement
10 that -- about the Transit Police being folded
11 into the NYPD, that they would police fare
12 evasion on buses. We do need that help.

13 CHAIRMAN PRETLOW: Okay. And a side
14 question. How do the MTA fares in New York
15 City compare to other places in the country,
16 slash, or the world, like the BART or the
17 system in Washington? How do our fares
18 compare?

19 MTA CHAIR/CEO LIEBER: Generally lower
20 in particular because most of those systems
21 are distance-based fares. So you have a --
22 you're charged a different amount if you go a
23 longer distance.

24 One of the New York system's, you

1 know, things that we're proud of is that you
2 can go from the Rockaways to the Bronx on a
3 single fare. So we are generally less
4 expensive, especially if you're measuring it
5 on a per-mile or any distance-based metric.

6 CHAIRMAN PRETLOW: You could actually
7 ride the trains all day and never get off.

8 MTA CHAIR/CEO LIEBER: And some do.

9 CHAIRMAN PRETLOW: Did he never
10 return? No, he never returned. That's an
11 old story.

12 (Laughter.)

13 CHAIRMAN PRETLOW: You also made
14 mention of the need for funds. And there has
15 the availability of a minimum of a billion
16 dollars to a billion and a half dollars
17 available to the MTA based on the Governor's
18 budget of last year, which had to do with
19 the -- I'll call it the confiscation, but
20 whatever of the revenues derived with the
21 licensure of downstate casinos.

22 Again, in this budget I did not find
23 any mention of that. And since that money is
24 supposed to be allocated to the MTA, you

1 should be kicking and screaming and asking
2 that this be pushed along.

3 There is the -- so even if it happened
4 in this fiscal year -- well, it's not going
5 to happen in this fiscal year because it's
6 not in the budget. So do you have any
7 comments on why, or you think it's not
8 happening now? Or is there a reason that
9 you're not asking for it to happen?

10 MTA CHAIR/CEO LIEBER: I have no
11 insight into the casino selection process,
12 but you are right that our operating
13 budget -- not the capital budget, which is
14 what's on the table this year -- but the
15 operating budget does have a dependence in
16 the outyears on the share of casino revenues
17 that were assigned to the MTA back in 2023,
18 and that we are counting on those revenues
19 showing up in the time frame -- 2026.

20 CHAIRMAN PRETLOW: But you didn't need
21 it this year. You don't want it this year.

22 MTA CHAIR/CEO LIEBER: No, no, it's in
23 the financial plan, but it is scheduled for
24 2026. You're right, sir.

1 CHAIRMAN PRETLOW: All righty. And
2 just as you mentioned to my Senate
3 colleague's comment about the capital money
4 that you do spend is local, you know, the
5 subway trains are finalized in Yonkers,
6 New York, which is -- and that's a large part
7 of your budget. And I know for a fact
8 everyone that works there lives in the Bronx
9 and Westchester County.

10 So that's all the questions that I
11 have. Did I miss any Assembly people? I
12 don't think so.

13 CHAIRWOMAN KRUEGER: Senator Comrie
14 for a three-minute follow-up.

15 CHAIRMAN PRETLOW: Senator Comrie for
16 his three-minute follow-up.

17 SENATOR COMRIE: (Inaudible.)

18 CHAIRWOMAN KRUEGER: No.

19 MTA CHAIR/CEO LIEBER: Nope?

20 (Laughter.)

21 MTA CHAIR/CEO LIEBER: You run a tight
22 ship there.

23 SENATOR COMRIE: But my Transportation
24 chair is not here. I can't get five?

1 CHAIRWOMAN KRUEGER: No, you don't get
2 his either.

3 (Laughter.)

4 CHAIRWOMAN KRUEGER: Sorry.

5 SENATOR COMRIE: Stop the clock here.

6 (Laughter.)

7 CHAIRWOMAN KRUEGER: Go back to three.

8 Yeah, the complaining doesn't count on
9 the clock.

10 (Laughter.)

11 SENATOR COMRIE: All right. Well --

12 CHAIRMAN PRETLOW: Only for him.

13 SENATOR COMRIE: Three quick

14 questions, then.

15 Would you submit to a forensic audit,
16 since that's an issue?

17 MTA CHAIR/CEO LIEBER: Listen, this
18 phrase "forensic audit" is thrown around.
19 There was one that the Legislature commanded
20 us to perform, I think in 2019. We did it,
21 and we've executed on virtually all of the
22 recommendations, so.

23 SENATOR COMRIE: Yeah, but there were
24 holes in that audit that people weren't

1 satisfied. So we're asking for --

2 MTA CHAIR/CEO LIEBER: I'm sure there
3 are always dissatisfied folks. But this idea
4 that the MTA is not transparent is
5 ridiculous. Just look at the open data
6 that's available on -- through the state
7 government and through the MTA.

8 So let's talk about what we -- you
9 know, when folks look at the open data --

10 SENATOR COMRIE: We just want to
11 satisfy people that you are doing what you
12 say you're doing. I know at the Elmont
13 Station and other projects you have been
14 on-time. I just want to make sure that the
15 public can understand it. I think that -- I
16 think an audit would make people happy. It
17 would make the nagers happy, let's just put
18 it that way.

19 Just two other questions, real quick.

20 Can you give us a thought about your
21 opinion on doing a frequent user discount for
22 express bus riders. And, in the same vein,
23 the weekly CityTicket that was eliminated,
24 can we get that back? A lot of people want

1 that, you know, sort of discount for the
2 subway and bus transfers. We want to try to
3 increase ridership, especially at this time.

4 MTA CHAIR/CEO LIEBER: Yeah, listen.
5 Listen, we have controlled fare increases
6 over time and I think we've been responsible
7 with that 2 percent a year increase that
8 doesn't even keep up with inflation.

9 But if there are specific additional
10 discounts that folks want to talk about, we
11 will definitely ask our board, which controls
12 fare policy, to take a look at them.

13 SENATOR COMRIE: I appreciate that.

14 And also just a final -- you know, the
15 Queens bus redesign. I didn't bring it up.
16 As you know, I'm not happy with some of the
17 elements, especially with there's not a
18 connection from the Rockaways to JFK and not
19 a connection to Long Island Jewish.

20 I hope we can resolve those things
21 over the next few months. I think it's
22 important to the Rockaway folks to be able to
23 get access to JFK.

24 So I just want to take these few

1 minutes to thank you for your responses.
2 Thank you for also starting to do
3 opportunities for people to see the MTA and
4 coming out to the boroughs to do hiring halls
5 and procurement opportunities.

6 I think we could do that upstate as
7 well, to let people know. Because it is
8 important that the capital dollars that are
9 being spent within the state are advertised
10 as much as possible. It shows economic
11 activity.

12 You know, I'm looking forward to work
13 with you to try to resolve these issues. As
14 long as we can be transparent about how
15 you're spending your money, people will feel
16 more comfortable about where that money is
17 being spent. I think we need to show that
18 and we're not showing that enough, where that
19 money is being spent, around the state.

20 But thank you for your time here.

21 MTA CHAIR/CEO LIEBER: Thank you.

22 CHAIRMAN PRETLOW: Thank you. And I
23 believe this ends your portion of this
24 hearing. I want to thank you all for your

1 participation.

2 And we'll call up the next group --

3 CHAIRWOMAN KRUEGER: Thank you very
4 much for being with us.

5 CHAIRMAN PRETLOW: -- we'll call
6 Panel A.

7 And as everyone's been admonished, if
8 you wish to speak to the chairman for
9 anything, please take it to the hall.

10 So we'll call up DMV Commissioner
11 Mark Schroeder and Thruway Authority
12 Executive Director Frank Hoare.

13 (Lengthy pause; off the record.)

14 CHAIRMAN PRETLOW: I guess we should
15 get started. I'm not sure where
16 Senator Krueger is, but I know she's on the
17 way.

18 Even though I know the bulk of you,
19 could you just say your name before the
20 testimony starts so the people in the booth
21 upstairs know who's -- which name to put up.

22 DMV COMMISSIONER SCHROEDER: Sure.
23 Mark Schroeder, DMV.

24 THRUWAY AUTHORITY EX. DIR. HOARE:

1 Frank Hoare, Thruway Authority.

2 CHAIRMAN PRETLOW: Okay, who wants to
3 go first?

4 DMV COMMISSIONER SCHROEDER: I'm happy
5 to.

6 CHAIRMAN PRETLOW: Former Member
7 Schroeder, you're on.

8 (Laughter.)

9 DMV COMMISSIONER SCHROEDER: Thank
10 you. As you know, I'm a proud former member
11 of the New York State Legislature. And I
12 want to thank you for the opportunity to
13 speak with you today about the great work
14 happening at DMV.

15 Since I became commissioner six years
16 ago, we changed our vision statement to
17 "shatter the perceptions of the DMV," and
18 thanks to our more than 3,000 dedicated civil
19 servants, we are passionately doing that
20 every day.

21 I'm confident that you and your
22 legislative colleagues are well aware of the
23 great things happening at DMV thanks to our
24 Legislative Constituent Affairs team. This

1 team not only handles your questions, but
2 they also play offense by visiting all
3 legislative offices to spread the word of
4 what DMV is doing.

5 Regarding modernization. Providing an
6 exceptional experience for our customers is
7 the driving force behind the agency's ongoing
8 technology modernization plan. When I sat
9 before you last year, I was looking forward
10 to the beginning of that effort, and now I'm
11 happy to say we are well underway.

12 Regarding the Executive Budget.
13 Governor Hochul's Executive Budget provides
14 \$495 million to continue the implementation
15 of this critical improvement project and to
16 support day-to-day operations at both state-
17 and county-run offices.

18 The return on this investment will be
19 felt immediately through improved customer
20 service and DMV not being reliant on
21 outdated, unstable technology. DMV generates
22 over 2 billion, \$2 billion per year back to
23 the state. So when systems and offices go
24 down, the impact quickly adds up.

1 Our modernization plan will replace
2 the majority of our more-than-50-year-old
3 systems during two phases over the next four
4 years. It is the cornerstone of a broader
5 initiative that we began nearly five years
6 ago to re-imagine the DMV.

7 Regarding DMV's website. By embracing
8 a new way of thinking and leveraging
9 innovative technology, we launched a
10 redesigned website, added new online
11 transactions, made it easier to access DMV
12 records, and introduced online pre-screening
13 for some of the most complicated
14 transactions, like getting a REAL ID.

15 Let's talk about REAL ID. As millions
16 of New Yorkers prepare for the full
17 implementation of the REAL ID Act in May, we
18 know that our online customer support tools
19 are invaluable. We also know that not
20 everyone has the luxury of going online, so
21 DMV hit the road this past year by
22 participating in community events and
23 reaching into neighborhoods to better meet
24 underserved New Yorkers where they are.

1 Our creative approach to customer
2 service also led to record-setting
3 improvements in our contact center. We
4 launched a self-service tool that provides
5 important license status information, made it
6 easier to navigate through our phone tree,
7 and we continued to improve live chat and
8 email interactions to ensure customers
9 receive fast, consistent guidance regardless
10 of how they interact with our agency.

11 Regarding Mobile ID on your cellphone.
12 Our forward-looking staff also led New York
13 to become one of the first states in the
14 nation to launch a Mobile ID, and they
15 continue to help shape the evolving digital
16 credential ecosystem. Secure mobile IDs will
17 become increasingly important in the future
18 as businesses, governments and consumers
19 continue to combat fraud and identity theft.

20 Regarding ghost plates and toll
21 evasion. Through the leadership of our
22 Governor, DMV staff have also been active in
23 the state's fight against ghost plates and
24 toll evasion. Last year DMV participated in

1 more than five dozen security details through
2 the Ghost Plate Task Force that led to more
3 than 700 arrests and 3,400 illegal vehicles
4 seized.

5 Our investigators and automotive field
6 inspectors also recovered hundreds of stolen
7 vehicles and vehicle parts last year, worth
8 more than \$8 million. They recovered vehicle
9 titles valued at \$2 million, and helped
10 New Yorkers access nearly \$1.5 million in
11 restitution and repairs from dishonest
12 auto dealers and repair shops.

13 Regarding the Governor's Traffic
14 Safety Committee. Keeping everyone safe on
15 the roads is central to the mission of both
16 DMV and the Governor's Traffic Safety
17 Committee, which I chair. Around this time
18 last year, we proposed a series of regulatory
19 amendments to make it easier to remove
20 persistently dangerous drivers from our
21 roadways. I am happy to say that we have
22 adopted those regulations and the first of
23 them became enforceable in January.

24 Regarding drugged driving, which we

1 talked about quite a bit last year. The
2 Governor also continues to aggressively lead
3 efforts to address drugged driving by
4 proposing important updates to Vehicle and
5 Traffic Law to close loopholes and better
6 hold motorists accountable for driving while
7 impaired by drugs. I believe we must keep up
8 with the bad actors who find new ways to put
9 the lives of innocent New Yorkers at risk. I
10 am confident this proposal will do just that.

11 Additionally, the Governor's Traffic
12 Safety Committee continues to focus public
13 awareness and outreach efforts in communities
14 that are overrepresented by traffic crashes
15 and fatalities, like in Rochester, where
16 speeding is the number-one cause of fatal
17 crashes. Last year we partnered with the
18 Rochester Redwings baseball team to help
19 reach new audiences. This year, we will
20 again give special attention to speeding,
21 impaired driving, distracted driving, and
22 micromobility.

23 As we focus on diversifying our
24 traffic safety messaging, we also strive to

1 ensure that our workforce is as diverse as
2 the more than 15 million customers we serve.
3 The attention we give to creating an inviting
4 and diverse work environment also extends to
5 the contracts we procure. I am particularly
6 proud to say that more than 79 percent of our
7 current fiscal year spending is done through
8 MWBEs, and more than 33 percent is done
9 through service-disabled-veteran-owned
10 businesses.

11 Regarding CDLs. We know the need for
12 truck and bus drivers is still very real, so
13 we continue to offer a federal waiver for
14 part of the commercial driver license road
15 test, to make it easier to get prospective
16 bus drivers licensed and ready to meet the
17 need of our schools statewide.

18 Regarding Donate Life. There also
19 remains a critical need for organ, eye, and
20 tissue donors. New York has one of the
21 lowest donor registry enrollment rates in the
22 country. However, we reached a critical
23 milestone last year. For the first time in
24 New York's history, more than 50 percent of

1 eligible New Yorkers joined the organ donor
2 registry -- 85 percent of them do that
3 through a DMV -- and we hope to continue that
4 momentum in 2025. We have a plan.

5 Speaking of key partnerships, I'd be
6 remiss not to mention our critical
7 partnerships with the county clerks who run
8 DMV operations in 51 counties statewide. We
9 rely on our close collaboration with the
10 clerks to provide effective and efficient
11 services to all New Yorkers.

12 I am confident that if you visit a DMV
13 today, you will be as pleased as so many of
14 our customers who write to us each day with
15 compliments like these:

16 • "I have never had such outstanding
17 customer service from anyone as I did today.
18 Thank you!"

19 • "Lost my license; the online renewal
20 form and temporary license made it easy and
21 painless."

22 • "Ever since the end of COVID, the
23 DMV did a complete 180. What a difference
24 from years past. Everyone should be

1 commended."

2 I could go on, but the point is these
3 are real people seeing real results from the
4 improvements we are making, and we look
5 forward to making things even better for
6 years to come.

7 Once again, thank you for this
8 opportunity to present to you today.

9 THRUWAY AUTHORITY EX. DIR. HOARE:
10 Chairs Pretlow and Krueger, Magnarelli and
11 Cooney, Braunstein and Comrie, thank you for
12 the invitation to be with you this afternoon.

13 My name is Frank Hoare. I am the
14 executive director of the New York State
15 Thruway Authority.

16 I have submitted detailed testimony,
17 but let me hit on some of the highlights here
18 this afternoon with you.

19 The Thruway Authority is committed to
20 its mission to operate a reliable and
21 affordable superhighway delivering high
22 levels of safety and service. The importance
23 of making safety a priority was tragically
24 emphasized to us in 2024. After eight years

1 without a fatality, two of our employees,
2 Vincent Giammarva and Stephen Ebling, died,
3 and another, Mark Vara, was seriously
4 injured, in separate incidents while working
5 on the Thruway.

6 It reminds us all that when our
7 workers are out on the Thruway, there is
8 never a routine day.

9 My goal at the Authority is
10 prioritizing safety in everything we do, and
11 you will hear this throughout my testimony
12 today.

13 In 2024, the Thruway processed more
14 than 403 million transactions and motorists
15 drove 8.2 billion miles on the Thruway. To
16 that end, the Thruway Authority's 2025 budget
17 represents a total financial commitment of
18 just under \$1.4 billion. It funds the
19 resources required to maintain and enhance
20 the current levels of maintenance, safety and
21 service our customers expect and deserve.
22 This balanced spending plan provides
23 \$500 million for operations, which includes
24 \$71 million for Troop T, \$477 million for our

1 capital program, and \$383 million for our
2 debt service.

3 This budget includes not a single
4 dollar of dedicated federal or state taxpayer
5 dollars. Those that use the Thruway pay for
6 the Thruway.

7 Overall, \$2.7 billion will be invested
8 over the next five years into the Thruway's
9 2025-2029 capital plan, which is a
10 \$742 million increase since the approval of
11 the 2023 plan which went into effect on
12 January 1, 2024. The increased investment
13 will lead to work on more than 60 percent of
14 the Thruway's more than 2,800 pavement
15 lane-miles as well as the replacement or
16 rehabilitation of 20 percent of our
17 817 bridges.

18 This work is a visual reminder of our
19 continued investment of toll dollars in our
20 infrastructure, and the result is safety and
21 jobs for New Yorkers.

22 This significant investment comes as
23 the Thruway continues to offer some of the
24 lowest and most affordable toll rates in the

1 country. The Thruway's base passenger toll
2 rate is less than a nickel per passenger
3 mile. Compare that to 17 cents in
4 Pennsylvania or 39 cents in New Jersey.

5 I want to highlight some of our safety
6 initiatives. One example is the Automated
7 Work Zone Speed Enforcement pilot program,
8 sponsored by Chair Magnarelli and signed by
9 Governor Hochul in September of 2021.

10 Data from that program indicates that
11 motorists across the Thruway are changing
12 their behavior and, on average, slowing down
13 in work zones. However, although most
14 drivers are slowing down and paying
15 attention, more than 130,000 notices of
16 liability were issued on the Thruway alone.
17 Of those, 7,000 violations were repeat
18 offenders of two or more times.

19 An important element of the pilot
20 program is that revenue from the fines is
21 invested in worker safety. Last year alone
22 we were able to add \$300,000 from this
23 program to our \$4 million safety program.

24 For these reasons, the Governor's 2026

1 Executive Budget includes a proposal to make
2 this program permanent and increase
3 penalties, and I ask for your support of this
4 vital safety program.

5 Another safety initiative we pursued
6 in 2024 was a statewide commercial vehicle
7 enforcement campaign to reduce bridge strikes
8 caused by over-height vehicles. Since 2020,
9 there have been 231 bridge hits reported on
10 the Thruway, including 56 just last year.

11 The enforcement initiative was
12 conducted in partnership with the State
13 Police, and during the fourth quarter of last
14 year, 30 enforcement details were held in
15 various regions of the state, leading to more
16 than 7300 violations, including 31 for
17 over-height vehicles.

18 The authority is also capitalizing on
19 its existing infrastructure by using its
20 fiber network which runs along its right of
21 way. We plan to build on the public
22 broadband infrastructure initiatives that
23 Governor Hochul has undertaken over the last
24 few years. The Governor's goal for this

1 partnership is to expand and increase global
2 productivity and reliability along the
3 Thruway system and beyond.

4 As we continue to modernize our
5 Thruway, our service area reconstruction
6 project is nearing completion. As I sit here
7 today, 24 out of the 27 service areas have
8 been rebuilt or refurbished, and the final
9 three will be completed by this early fall.

10 As part of the service area project we
11 have committed to increasing the availability
12 of electric vehicle charging. As of today,
13 the Thruway has nearly 100 electric vehicle
14 charging points at our service areas, welcome
15 centers and commuter lots, and we're
16 committed to growing demand in the future.

17 In addition to passenger EV charging
18 stations, the Authority has taken steps for
19 anticipated demand for medium- and heavy-duty
20 electric vehicle charging, which includes
21 working with our state partners, the trucking
22 industry and utilities, and participating in
23 a cross-agency working group led by the
24 Governor's office.

1 This is a challenging issue, but I
2 pledge we will continue to work with our
3 partners and stakeholders to provide this
4 vital service to our commercial customers.

5 Enforcement continues to remain a
6 priority. Tolls represent 90 percent of our
7 revenue, and without collecting tolls we will
8 not be able to operate, maintain and enhance
9 our system. It's critical to balance the
10 toll collection with enforcement, and we use
11 a variety of tools to ensure that everyone
12 pays their fair share. Most importantly,
13 enforcement protects the 96 percent of people
14 who do pay.

15 The authority continues to make it
16 easy for our customers to pay their toll
17 bills. The Tolls by Mail Enhancement Act is
18 another important law in our efforts to
19 improve customer service. Approximately
20 85 percent of our customers have an
21 E-ZPass account.

22 And for those who don't, they receive
23 a bill at the address of the vehicles owner
24 that is on file with DMV. This law requires

1 every vehicle owner to keep their address
2 up-to-date with the DMV.

3 When a bill is received, the owner can
4 pay by mail, online, over the phone, on the
5 mobile app, or pay in cash at over a thousand
6 locations around the state.

7 If customers do not pay, they face
8 violation fees. If they don't pay after
9 receiving three notices over a 120-day
10 period, we then turn to collections for the
11 money owed. For the most egregious cases, we
12 work with the DMV for registration
13 suspension.

14 In August of 2022, the Thruway resumed
15 its registration suspension program. Since
16 that time we have suspended over 15,000
17 registrations, with more than \$15 million
18 collected in debt.

19 We are committed to collecting every
20 dollar owed to us. We will work with all of
21 our customers who want to pay. But to be
22 clear, large outstanding toll bills do not
23 materialize overnight. We must have
24 effective enforcement in place for those who

1 do not pay.

2 To conclude, I want to emphasize my
3 commitment to Governor Hochul's charge to me
4 to continue to ensure that the Thruway
5 remains the safest, most convenient and
6 affordable highway in the country. Our
7 accomplishments are made possible by the
8 dedication and professionalism of the Thruway
9 board of directors, our union leadership, and
10 the 1800 employees of the Thruway Authority.
11 They work hard every day to serve and protect
12 all those who use the Thruway.

13 Thank you for your time. I'm happy to
14 answer any questions you may have.

15 CHAIRMAN PRETLOW: Thank you.

16 Assemblyman Magnarelli, for
17 10 minutes.

18 ASSEMBLYMAN MAGNARELLI: So we're
19 going to be succinct, I hope.

20 Commissioner, Director, thank you very
21 much for being here. I've known you both
22 for (pause) -- too long, probably --

23 (Laughter.)

24 ASSEMBLYMAN MAGNARELLI: -- but it's

1 always a pleasure to have you here.

2 I'm going to start with the Department
3 of Motor Vehicles, okay? I've been given a
4 Yellow Book, which both of you know what I'm
5 talking about, okay. The Executive proposes
6 an All Funds appropriation of \$495 million, a
7 decrease of 170.1 million, or 25.6 percent
8 from fiscal year '24-'25. This decrease
9 primarily reflects the discontinuance of the
10 multiyear DMV transformation project related
11 to IT improvements, consisting of
12 178.5 million appropriation last year,
13 '24-'25, and a 106 million appropriation in
14 '22-'23.

15 I'm confused. And I stood up in front
16 of my conference, I think it was yesterday,
17 and told them that the IT project was
18 complete and that we have funded it. Now I
19 listened to you, and I'm hearing something
20 different.

21 So I want to know, what's the
22 difference here? Is it complete? And what
23 new services will be online and what other
24 improvements will there be, you know, and how

1 do I benchmark this to see if there are
2 improvements in the long run?

3 But the first thing I want to know is,
4 is it done or is it being completed with the
5 monies we've already put in, or are you going
6 to be looking for more money next year?

7 DMV COMMISSIONER SCHROEDER: No, we're
8 not going to be looking for more money.

9 So let me just say this. I am a
10 disciple also of the Yellow Book. I
11 understand it, and I used to read it all the
12 time --

13 ASSEMBLYMAN MAGNARELLI: For seven
14 years.

15 DMV COMMISSIONER SCHROEDER: -- right?
16 But I want to be clear --

17 ASSEMBLYMAN MAGNARELLI: And he used
18 to write in it.

19 DMV COMMISSIONER SCHROEDER: In
20 deference to the Yellow Book, I want to be
21 clear. This project is not discontinued or
22 canceled. Last year we executed the contract
23 with the vendor and we kicked off this
24 project. And why did we kick it off?

1 Because we are determined to eliminate
2 outages and glitches. We have legacy lines
3 that go back to Governor Rockefeller in the
4 1960s.

5 So what you are seeing, Mr. Chair, in
6 the budget is just a return to previous years
7 with our capital budget. Last year it was
8 included in our initial investment for this
9 project that will take us through 2029. So
10 to be specific --

11 ASSEMBLYMAN MAGNARELLI: And will it
12 complete your -- it's never complete in this
13 day and age.

14 DMV COMMISSIONER SCHROEDER: No, no,
15 it -- so --

16 ASSEMBLYMAN MAGNARELLI: Is it going
17 to complete what you set out to do, is what I
18 want to know.

19 DMV COMMISSIONER SCHROEDER: Yes, it
20 will. And so this -- in the easiest way to
21 explain it, over the next four years it's
22 essential that the --

23 ASSEMBLYMAN MAGNARELLI: All right.
24 But the money is there.

1 DMV COMMISSIONER SCHROEDER: The
2 money's there. The Governor and the
3 Legislature supported us. So thank you for
4 that.

5 The first rollout will be one year
6 from now. It will be February of 2026. And
7 it will be everything having to do on the
8 driver's side. And then we'll take a little
9 break, we'll sit on the bridge and make sure
10 everything's working well. Then in March of
11 2028 we will roll out everything that has to
12 do on the registration side.

13 So we are well in advance of this
14 project, and things are going well and we
15 have the funding thanks to our partners, the
16 Governor and you.

17 ASSEMBLYMAN MAGNARELLI: That's what I
18 wanted to know. Thank you, sir.

19 Mr. Director, okay, I've got a couple
20 of questions that I wanted to ask you two
21 weeks ago, but you weren't here. This has to
22 do with charging stations and chargers. And
23 you did mention it a little bit; I didn't
24 quite get it.

1 But here's the question. How many
2 passenger vehicle chargers and how many --
3 and this is the more important one --
4 commercial chargers are currently installed
5 along the Thruway?

6 THRUWAY AUTHORITY EX. DIR. HOARE:
7 Currently there are none, Mr. Chairman.

8 ASSEMBLYMAN MAGNARELLI: None, no
9 commercial.

10 THRUWAY AUTHORITY EX. DIR. HOARE:
11 That's correct.

12 ASSEMBLYMAN MAGNARELLI: Okay, there
13 are none. What are the Thruway Authority's
14 plans to provide commercial charging along
15 the Thruway?

16 THRUWAY AUTHORITY EX. DIR. HOARE:
17 Well, for the past two years we've been
18 working with an interagency group that
19 includes other state agencies or
20 stakeholders, the Trucking Association and
21 the utilities, to plan out and strategize how
22 we're going to approach this. And we've
23 been --

24 ASSEMBLYMAN MAGNARELLI: Okay. And I

1 accept that, okay? Because I'm hearing that
2 from a lot of different sectors, not just the
3 Thruway Authority. Okay? But the bottom
4 line is there is no plan today. There's no
5 plan. I'm not saying you're not looking to
6 do one or trying to put one in effect, but
7 there is no plan. You don't know how it's
8 going to be done, you don't know what
9 agencies are going to help you, you don't
10 know what utilities are going to supply the
11 electric, you have no idea at this point
12 in -- wrong, I overstepped. You have an
13 idea, but there's no plan.

14 THRUWAY AUTHORITY EX. DIR. HOARE:

15 Well, when I say plan and strategize, what
16 we've been doing, we've identified 10 sites
17 on the Thruway system, 10 service areas that
18 we would put medium- and heavy-duty chargers
19 in. And that's what we've been doing and
20 planning and working with the utilities.

21 The utilities have told us, like I'm
22 sure they've told you, that any one of these
23 sites will need the energy and power of a
24 small city. So that is our challenge. So

1 from the Thruway part of this, we are just
2 one part of a complicated, multifaceted issue
3 that we've been working on to address.

4 So when I say plan and strategize,
5 that's what I mean -- identifying sites,
6 talking to utility companies of how they can
7 get the power in there to sustain that.

8 ASSEMBLYMAN MAGNARELLI: But -- and
9 this is just a policy or theoretical type of
10 question. I mean, we're asking our
11 communities to go out and buy electric
12 vehicles, whether they be passenger or the
13 DEC is kind of -- I know they pulled back a
14 little bit, but DEC is actually forcing
15 people to buy trucks which do not exist,
16 okay?

17 Not only is this not a plan, this
18 borderlines on ridiculous. Okay? And I'm
19 not talking just to you, Mr. Director, I'm
20 talking to the State of New York. We need a
21 plan. We need to know where we're going, and
22 we have to be honest. Right now there's no
23 honesty out there. And I said it three years
24 ago in conference: The only thing we're

1 creating in our communities is anxiety and
2 fear. Because they don't know what's
3 happening, what they're going to be mandated
4 to do. This is wrong.

5 And I just want to make that
6 statement. And I have no more for you,
7 Frank. Okay? Thank you very much for being
8 here --

9 THRUWAY AUTHORITY EX. DIR. HOARE:
10 You're welcome, Mr. Chairman.

11 ASSEMBLYMAN MAGNARELLI: -- and
12 listening to me. I'm done.

13 CHAIRMAN PRETLOW: Senate?

14 CHAIRWOMAN KRUEGER: Thank you.

15 Our chair, Senator Leroy Comrie.

16 SENATOR COMRIE: Good afternoon,
17 gentlemen. Thank you for being here today.

18 Commissioner Schroeder, I want to
19 thank you for your innovations and what
20 you've done to improve DMV. I just have a
21 couple of technical questions.

22 Over the past few years you've made
23 significant increases in appropriations. Do
24 you not have the sufficient resources to

1 complete that transformation, or will you be
2 pursuing more resources to -- appropriation
3 increases in future years, and what would
4 that look like?

5 DMV COMMISSIONER SCHROEDER: Yeah,
6 thank you, Senator. And the short answer is
7 yes. Based on what we're trying to do and
8 with the support of the Legislature and the
9 Governor's initiative last year to underwrite
10 the tech redesign, everything is going along
11 well. We are now in the execution stage.

12 And as I mentioned, we have two major
13 rollouts coming, one next year at this time
14 and one in March of 2028.

15 So thank you for asking.

16 SENATOR COMRIE: And how is the
17 REAL ID information -- the REAL ID
18 requirements and the opportunities for people
19 to transfer over, how is that working? Can
20 you transfer over for free if you got a
21 license last year and you need a REAL ID this
22 year, or you've got to pay the fee for a
23 REAL ID?

24 DMV COMMISSIONER SCHROEDER: So

1 regarding REAL ID -- and thank you for
2 mentioning that, because it's important that
3 all viewers who are watching us today
4 understand that if they are not REAL ID-
5 compliant by May 7th of 2025, they may not be
6 able to go visit grandma in Fort Lauderdale.
7 They might be disappointed. So we are doing
8 everything --

9 SENATOR COMRIE: Even if they have a
10 passport or --

11 DMV COMMISSIONER SCHROEDER: Oh, if
12 they -- a passport is REAL ID-compliant.

13 DMV's really not in the passport
14 business, so we're doing everything we can to
15 encourage New Yorkers to come in and get a
16 REAL ID. And things are working really well,
17 but we only have about 90 days left to
18 convince New Yorkers to do that.

19 SENATOR COMRIE: Is there going to be
20 an increased ad campaign to make that happen?

21 DMV COMMISSIONER SCHROEDER: There
22 are, yes. And we -- I've been to all 13
23 airports, including the two in New York
24 several times, doing press conferences with

1 elected officials and with others, trying to
2 convince New Yorkers that it's time to be
3 REAL ID-compliant.

4 And we also have a public campaign on
5 the DMV website. And we're working with
6 others. And we also have a very strong
7 relationship with TSA, not only in New York
8 but around the country too. And they too
9 also are promoting what we're promoting,
10 REAL ID.

11 SENATOR COMRIE: Okay. So New Yorkers
12 can expect to see commercials about coming
13 out and doing the REAL ID between now and
14 March -- now and May?

15 DMV COMMISSIONER SCHROEDER: Sorry,
16 Senator, I didn't hear the beginning.

17 SENATOR COMRIE: You're going to have
18 commercials on the air or on the internet to
19 urge encourage people to come out and
20 transfer to REAL ID?

21 DMV COMMISSIONER SCHROEDER: The
22 answer is yes. We already do. In fact, I
23 heard some REAL ID commercials and some other
24 Governor's Traffic Safety Committee

1 with E-ZPass or with a tolling issue, we do
2 not do this (pointing in different
3 directions). We do the best we can to
4 explain to the customer how we may be able to
5 help them.

6 I also want to give credit to the
7 Legislature and to the Governor, because on
8 every single different tolling authority,
9 there is what is called a tollpayer advocate.
10 So there's 1-800 numbers, there's emails,
11 there's all sorts of information to get to
12 our customers to make it easier for them.

13 SENATOR COMRIE: It's not enough to
14 reach customers. I have a backlog of
15 customers -- I have even members recently
16 that have gotten bad E-ZPass bills.

17 And so I hope this year the Governor
18 would consider doing pop-ups in every borough
19 on weekends for people, like you've done with
20 the small businesses that can also do
21 licensing. You know, if you can make some of
22 those centers E-ZPass adjudication centers,
23 as you've done so well with the -- giving
24 people an opportunity to go to a place to get

1 their license or their registration.

2 I would hope that both of your
3 agencies could do some pop-ups, because the
4 backlog is tremendous. And just having one
5 person in each agency is not going to deal
6 with the backlog that's happening. So I
7 would appeal to both of you to make that
8 happen.

9 And also to do an amnesty program, you
10 know, once or twice a year, to allow people
11 not to -- just to pay the fees and not the
12 fines, so we could get a better response on
13 the E-ZPass as well. Not the truckers, the
14 passengers. Let me just make that
15 distinction. There's a distinction between
16 for-hire vehicles and regular passengers.
17 I'm talking regular passengers, owners of,
18 you know, family cars and folks like us that
19 are driving every day. So I would hope that
20 we could do that for them.

21 On -- for the for-hire vehicles, once
22 a year doing an amnesty would be helpful as
23 well, both of you.

24 But thank you, Mr. Schroeder. Just

1 since I only have four minutes left,
2 Commissioner Hoare, I want to thank you for
3 meeting with me the other day and telling me
4 about your plans.

5 Can you just illuminate for the public
6 what you're doing with high-speed internet
7 connections for everyone?

8 THRUWAY AUTHORITY EX. DIR. HOARE:
9 Yes, Senator, the Governor has proposed our
10 budget to extend that. The Thruway has
11 already had a robust program the last few
12 years. We put fiber on our right of way. We
13 anticipate this year it being
14 approximately -- bringing in \$10 million to
15 us.

16 But the plan is the Thruway is, in
17 essence, the spine of the state, so we want
18 to expand that and send it up through the
19 Thruway, send it up the spine of New York,
20 and then other partners then will take it
21 off, off the system to more localities in the
22 North Country, the Southern Tier and the
23 like.

24 SENATOR COMRIE: I spoke to DOT

1 earlier and they weren't aware of the
2 program, so I guess you haven't started
3 telling them yet. So hope we can have that
4 discussion with DOT so that they can take
5 advantage of it.

6 I appreciate you -- also, you just
7 want to tell folk about the toll increases
8 and how that is cheaper than the other
9 states? I know you alluded to it in your
10 conversation -- in your presentation, but do
11 you want to expand on that a little bit more
12 to tell people how we are saving money by
13 using New York roads?

14 THRUWAY AUTHORITY EX. DIR. HOARE: We
15 think, in accordance with the Governor's
16 efforts to make life here affordable, we are
17 less than 5 cents a passagenger mile. Again,
18 comparing that to -- the New Jersey
19 Turnpike's about 39 cents. So less than
20 5 cents versus 39 cents. Seventeen cents in
21 Pennsylvania. The Governor Cuomo Bridge is
22 \$6.75. Compare that to the George Washington
23 Bridge, of \$16.

24 So we have worked very hard to

1 continue to make it affordable for all our
2 customers.

3 SENATOR COMRIE: Thank you.

4 I agree with your issues to make sure
5 that your service areas -- I mean your roads
6 are protected and your workers are protected.
7 I congratulate you on being able to highlight
8 that, and hope that we can continue to
9 highlight that so that we can protect our
10 workers.

11 Who is in charge of registering
12 vehicles, is it -- which agency? Every year
13 that trucks have to be reregistered, what
14 agency is that? I don't know.

15 DMV COMMISSIONER SCHROEDER: The
16 registration of vehicles? That would come
17 under the Department of Motor Vehicles.

18 SENATOR COMRIE: No, the -- I'm sorry,
19 I'm saying it wrong. The trucks that have to
20 come through every year to get -- not
21 reregistered, reinspected. The truck
22 inspections where they check for safety and
23 whether or not they're being compliant with
24 the roads.

1 DMV COMMISSIONER SCHROEDER: Right,
2 that would come under the Department of
3 Motor Vehicles. And we have inspection
4 stations across New York State who are doing
5 inspections each and every day for
6 New Yorkers.

7 SENATOR COMRIE: So you inspect
8 out-of-state vehicles as well, or is it just
9 New York State vehicles?

10 DMV COMMISSIONER SCHROEDER: Senator,
11 I'm inclined to think that we do, but I don't
12 totally know the answer to that. So I will
13 follow back with you on that.

14 SENATOR COMRIE: I'm told you inspect
15 out-of-state vehicles as well. I hope that
16 we could stop that, because there's a lot of
17 vehicles that are illegally registering in
18 New Jersey but coming to New York to get
19 their inspections.

20 I would hope we could stop that so we
21 could focus on how we can make insurance
22 better for New Yorkers. Because that's just
23 inflating and conflating the insurance issues
24 for New York residents.

1 Thank you.

2 DMV COMMISSIONER SCHROEDER: Thanks,
3 Senator.

4 CHAIRWOMAN KRUEGER: Thank you.
5 Assembly.

6 CHAIRMAN PRETLOW: Thank you.
7 Assemblymember Miller.

8 ASSEMBLYMAN MILLER: Thank you,
9 Commissioner, thank you, Director, for your
10 testimony. I just want to start with the
11 director on the Thruway.

12 Great job this morning. I came in
13 from Utica on the Thruway with the inclement
14 weather, and I will attest I travel the
15 Thruway all the time -- every day,
16 probably -- and it's the safest,
17 best-maintained road in New York State, I
18 will say that. And today it was probably one
19 of the safest roads in New York State.

20 THRUWAY AUTHORITY EX. DIR. HOARE:
21 Thank you, Assemblyman. I will pass that on
22 to the great employees of the Thruway
23 Authority that keep it that way.

24 ASSEMBLYMAN MILLER: But I'd just like

1 to talk about some safety initiatives here.
2 And you pointed one out with iCone. And I
3 think -- and I want to commend you again for
4 embracing technology that's available to us
5 with -- with the i -- with the technologies
6 there for Waze and, you know, maps and things
7 like that, so we can identify where our
8 snowplows are. Can you elaborate a little
9 bit on that little project that we're doing?

10 THRUWAY AUTHORITY EX. DIR. HOARE:

11 Yes, Assemblyman. It's in my longer
12 testimony.

13 But iCone is a company that provides
14 realtime notice to those with Waze and
15 Google Maps, and it's an effort to, right on
16 the roadway -- we put them in as a pilot this
17 winter, we've put them in a number of our
18 snowplows, and the point is to send a message
19 to drivers that up ahead, a mile or so up
20 ahead, that there are snowplows, so that they
21 will slow down and pay attention and, as we
22 say, don't crowd the plow.

23 So that's one of the technologies that
24 we are using and benefiting, again, from that

1 money that is coming from the work zone pilot
2 program.

3 ASSEMBLYMAN MILLER: It's a great
4 technology. We've got to get the word out
5 there; as technology changes, we're going to
6 be able to use our -- everything in our
7 vehicles.

8 Let's just take a few minutes on the
9 charging stations. You know, as the chairman
10 said over here, the committee chair said over
11 here about it, how long out are we
12 realistically? I know that's a tough
13 question to ask. But realistically, so the
14 trucking -- so our trucking in New York State
15 doesn't get totally disrupted with this, you
16 know, with the CLCPA initiatives here in the
17 ACT Act and all that, what are we, 10 years
18 out, 15?

19 You know, it's -- we're a long ways
20 away. And I think, you know, maybe we should
21 be looking at some other plans along with
22 this for supplying some alternative fuels for
23 these diesel trucks that are out there. And,
24 you know, that may help us push -- that will

1 get us to the point we have to be.

2 So anyways, is there any idea how far
3 away we're going to be?

4 THRUWAY AUTHORITY EX. DIR. HOARE: I
5 can't give you a date, Assemblyman. Again,
6 because the Thruway's just one piece of this
7 very complicated, multilayered issue, so.

8 But we will continue, we'll continue
9 to plan and strategize, we'll continue to
10 dialogue with you all in the Legislature and
11 with our stakeholders and partners in the
12 trucking industry as well as the utilities.

13 ASSEMBLYMAN MILLER: On to the -- as
14 I'm driving along the Thruway, I see we're
15 pulling fiber, and it was here (indicating
16 document). We have some fiber manufacturers
17 here in New York State. As these corridors
18 are leased, would it be possible to include
19 some of the fiber that, if it's leased on
20 state right of ways, that would have to be --
21 the fiber would have to be manufactured here
22 in New York State?

23 THRUWAY AUTHORITY EX. DIR. HOARE: I
24 know we're dealing with -- certainly with

1 New York-based telecommunications companies
2 that are involved in that. I will -- as we
3 discussed when we met, I will go back and see
4 where that is manufactured.

5 But certainly we're always looking to,
6 as the Governor said, promote New York,
7 New York industries and New York
8 manufacturers.

9 ASSEMBLYMAN MILLER: Thank you. And
10 thank you for the safe ride in this morning.

11 THRUWAY AUTHORITY EX. DIR. HOARE:
12 Thank you.

13 ASSEMBLYMAN MILLER: Commissioner,
14 I've just got a couple of -- I've got 30
15 seconds here. I don't even know if I can get
16 one off.

17 Has there been any thought of, you
18 know, how we're going to do our inspections
19 on our EVs out there? Because that's a whole
20 different situation. Are we going to charge
21 more? Is there different training?

22 DMV COMMISSIONER SCHROEDER:
23 Assemblyman, there is -- there will be -- at
24 this moment in time, there is no difference.

1 And I don't think there will be unless we,
2 you know, talk with you and others to figure
3 that out.

4 ASSEMBLYMAN MILLER: Okay, thank you.

5 CHAIRMAN PRETLOW: Senate?

6 CHAIRWOMAN KRUEGER: Thank you.

7 Senator Tom O'Mara, ranker.

8 SENATOR O'MARA: Thank you both for
9 being here. Director Hoare, just to follow
10 up on a few of the questions with the
11 Advanced Clean Truck Rule and the need for
12 medium- and heavy-duty charging stations.

13 I take it from reading your written
14 testimony and what you've said here today
15 that we currently don't have any medium- or
16 heavy-duty charging stations along the
17 Thruway?

18 THRUWAY AUTHORITY EX. DIR. HOARE:
19 That's correct, Senator.

20 SENATOR O'MARA: And my assumption --
21 and knowing for sure that those types of
22 chargers are going to have a higher demand
23 for electricity than the Level 2 and 3
24 chargers that you have, and I just know from

1 experience throughout the state that any time
2 we even have a new economic development
3 project, the availability of increased demand
4 is very hard to come by.

5 What are your projections on the
6 limitations you're going to have in even
7 getting the power to run those types of
8 chargers? And, you know, you have no
9 timeline here, but the Advanced Clean Truck
10 Rule is being implemented right now. So how
11 are trucks going to be able to utilize the
12 Thruway?

13 THRUWAY AUTHORITY EX. DIR. HOARE:

14 Again, the plan is to, at least in 10
15 locations, 10 service areas, strategically
16 placed, looking at traffic patterns and where
17 trucks are coming in, is to place them along
18 the Thruway in 10 sites.

19 So we have that -- charging is a
20 challenge. Another challenge there is --
21 when you come to the Trucking Association, is
22 space. Right? Right now with a passenger
23 vehicle you pull into, in essence, a parking
24 space, pull in, you plug it in, you go in for

1 the fast chargers, it's about 20 to 30
2 minutes so you go into the service area, get
3 a cup of coffee, go to the restroom. The
4 space is more -- you don't need as much
5 space.

6 But if you have a 50, 55-foot
7 container truck, we're going to -- we're
8 looking at that and how much space we have at
9 the service --

10 SENATOR O'MARA: What is the charging
11 time for those medium and heavy-duty
12 vehicles? Do you know what the charging time
13 is, if they had a charger?

14 THRUWAY AUTHORITY EX. DIR. HOARE: I
15 don't. I can get you that information in
16 terms of how it breaks down.

17 I know right now that they -- when
18 they, you know, fuel up, that takes them
19 about 20 to 30 minutes and they're good for
20 1200 miles. But that's -- again, the
21 chargers are going to differ --

22 SENATOR O'MARA: Can you repeat that
23 again? They charge up for 20 or 30 minutes
24 and then --

1 THRUWAY AUTHORITY EX. DIR. HOARE:
2 They fuel up, they can go typically, I am
3 told, about 12 --

4 SENATOR O'MARA: No, when they're
5 fueling.

6 THRUWAY AUTHORITY EX. DIR. HOARE: On
7 fuel, about 1200 miles.

8 SENATOR O'MARA: Do you know what the
9 range is for these heavy-duty vehicles if
10 electric?

11 THRUWAY AUTHORITY EX. DIR. HOARE: I
12 don't offhand. Again, I'm told it varies on
13 geography, on whether --

14 SENATOR O'MARA: What parameters? It
15 varies how much?

16 THRUWAY AUTHORITY EX. DIR. HOARE:
17 Well --

18 SENATOR O'MARA: -- distance-wise,
19 that these trucks can go?

20 THRUWAY AUTHORITY EX. DIR. HOARE: I
21 am told it can be as little as 300 miles.

22 SENATOR O'MARA: We had the DOT
23 commissioner earlier talking about the
24 demands on our roads with the heavier

1 electric vehicles and such. And she said
2 there are specifications for -- the state
3 system has that in their capacities, that
4 everything is up to snuff on that.

5 Is the Thruway similarly situated on
6 that? And what safety upgrades are going to
7 need to be done because of the heavier
8 vehicles being on the road?

9 And I've heard, if you could comment
10 on this, I've heard that the Thruway needs to
11 replace its guardrails to withstand these
12 heavier vehicles, and that's going to be
13 about \$350 million. Is that accurate? Or
14 where does that stand? Or where do we stand
15 on all the needs and demands on our roads for
16 heavier vehicles?

17 THRUWAY AUTHORITY EX. DIR. HOARE:
18 That is one of the elements that we're
19 looking at in terms of what we will need to
20 do to enhance that safety. Certainly it's
21 going to have an impact on the surface of our
22 roads and bridges.

23 But I have not heard that number. I
24 don't think that we're at that number that

1 you cited.

2 SENATOR O'MARA: Thank you.

3 THRUWAY AUTHORITY EX. DIR. HOARE:

4 Thank you.

5 CHAIRWOMAN KRUEGER: Assembly.

6 CHAIRMAN PRETLOW: Assemblyman

7 Braunstein.

8 ASSEMBLYMAN BRAUNSTEIN: Thank you.

9 And it's good to see you both. I'm
10 going to start with the commissioner.

11 First, I just want to reiterate
12 something my colleague Senator Comrie said
13 about public notice about REAL ID. We're
14 90 days away. You know, sitting here, it was
15 kind of news to me that we need to get moving
16 and get everybody to get a REAL ID. So I
17 think, you know, more emphasis needs to be
18 done about public awareness. So just wanted
19 to bring that to your attention.

20 And of course I think all of us in our
21 offices, through our email newsletters and
22 things like that, could help as well.

23 I really wanted to ask about your
24 efforts to crack down on ghost plates. You

1 know, I live in Queens and I frequently see
2 people with defaced license plates or
3 modified license plates. And it's
4 particularly concerning for us in the city
5 where we have a speed camera program. And
6 someone with a ghost plate can just drive
7 around through our community, continuously
8 speeding, and there's never any
9 repercussions.

10 So it says here that DMV has
11 participated in five dozen security details.
12 I have two questions. How many of those
13 details have been in New York City? And what
14 is the process when someone is found with a
15 ghost plate?

16 DMV COMMISSIONER SCHROEDER: Thank
17 you, Assemblyman, for the question.

18 I've participated in some of these in
19 New York City. And so the Governor last year
20 created a task force, along with the mayor of
21 New York. And so law enforcement, especially
22 in metropolitan New York, have worked
23 together with the MTA and others to try to
24 prevent these ghost plates from coming into

1 our communities and also on the roadways and
2 with obstructed plates.

3 And so as the MTA said earlier today,
4 they have the numbers. I have some of the
5 numbers. But there is a complete set of
6 numbers offered by the police task force in
7 New York. I can get you those numbers in
8 terms of summonses, in terms of cars that
9 have been taken away and fines and things of
10 that nature, I can get you that information.

11 ASSEMBLYMAN BRAUNSTEIN: Yeah. And
12 what's the process? If I scratch off a
13 letter on my license plate and I just go to
14 drive and I get pulled over, what is --

15 DMV COMMISSIONER SCHROEDER: It's a
16 violation. And so it is a violation of
17 Vehicle and Traffic Law.

18 And so the enforcement part would then
19 come in to exactly what you just described.
20 And then the officer would do whatever he
21 would need to do if the plates have been
22 altered.

23 If it's peeling plates and it had
24 nothing to do with -- the customer really did

1 nothing wrong, then that's one thing. DMV
2 will replace those plates.

3 But we are talking about people who
4 are defacing New York State plates coming
5 into our toll areas and marking their plates
6 or trying to buy fake New York State plates.

7 ASSEMBLYMAN BRAUNSTEIN: No, no,
8 believe me, I understand. I see them.

9 But my question is, so I get a
10 violation, the first offense. What is it, I
11 just pay a penalty? Like what's to stop me
12 from just continuing to drive with that
13 license plate again?

14 DMV COMMISSIONER SCHROEDER: Again,
15 Assemblyman, it would have to do with the
16 situation at hand. Law enforcement would
17 make that decision. There have been vehicles
18 that have been apprehended, and there have
19 been arrests -- 747 arrests, I think, over
20 the summer.

21 ASSEMBLYMAN BRAUNSTEIN: Arrests for a
22 defaced plate or --

23 DMV COMMISSIONER SCHROEDER: Yes.

24 ASSEMBLYMAN BRAUNSTEIN: -- arrests

1 for an outstanding -- something outstanding?

2 COMMISSIONER SULLIVAN: No, for coming
3 across into the toll, being caught by police.
4 And then the police make a determination to
5 what is going to take place.

6 And so the task force has impounded
7 3,000 vehicles, 630 arrests, 29,000 summonses
8 have been given out by this task force law
9 enforcement group who are working together.

10 ASSEMBLYMAN BRAUNSTEIN: Okay. And
11 then you talked about the peeling plates. I
12 think that's something that kind of compounds
13 the problem. Right? Because some people,
14 I've seen their license plates peel and I
15 think people aren't, you know, necessarily
16 aggressive about going to get that license
17 plate replaced. They might even, you know,
18 just be happy about it, right?

19 And I don't know if in the future
20 there's an effort to work on the license
21 plate so they don't peel so easy.

22 DMV COMMISSIONER SCHROEDER: Yeah.
23 That too, Assemblyman, is a violation.
24 However, we are doing our best to communicate

1 with all New Yorkers, through many different
2 mechanisms, including our website, that if
3 you have a peeling plate, we're going to make
4 the general assumption it's not your fault.
5 So come into a DMV office, and we will
6 replace that plate for free.

7 ASSEMBLYMAN BRAUNSTEIN: Okay. Okay.

8 But if I'm pulled over and I have a
9 peeled license plate, do I get a summons?

10 DMV COMMISSIONER SCHROEDER: Again,
11 law enforcement will make that determination.
12 But we would hope that the law enforcement
13 would simply say: Go to a DMV and take care
14 of this today.

15 ASSEMBLYMAN BRAUNSTEIN: Okay, thank
16 you.

17 DMV COMMISSIONER SCHROEDER: You're
18 welcome.

19 ASSEMBLYMAN BRAUNSTEIN: And then just
20 a question for the director.

21 We met last week and we were
22 discussing a similar kind of issue with your
23 efforts to collect tolls. And you mentioned
24 in your testimony that the Tolls by Mail

1 Enforcement Act has been helpful. And in our
2 conversation you indicated to me that a lot
3 of the issues you see with toll collection is
4 with out-of-state trucking.

5 Do you want to just expand on that and
6 just talk about some of the approaches you've
7 taken to try and collect those tolls, or the
8 challenges that you see with collecting those
9 tolls? And if there is anything that we
10 could be helpful with that.

11 THRUWAY AUTHORITY EX. DIR. HOARE:

12 Thank you. Of that 4 percent that don't pay
13 the -- most of the money of that 4 percent is
14 out-of-state trucking -- New Jersey, Ohio,
15 Illinois. So obviously we have less ability
16 to enforce.

17 Now, what we're doing on that, to cut
18 down on that, because we're not neglecting
19 it, we're doing everything we can. We have a
20 variety of tools that we use. So we have a
21 reciprocity agreement with Massachusetts
22 currently. We've been working on expanding
23 that and getting agreements with New Jersey,
24 with Pennsylvania, Delaware and Ohio and

1 Illinois now.

2 The hope would be that we have that,
3 the practical impact -- like what we have now
4 with Massachusetts is that we have that
5 agreement, we can then send that file in
6 essence to somebody who has not paid and ask
7 that state to put a hold on their
8 registration until they're made whole.

9 So that reciprocity agreement is one
10 piece of it. Legal, we have a -- my general
11 counsel, Sandra Rivera, leads up a team of
12 lawyers in-house and outside counsel that are
13 attempting to bring civil suits to collect.
14 We are using registrations with our partners
15 at DMV. We send over to DMV 275 files a week
16 to be -- to be suspended. And that's part of
17 the 15,000 in the last three years. And
18 we've been able to collect 15 million on it.

19 But there's a lot more out there. So
20 again, we're not neglecting this. We take it
21 seriously. The ghost plates I'll say is not
22 an issue really for us; it's less than
23 1 percent of those not paying. But we're not
24 ignoring that. We go after -- we go after --

1 we have a talented staff that attempts to
2 locate the actual driver by looking at video
3 footage and looking at our files and records.
4 So we're not neglecting that, either. We are
5 looking to make sure that every person who
6 owes a toll pays their toll.

7 ASSEMBLYMAN BRAUNSTEIN: Great.

8 Thank you very much. I'm done.

9 CHAIRWOMAN KRUEGER: Okay, thank you.
10 Senator Roxanne Persaud.

11 SENATOR PERSAUD: Thank you.

12 Commissioner, it's always great to see
13 you.

14 DMV COMMISSIONER SCHROEDER: Thank
15 you.

16 SENATOR PERSAUD: I just wanted to
17 touch on the REAL ID. I know you're -- I
18 just want to commend your team for all the
19 outreach and the publicity that they've been
20 doing. I think every time I turn on the
21 television I've been seeing the information,
22 and across my district we've been seeing the
23 outreach and the reminders.

24 Do you have a sense of the number of

1 people with New York State licenses who have
2 not done the updates?

3 DMV COMMISSIONER SCHROEDER: On the
4 REAL ID updates?

5 SENATOR PERSAUD: Yes.

6 DMV COMMISSIONER SCHROEDER: Thank
7 you. Thank you, Senator.

8 And so I can refresh these numbers for
9 you, but the last time I asked -- I always do
10 ask -- I think we were getting close to about
11 7 million New Yorkers who were REAL ID-
12 compliant, meaning having a REAL ID or an
13 enhanced driver's license.

14 I also know, because I've asked --
15 even though we're not in the passport
16 business -- I'm told that there are
17 10 million New Yorkers who have a passport.
18 The reason why that comforts me is I don't
19 want any families stranded at an airport
20 after May 7th and not be REAL ID-compliant.

21 So we will continue to do what we can
22 to publicize this. And we've also given all
23 information to all members of the New York
24 Legislature. In your office, your staff has

1 information on REAL ID, and we thank you for
2 promoting it as well.

3 SENATOR PERSAUD: I know on Monday the
4 TSA was reminding people -- I think your team
5 was there also -- reminding people that
6 beginning May 7th, you know, be prepared to
7 be there for a very long time if you're not
8 compliant. So I just want to remind
9 everybody about that.

10 Can you also tell us -- you've been
11 doing the mobile offices, and I thank you for
12 doing the one in my district. It was a
13 tremendous success, and we'll be trying to
14 get another one in the district.

15 Could you tell us, across the state,
16 how many of those have you been doing? And
17 are you working with counties to ensure that
18 we have more?

19 DMV COMMISSIONER SCHROEDER: Yeah.
20 So, Senator, thank you for that question,
21 because we have done this quite a bit,
22 especially over the past summer. Because we
23 were able to get the equipment necessary.
24 And then we spent a lot of time in different

1 places in metropolitan New York. I went to
2 places myself to reach New Yorkers where they
3 are.

4 We are also fortunate that we have
5 51 county clerks in upstate New York who have
6 also figured out a way how to do Mobile IDs
7 so that their constituents can get a REAL ID.

8 So in a comprehensive way we're doing
9 everything we can, outside of the technology,
10 to reach people where they are so they have
11 an opportunity. And when we go to community
12 events with our Mobile ID, we can give people
13 a REAL ID right there and then, and we do
14 that with our team.

15 SENATOR PERSAUD: Okay. Thank you
16 very much.

17 CHAIRMAN PRETLOW: Assemblyman Ra.

18 ASSEMBLYMAN RA: Thank you. Good
19 afternoon.

20 Commissioner Schroeder, I know and I'm
21 sure you're aware that many of our motor
22 vehicle inspection service stations
23 throughout the state have been asking to
24 increase the maximum fee they can charge.

1 And it's my understanding that, you know, the
2 number of these facilities has been going
3 down. So does the department have any
4 thoughts with regard to that issue?

5 DMV COMMISSIONER SCHROEDER: So the
6 question, Assemblyman, has to do with
7 inspection stations being able to increase
8 the inspection fee.

9 ASSEMBLYMAN RA: Yeah. My
10 understanding, it's been at the same level
11 for quite a long time.

12 DMV COMMISSIONER SCHROEDER: That is
13 correct.

14 So we are well aware of it. We are
15 working with our partners. As you know,
16 there are six different auto dealer
17 associations across the state -- in New York
18 City and statewide and also in many different
19 regions.

20 So they have expressed to us a desire
21 to have an increase. So we are now gathering
22 all information. We've done so in a
23 comprehensive way. And we will be
24 determining exactly what we're going to be

1 able to do in short order.

2 ASSEMBLYMAN RA: And do you have any
3 sense as to, you know, where the numbers are
4 of those, how many stations we have in the
5 state relative to what we maybe had five,
6 10 years ago?

7 DMV COMMISSIONER SCHROEDER: We do.
8 So I don't have it to memory, but my deputy
9 commissioner, who's not here, she would be
10 able to tell you exactly what we have and
11 what has increased and what the limits are to
12 inspection stations. There is also a limit
13 to how many there can be in the state.

14 But I'm happy to provide you with some
15 of that information.

16 ASSEMBLYMAN RA: Okay. And then with
17 regard in particular to electric vehicles, is
18 there any talk of having, you know, any
19 additional criteria or things that would need
20 to be inspected with regard to electric
21 vehicles? And I guess in particular
22 batteries -- which, you know, we have had
23 some problems with, you know, fires and
24 things of that nature.

1 DMV COMMISSIONER SCHROEDER: Yeah. So
2 I've asked this question before to my
3 operations team at DMV. My recollection is
4 that there's no difference. That doesn't
5 meanwhile that will be forever. We will
6 continue to look at it, Assemblyman, and if
7 there's any change in that thinking we'll be
8 happy to let you know.

9 ASSEMBLYMAN RA: Thank you. And last,
10 just a comment. You're including a piece of
11 your remarks here with regard to the
12 feedback. You know, I do feel like our
13 constituents have never been happier with the
14 DMV. And it's quite an accomplishment if you
15 can get people to enjoy visiting and making a
16 transaction with the DMV, which was obviously
17 a joke people would always make in terms of
18 having to deal with it.

19 So you and your team are doing good
20 work.

21 DMV COMMISSIONER SCHROEDER: Thank
22 you. Thank you so much. When I became the
23 commissioner in 2019 I Googled DMV jokes, and
24 there were a million of them. Right now, not

1 so much. We're getting compliments from
2 New Yorkers who are stopping their day to
3 tell us how much they appreciate our people.
4 So thank you for that.

5 ASSEMBLYMAN RA: Yeah, the new
6 facility in my district where they moved over
7 into Uniondale, I've visited for many
8 different types of transactions and they've
9 been very smooth. So thank you.

10 DMV COMMISSIONER SCHROEDER: Thank
11 you.

12 CHAIRMAN PRETLOW: Senate?

13 CHAIRWOMAN KRUEGER: Thank you.
14 Senator Bynoe.

15 SENATOR BYNOE: Thank you,
16 Madam Chair.

17 Good afternoon, Commissioners.

18 DMV COMMISSIONER SCHROEDER: Good
19 afternoon.

20 SENATOR BYNOE: My question is for the
21 DMV commissioner.

22 So two people in the district have
23 reported -- one reported they turned in a
24 plate in Suffolk County, the others turned in

1 plates in Nassau. And subsequent to turning
2 in the plates, they received tickets. Is
3 that systemwide, or is this an isolated
4 situation?

5 DMV COMMISSIONER SCHROEDER: Yes. No,
6 no. So I am aware that this does happen.
7 And DMV is prepared to be helpful. So if you
8 have two outstanding cases right now, if you
9 could let me know or Shannon Milton, who is
10 our legislative director, she would be able
11 to look into this to see if there's anything
12 that DMV could do.

13 SENATOR BYNOE: So it's happening
14 throughout the system?

15 DMV COMMISSIONER SCHROEDER: Yeah,
16 this is -- I've heard this before, and I
17 don't believe it's just isolated to your
18 district.

19 SENATOR BYNOE: So what is the process
20 for rectifying that? I understand I can call
21 you separately, but I just would like to know
22 in the immediate.

23 DMV COMMISSIONER SCHROEDER: Yeah, so
24 I'm not exactly sure of what exactly the

1 process is. I am aware of what you're
2 talking about, and we can get back to you
3 with the details of it.

4 SENATOR BYNOE: Okay. Thank you very
5 much.

6 DMV COMMISSIONER SCHROEDER: You're
7 welcome.

8 CHAIRMAN PRETLOW: Is that it?

9 CHAIRWOMAN KRUEGER: That's it.

10 CHAIRMAN PRETLOW: Assemblywoman
11 Bailey.

12 ASSEMBLYWOMAN BAILEY: Well, good
13 afternoon. And my question is actually for
14 the commissioner, but thank you both for
15 being here.

16 And Commissioner, it's nice to see
17 you.

18 DMV COMMISSIONER SCHROEDER: Thank
19 you.

20 ASSEMBLYWOMAN BAILEY: Six years ago
21 you walked into the county clerk's office in
22 Livingston County, and I met you, and have
23 appreciated working with you over those years
24 and look forward to working with you in the

1 future.

2 DMV COMMISSIONER SCHROEDER: Thank
3 you.

4 ASSEMBLYWOMAN BAILEY: My question
5 specifically is in and around the e-bikes and
6 the shift in the budget. You know, it's
7 looking at reclassing the heavier e-bikes in
8 New York City over the 100 pounds as -- into
9 the limited-use motorcycles.

10 My question is specifically as it's
11 written right now, it indicates that it would
12 require the driver's license and the
13 registration. As limited-use motorcycles are
14 outlined with the Department of Motor
15 Vehicles, there's different classes based on
16 speed. And based on those classes, there's
17 additional requirements that might be
18 required -- i.e., inspections, helmets and
19 eyewear or insurance.

20 Do you see, in an attempt to make the
21 bike lanes safer, that there will be other
22 pieces added to that aside from the driver's
23 license and the registration being required?

24 DMV COMMISSIONER SCHROEDER: So thank

1 you, Assemblymember. And so as you indicated
2 correctly, the Governor is doing her best to
3 advance what is called smart legislation.

4 And so again, you're correct, e-bikes,
5 as you know, you do not have to have a
6 license or a registration, but a moped you
7 do. So those -- the heaviest e-bikes are the
8 ones that we're most concerned about right
9 now, and that will come under this to get a
10 license and be registered.

11 The Governor also has given -- like
12 this is a major problem in New York City. It
13 certainly is a problem in other places as
14 well. But also the Governor's initiative is
15 giving New York City the elastic power to
16 determine what the speed should be in the
17 bike lanes as well.

18 So these are a number of things that
19 the Governor is trying to do, and DMV, to be
20 helpful for public safety within our
21 communities.

22 ASSEMBLYWOMAN BAILEY: So do you
23 anticipate inspections or insurance needing
24 to be done on these bikes?

1 DMV COMMISSIONER SCHROEDER: So I
2 would say, Assemblymember, I am aware, as you
3 probably are as well, there are a number of
4 bills in the Assembly and the Senate that
5 probably will address that.

6 Right now we're only able to address,
7 you know, what's in the Governor's budget.
8 And so it has to do with the heaviest
9 e-bikes, it has to do with advancing smart
10 initiatives.

11 ASSEMBLYWOMAN BAILEY: Thank you very
12 much.

13 DMV COMMISSIONER SCHROEDER: All
14 right, thank you. Nice to be with you.

15 CHAIRMAN PRETLOW: Senate?

16 CHAIRWOMAN KRUEGER: Thank you.

17 I'm going to start with you at the
18 DMV. So we passed a number of laws in the
19 last couple of years to require that anybody
20 selling mopeds or other vehicles that have to
21 be licensed in New York State have to confirm
22 that you are actually getting the
23 registration and the insurance before you
24 leave their store.

1 I want to recognize my colleague
2 Alex Bores for his work on this, including a
3 report he did showing that there are more
4 unlicensed illegal mopeds I think in New York
5 City than those registered. So we changed
6 the law.

7 My question is have you been doing
8 investigations into these stores to confirm
9 that now they're following the law? And have
10 we seen an increase in actual registration of
11 these vehicles?

12 DMV COMMISSIONER SCHROEDER: Yeah.
13 So, Senator, thank you. And I know the
14 Assemblymember here also is very interested
15 in this as well.

16 And I am happy to report there is a
17 slight uptick. Now, you know that this just
18 went into effect about 30 days ago. But I'm
19 here to tell you that in 2023 there were
20 2,317 mopeds that were registered. In 2024,
21 5,702. Going into 2025, 7,353. So I do
22 believe that this bill, legislation,
23 Governor's signing, is going to begin to
24 help. And I'm interested in giving you

1 another report, maybe in six months or so,
2 not waiting until, you know, next year at
3 this time.

4 CHAIRWOMAN KRUEGER: Great.

5 So you also already heard questions
6 about vehicles that don't have legal license
7 plates or being-covered-up license plates,
8 et cetera. Because of I guess primarily
9 E-ZPass and the new technologies for
10 tracking, do we have new models for being
11 able to see and do something about these
12 vehicles and get them off the roads or make
13 it clear enough through penalty that people
14 stop with illegal license plates and with
15 covering their license plates?

16 DMV COMMISSIONER SCHROEDER: Yeah.
17 So, Senator, we at DMV and the Governor's
18 Traffic Safety Committee, we are proud to
19 partner with the New York City task force,
20 the Governor's task force, and with law
21 enforcement, especially in metropolitan
22 New York.

23 But on the enforcement side, once a
24 vehicle is stopped, then the law enforcement

1 person will know exactly what to do based on
2 what he or she is seeing.

3 CHAIRWOMAN KRUEGER: Okay.

4 So I gather you don't pull a driver's
5 license for this kind of penalty. Can you
6 pull an E-ZPass for this kind of penalty so
7 that they can't continue to get discounted
8 rates when they drive on our roads and
9 Thruways when they've been caught doing this?

10 DMV COMMISSIONER SCHROEDER: Yeah, so
11 this is where -- thank you. This is where we
12 work with the tolling agencies. And Frank
13 did mention this before, that the tolling
14 agencies, once they're at wits' end and
15 they're not being -- they're not getting the
16 payment that they deserve, then one step
17 would be for a suspension of the
18 registration, and that we do have the ability
19 to work with our tolling partners to do that.

20 THRUWAY AUTHORITY EX. DIR. HOARE: And
21 I would just say, Senator, so we do pull or
22 suspend an E-ZPass account if you haven't
23 paid your bill. So some of that 4 percent
24 that hasn't paid, most -- the vast majority

1 of them are people with Tolls by Mail, so ...

2 But there are accountholders who run
3 into arrears, and if they don't pay for a
4 certain amount of time, then we do suspend
5 their account.

6 CHAIRWOMAN KRUEGER: Thank you.

7 So this may be a unique to New York
8 City storyline, I don't know. But it's been
9 an urban myth or truth for as long as I've
10 been around that there are more cars
11 registered in Vermont that are actually in
12 New York City on a daily basis than in the
13 entire State of Vermont. And that is because
14 people are getting cheaper insurance by
15 illegally registering in another state that
16 they don't live in.

17 And it's always been the complaint
18 that if you eyeball cars on my streets,
19 you'll see that and go, Oh my God, is all of
20 Vermont here in Manhattan today? Probably
21 not. But it's been very hard to track that.

22 Because of E-ZPass and even because
23 perhaps of the new zone of congestion pricing
24 data, can we track in some way that a vehicle

1 that in theory is not registered in the State
2 of New York seems to be in the State of
3 New York, I don't know, 350 days a year, and
4 do something about it? Because we're losing
5 that money, right, that's supposed to be
6 coming to the State of New York.

7 DMV COMMISSIONER SCHROEDER: Together
8 with the tolling agencies and with the
9 transportation group, I wish I could answer
10 this question for you, because quite frankly
11 you have brought this up before. It's a
12 legitimate question, and I don't know exactly
13 what the answer is.

14 But we'll do our best to reexamine it
15 again and to see if there's a way that
16 New York can benefit from this.

17 CHAIRWOMAN KRUEGER: Well, again, when
18 a car is registered in another state, they
19 don't pay us those registration fees or tax
20 as a New York vehicle.

21 DMV COMMISSIONER SCHROEDER: Right.

22 CHAIRWOMAN KRUEGER: I think they do
23 get a lower insurance rate, but I'm not sure
24 we're supposed to encourage that. And I'm

1 sure Vermont's happy to take the money of
2 New Yorkers registering their cars there.
3 But I feel like we are not getting that
4 money, and it's not really kosher, so to
5 speak.

6 So I've always been -- and trust me,
7 if you live in New York City and you're
8 trying to park legally on the street parking,
9 you drive by and think, why are the people of
10 Vermont using every parking space on the
11 Upper East Side, or the Upper West Side, or
12 Lower Manhattan?

13 So I do think it is a problem for New
14 York. I'm just not -- I'm curious whether
15 all the new technology's giving us a
16 solution.

17 DMV COMMISSIONER SCHROEDER: Thank
18 you, Senator.

19 CHAIRWOMAN KRUEGER: Thank you.

20 Sorry, one more. One of my colleagues
21 just asked about the annual registration fees
22 when you have to have your car inspected, and
23 that fewer places want to even do these
24 inspections. So the person I get my car

1 inspected with every year said, Why do we
2 still have to do this every year? The car's
3 technology has radically changed. A car that
4 is one to 10 years old doesn't have the
5 problems we're measuring. It just doesn't.

6 So have you looked into whether
7 there's a reason to decrease the frequency
8 with which we make everybody have their cars
9 inspected?

10 DMV COMMISSIONER SCHROEDER: Yeah.
11 Senator that is a very legitimate question.
12 And quite frankly I do remember seeing it in
13 a State of the State or maybe in a budget
14 some time ago. So I will reexamine and work
15 with the operations folks at DMV to see where
16 that is and what sort of appetite the
17 Legislature might have on something like
18 that.

19 But thank you for that. I'll follow
20 up with you on that.

21 CHAIRWOMAN KRUEGER: Thank you very
22 much.

23 And then last, for Frank. So there
24 was discussion already about needing more

1 chargers on the Thruways for medium and heavy
2 trucks. And my understanding is that because
3 of the I guess grandfathering-in of certain
4 language at the rest stops, you have the
5 ability to put in the electric chargers for
6 the cars and trucks -- for the trucks.

7 So what is preventing us from doing
8 it?

9 THRUWAY AUTHORITY EX. DIR. HOARE:
10 Again, it's the technology and the power, the
11 power that we need for the utility.

12 But we have that ability under the
13 service area agreements -- you're talking
14 about now for medium- and heavy-duty?

15 CHAIRWOMAN KRUEGER: Yeah, the medium
16 and heavy.

17 THRUWAY AUTHORITY EX. DIR. HOARE: So
18 it is looking at the technology, it's looking
19 at the -- working with the utilities to get
20 the power in there.

21 And there will be an element of the
22 space. As I described earlier, a tractor
23 trailer needs a lot more space to pull up to
24 a charging station than a passenger vehicle.

1 So those are all the challenges we are
2 facing right now that we're working through.

3 And again, one of the things we have
4 done is identified 10 sites, in cooperation
5 with our partners, because we are just one
6 part of the puzzle, right. So we work with
7 DOT, we work with localities, because we want
8 a system that a -- whether you're driving a
9 truck or a passenger vehicle, you can get on
10 and find a connection and a route that has
11 those chargers.

12 And we're working with other states,
13 too, because if we charge up here, it doesn't
14 help us if Pennsylvania or Ohio or New Jersey
15 doesn't have that too. So when you get to
16 transportation, it's all interconnected
17 because different people, different entities
18 own the roads.

19 CHAIRWOMAN KRUEGER: Right. And
20 apparently there's been a decent amount of
21 national data being collected. And I don't
22 see New York on one of the lists for the
23 states that are doing the best with it, so I
24 guess I'll encourage us to take a look at

1 states that seem to be doing better and
2 seeing if we can steal their best practices.
3 Because I know we have to get there, and I
4 would like us to get there as quickly as
5 possible.

6 THRUWAY AUTHORITY EX. DIR. HOARE:
7 Yes, Chair.

8 CHAIRWOMAN KRUEGER: Thank you.
9 And I've used up my time. Thank you,
10 Mr. Assembly.

11 CHAIR PRETLOW: Assemblyman Palmesano.

12 ASSEMBLYMAN PALMESANO: Yes, quick,
13 Mr. Schroeder. I just want to say --
14 Commissioner Schroeder -- thanks for what
15 your department does on Donate Life. I see
16 your pin. Thanks for the work you do there.

17 But in that sense, I hope you -- when
18 you're talking to the Governor offline,
19 Donate Life -- and she proposed a
20 quarter-trillion-dollar budget, increased her
21 proposal by \$19 billion over last year, and
22 she proposed cutting a million dollars from
23 Donate Life programs, which makes no sense to
24 me. So hopefully offline you can talk to her

1 about that.

2 Don't need any comments, I only have
3 three minutes. But I definitely -- but
4 hopefully you can do that.

5 Director Hoare, my questions are for
6 you, and I'll just ask all of my questions.
7 You said that -- I was reading your
8 statement -- we're actively working with our
9 utility partners to analyze electricity
10 capacity and energy capacity. But yet we
11 have this ACT regulation that's already in
12 effect.

13 You spent \$450-million-plus
14 redesigning all the rest areas, but there's
15 no charging infrastructure? This makes no
16 sense to me. And shouldn't we do the
17 feasibility study, the analysis, before we
18 put this mandate on our trucking industry? I
19 mean, that seems like it would be the
20 commonsense thing to do. But this is
21 New York State; everything doesn't seem to be
22 done by a commonsense measure.

23 This will in fact destroy the trucking
24 industry. You mentioned you had

1 talks about the affordable housing crisis we
2 have in New York State -- how's that going to
3 make it more affordable?

4 Ladies and gentlemen, we've got to
5 stop this. We've got to pause and hit the
6 brakes on this thing. Other states are
7 delaying it. We need to implement it. You
8 should have been here before -- and I know
9 every one of my colleagues wants to say,
10 Well, this is to help save the environment.
11 Nonsense. This is going to do nothing to
12 save the environment, because New York only
13 contributes 0.4 percent of global emissions,
14 0.4. China contributes 30 percent, has a
15 thousand coal plants and building more every
16 week. It's not going to matter one
17 difference.

18 We can get down to zero, but it's not
19 going to do anything. But we will have more
20 New York families, farmers, businesses and
21 people leave the State of New York with these
22 continued nation-leading outmigrations. We
23 have to change this and stop this, and I hope
24 my colleagues put a pause on this ACT

1 regulation now.

2 CHAIRMAN PRETLOW: Thank you.

3 Assemblywoman Hooks.

4 ASSEMBLYWOMAN HOOKS: Hello. Good
5 afternoon. Thank you, Chair, and thank you,
6 Commissioners, for your time today.

7 My question is about reckless e-bikes.
8 I know you've had other questions about
9 e-bikes. This is one of the biggest
10 quality-of-life issues New Yorkers have
11 raised. These bikes speed through red
12 lights, ride the wrong way, and ride the
13 sidewalk. My constituents are always coming
14 to me with stories of almost being hit by
15 either an e-bike or a scooter, which last
16 year alone were involved in 800 collisions in
17 New York City.

18 We have a bill that will require DMV
19 license plates on e-bikes and scooters, and
20 another bill that requires liability
21 insurance that will hold people accountable.
22 If the state were to begin requiring the DMV
23 to issue license plates to electric bicycle
24 and scooter riders, would the agency be able

1 to handle that demand? And what additional
2 resources would be needed to support the
3 agency?

4 DMV COMMISSIONER SCHROEDER: So,
5 Assemblymember, thank you for your question.
6 And I understand your concern here. And I
7 think this is the reason why the Governor has
8 addressed this this year in the budget.

9 And so as you know, TED Part G
10 reclassifies the ultra-heavy-e-bike as a
11 moped. Which means you would have to license
12 it and you would have to register it. Those
13 are the heaviest e-bikes that are traveling
14 in New York City, and so we want to be able
15 to address that.

16 It also gives New York City the
17 ability to determine speed limits in the bike
18 lanes. The Governor has also put that in.
19 And also the Governor, as you know, last year
20 she signed a package of bills to address
21 lithium-ion battery safety, which is also a
22 concern of yours and others, especially in
23 the city.

24 So we are very mindful of all of your

1 concerns, and this is the reason why the
2 Governor has advanced what is called the
3 smart legislation on e-bikes, and DMV and the
4 Governor's Traffic Safety Committee will
5 continue to work with you and other
6 organizations in New York City to see how we
7 can do better.

8 ASSEMBLYWOMAN HOOKS: Okay. Has there
9 been a survey on the weight that bikes --
10 what weight the bikes were that were in these
11 collisions? Or where did the weight come
12 from?

13 DMV COMMISSIONER SCHROEDER: Yeah, so
14 there have been all sorts of information that
15 we're able to ascertain. But I think this
16 attempt was to take the heaviest e-bike that
17 we're aware of and to make it a moped,
18 meaning that it would be classified as a
19 moped, so you would have to have a license
20 and registration.

21 So that's a first step of what we're
22 trying to do, and we'll continue to do our
23 best.

24 CHAIRMAN PRETLOW: Thank you.

1 Assemblymember Shimsky.

2 ASSEMBLYWOMAN SHIMSKY: Yes, thank
3 you. First, might as well give the
4 commissioner another gold star for taking the
5 butt of jokes and turning it into a really
6 well running organization. I've had my own
7 personal before and after experiences, and
8 thank you so much for all of that.

9 DMV COMMISSIONER SCHROEDER: Thank you
10 for that.

11 ASSEMBLYWOMAN SHIMSKY: In terms of
12 publicizing the REAL ID, you know, have you
13 been trying to work through with car
14 dealerships? Because you've got people there
15 who are thinking about cars, and there are
16 all kinds of other related businesses that
17 may be willing to help publicize it. And
18 that can reach to more people as well.

19 Going back to the Thruway Authority,
20 I'd like to talk about bridge strikes. As
21 you know, especially in the Hudson Valley,
22 it's a real problem given that our roads were
23 constructed a long time ago and especially
24 out-of-town trucking businesses don't know

1 what a parkway is, for example.

2 And of course we had the big one just
3 coming over right before the approach to the
4 Cuomo Bridge. What are you seeing as
5 potential new avenues for trying to prevent
6 the number of bridge strikes?

7 THRUWAY AUTHORITY EX. DIR. HOARE:

8 Well, it's plaguing every transportation
9 entity in the country the last two or three
10 years. There are different views of why
11 that's so.

12 But I will say that regardless if
13 you're from the state or not, you're required
14 to know what the rules are. And our lowest
15 bridge is at least six inches above the
16 federal level. So there really is no excuse.

17 So what we're working with, as I
18 referred to in my testimony, we started
19 working with the State Police, we had the
20 enforcement program last fall. Again, out of
21 7,000 violations -- and that can be
22 violations for anything, but there were 31 or
23 32 that were specifically over-height, so we
24 think we saved it there.

1 We're working with partners at the
2 Trucking Association to get the word out. We
3 put the word out in terms of the bridges.
4 But, I mean, at the -- ultimately it's up to
5 the driver. They're supposed to know what
6 the rules and regulations are. They're
7 supposed to map out their route.

8 That driver hit that particular bridge
9 in Nyack, the South Broadway Bridge -- which
10 cost us \$6 million, by the way, in terms of
11 tolls lost in the 16-hour period, and then
12 reconstructed. They're supposed to know
13 those rules. He was not aware of it, he was
14 a Florida driver.

15 But we've got to keep at it. We're
16 looking for enforcement and getting that word
17 out on those programs.

18 ASSEMBLYWOMAN SHIMSKY: Okay, thank
19 you.

20 CHAIRMAN PRETLOW: Thank you.
21 Assemblyman Bores.

22 ASSEMBLYMAN BORES: Thank you both for
23 being here.

24 My questions are for the commissioner,

1 and around the e-bike proposal, following up
2 on my colleague Assemblymember Hooks'
3 questions.

4 Do we know what percentage of e-bikes
5 in New York on the market are over a hundred
6 pounds? Like what -- how much of the market
7 would this apply to?

8 DMV COMMISSIONER SCHROEDER:
9 Assemblymember, I don't have that data at my
10 fingertips, but I'll do my best to see if we
11 can ascertain it.

12 ASSEMBLYMAN BORES: That would be
13 great, thank you.

14 And then just, like, how would it be
15 implemented? Would this include the weight
16 of the battery or extra batteries that people
17 are carrying? Would officers have to weigh
18 the e-bike if they pull someone over? Does
19 it include the four-wheel cargo bikes? Like,
20 just a few more details as to how this weight
21 threshold plays out.

22 DMV COMMISSIONER SCHROEDER: Yeah. So
23 on that as well, I'm aware of what I already
24 said. So I will go back, though, and get

1 more information for you on that.

2 ASSEMBLYMAN BORES: Thank you.

3 Appreciate it.

4 The Mobile ID, I have the app, it's
5 great. Congratulations on that. There are
6 nine states that let you just directly add
7 your ID to your Apple Wallet, you don't need
8 to download a new app.

9 Is that on our roadmap? Is there a
10 reason we haven't chosen that yet?

11 DMV COMMISSIONER SCHROEDER: Yes. The
12 short answer is yes, we are very aware of
13 that. And we will do our best to do that.
14 Thank you.

15 ASSEMBLYMAN BORES: Wonderful. Thank
16 you. And then as -- following up on
17 Chair Magnarelli's questions on the IT
18 modernization, there's been 106 million
19 allocated fiscal year '23, 22 million before
20 that, fiscal year '22, 174 million fiscal
21 year '25. The results are clear. I mean,
22 the website is great, and it's improving.

23 But how do we know we're not going to
24 be back for more? I mean, given the -- I

1 think when the 101 or 106 went out in fiscal
2 year '23, you weren't expecting 178 two years
3 later. Sort of what have we learned, what's
4 changed, so that we know we're not going to
5 have to keep putting money in after this?

6 DMV COMMISSIONER SCHROEDER: You know,
7 I think the real answer is the measurement
8 tool that we're using for this. And so right
9 now that includes me and DMV communicating
10 constantly with Dru Rai, who's the ITS CIO.
11 We also communicate with our 3,000 employees
12 with town hall meetings, Auto Dealers
13 Associations, dealers, county clerks. And
14 the feedback that we're getting is that
15 everybody understands what it is we're trying
16 to do and the money has been allotted for now
17 through 2028, 2029.

18 So we feel very, very comfortable that
19 we do not have to come back here, all we have
20 to do is execute. And the customers will
21 benefit from this once we launch it next
22 February 2026.

23 ASSEMBLYMAN BORES: Thank you.

24 DMV COMMISSIONER SCHROEDER: You're

1 welcome. Thank you for the question.

2 CHAIRMAN PRETLOW: Is that it?

3 Assemblyman Eachus.

4 ASSEMBLYMAN EACHUS: Thank you,
5 Chairman Pretlow.

6 Commissioner, first a question for
7 you. Many, many moons ago I was a county
8 legislator -- many moons ago -- and it was
9 during the time when they went to -- the
10 state informed us that you could do online
11 registering. That, of course, caused a huge
12 revenue shrinkage for the counties.

13 At this point in time are we planning
14 on implementing or are we implementing any
15 other programs that are going to reduce the
16 fees that the counties can gather?

17 DMV COMMISSIONER SCHROEDER: Yeah, so,
18 Assemblyman, I would say you probably would
19 want to have some conversations with the
20 county clerks. For example, because we work
21 with the 51 county clerks, we changed the
22 county retention last year. It became
23 effective January 1st, thanks to the Governor
24 and the New York State Legislature, and they

1 are actually receiving more money. And
2 they've deserved it.

3 ASSEMBLYMAN EACHUS: Okay, thank you
4 very much.

5 Director, again, thank you for the
6 phone call that we recently had. Please
7 express to your 1800 employees that we're
8 obviously, bipartisan, overwhelmed with the
9 great work that they do. And I'm so glad
10 that we're working together on the safety
11 issue for your workers.

12 A couple of questions I had, because I
13 had a meeting with DOT many months ago. In
14 the camera-monitored work zones, is it five
15 or six miles over the posted speed limit, or
16 11 miles over the posted speed limit that
17 you're going to get the violation?

18 THRUWAY AUTHORITY EX. DIR. HOARE:
19 Eleven, Assemblyman.

20 ASSEMBLYMAN EACHUS: Okay. And is it
21 true, as I was told, that this will also
22 refer to the EMS vehicles, the police cars,
23 the ambulances, the fire trucks, so on like
24 that?

1 THRUWAY AUTHORITY EX. DIR. HOARE: If
2 they speed through a work zone?

3 ASSEMBLYMAN EACHUS: Yeah.

4 THRUWAY AUTHORITY EX. DIR. HOARE:
5 Yes, it applies to them.

6 If they're responding to an emergency
7 situation, they would not receive a
8 violation.

9 ASSEMBLYMAN EACHUS: Okay. Well, we
10 need to inform them of that. That's our job.
11 But -- okay.

12 And then another question is I have a
13 bill out there that will give free E-ZPasses
14 to ambulances and ambulance -- well,
15 actually, just the ambulances. I don't think
16 it will be the control cars.

17 Do you see a problem with that?
18 Because the fire departments have free
19 E-ZPass at this point, right?

20 THRUWAY AUTHORITY EX. DIR. HOARE:
21 Well, we don't have an E-ZPass. We have a
22 program, we've had it for some 30 -- 30
23 years, where emergency vehicles, whether they
24 be fire or ambulance or police, if they were

1 responding to an emergency, they do not pay a
2 toll.

3 ASSEMBLYMAN EACHUS: Well, I heard
4 that the ambulances have to reapply to get
5 that money back -- or apply to get the money
6 back. They're charged, and then they have to
7 apply to get the money back?

8 THRUWAY AUTHORITY EX. DIR. HOARE:
9 Well, if they have an E-ZPass, their account
10 would be charged and then they'd submit the
11 information and we would reimburse them for
12 that toll.

13 ASSEMBLYMAN EACHUS: Okay. Well,
14 that's time-consuming, and they don't have
15 time.

16 The last thing, do we have animal
17 crossings planned for the Thruway?

18 THRUWAY AUTHORITY EX. DIR. HOARE: No,
19 not at this time.

20 CHAIRMAN PRETLOW: Thank you.
21 Assemblyman Jacobson.

22 ASSEMBLYMAN JACOBSON: Thank you.
23 It's good seeing both of you again.

24 DMV COMMISSIONER SCHROEDER: Thank

1 you.

2 THRUWAY AUTHORITY EX. DIR. HOARE:

3 Thank you.

4 ASSEMBLYMAN JACOBSON: As far as the
5 DMV, I'm not getting any complaints at the
6 moment, but it doesn't mean -- I do expect to
7 have when the enhanced driver's license
8 deadline comes. I expect that. If anything,
9 I get complaints about the county, but I
10 don't get complaints about your stuff.

11 Thruway, I like to say when things are
12 better as well, that I'm not always
13 complaining. And it made a big difference on
14 the paving that you've done, particularly
15 Exit 17, because of all the trucks that get
16 off at the Newburgh exit to get on to
17 Interstate 84 and cross the bridge and so
18 forth.

19 New Paltz, there's got to be something
20 wrong underneath the ground by the New Paltz
21 exit when you go north on both sides. I
22 mean, it's just something that's there, that
23 it didn't -- doesn't seem to stay as well, in
24 as good a condition as the others.

1 So I only have a couple of questions.
2 When are the rest areas going to be completed
3 and open?

4 THRUWAY AUTHORITY EX. DIR. HOARE:
5 Twenty-four are completed now. There's one
6 next Tuesday, No. 26 on March 17th,
7 St. Patrick's Day. And then the final one
8 will be early fall.

9 ASSEMBLYMAN JACOBSON: And when?

10 THRUWAY AUTHORITY EX. DIR. HOARE:
11 Early fall will be the last one. Two in the
12 next couple of weeks.

13 ASSEMBLYMAN JACOBSON: Because the
14 complaint I get about that is not so much --
15 not the food, because they can go a lot of
16 places, but bathrooms. People need
17 bathrooms. It's a long trip. And I don't
18 know why we can't put temporary bathrooms
19 there like you see at work sites. I think it
20 would be a temporary solution that would
21 work.

22 That's all I have at the moment. So
23 keep paving. Don't wait 20 years like your
24 predecessor.

1 THRUWAY AUTHORITY EX. DIR. HOARE:

2 Will do. Thank you.

3 ASSEMBLYMAN JACOBSON: Thank you.

4 CHAIRMAN PRETLOW: Assemblywoman
5 Gallagher.

6 ASSEMBLYWOMAN GALLAGHER: Thank you so
7 much.

8 Hi, Commissioners.

9 DMV COMMISSIONER SCHROEDER: Hi,
10 Assemblymember.

11 ASSEMBLYWOMAN GALLAGHER: Thank you.

12 I am really interested in the line of
13 communication between DMV, courts, law
14 enforcement and other agencies with regard to
15 drivers with terrible records of complete
16 violations -- multiple license suspensions
17 and so forth. Are the State Police,
18 Thruway troops, NYPD, MTA Police and others
19 notified of cars or drivers to look out for
20 by DMV, and vice versa?

21 DMV COMMISSIONER SCHROEDER: I'm
22 sorry, repeat that, I --

23 ASSEMBLYWOMAN GALLAGHER: Yeah, sure.

24 I was wondering if when you know that

1 someone is a reckless driver, is there a
2 communication between you and law enforcement
3 about keeping an eye out for that license
4 plate or that individual?

5 DMV COMMISSIONER SCHROEDER: Yeah, so,
6 Assemblymember, I think the way I would like
7 to answer the question that you're very
8 concerned about is the Governor has
9 introduced some initiatives in the State of
10 the State and in the budget. One has to do
11 with drugged driving, and the other has to do
12 with what your concern is, what I would call
13 traffic safety regulations. And the Governor
14 is addressing that as well.

15 And so we will continue to use those
16 initiatives to be able to solve the problem
17 that you're seeing, you know, within your
18 district.

19 ASSEMBLYWOMAN GALLAGHER: Yeah, most
20 of the reckless driving that I've seen really
21 have a human cost, including death of
22 pedestrians, has been folks who have
23 suspended licenses that are still able to
24 rent a car and drive their car and, you know,

1 are still driving recklessly.

2 So that's just something I want to
3 flag. And I think I even have a solution for
4 it, which is speed-governor technology. Have
5 you been aware of this kind of technology
6 being used in other states and other
7 countries? It's super-successful.

8 DMV COMMISSIONER SCHROEDER: Yeah, so
9 personally I'm not aware of it, but I do --
10 my deputy commissioner is also an officer of
11 AAMVA. AAMVA is the organization that works
12 with all 50 states' DMVs.

13 And so I will ask him if he's aware of
14 that and what AAMVA's -- what their feeling
15 is on that and how that could help us.

16 ASSEMBLYWOMAN GALLAGHER: Great. I
17 would love to work together with you all
18 about making sure that we get some kind of
19 reckless driver accountability program
20 involved that actually interrupts people's
21 ability to speed. Because sometimes with
22 folks speeding is the addiction, not
23 necessarily drugs or alcohol. Sometimes it's
24 actually the need for speed.

1 And as a lover of the Rockford Files,
2 you know, it can be entertaining, but it is
3 not -- it's not a good thing in the city.

4 DMV COMMISSIONER SCHROEDER: We can
5 work with you on that.

6 And as I said, the Governor has an
7 initiative we'll share with you.

8 ASSEMBLYWOMAN GALLAGHER: Great.
9 Thanks.

10 CHAIRMAN PRETLOW: Thank you.
11 Assemblywoman Giglio.

12 ASSEMBLYWOMAN GIGLIO: Thank you.

13 As I'm sure you're aware, my two sons
14 and I are members of International Union of
15 Operating Engineers Local 138, Heavy Highway.
16 So expanding the crime of assault on a
17 highway worker is personal to me.

18 But my concern and hope is that
19 cameras are not intended to replace law
20 enforcement. Cameras do not handle
21 accidents, bad roads, speeding, slowing
22 people down in inclement weather, and many
23 other safety measures, such as assault on a
24 highway worker.

1 So do you believe that cameras will be
2 more effective in making sure that there is
3 no assaults on highway workers on the
4 roadways?

5 DMV COMMISSIONER SCHROEDER: So,
6 Assemblymember, at this point in time I
7 believe that what the Governor has initiated
8 this year may be helpful to what you're most
9 concerned about.

10 And so this began as a pilot program.
11 The Governor is interested in making this a
12 permanent program and expanding it to include
13 others, like MTA and other tolling agencies
14 as well.

15 So we at DMV, I know my partners in
16 the transportation portfolio, we are all with
17 you on this, and we want to do our best to
18 make sure that we protect our workers and
19 everybody in New York.

20 ASSEMBLYWOMAN GIGLIO: I just think
21 that law enforcement, suited at a
22 construction site, is -- especially because
23 of the assault that happened in Monroe County
24 last year, which prompted this, I believe.

1 And I think it's laudable for sure. God
2 bless that family and that person that lost
3 his life.

4 But the assault took place, I believe,
5 as it was explained to me by the DOT
6 commissioner, after the work zone, where an
7 angry driver pulled over on the side of the
8 road and, you know, assault is taking place
9 after the work zone. So how are cameras
10 going to capture that and replace law
11 enforcement?

12 DMV COMMISSIONER SCHROEDER: I don't
13 think there's any replacement of law
14 enforcement. But the cameras will aid us,
15 and I think that is what we're looking to do
16 And one of the reasons why the pilot program
17 has been successful thus far.

18 But I think we need to take it to the
19 next level, and that's what the Governor is
20 proposing within the State of the State and
21 the budget.

22 ASSEMBLYWOMAN GIGLIO: Okay. And for
23 you, please, if you could answer. You said
24 that it is 70,000 violations; 300,000 of that

1 fund will go towards safety and equipment and
2 cameras and things of that nature for work
3 zones.

4 So how much was collected altogether
5 out of those 70,000 tickets, violations?
6 What was the total amount that was collected
7 through the pilot?

8 THRUWAY AUTHORITY EX. DIR. HOARE: It
9 was several million. I don't know what the
10 latest number is. I will get that to you.

11 But they're all operating costs to the
12 program.

13 ASSEMBLYWOMAN GIGLIO: Okay. And then
14 I do get a lot of complaints from people that
15 have actually shown me videos of them getting
16 tickets in work zones where there's no work
17 going on.

18 So how are you going to manage that,
19 Commissioner?

20 THRUWAY AUTHORITY EX. DIR. HOARE: The
21 legislation specifically provides that it has
22 to be in --

23 (Overtalk.)

24 CHAIRMAN PRETLOW: Hold that -- hold

1 that thought.

2 Assemblyman Otis.

3 ASSEMBLYMAN OTIS: Thank you.

4 Thank you, Commissioner and Director.

5 I first want to thank both of you and
6 your staffs at your agencies for how
7 responsive you are, your teams are, to
8 constituent issues that come up. I think I
9 probably speak for everybody here, but I
10 certainly speak for myself. And so important
11 to say that for Thruway Authority, Todd Gold
12 is in the house. Thank you, Todd Gold. So
13 very -- very exceptional.

14 I have a -- for Commissioner
15 Schroeder, thank you for the technology
16 upgrades at DMV. Exceptional job. And
17 you've done a great job leading that effort.

18 Director Hoare, a question for you. A
19 lot of talk today about EV charging and all
20 that sort of stuff. For vehicles, you have a
21 subcontractor that has installed the vehicles
22 at your rest areas, but you have a process
23 for, as the demand goes up, that contract has
24 built into it more charging stations at those

1 sites.

2 Can you tell us how that process works
3 or will work down the road.

4 THRUWAY AUTHORITY EX. DIR. HOARE:

5 Yes, Assemblyman, the operator of the service
6 areas is contractually obligated to meet the
7 demand. So as demand goes up, they are
8 required to meet that demand. Currently less
9 than 2 percent of New York are EVs, but we
10 know that's going up. We want that to go up.
11 And the operator is contractually responsible
12 and obligated to meet that demand.

13 ASSEMBLYMAN OTIS: So as we start to
14 see lines at the charging stations at rest
15 areas, there's a process to tell them they
16 need to expand. Can that happen with some
17 kind of alacrity?

18 THRUWAY AUTHORITY EX. DIR. HOARE:

19 Yes. It hasn't happened yet. We track this.
20 We can -- we track usage at each and every
21 site. We've had no issues of lines or
22 delays. But as the volume increases,
23 certainly we'll be monitoring that very
24 closely to make sure that we meet that

1 demand.

2 ASSEMBLYMAN OTIS: Great. Thank you
3 very much. I'll yield back my time.

4 THRUWAY AUTHORITY EX. DIR. HOARE:
5 You're welcome.

6 CHAIRMAN PRETLOW: Assemblyman Durso.

7 ASSEMBLYMAN DURSO: Thank you,
8 Chairman.

9 Thank you both for being here today.

10 So, commissioner, I just had two quick
11 questions I wanted to try and get at. When
12 it comes to the EV bikes, you said that as of
13 right now in the Governor's proposal there's
14 no insurance policy needed for the
15 registration, correct?

16 DMV COMMISSIONER SCHROEDER: I didn't
17 say that. That was suggested, and I'm not
18 sure about that. So I can get back to you
19 about that, Assemblymember.

20 ASSEMBLYMAN DURSO: Just your thought
21 on it. Do you think that those EV bikes --
22 because obviously some of them weigh
23 320 pounds, go about 20 miles an hour. Do
24 you feel that they should -- again, hearing

1 from others talking about accidents with
2 them, do you feel that they should have an
3 insurance policy on them when they register?

4 DMV COMMISSIONER SCHROEDER: So I
5 believe, Assemblymember, that that really
6 would be a legislative matter. That would be
7 something for the Assembly and the Senate to
8 come up with. And then we would do
9 everything we can to implement it exactly the
10 way you want it.

11 ASSEMBLYMAN DURSO: Okay. And my
12 other question would be about the inspection
13 stations. With EV cars, obviously
14 inspections are done differently. Right?
15 There's different components that are done.
16 I mean, if you take a 1985 Corvette,
17 obviously the inspection is different than
18 on, you know, a 2024 Tesla.

19 Has there been money appropriated for
20 these inspection stations to use different
21 equipment to make sure that those inspection
22 stations are getting what they need, and then
23 be able to charge a certain amount depending
24 upon what training has to be taken place, the

1 computer system that they need?

2 DMV COMMISSIONER SCHROEDER: Yes. The
3 answer is yes. We just completed the program
4 that ended last year that gave all of the
5 inspection stations new equipment. And so
6 we're forever looking at that to make sure
7 that they're up to speed and that they have
8 the best technology available.

9 And we will continue at DMV to
10 evaluate the concern that many of you have in
11 terms of the inspection fees. And we will
12 let you know what direction we can go in,
13 with your help.

14 ASSEMBLYMAN DURSO: So just a quick
15 question with that. You said you gave the
16 inspection stations those new machines. Do
17 the inspection stations pay for those, or
18 does the state pay for them and provide them
19 to those inspection stations?

20 DMV COMMISSIONER SCHROEDER: They
21 would pay for them.

22 ASSEMBLYMAN DURSO: So we're not
23 giving it to them. The inspection --

24 DMV COMMISSIONER SCHROEDER: Oh, no.

1 Yeah, sorry.

2 ASSEMBLYMAN DURSO: -- stations
3 purchase them, correct? Do you know the
4 prices on those?

5 DMV COMMISSIONER SCHROEDER: I don't.
6 But I can get you that.

7 ASSEMBLYMAN DURSO: I'm interested --
8 just assuming, especially as time goes on, as
9 technology progresses, those machines are
10 pretty expensive for those inspection
11 stations to take on, correct?

12 DMV COMMISSIONER SCHROEDER: Yeah, and
13 it's something -- the machines that we look
14 at are important that they can do everything
15 for a period of time, so they don't have to
16 be replaced on a yearly basis. But I can get
17 you more information on that.

18 ASSEMBLYMAN DURSO: Okay. And then
19 just one thing I wanted to throw out there.
20 I know that somebody had mentioned about,
21 especially with newer cars, they don't need
22 to be inspected every year -- well, they felt
23 that maybe they don't need to be inspected
24 every year because of technology. The fact

1 of the matter, inspections aren't just about
2 internal, they're external -- tires,
3 windshields, so forth, just for safety
4 reasons. So thank you.

5 DMV COMMISSIONER SCHROEDER:

6 Understood. Thank you.

7 CHAIRMAN PRETLOW: Thank you,
8 Assemblyman.

9 Assemblywoman Simon.

10 ASSEMBLYWOMAN SIMON: Good afternoon.
11 Thank you. It's almost good evening. Good
12 to have you here.

13 DMV COMMISSIONER SCHROEDER: Thank
14 you.

15 ASSEMBLYWOMAN SIMON: I have a quick
16 question which I hope is appropriate for you.
17 The Governor has in her Executive Budget an
18 expansion of DUI and driving while
19 intoxicated that is -- goes to drugs or other
20 substances than alcohol. Are you familiar
21 with this proposal?

22 DMV COMMISSIONER SCHROEDER: Oh,
23 absolutely, yes.

24 ASSEMBLYWOMAN SIMON: So one of the

1 questions I have, because in looking at this
2 in the past -- is how it is that we are able
3 to test for other substances, that it's not
4 clear what these levels might be that might
5 be impairing. There are so many possible
6 combinations.

7 Can you tell me how this would
8 actually be assessed? I understand,
9 obviously, if there's saliva, right, we're
10 talking about --

11 DMV COMMISSIONER SCHROEDER: So,
12 Assemblymember, thank you for the question --

13 ASSEMBLYWOMAN SIMON: How can you
14 confirm that somebody's going to be
15 intoxicated?

16 DMV COMMISSIONER SCHROEDER: So --
17 sorry to interrupt you.

18 ASSEMBLYWOMAN SIMON: No, no,
19 that's --

20 DMV COMMISSIONER SCHROEDER: Thank you
21 for your question. As you indicated, it is
22 in the Governor's budget, TED Part E, to
23 strengthen drugged driving laws. And this
24 subject matter did come up quite a bit in our

1 discussion last year.

2 This also came up in the Governor's
3 State of the State address. And this
4 expands, this expands the definition of drug
5 and adds definition for impaired and
6 intoxication. It also adds penalties for
7 refusing chemical drug testing. And it also
8 expands reasons for suspending a driver's
9 license to include drugged driving.

10 Now, to your question, I must tell you
11 I got a D in anatomical kinesiology, but I'll
12 do my best here to give you this information.
13 A chemical test can detect alcohol,
14 amphetamines, opiates, cocaine, cannabis. So
15 I think this is one of the reasons why this
16 initiative is so important, because it does
17 fit also with our drug recognition experts
18 that we have across the state who are
19 incredible and they do a great job.

20 ASSEMBLYWOMAN SIMON: So I guess my
21 question is, what is the level at which --
22 like we have a definition of blood alcohol
23 content, right, which I think should be
24 lower, but we have one.

1 We don't really have a level of how
2 much of X drug or how much amphetamine or how
3 much whatever. Is there new science on that
4 that you have learned about that we can
5 actually know that information?

6 DMV COMMISSIONER SCHROEDER: So this
7 is the reason why the drug recognition
8 experts are so important and we have so many
9 of them across New York State. And they're
10 working with all sorts of law enforcement
11 agencies in all the regions and New York
12 City.

13 CHAIRMAN PRETLOW: Thank you.
14 Assemblywoman Romero.

15 ASSEMBLYWOMAN ROMERO: Good afternoon,
16 Commissioner. And I'm just jumping off of
17 that last question.

18 DMV COMMISSIONER SCHROEDER: Okay,
19 sure. Sure.

20 ASSEMBLYWOMAN ROMERO: I share that
21 concern. I'm concerned with the language
22 about impairment but, more specifically, the
23 level of impairment about any substance. For
24 example, one could be impaired by coffee or

1 caffeine, and that could potentially trigger
2 a violation of this section of the VTL and
3 therefore an arrest and a court date,
4 correct?

5 DMV COMMISSIONER SCHROEDER: Correct.

6 ASSEMBLYWOMAN ROMERO: Right. And so
7 that's very troubling, I think, to many --
8 that could be potentially very troubling to
9 many members here. And that's something that
10 I would hope many people might reconsider in
11 this upcoming budget, because to be impaired
12 by coffee or by caffeine is something that I
13 don't know if that should be codified within
14 our VTL.

15 I understand that there is a desire to
16 catch larger violations of drugged drivers.
17 And I think that maybe there's a
18 consideration to look at other violations of
19 the substances. Maybe we can expand that
20 list for the ever-changing drugs in that
21 section.

22 DMV COMMISSIONER SCHROEDER: Yeah --

23 ASSEMBLYWOMAN ROMERO: Is there a
24 suggestion there?

1 DMV COMMISSIONER SCHROEDER: I just
2 want to come back. I'm unaware of the
3 coffee/caffeine thing. So we'll double-check
4 that for you.

5 But the real emphasis here is that we
6 have drug recognition experts who will be
7 called to the scene, or a police officer will
8 do what they do roadside. Right? And we
9 have roadside police, police that we've
10 trained, over 7,000 of them in New York
11 State. They are equipped. They know what to
12 do. And they will then be able to make the
13 chemical determination. And so I think it
14 would be a very fair process.

15 ASSEMBLYWOMAN ROMERO: Yeah. And I
16 was just using caffeine as an example of a
17 stimulant, but I think in the language,
18 proposed language itself it was expanding the
19 definition of impairment to be any substance
20 that could impair one's regular functioning.
21 Right?

22 DMV COMMISSIONER SCHROEDER: I don't
23 know about that, because the intent here is
24 for the drugged driver. That is the intent

1 of this. And so we're really going to have
2 to go through the detail of the bill to make
3 sure that what your concern is, whether it's
4 there or not, so that you all will be able to
5 do your job.

6 ASSEMBLYWOMAN ROMERO: Of course.
7 just my main concern is that if the language
8 is too vague, it could catch potential
9 non-criminal-type concerns and that --

10 DMV COMMISSIONER SCHROEDER: No,
11 understood. Thank you.

12 CHAIRMAN PRETLOW: Thank you.

13 And Commissioner Schroeder, I go back
14 to a time when it was preferable to go to the
15 dentist and have two root canals and an
16 extraction without anesthetic.

17 (Laughter.)

18 CHAIRMAN PRETLOW: Okay? The Motor
19 Vehicle Department is a dream to go through
20 now. It really is. I know it started a
21 little bit before you, but you've kept it up
22 and it's really going well.

23 I just have a couple of questions for
24 you. REAL ID. A passport isn't good enough

1 for REAL ID? You require two bills to -- why
2 is that?

3 DMV COMMISSIONER SCHROEDER: Yeah, the
4 answer is yes. So the federal government is
5 saying that in order for you to be REAL ID-
6 compliant, you would have to have -- in our
7 state you would have a REAL ID and/or an
8 enhanced driver's license or a passport is
9 REAL ID-compliant. And so New Yorkers who
10 have that are going to have no trouble going,
11 after May 7th, to fly domestically.

12 CHAIRMAN PRETLOW: So if I have my
13 passport and my driver's license, I'm good?

14 DMV COMMISSIONER SCHROEDER: All you
15 really need is your driver's license, which
16 is a REAL ID. You need to have a REAL ID,
17 which would be --

18 CHAIRMAN PRETLOW: Right, but to get
19 that designation of REAL ID you have to go to
20 Motor Vehicles with certain proofs of
21 identification.

22 So my question is, can I go to the
23 Motor Vehicle Department with just my
24 passport and have them give me the REAL ID

1 star or stamp or whatever they put on it?

2 DMV COMMISSIONER SCHROEDER: Yeah, so
3 the answer is no. When you go to the DMV --
4 and I'm glad to assist you, Assemblymember --
5 you would want to bring with you your U.S.
6 birth certificate, U.S. passport or foreign
7 passport with proof of lawful status, a
8 United States Social Security card or other
9 proof of the Social Security number, two
10 proofs of New York State residency, proof of
11 name change if there was a marriage or
12 divorce.

13 These are federal requirements, and
14 that's what you would have to bring in to a
15 DMV office to get a REAL ID.

16 CHAIRMAN PRETLOW: Okay. That's what
17 I thought, there's a lot of things that we
18 need.

19 So I can go to the airport and go to
20 Istanbul with just my passport, but I can't
21 go to Chicago. After the 15th.

22 DMV COMMISSIONER SCHROEDER: You would
23 go where? Where do you want to go?

24 CHAIRMAN PRETLOW: Istanbul. Only

1 using my passport. I don't need REAL ID, I
2 need a passport.

3 But I want to go to Chicago, I need a
4 birth certificate, my Social Security
5 number --

6 DMV COMMISSIONER SCHROEDER: Yeah.
7 So, Assemblymember, this is because of what
8 happened on 9/11. This is the commission who
9 then the -- the Congress then codified this.
10 This is a law. This is a REAL ID
11 requirement.

12 And so this is not DMV, this is the
13 federal government. And these are all the
14 things you would have to do in order to come
15 into a DMV office. You cannot do it online
16 like you can 77 other transactions at DMV.
17 These are federal requirements.

18 CHAIRMAN PRETLOW: Okay, I understand.
19 I just thought it was a little strange that I
20 need so much to fly locally, domestically,
21 and I don't need as much to fly
22 internationally. But I understand it's a
23 federal rule and it's a little --

24 DMV COMMISSIONER SCHROEDER: Thank

1 you.

2 CHAIRMAN PRETLOW: Well, I won't go
3 there. I remember a time when --

4 CHAIRWOMAN KRUEGER: No country's
5 going to let us in anyway.

6 CHAIRMAN PRETLOW: That is true.

7 I remember when you couldn't have a --
8 remember those little scooter things with the
9 two wheels, a Segue? You needed insurance,
10 you needed a helmet. And Segue never made it
11 in New York because of so many requirements.

12 Now people are zipping around on all
13 types of motor vehicles -- no helmet, no
14 license, nothing, not obeying traffic laws.
15 And it just seems to just flow.

16 I should know this; I've been here
17 long enough. But when did we change the
18 rules to allow motorized vehicles not having
19 to comply with those rules?

20 DMV COMMISSIONER SCHROEDER: So,
21 Mr. Chair, I think because of what has
22 happened with micromobility and the e-bikes
23 in particular. Mopeds, you have to have a
24 license and you have to register it.

1 E-bikes, you do not have to. And that is
2 probably the number of things -- motorized
3 vehicles you're seeing.

4 And so this is something that I do
5 know that members of the Assembly and Senate
6 have legislation on. But right now it is --
7 it is not imperative for somebody who has an
8 e-bike to have a license and/or to register
9 it.

10 CHAIRMAN PRETLOW: So a little -- when
11 I see little motorcycles, I don't know if it
12 would be considered e-bikes. They look like
13 motorcycles, they sound like motorcycles. I
14 don't know if they're gas or
15 electric-powered. But they don't have plates
16 on them, the drivers don't have helmets, and
17 they disobey the rules like the bicycles --
18 you know, the regular bikes do.

19 I just think it's a problem. And I
20 inquired to my local police, and they told me
21 that they don't chase them anymore because
22 it's dangerous to them -- not them, the
23 police, dangerous to people that are being
24 chased.

1 So people know this and they just
2 flaunt the law. And they know the police
3 aren't going to go after them. I do know
4 that there was a time when New York City was
5 confiscating these vehicles; they had piles
6 of them. But now they don't do that anymore
7 because ...

8 And fake license plates, I saw on the
9 news recently that people can go online and
10 order New York State plates and they just
11 stick them on and they look real. Is that
12 true?

13 DMV COMMISSIONER SCHROEDER:

14 Unfortunately, Mr. Chair, it is true. And I
15 think it's absolutely despicable that
16 companies like Amazon are actually selling
17 New York State replicant plates.

18 And so we are aware of it and we're
19 doing what we can to see in communicating
20 with all of you and others to see if there's
21 anything that we can do to bring that to an
22 end.

23 CHAIRMAN PRETLOW: Okay. Because they
24 said one of the ways to spot fake plates is

1 ticket on the Thruway, how are those funds
2 divided?

3 THRUWAY AUTHORITY EX. DIR. HOARE:
4 It's split between the state and the
5 locality. I'd have to get you --

6 CHAIRMAN PRETLOW: So whichever county
7 the ticket is written in, they get a
8 percentage?

9 THRUWAY AUTHORITY EX. DIR. HOARE: I'm
10 sorry, is that for the work zone?

11 CHAIRMAN PRETLOW: Pardon?

12 THRUWAY AUTHORITY EX. DIR. HOARE: Is
13 that for the work zone, speeding work zone?

14 CHAIRMAN PRETLOW: No, just anywhere
15 on the Thruway. If I'm coming to you and I
16 get stopped in Saugerties -- I don't know
17 what county that is -- you go to that
18 county's court, how is -- and I get a hundred
19 dollar fine, how is that split?

20 THRUWAY AUTHORITY EX. DIR. HOARE: My
21 understanding is that there's a split between
22 the locality and the state. But I can verify
23 that and get back to you.

24 CHAIRMAN PRETLOW: And then the

1 surcharge goes where?

2 THRUWAY AUTHORITY EX. DIR. HOARE: I
3 do not know where the surcharge goes.

4 CHAIRMAN PRETLOW: And does any of it
5 go to the State Police themselves, or does
6 all of it go -- the state's portion go to the
7 State Police?

8 THRUWAY AUTHORITY EX. DIR. HOARE: I
9 don't believe it's dedicated to the State
10 Police. I know we --

11 CHAIRMAN PRETLOW: So it goes to the
12 General Fund?

13 THRUWAY AUTHORITY EX. DIR. HOARE: I
14 believe so. The State Police -- well, the
15 Troop C State Police budget is paid for by
16 the Thruway Authority. This year that's
17 about \$71 million.

18 CHAIRMAN PRETLOW: Okay, thank you.

19 And just before -- I have a minute and
20 a half left. And, you know, City & State
21 recently made a comment about my eyesight,
22 and I've also mentioned to you about the
23 reflectiveness of the lane markers. And I
24 find and I think many other people find it

1 difficult seeing the lane markings in the
2 rain or at night. And I just want to know
3 the difference in cost, say, per mile of the
4 flat paint that you're using now and, say,
5 the 3M Stamark, which is a reflective paint.
6 I know it's going to cost more, but I think,
7 you know, it will save lives. Because most
8 accidents happen at night, even though most
9 drivers are driving during the day, because a
10 lot of people can't see the lane markings and
11 they go off the road.

12 So is there a marked difference, or is
13 it a minor difference? Or you're not sure?

14 THRUWAY AUTHORITY EX. DIR. HOARE:

15 Well, because safety is always our primary
16 concern, we're always looking at ways to
17 enhance that safety. Where there is a
18 stretch that if there's a particular issue
19 with some of those markings, that we get our
20 maintenance folks to go out there and deal
21 with it.

22 CHAIRMAN PRETLOW: I think it's the
23 whole Thruway. And I would just recommend if
24 you would do a test program with these highly

1 reflective lane markers, say, from the
2 New York City line to Albany. That would --
3 you know, just -- and then you can have a
4 large enough swath of the Thruway to see
5 whether the accidents are reduced and to what
6 extent.

7 THRUWAY AUTHORITY EX. DIR. HOARE: I
8 will certainly look at that. I know when we
9 do pavement, when we reconstruct the
10 pavement, we apply the latest technology to
11 the markings for that segment that's being
12 reconstructed.

13 CHAIRMAN PRETLOW: Okay. Thank you.

14 And thank you for what you did for me
15 locally with my E-ZPass.

16 So anyway, this concludes this section
17 of our hearing. I want to thank the two
18 gentlemen here, and we're going to move on to
19 Panel B.

20 THRUWAY AUTHORITY EX. DIR. HOARE:
21 Thank you.

22 (Off the record; pause.)

23 CHAIRMAN PRETLOW: Lady and gentlemen,
24 welcome. You are Panel B.

1 So just for our media people upstairs,
2 could you just introduce yourselves before
3 you start your presentations, just so they'll
4 know which names to put up when it's time to
5 speak.

6 And then you'll each have three
7 minutes. And members, you all have three
8 minutes for questioning. So okay.

9 MR. MORRELL: James Morrell.

10 MR. BURRIDGE: Mike Burridge.

11 MR. PROPHET: Gary Prophet, of ESPA.

12 MR. O'MALLEY: Rich O'Malley, of the
13 New York Building Congress.

14 MS. DAGLIAN: I'm Lisa Daglian, from
15 the Permanent Citizens Advisory Committee to
16 the MTA, PCAC.

17 CHAIRMAN PRETLOW: Welcome one and
18 all.

19 MS. DAGLIAN: Thank you.

20 CHAIRMAN PRETLOW: Which way do you
21 want to start?

22 MR. MORRELL: I'll start it.

23 Thank you. Thank you, Chairwoman
24 Krueger, Chairmen Pretlow, Cooney, Comrie,

1 Magnarelli and Braunstein, and all of you
2 here today for supporting public transit, the
3 work we do and the New Yorkers who rely on us
4 every day.

5 My name is James Morrell, president of
6 the New York Public Transit Association and
7 director of public transit for Niagara
8 Frontier Transportation Authority in Buffalo,
9 New York. Earlier you heard from our largest
10 member, the MTA, and we support their
11 priorities. My testimony focuses on the
12 needs of transit systems in upstate New York
13 and downstate suburbs.

14 Our systems are developing programs
15 and services that improve mobility for
16 customers and communities across New York.
17 We're investing in improved services, better
18 infrastructure, and strong partnerships.
19 This has resulted in increased ridership and
20 a demand for more service. This is creating
21 a new energy throughout the state as more
22 New Yorkers rely on transit.

23 Now, we must respond by enhancing
24 service and providing more connections

1 throughout communities. This includes having
2 resources to compete for quality employees,
3 addressing critical infrastructure needs, and
4 preparing for zero-emission fleets. Better
5 service drives ridership and improves
6 communities. This is proof positive of the
7 value of increased state operating aid to
8 transit.

9 Increasing state aid to non-MTA
10 systems will result in more transit service
11 to more people, spurring economic and
12 community development. We need this
13 investment now. We thank Governor Hochul for
14 recognizing the importance of public transit
15 in the Executive Budget, especially the
16 increased capital funding. But more
17 investment is needed to expand the mobility
18 choices of communities who are demanding and
19 need to thrive, to fund expenses to operate
20 more and better service, cover the rising
21 costs of paratransit service, and offset the
22 loss of federal COVID relief funds.

23 To ensure that transit continues to
24 support our communities, we recommend a

1 15 percent increase in state operating
2 assistance to increase service across the
3 state, enact the Governor's proposed
4 219 million capital funding for non-MTA
5 systems, build on the Governor's non-MTA
6 capital funding to provide 1 billion over
7 five years as part of the action to fund the
8 MTA capital plan, restore the 26 million
9 annual appropriation for NFTA rail
10 infrastructure, create a commission to
11 address the limited dedicated revenue that
12 funds upstate transit and report
13 recommendations by December 1, 2025.

14 Thank you for supporting public
15 transit and the work that we do. All our
16 NYPTA members urge you to increase transit
17 funding in the final state budget.

18 CHAIRMAN PRETLOW: Thank you.

19 MR. BURRIDGE: Hello. My name is Mike
20 Burrige. I'm the director of government
21 relations for ACEC New York.

22 I would like to first thank the State
23 Legislature for last year recognizing the
24 need to put additional money in the budget to

1 enhance the New York State Department of
2 Transportation capital budget. I think that
3 really laid good groundwork for this year and
4 really helped entice the Governor to put in
5 the \$800 million for this year. It's very
6 much needed. And I think in a year when
7 we're focusing on public safety and
8 affordability, what other way to do it than
9 to invest in our public infrastructure,
10 especially transportation.

11 So it's -- again, we feel that this is
12 necessary to continue on with the Core
13 projects in the current NYSDOT capital plan.
14 And, you know, in terms of safety, you know,
15 we had the most recent Annual Highway
16 Pavement and Bridge Conditions Report, which
17 says that 11,400 -- which is about 65 percent
18 of the state bridges -- are either in fair or
19 poor condition, and about 17,000 lane-miles,
20 which is about 45 percent, are in fair or
21 poor condition.

22 Following up on the economic impact of
23 this, the National Transportation Research
24 Nonprofit TRIP report says that combined road

1 conditions, congestion and accidents cost
2 motorists about \$3500 per motorist.

3 Moving on, I'd like to also support
4 what has been said about the need for the MTA
5 capital plan. ACEC New York supports a
6 robust MTA capital plan, and we hope that the
7 State Legislature and the Governor can find a
8 way forward to fund that.

9 Alternative delivery. We are very
10 encouraged to see that year after year more
11 tools are being put in the toolbox for our
12 state agencies and for the City of New York.
13 This year it is mentioned in the State Budget
14 that progressive design-build is to be
15 included, although we would like to see it
16 actually defined. As of right now in the
17 PPGG Article 7 it just notes progressive
18 design-build, but we do feel like it should
19 be actually defined in law. We have subject
20 matter experts that can help the State
21 Legislature and the Governor's office do
22 that.

23 Work zone safety. We commend the
24 Governor's proposal to make the Automated

1 Work Zone Speed Enforcement Program permanent
2 and to extend it to other properties around
3 the state. We believe that the men and women
4 who are working on our roadways deserve this
5 protection and a safe work environment just
6 like anybody else in the state.

7 QBS is a hallmark of what we support
8 in terms of procuring architectural and
9 engineering services in New York State.
10 That's qualification-based selection. It's
11 required by state agencies, it has been since
12 1980, and at the federal level since 1972.
13 Now is the time that we also extend that
14 requirement to public authorities as well.

15 Thank you.

16 CHAIRMAN PRETLOW: Thank you.

17 MR. PROPHET: Good afternoon,
18 everyone. I'm Gary Prophet, the president of
19 the Empire State Passengers Association.
20 We're a statewide nonprofit organization to
21 improve intercity rail across New York State,
22 with more reliable, frequent and faster
23 Amtrak service, as well as maintaining an
24 improved commuter service downtown and

1 improved local bus service to the major
2 upstate cities, and expand the Buffalo Rail
3 Line up to Amherst.

4 Thank you to the Governor and
5 everybody else who has mentioned the funding
6 of the Livingston Avenue Rail Bridge. That's
7 a critical bridge that connects the Albany
8 area to the cities to the west and to the
9 north. It is a large project, replacing a
10 bridge that is over a hundred years old.

11 Also the Governor earlier had spoken
12 about the Metro-North improvements between
13 the Bronx and Poughkeepsie. Although those
14 do help the Hudson Line of Metro-North,
15 they're primarily to assist the Hudson Line
16 and Metro-North to improve their operations a
17 little bit more than actually helping Amtrak.
18 For example, one of the items is having a
19 yard facility just north of the Poughkeepsie
20 Station so that Metro-North does not park
21 their trains on -- at the station, which then
22 sometimes delays Amtrak service. But of
23 course it is needed to encourage the
24 throughput of the entire system.

1 We would hope that the Governor would
2 also look at increasing the speeds of Amtrak
3 north of Cold Spring, which used to be
4 90 miles an hour about 10 years ago. That
5 was removed after a series of incidents with
6 Metro-North that happened about 10 years ago,
7 and those changes, those increases in speed
8 were downgraded to 79 instead of the 90 that
9 they used to be, which impacts the timeliness
10 of the service between New York and Albany,
11 which is now longer than it was 10 years ago.

12 Also we need to develop a robust state
13 rail passenger plan across New York State.
14 We need to fund more projects across New York
15 State. The New York State high-speed rail
16 Tier 1 EIS, which was briefly mentioned
17 earlier, that was a project that started in
18 2010. That was 15 years ago. In 2023,
19 Option 90B was decided, both with New York
20 State and the FRA, as the preferred option.
21 That needs to be funded and it needs to be
22 going forward. We know what needs to be done
23 to improve the Empire Corridor, to improve
24 interstate rail across New York State, and we

1 need to do that as soon as possible and stop
2 looking at other options at this point.

3 We know what has to be done. It's all
4 in the EIS. It's been approved and it's been
5 studied for many decades.

6 As far as the East River Tunnels,
7 that's another project that will impact
8 Empire service, as currently since November
9 one round-trip has been taken away and
10 there's a current plan, assuming the capital
11 funding comes through, that two additional
12 round trips will be coming out of Albany to
13 New York City. That is also something that
14 should be tried to alleviate those issues,
15 and we should work to have that improved into
16 the future.

17 Thank you.

18 CHAIRMAN PRETLOW: Thank you.

19 MR. O'MALLEY: Chairs, Senators,
20 Assemblymembers, thank you for still being
21 here to listen to us.

22 My name is Rich O'Malley. I'm the
23 senior director of public affairs for the
24 New York Building Congress. And we're here

1 today, all of us, looking to help advance
2 your effort to put forth a transportation
3 agenda that supports the growth and
4 prosperity of New York State.

5 The Building Congress represents over
6 500 constituent organizations, more than
7 25,000 skilled professionals. And our
8 members are global leaders in the industry
9 working on over 30,000 projects totaling
10 1.65 trillion across the U.S. alone. They
11 represent every stage of development and are
12 dedicated to the vitality of the communities
13 their projects serve.

14 We firmly believe that a well-funded
15 and efficiently managed transportation
16 network is essential to maintaining
17 New York's economic vitality and quality of
18 life. As such, we urge full funding of the
19 Metropolitan Transportation Authority's
20 five-year capital plan to ensure reliable,
21 safe, efficient, accessible and modernized
22 service across its network.

23 Additionally, we advocate for a robust
24 Department of Transportation capital plan

1 that addresses both maintenance and new
2 projects essential for statewide connectivity
3 and development. Investment in major
4 projects such as new bridges, road expansions
5 and enhanced transportation networks is vital
6 for stimulating economic growth and ensuring
7 the future resilience of our transportation
8 infrastructure.

9 The Building Congress also supports
10 innovative transportation initiatives such as
11 the integration of new technologies and
12 sustainable practices within the MTA and DOT
13 projects. These initiatives will not only
14 improve operational efficiency but also
15 contribute to the state's environmental
16 goals.

17 And I'm going to take a moment and
18 just add to what Mike said and plug
19 alternative delivery there as well for
20 efficiency efforts moving forward.

21 We are committed to collaborating with
22 all stakeholders to advance these critical
23 projects and policies. Thank you again for
24 always considering our members' perspectives

1 on these important issues as we join the
2 Legislature in pursuit of transportation
3 strategies that will benefit all New Yorkers
4 for generations to come.

5 Thank you.

6 MS. DAGLIAN: Good afternoon --
7 evening. I'm Lisa Daglian. I'm the
8 executive director of the Permanent Citizens
9 Advisory Committee to the MTA, PCAC.

10 It's been a pleasure meeting with many
11 of you this week and spending time, and I
12 look forward to continuing that conversation.

13 PCAC was created in 1981 as a result
14 of the fiscal crisis of the '80s. I'm not
15 sure that we've ever really gotten out of
16 that fully. Our role is to represent the
17 riders on New York City's subways, buses,
18 Staten Island Rail, Long Island Rail Road,
19 Metro-North. And we've got three rider
20 councils that do that and three non-voting
21 members on the MTA Board.

22 I am here to thank you for our
23 existence but also to impress upon you, as
24 others have, the importance of fully funding

1 the MTA's capital plan. If we could use
2 props, I would right now hold up our 24 ideas
3 for fully funding the capital program. It's
4 available on our website, pcac.org. And I
5 will also leave some for you if you'd like to
6 see them.

7 The capital plan -- as you have heard,
8 will hear, and continue to know -- for each
9 billion dollars of the plan that's spent,
10 creates 5900 jobs, the majority of which are
11 in New York State and in every single
12 congressional district, in every district in
13 the state -- also New Jersey, Connecticut,
14 and as we continue out.

15 We are also so extremely fortunate to
16 have our transit champion, Senator Comrie,
17 who is working with us to move forward our
18 affordability goals. And I would again hold
19 up a flyer that showed you what they are.
20 I'll leave some of those for you as well.

21 They are our five platforms for moving
22 forward in more equitable access to
23 affordable transit, including giving seniors
24 and disabled riders the ability to use their

1 discounts in the morning peak on the
2 Long Island Rail Road and Metro-North, which
3 is the only time of day they currently cannot
4 do that.

5 Implementing a family fare, a
6 "mid-kid" fare, on the railroads so that 12-
7 and 17-year-olds aren't considered adults and
8 have to pay full fare. It's great for
9 students, but it's also great for families
10 going to a game or to a show.

11 Implementing the CityTicket Weekly
12 that we heard about. Janno talked about how
13 that would be great to bring back to the
14 board and that the board members, you know,
15 put that into play. We've got three board
16 members; they're nonvoting, so they can't
17 even say I'd like to make a motion.

18 We have an opportunity to change that,
19 and we hope that you'll consider our Rider
20 Representation Act -- again, carried by
21 Senator Comrie and Assemblymember Dinowitz.
22 And so many of you joined us in moving that
23 forward last year. We hope to do that again
24 this year.

1 We are also hoping to increase Fair
2 Fares to 200 percent of the federal poverty
3 level. Right now it's at 145 percent, which
4 means that if you work at Chipotle or the
5 Gap, you make too much money. So that just
6 really is not equitable. Most people can't
7 even get to work.

8 And we'd like to see Fair Fares on the
9 commuter rails within New York City so people
10 can get where they need to go, when they need
11 to go there, the best way possible for them.

12 Thank you very much on behalf of the
13 riders. Appreciate all you do.

14 CHAIRMAN PRETLOW: Thank you.

15 Assemblyman Magnarelli, three minutes.

16 ASSEMBLYMAN MAGNARELLI: First of all,
17 I just want to say to all of you, thank you
18 very much. I know that pretty much all of
19 you have been sitting here all day. And I do
20 appreciate that and your testimony.

21 The other thing I'd like to say is
22 that most of the -- at least your staffs or
23 your people have done business with my
24 office. And I look forward to the

1 information that is given to us, the things
2 that concern you as the year goes on, not
3 only during the budget. And I hope to
4 continue that. So thank you very much for
5 being here.

6 CHAIRWOMAN KRUEGER: Thank you.

7 Leroy Comrie, three minutes.

8 SENATOR COMRIE: Thank you all for
9 being here also. Thank you for your
10 continued diligence and oversight and review
11 of the issues of transportation in our
12 community and our state.

13 I look forward to working with all of
14 you as we try to make sure that we improve
15 transportation, that we improve equitability,
16 and that we especially improve transparency
17 so people can feel confident in their
18 transportation systems. It's important.

19 As you heard, I asked Janno Lieber for
20 another forensic audit. I think only to make
21 sure that we are keeping -- making everyone
22 understand that they're in a better place
23 than they were six years ago.

24 No one's perfect, I've given up being

1 perfect myself a long time ago. Clearly a
2 system like the MTA is not perfect, but the
3 more that they can show that they're trying
4 to do their best, that would help the public.

5 I would just ask each of you what
6 would be your pet project that you'd like to
7 see in the next year.

8 MR. MORRELL: I'll start there. So
9 our main goal right now, NYPTA, the transit
10 agencies outside of MTA is to make sure that
11 we have adequate funding to provide the
12 services that our constituents are looking
13 for: Extended BRT, making sure that we can
14 provide services late-night, and extending to
15 businesses that are locating in New York
16 State to have services for them so we can get
17 those individuals to those jobs.

18 So our biggest thing is to provide the
19 15 percent increase in STOA to make sure that
20 we can provide that service.

21 SENATOR COMRIE: Thank you.

22 Sir?

23 MR. BURRIDGE: Ensuring that that
24 \$800 million for the NYSDOT capital plan that

1 was included in the executive proposal makes
2 it into the final budget, I think would be a
3 huge victory for all of our members and
4 everybody in the design and construction
5 industry, and every motorist in the state.

6 SENATOR COMRIE: Thank you.

7 Sir?

8 MR. PROPHET: Additional personnel in
9 the New York State DOT for passenger rail in
10 order to move the EIS for high-speed rail
11 across New York State further, as I said
12 earlier. I think you had actually stepped
13 out then for a second. But the EIS has
14 been -- started 15 years ago. It's the
15 preferred option for 90B. And I think we
16 need to move forward on that. Other options
17 are far more expensive, and that just simply
18 will not get done. We need to move forward
19 on 90B, and we need all of you to help that
20 out in order to improve passenger rail
21 service across the State of New York.

22 SENATOR COMRIE: Thank you.

23 I have 26 seconds left.

24 MR. O'MALLEY: Our members are

1 builders, they're looking to put shovels in
2 the ground. So they're all about projects
3 and I would say that the moving on
4 Second Avenue Subway Phase 2 and
5 simultaneously beginning the planning for
6 Phase 3 would be of utmost importance to us,
7 as well as starting the process for -- which
8 we have -- on IBX.

9 SENATOR COMRIE: Thank you.

10 MS. DAGLIAN: I don't have a lot of
11 time, so I'm going to say I like everything.
12 So I would like to see the capital and the
13 operating.

14 SENATOR COMRIE: Thank you.

15 CHAIRMAN PRETLOW: Assemblyman Miller.

16 (No response.)

17 CHAIRMAN PRETLOW: Assemblyman
18 Braunstein.

19 (No response.)

20 CHAIRMAN PRETLOW: Assemblyman Ra.

21 (No response.)

22 CHAIRMAN PRETLOW: Okay.

23 Assemblywoman Shimsky.

24 ASSEMBLYWOMAN SHIMSKY: Thank you,

1 Mr. Chairman.

2 It's really great that we got that
3 \$800 million infusion this year, but going
4 forward we know we're going to need to
5 continue infusions of funding to catch up to
6 where we have to be. How do we keep the
7 momentum going in terms of interest in
8 continuing long-term capital investment?

9 MR. PROPHET: I would say the first
10 thing that needs to be done is a series of
11 steps. You don't want to come out with a
12 plan that has something that has no
13 deliverables until 10 years in the future,
14 because then people tend to lose focus.

15 So, for example, on the Second Avenue
16 Subway we got part of it opened, then we have
17 another part opened. For example, as the
18 Governor said on improving the Hudson Line on
19 Metro-North, some funding is there to improve
20 some items with the Hudson Line and some of
21 Metro-North's concerns, then we need to have
22 the next phase after that in order to improve
23 some of the inner-city service up to Albany
24 and across New York State.

1 So a series of steps where you have a
2 lot of things that both legislators and the
3 public can see done immediately, or within a
4 couple of years, is better than something
5 that just takes too long to see any benefits
6 from.

7 MR. MORRELL: So there are capital
8 needs across the state. New York has great
9 capital needs. NFTA, in particular, looking
10 for a \$26 million infusion to take care of
11 their rail system. It's the only rail system
12 outside of New York City. It's a 40-year
13 system, and we need to make sure that we're
14 able to move that system for another 40
15 years. All the upstate systems have capital
16 needs, and we want to make sure that they'll
17 be able to do that.

18 ASSEMBLYWOMAN SHIMSKY: With
19 high-speed rail in particular, do we have an
20 idea how -- I mean obviously you don't have
21 an exact estimate, especially since you don't
22 know when it's going to be built. What is
23 the magnitude of expense involved?

24 MR. PROPHET: Well, the first thing

1 you very much. Resiliency -- that's my time.

2 (Laughter.)

3 CHAIRMAN PRETLOW: Assemblyman Bores.

4 ASSEMBLYMAN BORES: Thank you all for
5 being here.

6 My questions are for ESPA President
7 Gary Prophet, and I'm just going to -- it's
8 about Amtrak. And I'm just going to ask one
9 question, because there's only two more
10 trains out of Albany tonight, and I want to
11 make it home.

12 Your written testimony refers to
13 account contracts that states have with
14 Amtrak to -- that have incentives to -- we
15 pay more if it's on-time and good service and
16 have penalties if it's mediocre. That's a
17 fascinating thing I hadn't heard before. How
18 widespread is that? Do states do that? How
19 long would it take for New York to get that
20 implemented? That's just a fascinating
21 concept I hadn't heard.

22 MR. PROPHET: Yeah, Virginia has that
23 now. I don't have all the details of how
24 Virginia has it, but they do have a program

1 with incentives. They're probably the state
2 that's the furthest ahead. California also
3 has some.

4 But Virginia's probably the closest
5 model to what New York has with that.
6 Because, you know, you need a really close
7 partnership in order to improve the service.
8 And, you know, there's a lot of things with
9 the service that needs to be improved to be
10 able to be a more important part of
11 transportation in the state.

12 ASSEMBLYMAN BORES: Got it. I would
13 love any more information you have on that,
14 and a follow-up.

15 MR. PROPHET: I'll send you some
16 information about Virginia, then.

17 ASSEMBLYMAN BORES: Thank you.
18 Appreciate it.

19 CHAIRMAN PRETLOW: Assemblyman
20 Palmesano.

21 ASSEMBLYMAN PALMESANO: Yes, my
22 question is for Mr. Burridge.

23 There's been a lot of talk about the
24 CHIPS program, and it's a very important

1 priority for a number of us -- certainly for
2 our local towns, villages, and counties,
3 because that money goes right to our local
4 infrastructure.

5 I know your members work with our
6 municipalities in designing important
7 projects, whether it's bridges, culverts,
8 roads, whatever it might be. It's been flat.
9 The Governor's proposing a flat CHIPS budget
10 to match last year's, so it will be two years
11 in a row. And the statistics have come out,
12 the Federal Highway Administration said the
13 highway construction costs for the past three
14 years have increased 70 percent.

15 What are you seeing with your members
16 with how these inflationary increases and
17 impacts are having on local communities being
18 able to address their critical infrastructure
19 needs?

20 MR. BURRIDGE: Similar to the NYSDOT
21 capital plan, you know, we would also support
22 an increase to CHIPS as well, to make sure
23 that those inflationary pressures which we're
24 seeing with that capital plan, with all the

1 capital plans around the state, that would
2 maintain pace with that -- and that those
3 very important projects, just as important as
4 the NYSDOT projects, can get done as well.

5 So yes, we would support an increase
6 to CHIPS as well.

7 ASSEMBLYMAN PALMESANO: Okay. So you
8 would see -- you definitely see the
9 inflationary impact that this is having on
10 our local communities, correct?

11 MR. BURRIDGE: Yes.

12 ASSEMBLYMAN PALMESANO: As far as
13 their ability to do projects, right?

14 MR. BURRIDGE: Horizontal
15 infrastructure, vertical infrastructure, it
16 is all having -- it's having an impact, yes.

17 ASSEMBLYMAN PALMESANO: And given
18 that, and given I know at a hearing recently
19 the highway superintendents say they've got
20 some preliminary results from a study showing
21 that with the electric school bus mandate,
22 the wear and tear that it has on our roads,
23 given the fact that a regular or near-zero
24 emission diesel bus, axle per axle, is 10

1 tons, on an electric school bus, the front
2 axle is 14 tons, the rear axle is 25 tons.
3 The results have come out and saying --
4 usually there's a 10-year useful life;
5 they're saying it's going to decrease that
6 useful life by 20 percent. And also the
7 increase the cost per mile for maintenance by
8 20,000 to \$50,000 and total reconstruction by
9 550,000 -- these are increases. These aren't
10 totals.

11 Given that, and with the inflationary
12 increases, wouldn't you also see this as more
13 of a justification for an increase in the
14 CHIPS program to help meet these critical
15 infrastructure needs for our local
16 municipalities, given the tax cap and other
17 challenges they have?

18 MR. BURRIDGE: If we're trying to meet
19 the CLCPA goals, you know, any type of
20 peripheral support to help meet those I think
21 would be appropriate. So yes.

22 ASSEMBLYMAN PALMESANO: Okay, thank
23 you.

24 CHAIRMAN PRETLOW: Thank you. That

1 does it for questioning for this group. We
2 appreciate your testimony.

3 And I'm calling Panel C.

4 CHAIRWOMAN KRUEGER: Okay, so Panel C
5 is Associated General Contractors,
6 Construction Industry Council of Westchester
7 and Hudson Valley, New York State County
8 Highway Superintendents Association, New York
9 State Association of Town Superintendents of
10 Highways, Rebuild NY Now, and Saint Regis
11 Mohawk Tribe. If everybody would head up.

12 And then if Panel D people are still
13 in the room and they want to head towards the
14 front to be ready for the next panel, thank
15 you.

16 Hi, everyone. So what we're going to
17 do is first we'll just go down and you'll
18 each introduce yourself so that the folks in
19 the back know whose name to put on the screen
20 when you actually testify. So if you would
21 just start here and go down.

22 Hi.

23 MR. COONEY: John Cooney, Jr.,
24 Construction Industry Council of Westchester

1 and the Hudson Valley.

2 MR. PACHOLCZAK: Walter Pacholczak,
3 vice president of government affairs for the
4 associated general contractors of New York
5 State.

6 MR. HIFFA: Fred Hiffa, Rebuild NY
7 Now.

8 MR. MUSTICO: Matt Mustico, highway
9 superintendent of the Town of Elmira,
10 Chemung County.

11 MS. THOMAS: Colleen Thomas,
12 Saint Regis Mohawk Tribe.

13 MR. HAJOS: Kevin Hajos, president,
14 New York State County Highway Superintendents
15 Association.

16 CHAIRWOMAN KRUEGER: Okay. So why
17 don't we start on this side (indicating).
18 We'll just go down that way. Thank you.

19 MS. THOMAS: {In Mohawk language} --

20 CHAIRWOMAN KRUEGER: You know what, we
21 have to get a mic closer to you.

22 MS. THOMAS: And raise it up, too.

23 CHAIRWOMAN KRUEGER: Thank you.

24 MS. THOMAS: {In Mohawk language.}

1 Thank you for allowing me to testify before
2 the Joint Legislative Budget Committee.

3 Chairpersons Krueger and Pretlow,
4 Transportation Chairs Cooney and Magnarelli
5 and the distinguished members present, I
6 appreciate the opportunity to share my
7 experiences. My name is Colleen Thomas. I'm
8 the director of planning and infrastructure
9 for the Saint Regis Mohawk Tribe. We're
10 located way upstate, along the Canadian
11 border between Massena and Malone.

12 In addition to operating water and
13 sewer treatment plants and managing our
14 capital construction projects, the planning
15 and infrastructure division is responsible
16 for the tribe's transportation program and
17 the Mohawk Territory of Akwesasne.

18 I would like to relay the conditions
19 of the approximately 136 miles of local roads
20 under the purview of the New York State
21 Department of Transportation. As established
22 by Highway Law 53, that obligates the state
23 to maintain highways it constructs on Indian
24 Reservation lands.

1 During my 20-year tenure at planning
2 and infrastructure, we have reconstructed and
3 repaired 24.6 miles of our local roads, in
4 partnership with the Bureau of Indian Affairs
5 and NYSDOT. For most of that time, our
6 relationship with NYSDOT and the
7 Franklin County Highway Department has been
8 cooperative and very productive. However,
9 after the recession in 2008-2009, the
10 previous administration cut funding to
11 Franklin County, and as a result the services
12 they provide have steadily declined.

13 This lack of funding is grossly
14 evident. In my daily commute I traverse
15 about five miles of State Route 37, where I
16 must dodge potholes and pavement cracks the
17 entire way. The last time New York State DOT
18 funded a project on this stretch of road was
19 in 2011.

20 Without your support, this major
21 North Country thoroughfare continues to
22 deteriorate. Route 37 sees an average of
23 more than 15,000 vehicles daily, compared to
24 6500 on nearby State Street, where I stayed

1 last night.

2 In the past year or so, members of the
3 current administration and NYSDOT officials
4 have made a concerted effort to improve
5 dialogue with the Saint Regis Mohawk Tribe.
6 Going forward, we want to be active partners
7 in the overall transportation safety in the
8 North Country. I traveled here today to
9 request annual set-aside funding for NYSDOT,
10 particularly for Franklin County, so they may
11 fulfill their legal obligation to properly
12 maintain roads in and around Akwesasne.

13 MR. MUSTICO: Good evening,
14 Chair Krueger, Chair Pretlow, and other
15 members of the State Legislature. I am
16 Matt Mustico, highway superintendent for the
17 Town of Elmira -- and also president of the
18 New York State Association of Town
19 Superintendents of Highways -- in Chemung
20 County.

21 With me representing New York State
22 County Highway Superintendents is their
23 president, Kevin Hajos, P.E., superintendent
24 of public works in Warren County.

1 As always, we appreciate the annual
2 opportunity to discuss the Executive Budget
3 proposal and report to you on the conditions
4 and needs of New York State's local
5 transportation systems.

6 We would like to begin by thanking all
7 of you and your colleagues for your steadfast
8 support of local roads, bridges and culverts.
9 As you know, our collective membership and
10 union workforce is responsible for ensuring
11 the safe operation of 87 percent of the
12 state's public roads, half of the bridges,
13 and plowing not only the huge system of our
14 own, but over a quarter of the New York State
15 Department of Transportation's roads. This
16 massive local system is owned by 1,600 local
17 governments and consists of over
18 97,000 centerline miles of roadways and
19 8,600 highway bridges. Every time there's a
20 weather event, whether it's major snow
21 accumulation, freezing temperatures, or
22 severe flooding, the hardworking people on
23 our local crews ensure New York's drivers get
24 to and from work, homes, schools, hospitals

1 and other destinations safely.

2 In the Executive Budget, Governor
3 Kathy Hochul kept the state's local highway
4 and bridge funding programs flat while she
5 added \$800 million to the New York State
6 Department of Transportation Core Road and
7 Bridge Program. In her budget briefing book,
8 she noted the need to restore the purchasing
9 power of the NYSDOT capital plan to address
10 rising construction costs and ensuring that
11 projects remain on track. This additional
12 funding is necessary to slow asset
13 deterioration.

14 We agree state roads need investment
15 but the Governor should have stepped up and
16 also provided increased CHIPS funding for
17 New York State's massive locally owned road
18 and bridge system. Record high inflation
19 rates for highway construction materials have
20 severely increased costs and, as a result,
21 local governments are seeing a significant
22 reduction in the real dollar value of local
23 highway maintenance programs.

24 It is critical that an additional

1 \$250 million be added to the 2025-'26 budget
2 for local highway programs like CHIPS. This
3 will allow us to recoup some of the real
4 funding value we lost to inflation since the
5 five-year program was initially adopted in
6 2022. We are requesting that five of the
7 state's local road assistance programs be
8 combined into two programs to --

9 CHAIRWOMAN KRUEGER: I'm sorry, I have
10 to cut you off, sir. The clock went off.
11 Thank you.

12 Next?

13 MR. HAJOS: Good afternoon. I'm Kevin
14 Hajos. I'm the president of the New York
15 State County Highway Superintendents
16 Association, and I'm also the superintendent
17 of public works for Warren County.

18 I first want to thank Chair Krueger,
19 Chair Pretlow, Chair Cooney and Chair
20 Magnarelli, and all of you for your steadfast
21 support of local roads, bridges and culverts.

22 The BRIDGE-NY program directs federal
23 and state funding to local bridges and
24 culverts throughout the state. We are

1 currently in the fifth round of BRIDGE-NY
2 programs. Through periodic reviews and
3 modifications, the program's administration
4 process has become more efficient and there's
5 much more of a regional balance of projects.
6 This is due to New York State DOT
7 implementing the program through the existing
8 capital program planning process instead of
9 the statewide solicitation. That's the
10 positive.

11 The negative: The number and value of
12 project applications far exceed the funding
13 available for each region. Of the
14 applications submitted for all five rounds,
15 41 percent of bridges and 19 percent of
16 culverts were funded.

17 In previous years the Legislature has
18 responded to the dire conditions of the
19 state's transportation needs and augmented
20 CHIPS and other local transportation funding.
21 But more is required. Funding shortages mean
22 that many local governments cannot apply
23 pavement preservation strategies to extend
24 the life of the road networks which they

1 maintaining the Marchiselli program for
2 39.7 million, and for maintaining the local
3 BRIDGE-NY program at 200 million annually.

4 We would also ask the support of
5 adding language to the budget to amend the
6 Highway Law to increase the bid threshold
7 from 350,000 to \$1 million or even
8 eliminating it altogether. This will provide
9 more flexibility to municipalities to pursue
10 more cost-effective options on behalf of the
11 taxpayers, bid projects or perform the work
12 in-house while still being eligible for state
13 reimbursement.

14 As public officials we understand the
15 difficulty of trying to meet all of our
16 constituents' needs with limited resources.
17 We must work together so that all state and
18 local critical infrastructure needs are
19 addressed.

20 Thank you.

21 MR. PACHOLCZAK: Good evening, Chair
22 Krueger, Pretlow, Magnarelli and ranking
23 members, and all the members that are here
24 today. Thank you for your time. I know it's

1 late in the day, and I'll be very quick here.

2 AGC has three priorities in this
3 upcoming budget. First and foremost, we'd
4 like to thank Governor Hochul for putting
5 \$800 million for the Core DOT program in that
6 budget. Between the Governor, Commissioner
7 Dominguez and the staff at DOT, they've done
8 an extraordinary job with this budget, in our
9 opinion. We think it makes a big impact on
10 some of the inflationary pressures that our
11 budget has seen over the past three years.

12 But also it's important as a job
13 creator, and to support small businesses as
14 well. And as Mike Burr ridge said from ACEC,
15 it helps to make New York more affordable by
16 reducing the cost to motorists for things
17 like car repairs, accidents and, more
18 importantly, traffic safety.

19 Two legislative priorities that are
20 supported by AGC that the Governor put in her
21 bill were to make permanent and expand the
22 Work Zone Speed Camera Program. I think we
23 all know the results of that program --
24 triple-digit speeds captured in some areas.

1 It is really frightening when you talk to
2 people that actually work on highway
3 roadsides, as the Assemblymember's husband
4 does there. I don't need to tell you how
5 scary that can be.

6 Also, to close the loophole Part R for
7 enhanced transportation worker protections.
8 Last year the Legislature and the Governor
9 agreed to do that for ferry workers and for
10 transit workers. Highway workers also
11 deserve those types of protections.

12 One final comment on the MTA capital
13 program. Our members build the lion's share
14 of all infrastructure in this state, whether
15 it's public or private. MTA is a vital,
16 vital portion of our multimodal
17 transportation infrastructure system that
18 requires your attention. So I'm here before
19 the Legislature today to ask you to support
20 the Governor's budget, the two legislative
21 proposals there, so that we can Rebuild NY
22 Now.

23 MR. COONEY: Thank you, Walter.

24 Thank you, Chair Krueger,

1 Chair Pretlow, Chair Magnarelli, and all of
2 the members of the New York State Senate and
3 Assembly for hanging in there with us. I
4 appreciate it. We all do.

5 I'm going to really echo much of what
6 Walter has just said. We fully support and
7 thank the Governor for stepping up and
8 proposing an \$800 million increase to the
9 New York State DOT capital plan Core program.
10 It was necessary. Inflation has just taken
11 the buying power out of all that has gone on
12 here.

13 I would then press on just a little
14 bit with that same inflation message. To be
15 equivalent to what's going on, the CHIPS
16 program needs to increase. And, you know,
17 that \$250 million, if you do the math on the
18 inflationary hit of the funding that CHIPS
19 has and what the Core program has, the
20 250 million lines up. And it's necessary,
21 and I think many of you know; people that are
22 riding on the roads, they don't know if it's
23 a state road or a local road, they just want
24 it fixed.

1 Just moving on -- and then, you know,
2 I'm going to repeat this, but I am from the
3 Hudson Valley, which is represented by NYSDOT
4 Region 8. It has and continues to have the
5 worst road and bridge conditions in New York
6 State -- I think it's a 10-year run or
7 longer -- and has more lane-miles in bridges
8 than any other region in the state.

9 Somebody's got to look at the formula
10 there or, no matter -- this increased funding
11 is great, but New York State DOT Region 8
12 will further fall behind.

13 Next, I fully endorse both the speed
14 enforcement, the expansion of that and making
15 it permanent. You heard Frank Hoare from the
16 New York State Thruway Authority talk about
17 losing two people on the Thruway. Speed
18 kills. And the transportation worker
19 protection, the expansion of that and the
20 classification of that, we appreciate.

21 And thank you. And I thank you all
22 for your time.

23 MR. HIFFA: Good evening. On behalf
24 of Rebuild NY Now, we greatly appreciate the

1 opportunity to go through the fourth year of
2 the Executive's proposed five-year capital
3 plan.

4 Rebuild NY strongly supports the
5 Governor's decision to prioritize the
6 infrastructure by proposing the largest year
7 over year increase of \$800 million to DOT's
8 Core program. We also strongly urge you to
9 add 250 million to the CHIPS program funding
10 for local systems. To be clear, the
11 Executive's local highway aid is flat year
12 over year. This would be the second year.

13 The unprecedented growth in the rate
14 of inflation on highway construction impacts
15 all projects. Plans that were for five
16 bridge replacements are now three.
17 Reconstruction of 10 miles became two.

18 Compounding the demand on the limited
19 available road maintenance dollars are the
20 CLCPA mandates. Rebuild NY strongly supports
21 the CLCPA greenhouse gas emissions reduction
22 goals, but the funding needs to be there to
23 support the transportation system's
24 transformation.

1 One such mandate is the Clean Trucks
2 Act, which calls for electrifying the state's
3 and local governments massive snowplow fleet.
4 The DOT has over 1600 snowplows, and
5 statewide all local levels of government have
6 another 15,000 snowplows and over 1300
7 garages housing them.

8 The DOT and Town Superintendents have
9 separately begun working with the joint
10 utilities to assess the level of electricity
11 to supply these massive fleets, and the cost.
12 As you know, the utilities have already gone
13 through this exercise with the state's 700
14 school districts. In some ways the
15 comparison is similar, but other ways very
16 different. An EV bus is about 425,000. An
17 EV plow, when they do become available, will
18 be approximately 800,000.

19 School buses can charge overnight,
20 using less electricity flow than a plow
21 charger, which needs to charge in the
22 shortest period of time possible during
23 emergencies.

24 Even at their lower charging rate, the

1 joint utilities found 15 percent of school
2 bus garages couldn't get enough electricity
3 to charge a single EV bus. Another quarter
4 couldn't supply more than 10 EV buses.

5 While we don't know the exact cost yet
6 to electrify the state's plow fleet, we know
7 it will be billions more than is currently
8 being spent on the system. And of course
9 every dollar going to electrical
10 infrastructure takes away from road
11 maintenance and operations.

12 In conclusion, we appreciate the
13 Legislature has always recognized our road
14 system is critical for both the state's
15 economy and quality of life in our state.
16 Again, we support the Executive Budget with
17 increases in funding for DOT, but additional
18 funds are absolutely critical in supporting
19 the local system.

20 We look forward to working with you.

21 Thank you very much.

22 CHAIRMAN PRETLOW: Assemblyman
23 Magnarelli.

24 ASSEMBLYMAN MAGNARELLI: Well, again,

1 I just want to say thank you for being here.
2 You've been here all day -- again. And the
3 thing is, we talk often with most of you. I
4 think I saw the town supervisor just last
5 week. Right? So we hear what you're saying.

6 I have one question, though, for
7 Colleen Thomas. Okay? You're saying that
8 there are state highways within the
9 jurisdiction of the tribe, but they're state
10 highways and they're supposed to be
11 maintained by the state. Do you get any
12 state monies? Do you get CHIPS? Do you get
13 anything?

14 MS. THOMAS: No, we don't.

15 ASSEMBLYMAN MAGNARELLI: You get
16 nothing?

17 MS. THOMAS: No. We are --
18 transportation funding comes from the BIA
19 only.

20 ASSEMBLYMAN MAGNARELLI: PIA? What's
21 PIA?

22 MS. THOMAS: The Bureau of Indian
23 Affairs, the Tribal Transportation Program.

24 ASSEMBLYMAN MAGNARELLI: So it's

1 federal money.

2 MS. THOMAS: Yes.

3 ASSEMBLYMAN MAGNARELLI: Okay. But
4 you get nothing from the state.

5 MS. THOMAS: No.

6 ASSEMBLYMAN MAGNARELLI: I will take a
7 look at that.

8 MS. THOMAS: And the Franklin County
9 Garage that serves our territory, for years
10 they've complained about their lack of
11 resources and equipment.

12 For example, there's one mower that
13 serves the entire Region 7. So they have
14 access to it once a summer. So the tribe
15 ended up --

16 ASSEMBLYMAN MAGNARELLI: Once a
17 summer.

18 MS. THOMAS: Yeah, once a summer.
19 Grass doesn't grow that slowly.

20 ASSEMBLYMAN MAGNARELLI: And are there
21 any impediments on the tribe's territory for
22 the use of that road? Or --

23 MS. THOMAS: No.

24 ASSEMBLYMAN MAGNARELLI: -- can I

1 drive it any time I want?

2 MS. THOMAS: Yes, of course.

3 ASSEMBLYMAN MAGNARELLI: Okay. All
4 right. We'll check into it. Thank you.

5 CHAIRMAN PRETLOW: Senator?

6 CHAIRWOMAN KRUEGER: I just -- hi.

7 Before I turn it over, so it's not the clock,
8 I've just been asked to recognize the
9 University Student Senate members who are
10 here but won't be able to be around to speak
11 later because they have to get on the train.

12 So just hello, everyone. Thank you
13 for being with us.

14 (Applause.)

15 CHAIRWOMAN KRUEGER: I hope you've had
16 an educational day.

17 And I'm going to pass it over to Leroy
18 Comrie. Thank you.

19 SENATOR COMRIE: I don't have any
20 questions for the panel, but I just hope that
21 the University Student Senate will leave
22 testimony, if they have it. Or if not, email
23 it to us.

24 So thank you for being here, panel. I

1 want to thank you for your continued
2 diligence. In the spirit of now Congressman
3 Tim Kennedy, and I've always been supportive
4 of CHIPS and upstate funding and winter
5 extreme funding, and I will definitely fight
6 along with Senator Mannion -- sorry, now he's
7 Congressman Mannion -- Senator Cooney -- we
8 had two Senators jump to Congress -- to make
9 sure that that happens. As you know,
10 Senator Cooney has taken up that mantle as
11 well.

12 It's important to me that the upstate
13 communities do have as much resources as
14 possible, because New York is a wonderful
15 place for people to visit, and tourism is
16 important.

17 And to the Saint Regis Tribe, we have
18 to figure your stuff out so you can get your
19 roads repaired. It's egregious that that is
20 happening, and we will make an effort to try
21 to get you some relief.

22 Thank you all for being here.

23 CHAIRMAN PRETLOW: Who's next?

24 Mr. Miller.

1 ASSEMBLYMAN MILLER: Thank you. Thank
2 you all for your testimony. I wish you all
3 had more than three minutes, because what
4 you're talking about here really affects
5 everything -- you know, all of our CHIPS
6 funding, Bridge-NY, Pave Our Potholes, it's
7 all right here.

8 And with the flat funding on the CHIPS
9 programs -- this is for the County Highway
10 Superintendents and the Association of
11 Town Superintendents. With the flat funding,
12 what's the percentage of work -- less work
13 you're going to be able to perform? Just a
14 rough estimate.

15 MR. HAJOS: Yeah, I guess I don't know
16 exact percentage, but I'll say that with the
17 flat funding and with the inflation cost of
18 construction materials that we've seen -- and
19 I think Fred said it, with a mile of road
20 that I used to be able to do, let's say, at a
21 hundred thousand dollars and using CHIPS
22 money, I'd be lucky to get a half a mile of
23 road now done.

24 And without that extra funding and an

1 increase in inflation cost, it's only going
2 to get worse.

3 ASSEMBLYMAN MILLER: So all our
4 lane-miles and all our structures, it's --
5 you know, we're seeing more and more weather
6 events every year. And as the funding stays
7 flat or decreases, we're going to get farther
8 and farther behind the eightball.

9 MR. HAJOS: Yes.

10 ASSEMBLYMAN MILLER: One more
11 question, a real quick one. This is just the
12 effect the EVs are going to have on your
13 members. How many -- you know, like
14 Mr. Hajos said here, it's going to cut into
15 your projects, but most of your members won't
16 even be able to even comply with any of it
17 because the infrastructure's not there even
18 to get them charging.

19 MR. HIFFA: Well, that's why we're
20 going through the process now, though. It
21 will probably take six months to a year. But
22 we need that assessment. That's why we're
23 working with utilities, so we know what the
24 real costs are.

1 But considering the size, most of the
2 local budgets, you know, it's way beyond the
3 scope. But you have to get the facts, it's
4 in law, we're going to work and do our
5 due diligence just like the school districts
6 are.

7 ASSEMBLYMAN MILLER: So one statement.
8 So given the CHIPS funding's 250 million
9 additional, it's vital at this time because
10 every year we're fighting for this money and
11 then we just -- we can't get to that level
12 where we really need to be.

13 That's all I got. Thank you, fellas
14 and ma'am.

15 MR. HAJOS: Thank you.

16 MR. MUSTICO: Thank you.

17 CHAIRMAN PRETLOW: Senate?

18 CHAIRWOMAN KRUEGER: Oops. Senator
19 Tom O'Mara.

20 SENATOR O'MARA: She forgets me often
21 even though I'm sitting right next to her.

22 (Laughter.)

23 SENATOR O'MARA: But thank you,
24 Chairwoman.

1 Thank you all for your testimony.
2 It's great to have you and your advocacy on
3 CHIPS, which has been a major issue of mine
4 throughout my tenure here in the Legislature.
5 So just thank you for your advocacy today.
6 On looking for the extra \$250 million, we
7 will be working very hard to achieve that.
8 And it makes complete sense given the very
9 good amount that was given to the DOT
10 programs.

11 So your advocacy is much appreciated.
12 Look forward to seeing your associations
13 around the halls of the Capitol in the coming
14 weeks, the coming month. It's good to have
15 you here. Matt, good to see you here from
16 home. Had another witness testifying
17 yesterday from home, which is very unusual
18 for my neck of the woods. But it's great to
19 have you all here.

20 If everybody would just want to
21 comment on -- that we've got all these
22 various programs, CHIPS I think being the
23 most important one of -- the Extreme Winter
24 Recovery, Potholes, they're all a little bit

1 different, but I think CHIPS is the most
2 fairest distribution really of any funding
3 program I think in the state.

4 But just the importance of putting
5 whatever additional funding we can get into
6 CHIPS, as opposed to some of those other
7 spin-off programs we've had in recent years,
8 if anybody wants to address that.

9 MR. HIFFA: I mean, normally what we
10 look at -- and we have a pie chart which I'm
11 not going to bore everybody with, but it
12 shows you your lane-miles on the local system
13 and how much you're getting out of the five
14 programs. And historically the towns, for
15 example, have 57 percent of the local roads
16 and they're getting about 2900 a lane-mile.
17 If you look at like the STR program, it's
18 closer to 10,000 a lane-mile and it affects a
19 much smaller group of communities.

20 So the CHIPS hits all 1600
21 communities. It gives them the most
22 flexibility on how to spend the money. And
23 clearly in this time of inflation, every
24 community is desperately in need of these

1 additional funds, and that's the best way to
2 distribute it.

3 MR. MUSTICO: And one other thing.
4 Most of the communities -- not most, a lot of
5 your smaller communities, that's all they use
6 for their highways. They don't have any
7 other funding. And so whatever they get for
8 CHIPS money, that's what they're using in the
9 roads. So every little bit they can get
10 extra helps them a lot.

11 SENATOR O'MARA: Absolutely. Thanks
12 for that. I do know that, I see that with
13 the many, many rural towns and even some
14 villages that that's all they have, is the
15 CHIPS funding. So it's critically important
16 for them.

17 Thank you all very much.

18 PANELISTS: Thank you.

19 CHAIRMAN PRETLOW: Thank you.

20 Assemblyman Ra.

21 ASSEMBLYMAN RA: Thank you.

22 I think you kind of answered this, but
23 the -- because I think the same thought is in
24 all of our heads that when you look at the

1 800 million for the capital plan, you're
2 saying this is what it takes to keep up and
3 actually be able to do everything we had
4 planned to do because costs have gone up. It
5 makes perfect sense you do the same on the
6 CHIPS side.

7 So you would say, in calculating, that
8 that \$250 million number is the appropriate
9 number to do something commensurate with the
10 CHIPS program?

11 MR. HIFFA: Yeah, I think the way
12 we're looking at it, the industry as a group
13 supported the 800 million and we used the
14 same formula to come up with the 250, except
15 that they're making the Executive Budget.

16 And someone had brought it up earlier,
17 and it's incredibly important, that we've
18 seen these declines over the last seven
19 years. One additional lump of money, as
20 important as it is, we need to keep moving
21 forward and we need to look at, when we --
22 for the MTA, they need a long-term funding
23 solution for their next plan. We
24 simultaneously should be looking to make sure

1 whether we reconstitute the Dedicated Highway
2 and Bridge Trust Fund that we stopped using
3 in 2012, or a redistribution of driver fees,
4 which right now about 6 billion are being
5 collected annually, but less than 1.9 billion
6 are going back in directly to roads.

7 So I think those things need to be
8 part of the conversation too. As you look at
9 redefining how we are going to pay for
10 transit, highways should need to be part of
11 that conversation.

12 ASSEMBLYMAN RA: And then the bidding
13 threshold issue. I mean, I wrack my brain
14 with this every year as we get through,
15 because it just seems like it's something we
16 should be doing.

17 I don't know, any comment? I mean,
18 obviously we're all legislators up here. But
19 what is the real objection to doing that?

20 MR. HAJOS: I was just going to say, I
21 mean with the inflation costs that we've
22 seen, the dollars go farther if we don't have
23 necessarily that threshold. I mean, for us
24 as a county, we don't do a lot of our own

1 paving work, but there are other counties who
2 do their own paving work. If they have to
3 bid it out, it's not cost-effective. It's
4 costing them more to do it, because they're
5 up against that limit of 350,000.

6 We think just eliminating it
7 altogether would make more sense.

8 MR. COONEY: I just -- I would be
9 contrary on that. Obviously the funding,
10 yes. But we live in a competitive bid
11 environment. And I support that entirely,
12 and I do believe it is the best way to get
13 value.

14 Yes, some, you know, communities do
15 self-perform some of their work, but I would
16 tell you that I would not quickly accept the
17 argument that that is cost-effective. We
18 live by the competitive bid with almost all
19 that we do here in the state buying things.
20 And I am not in favor of raising that limit.

21 Sorry for the disagreement here, but I
22 had to state it.

23 ASSEMBLYMAN RA: No, that's -- that's
24 helpful. Thank you.

1 CHAIRMAN PRETLOW: Thank you.

2 Senator?

3 CHAIRWOMAN KRUEGER: (Mic off;
4 inaudible.)

5 PANELISTS: Thank you.

6 CHAIRMAN PRETLOW: Whoa, whoa, whoa.
7 It may be the upper house, but they don't
8 control things around here.

9 (Laughter.)

10 CHAIRMAN PRETLOW: Assemblyman
11 Palmesano.

12 ASSEMBLYMAN PALMESANO: Yes, thank you
13 all for being here.

14 Given the fact, you know, from my
15 research, according to the federal highway
16 administration -- you've been talking about
17 inflation -- that for the past three years
18 highway construction costs have increased
19 70 percent. Is that an accurate estimate?

20 (Panel members nodding.)

21 ASSEMBLYMAN PALMESANO: Okay. And
22 I've heard you all talk about CHIPS, so I
23 guess real quick, if you think an increase in
24 CHIPS is warranted and desperately needed,

1 raise your hand.

2 Thank you. Almost unanimous. That
3 was an easy one.

4 What about long-term needs? I know,
5 Mr. Hiffa, you talked about long-term needs
6 assessments. Was there a 2023 study that was
7 recently done showing what the transportation
8 needs were for -- across the towns? Wasn't
9 that like -- a significant amount, if I
10 recall. Do you know how much that --

11 MR. HIFFA: Yeah, there was an
12 analysis that was done by the Town Highway
13 Superintendents, and that number now --
14 outside of New York City, we're spending
15 about 2 billion a year on the local system,
16 and that's underfunding by about 2.6 billion.

17 And we have pulled the city bridges
18 out of that, which the Comptroller estimated
19 at 20 billion of the 30 billion need.

20 So it is significantly more than we're
21 investing now, yes.

22 ASSEMBLYMAN PALMESANO: You said
23 2 billion, so over 15 years that's about
24 \$30 billion in unmet need? Okay.

1 And I think Kevin, you were talking
2 about the per-mile maintenance cost. There
3 was a lot of talk -- and I know at the
4 electric vehicle charging station
5 infrastructure there was talk about the
6 school buses. And I think there's a
7 preliminary study going on. How much is
8 that -- you know, how concerned are you
9 about, you know, the weight of these vehicles
10 and the damage this can do to our local
11 roads? Because they're going to go over the
12 local roads -- they're not going to be going
13 over the state highways as much as the local
14 roads.

15 And how will that impact the cost per
16 mile for both rehabilitation and for just
17 maintenance costs, significantly?

18 MR. HAJOS: Well, I think first of all
19 it's going to be a huge impact to our roads
20 system. Because as you know, and you're well
21 aware of, most town roads or rural counties,
22 they don't have thick pavement structures.
23 So the weight of these vehicles is going to
24 do a significant number of damage to these

1 roads.

2 So for us, you know, it used to be
3 maybe a million dollars to do a
4 reconstruction project per mile. It's going
5 to -- I mean, with the damage that these
6 could cause, it could triple that.

7 ASSEMBLYMAN PALMESANO: And
8 Mr. Mustico, I know your report's coming at
9 some point. You gave some preliminary
10 numbers. Hopefully you could share that with
11 us when it comes in; we'd like to have those
12 numbers.

13 And what are you seeing from your
14 perspective on what you understand as far as
15 the cost per mile and -- I'm sorry, and like
16 how would that affect the life use? The
17 normal life use of a road is about 10 years,
18 I'm hearing. And it might decrease the life?

19 MR. MUSTICO: Ten? For us it's --
20 yeah, lucky if we get 10, because, you know,
21 our rural roads, we don't build them like we
22 do the other roads we have. So yeah, if we
23 get 10 out of them, we're lucky.

24 But that's going to impact them big

1 time.

2 CHAIRMAN PRETLOW: Thank you very
3 much.

4 Assemblyman Jacobson.

5 ASSEMBLYMAN JACOBSON: Thank you.

6 I just -- first I want to thank all of
7 you for hanging in there. You know, you had
8 to battle the snow in the morning and then
9 when you get up here, you made it to the end.

10 I just want to reemphasize what
11 Mr. Cooney said about getting the fair share
12 for Region 8, because it's such a large area.
13 I mean, if you can imagine, it covers
14 Westchester, Putnam, Dutchess and Columbia.
15 And then it covers Rockland, Orange and
16 Ulster. So it's very important.

17 And I think the rest has been said, so
18 thank you.

19 CHAIRMAN PRETLOW: Assemblywoman
20 Giglio.

21 ASSEMBLYWOMAN GIGLIO: So thank you
22 all for being here.

23 And as being in local government for
24 10 years before I joined the State Assembly,

1 we always had a general construction bid in
2 the beginning of the year where we would bid
3 out all the services that we would need for
4 highways and construction.

5 So can you explain to me a little bit
6 about the raising the bid from 350 to, you
7 know, over a million, on how that would
8 benefit you.

9 MR. HAJOS: Well, I know that there's
10 a little bit of a disagreement here. But the
11 bottom line I think for us is costs have
12 increased significantly. And it used to be
13 when we'd submit for CHIPS, you could only
14 submit up to 250,000. Then it was raised to
15 350,000.

16 We feel -- and look, we're not saying
17 we're opposed to bidding, we just want the
18 threshold raised little bit. I don't think
19 it would hurt the contracting industry.

20 But there are many localities who do
21 their own work and they are efficient at
22 doing that work, and this would extend that,
23 you know, threshold for them to allow them to
24 get further in that work.

1 Again, I don't -- I don't think it's
2 going to impact the construction industry,
3 but I think it would benefit our members
4 who --

5 ASSEMBLYWOMAN GIGLIO: But don't you,
6 like, don't you put out a general
7 construction bid, like we need a price per,
8 you know, yard of asphalt, we need a price
9 per yard of concrete, we need a price for,
10 you know, a mile of guardrails? Don't you do
11 that in the beginning of the year and then
12 that's your contractor you're with for the
13 whole year, for all this work?

14 MR. HAJOS: Yeah, we call them term
15 agreements, and we do do them. And we do
16 it -- we, because we don't do paving
17 in-house, we bid out all our paving work. So
18 we typically, you know, evaluate our roads,
19 pick roads to pave for that season, whatever
20 type of treatments we're going to do, then we
21 bid those out. So same with guardrails, same
22 with -- we don't do a lot of concrete work.
23 We do a lot of drainage work in-house. But
24 some of it is bid out, yes.

1 ASSEMBLYWOMAN GIGLIO: Okay, so your
2 general construction contract that you bid
3 out, and then you could have 10 different
4 contractors on that general construction bid
5 -- one that does asphalt, one that does
6 concrete, one that does drainage, but where
7 you buy your drainage rings from -- you know,
8 all of that is -- I mean, it was my
9 experience that they would just order it from
10 that because it was the least expensive for
11 the whole year and that they wouldn't have to
12 go out to bid.

13 So what type of projects would go out
14 to bid that would be from, you know, 350 to a
15 million dollars? What type of projects --

16 MR. HAJOS: Yeah, when we -- I'm
17 sorry, when we do our paving projects we bid
18 it all at one time. So it's not bidding for
19 pipes separate, we bid a project. So we
20 typically put that whole project out to bid,
21 soup to nuts, from reconstruction, paving,
22 guardrail, drainage work, it all gets bid at
23 one time.

24 And typically, you're right, it's this

1 time of year that we put those bids out.

2 ASSEMBLYWOMAN GIGLIO: Okay. All
3 right, thank you.

4 MR. HAJOS: You're welcome.

5 CHAIRMAN PRETLOW: Assemblywoman
6 Shimsky.

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

9 And thank you so much to all of you
10 for your advocacy and for your information
11 and your thoughtfulness on these issues.

12 I wanted to go to the concept of
13 consolidating some of our road programs. I
14 know -- I'm downstate, but my district is all
15 villages and towns, and sometimes I suspect
16 the way some of the officials talk to me is
17 because there's so many programs to read the
18 requirements of and bid for that they may be
19 leaving some money on the table.

20 Do you see that in your experiences?

21 MR. HIFFA: I mean, normally what we
22 would see -- I mean, a lot of our departments
23 are really quite small. We have five
24 programs. Three of them have almost the

1 exact same specs, and then the other two have
2 the exact same specs.

3 This is something that DOT helps them,
4 reduces their -- right now, I mean, I have
5 all these DOT spreadsheets that they have to
6 run for every single program for every single
7 community, 1600 communities in some of these
8 programs, and then rolling over -- I mean,
9 it's -- they do a great job, but we're all on
10 the same page, which is let's consolidate
11 them, let's make it a little bit easier, less
12 bureaucratic. And I think it really would be
13 beneficial for everyone.

14 Thank you for asking.

15 MR. MUSTICO: Well, if you look at the
16 guidelines on those -- I do my own CHIPS
17 paperwork, I don't have a clerk that does it.
18 So if you look at all different ones, you
19 could basically pick out of any of those a
20 project to do. I mean, like the pave or the
21 potholes. I mean, it's not just for
22 potholes. You know, you can be creative and
23 use it on something else.

24 So if you could combine them, that

1 would be -- it's just, you know, less pages
2 you have to do.

3 ASSEMBLYWOMAN SHIMSKY: Okay. Some of
4 Director Thomas's testimony brought something
5 else to mind aside from the terrible position
6 that the Mohawk Nation is in.

7 But the condition of our secondary
8 state roads definitely need the help, and
9 that's even more of a reason to make sure we
10 start putting in some new infusions of
11 capital.

12 Are all of you seeing similar
13 situations where you are with the secondary
14 roads?

15 (Panel members nodding.)

16 ASSEMBLYWOMAN SHIMSKY: I see a lot of
17 nods.

18 The other thing I wanted to say is as
19 we move forward, it's not like one year of
20 this is going to solve the world's problems.
21 So instead of asking you, I'm going to tell
22 you -- if you want to comment in 10 seconds,
23 you can. But we're going to need this
24 conversation to continue year over year over

1 year to make sure we get the incremental
2 improvements, which is the only way we are
3 going to catch up with our local roads and
4 our state roads.

5 PANELISTS: Thank you.

6 CHAIRMAN PRETLOW: Assemblyman Otis.

7 ASSEMBLYMAN OTIS: Thank you.

8 Thank you all. I would say that you
9 are one of the most important panels in the
10 whole budget cycle, and that is because each
11 of you in your own testimony make the case
12 and give statistics on why increased funding
13 is necessary. It's not enough to just say we
14 need more money, you actually give the
15 metrics -- road conditions and all those
16 things. Very valuable.

17 I have a couple of comments. On the
18 consolidation issue, have you folks asked
19 DOT, even if they have separate programs, to
20 consolidate their application? It seems like
21 you can do the same application and work it
22 in different programs. If you haven't, it's
23 a conversation we could toss at DOT
24 ourselves. But has that been raised?

1 MR. HIFFA: I mean, DOT has literally
2 run this for each community in the state to
3 try to do this consolidation. And honestly,
4 they really do a good job. So we're
5 deferring to their leadership on how it
6 should be done. So that's why we're putting
7 it together the way we are.

8 ASSEMBLYMAN OTIS: Yeah, that's great.

9 Then the other thing that caught my
10 ear from a few of you was if you don't have
11 it, it would be great for us to have
12 statistics on how many communities depend
13 entirely on state funding for their roads,
14 that they're not able to contribute anything
15 locally towards their roads. I think that
16 would be an illuminating statistic to make,
17 again, the case for the continued need.

18 So that's it for me. But again, thank
19 you for the importance of the information
20 that you convey every year. Very valuable.

21 MR. HIFFA: Thank you.

22 CHAIRMAN PRETLOW: I echo Assemblyman
23 Otis's sentiments. And thank you all very
24 much for your testimony; most informative.

1 Thank you.

2 (Off the record pause.)

3 CHAIRMAN PRETLOW: Good evening,
4 everyone. You are Panel D. And just for the
5 purpose of our media people upstairs, could
6 you just state your names and your
7 organizations. Don't start your testimony,
8 the clock won't start. Just so they'll know
9 whose name to put up when you do speak.

10 We'll start from the left to the
11 right. We'll start with you.

12 MS. BAILEY: Sawyer Bailey, AdkAction.

13 MR. EPSTEIN: Good evening. Ron
14 Epstein, New York Materials.

15 MR. HEEFNER: Hello. Mark Heefner,
16 Greater Binghamton Airport, New York Aviation
17 Management Association.

18 MR. HRONCICH: John Hroncich, with BAE
19 Systems.

20 PUTNAM COUNTY EXECUTIVE BYRNE: Kevin
21 Byrne, former member of the Assembly, Putnam
22 County Executive.

23 (Off the record.)

24 CHAIRMAN PRETLOW: Who wants to start?

1 Okay.

2 MS. BAILEY: Good evening, and thank
3 you for having me here today. My name is
4 Sawyer Bailey, and I'm the executive director
5 of AdkAction, a nonprofit in the Adirondack
6 Park working to solve problems to help
7 communities and ecosystems.

8 If you couldn't tell, I am coming to
9 today's hearing eight months pregnant, and
10 anyone pregnant in the winter will tell you
11 they're extra cautious to avoid slipping and
12 falling on snow and ice. People are salting
13 the steps a little extra for me this winter.
14 And I realize they salt because they care,
15 but the problem is there's a slow violence
16 salt causes when it's consistently
17 overapplied. What's preventing a sudden fall
18 is causing significant harm across a
19 geography as vast as a state like ours.

20 Road salt has polluted the water
21 throughout the Adirondack Park and across
22 New York, at times to extents comparable to
23 saltwater estuaries. Of nearly 500 wells
24 tested by the Adirondacks Watershed

1 Institute, 64 percent exceeded sodium levels
2 set by the EPA. And the most significant
3 contamination zones were abundantly clear in
4 this data: Wells downslope of state
5 highways.

6 Oversalting state roads has polluted
7 the wells of hundreds of people in the
8 Adirondack Park who live downslope of state
9 highways and rely on their private wells for
10 drinking, cooking, washing. For those who
11 don't know the extent of the pollution in
12 their private well, especially people who
13 live in older homes, they may be drinking
14 water compromised by heavy metal leaching
15 from salt corrosion.

16 Think about my safety, something you
17 can see, and now think about theirs,
18 compromised by a magnitude of potential lead
19 contamination we can't begin to imagine.

20 But I want you to know that change
21 costs zero dollars. AdkAction and 30
22 Adirondacks towns and counties have proven
23 it. More sustainable, cost-effective winter
24 road maintenance methods work, and the

1 Department of Transportation should be
2 empowered to scale these methods, especially
3 in a budget season where affordability is of
4 the highest priority.

5 Of the \$156 million set aside for snow
6 and ice management in this year's proposed
7 budget, too much of that will bounce and
8 scatter off the road, showing up as wasted
9 salt. The department should have the ability
10 to reclassify a portion of this money to do
11 something to fund the recommendations offered
12 in the Adirondack Road Salt Task Force
13 Report, like starting to use "live edge" plow
14 equipment, salt brine and spreaders, and
15 state-of-the-art salt, snow and temperature
16 tracking equipment.

17 With the support of our legislators,
18 DOT can reach an initial 20 percent salt
19 reduction in salt use, funded simply by
20 material spending reductions in a single
21 winter, if they're given the opportunity to
22 be entrepreneurial. From there, a 50 percent
23 reduction of road salt use and attendant
24 pollution can be achieved. And I think we

1 owe it to communities like mine, our most
2 rural upstate residents. Let's show them
3 they matter more than our fear of leaving
4 business as usual behind.

5 Thank you.

6 MR. EPSTEIN: Good evening, everybody,
7 and thanks for being here.

8 On behalf of the New York Construction
9 Materials Association, I appreciate the
10 opportunity to appear before you this evening
11 to talk about the Department of
12 Transportation's recommendation in the
13 Executive Budget.

14 My name is Ron Epstein. As I
15 mentioned, I'm with the New York Construction
16 Materials Association. I'm the president and
17 CEO.

18 Prior to that I served more than
19 30 years in government, you know, culminating
20 in my role as the executive deputy
21 commissioner for the New York State
22 Department of Transportation. I personally
23 like to think that I know a little something
24 about the agency and its annual budget

1 process. I'll defer to you on that.

2 But given today's time limitations,
3 what I'd like to do is focus on, you know,
4 three comments on the Executive Budget and
5 provide three recommendations.

6 First of all, we applaud the Governor
7 for including the \$100 million in the
8 Executive Budget for the Core Highway
9 Pavement and Bridge Program, specifically the
10 Core program, because that has suffered.
11 This represents a 30 percent increase over
12 year to year. And this, as you've heard many
13 times today, will restore the purchasing
14 power that's been lost to extraordinary
15 inflation. Again, we want to, you know,
16 really support and hope that, you know, this
17 is the base level moving forward in your
18 one-house bills.

19 Secondly, we commend the Governor as
20 well as the Legislature -- I specifically
21 want to call out Chairs Cooney and Magnarelli
22 for their sustained support to enhancing
23 worker protections. I can tell you as a
24 former transportation official, I can

1 personally attest to the importance of how
2 these measures will impact and will protect
3 workforce, and how this will ensure that
4 these valuable workers will return home each
5 evening to their families.

6 My recommendation to anybody that has
7 any reservations about enhancing these
8 protections: Put a desk in a work zone, sit
9 there for about 10 minutes and see how it
10 feels.

11 In terms of the local program, and I
12 know I'm rushing, I just want to reiterate
13 that we support the recommendation for adding
14 \$250 million to the CHIPS program.

15 In terms of conclusions and
16 recommendations, like I said, the
17 \$800 million funding increase is vital to
18 keeping the projects and programs for the
19 forthcoming year on schedule. But there are
20 risks in the budget, risks that we do not
21 necessarily control such as future
22 inflation -- you know, economic growth which
23 could impact outyear deficits -- and
24 borrowing constraints. And these are things

1 that we're going to have to work for in the
2 long term as we look at infrastructure
3 investments that can be supported during the
4 next five years.

5 To address these challenges, we
6 recommend the following. First of all,
7 develop, you know, recommendations to
8 modernize and strengthen the state's core
9 transportation infrastructure priorities.

10 Also, when you look at solutions for
11 the MTA, let's look holistically at what we
12 can do long-term for the needs of all
13 transportation entities. Let's not take the
14 punch in the face on the MTA and two years
15 later have to come back and raise revenue
16 again.

17 Lastly, it's time that we have a
18 comprehensive needs assessment for the
19 New York State Department of Transportation
20 similar to that of the MTA, so we understand
21 exactly the needs moving forward.

22 My time is up; I just want to say
23 thank you.

24 CHAIRMAN PRETLOW: Thank you.

1 MR. HEEFNER: Good evening. My name
2 is Mark Heefner. I am the president of the
3 New York Aviation Management Association and
4 commissioner of aviation at the Greater
5 Binghamton Airport.

6 Most of you know NYAMA members,
7 ranging from commercial service and general
8 aviation to engineers and various aviation
9 professionals. You probably also know that
10 New York State airports are major economic
11 engines. According to the New York State DOT
12 Report, the aviation industry contributes
13 over \$80 billion in annual economic activity
14 in New York State. More than 454,000
15 New York-based jobs are in aviation or
16 aviation-related industries, generating
17 \$25.8 billion in payroll, and \$6.1 billion in
18 state and local tax revenue each year. Over
19 111 million passengers use New York airports
20 annually.

21 What you might not know is that the
22 investment from New York State's budget last
23 year was \$12.5 million in the Aviation
24 Capital Grant Program, and \$14 million of

1 matching funds for federal programs.

2 That's what we're here to talk about,
3 right? Money, investment, and how to best
4 utilize it for our state's taxpayers. There
5 are very few programs that come to mind that
6 move over 11 million people each year and
7 generate \$25 billion in payroll and
8 \$6 billion in state and local tax revenues.
9 I know I'm repeating that from earlier, but
10 to me it seems very important and speaks to a
11 tremendous return on investment.

12 Today you've probably heard more times
13 than you can count how inflation is driving
14 cost increases. Well, we're going to echo
15 that, just, you know, because we're here.
16 The difference is the Aviation Capital Grant
17 Program has been \$12.5 million for the past
18 eight years, each year, which was woefully
19 underfunded at that point in time.

20 NYAMA continues to advocate for a
21 minimum state financial commitment of
22 \$40 million per year for this program. You
23 heard earlier what we can do with underfunded
24 amounts -- just think how we can positively

1 impact your community with proper funding.

2 While I'm on a roll, NYAMA is
3 consistently looking towards the future
4 because airplanes don't fly in reverse. We
5 go forward. We're seeing future challenges
6 in air service and economic development as
7 well as environmental sustainability and
8 advanced air mobility. Our members are
9 really good at what they do with the money
10 that we have. And with your help and the
11 funding, we can outpace the nation in these
12 areas.

13 NYAMA is ready to work with you to
14 launch our state ahead of all the others, but
15 we need to do it together with good
16 investments from New York State. NYAMA
17 commends Governor Kathy Hochul for
18 recognizing the unique capital needs for
19 airports, and we extremely appreciate the
20 importance of the Aviation Capital Grant
21 Funding program by the cochairs of the
22 Aviation Caucus, Assemblymember Donna Lupardo
23 and Senator Monica Martinez, and the members
24 of the caucus.

1 In conclusion, well-funded aviation
2 capital programs for the Empire State's
3 airports are essential to protect jobs and
4 ensure economic health for the state and its
5 residents. Thank you so much.

6 CHAIRMAN PRETLOW: Thank you.

7 MR. HRONCICH: Good evening and thank
8 you to Chairs Pretlow and Magnarelli and to
9 the collection of Senators and
10 Assemblymembers for staying with us this
11 evening.

12 My name is John Hroncich. I work at
13 BAE Systems. I'm here representing the over
14 2,000 employees BAE Systems across New York
15 State, including over 1200 in Endicott, where
16 I'm from, where I live -- I've been there for
17 15 years -- and where we design and
18 manufacture electric propulsion systems for
19 heavy-duty transit vehicles.

20 I'd like to talk to you today about
21 the MTA capital plan: \$68 billion is what
22 the plan is asking for. Comparatively, the
23 rest of New York State, the five-year capital
24 request is a billion dollars, just to give

1 you some scale. Right? The MTA is a very
2 large agency. They represent about 10 to
3 12 percent of total bus production between
4 the U.S. and Canada each year.

5 In the capital plan that was approved
6 by the MTA Board, there are 500 battery
7 electric buses. We support that. What I'd
8 like to challenge is the 1,746 diesel buses
9 and zero hydroelectric buses in the current
10 2025-2029 MTA capital plan. One thousand
11 seven hundred forty-six diesel buses
12 represents more diesel buses than the
13 combined 10-year purchases from Boston,
14 Montreal, Toronto, Philadelphia, and
15 Washington, D.C., in the past 10 years. In
16 fact, Philadelphia just retired their last
17 diesel bus.

18 The MTA fleet is about 75 percent
19 diesel buses, which represents the highest
20 percentage in about 20 years. And for the
21 \$68 billion they're looking for, what will
22 that get? Well, the percentage will go down
23 to 72 percent. Essentially the battery
24 electric buses that the MTA is planning to

1 procure aren't replacing diesel buses,
2 they're replacing hybrid buses. The hybrid
3 buses that are manufactured in Endicott,
4 New York -- the hybrid buses that have served
5 the MTA well with proven, reliable service,
6 the hybrid buses you see running throughout
7 all five boroughs of the city.

8 I'm here today to talk about the
9 investment that is being made through the
10 capital plan. Yes, there's a benefit to
11 upstate. When the MTA buys a diesel bus,
12 76 percent of that money leaves the state.
13 When they spend the incremental money to buy
14 a battery electric bus, over 90 percent of
15 that additional funding leaves the state. If
16 they were to buy a hybrid electric bus, the
17 incremental spend would be 80 percent kept in
18 New York State.

19 That's why I'm here today, and we
20 hopefully can count on your support.

21 Thank you.

22 PUTNAM COUNTY EXECUTIVE BYRNE: Good
23 evening. Kevin Byrne, Putnam
24 County Executive.

1 I want to thank Chairman Pretlow --
2 congratulations on the Ways and Means chair.
3 Quite the upgrade from the last time I was
4 here. And it's great to see so many former
5 colleagues.

6 I'm joined with my deputy commissioner
7 of DPW, Joe Bellucci, and I want to share
8 some perspective as not only just a former
9 state legislator, but now as county
10 executive.

11 But I also want to start by
12 reinforcing some of the comments and
13 discussions earlier regarding the congestion
14 tax in New York City. And while some may not
15 think of Putnam County and the businesses in
16 Putnam County as being affected, we are. And
17 there is a detrimental impact to not only our
18 residents that commute but also to some of
19 our businesses, including our largest
20 private-sector employer -- which employs over
21 600 people -- Ace Endico.

22 Our economic development team
23 projected it's going to cost them potentially
24 a quarter of a million dollars, \$250,000 a

1 year. So I just wanted to share that, and
2 hopefully there will be consideration in the
3 future for other forms of financing. I know
4 there's a lot of discussion about that.

5 Speaking specifically to Putnam
6 County, I want to thank the Legislature.
7 Last year we received 1.2 million alone in
8 CHIPS funding. And that was 1.2 million
9 which would have otherwise likely been raised
10 and spent with the support of property taxes.

11 In Putnam County we serve just under
12 100,000 people, and our county government is
13 responsible for maintaining 83 culverts,
14 31 bridges, and 116 centerlane miles of
15 county roadway. And that is not including
16 the state roadway that we also take care of.

17 I also want to just mention as far as
18 from my experience in the State Legislature,
19 things that I learned, that nearly nine out
20 of every 10 roads in our state are maintained
21 under local jurisdiction, totaling more than
22 97,000 centerlane miles of local government's
23 roads, compared to just over 15,000 lane
24 miles owned by the state.

1 Additionally, of the nearly 17,500
2 bridges in the state, more than half -- over
3 8,000 -- are owned by local governments. I
4 know that's something that you probably heard
5 so many different times, people like Phil
6 Palmesano can say it in his sleep.

7 Specific to Putnam County and
8 Region 8, I've heard that be discussed
9 several times. I want to thank the New York
10 State DOT for many of their projects that
11 they've worked collaboratively with the
12 county government. I see that Route 311,
13 Route 52 are on our project schedule.

14 But noticeably absent is Route 301.
15 Route 301 connects essentially the
16 Hudson River to the rest of the county, east
17 to west. We have miles and miles of
18 protected parkland which we treasure, but in
19 many ways Putnam County is segmented from the
20 west side to the east side. And Route 301 is
21 in disrepair.

22 We also wanted to bring to your
23 attention any opportunity to expand
24 paratransit. County government works to

1 provide paratransit services, but we also
2 know that there's gaps in services. So where
3 there's an opportunity to expand those
4 services, we want to do that. And a
5 shout-out to your DMV commissioner and my
6 clerk: Parents as the Driving Partners.
7 Great program, hope you expand it statewide.

8 Thank you.

9 CHAIRMAN PRETLOW: Thank you,
10 Mr. County Executive.

11 Mr. Magnarelli?

12 ASSEMBLYMAN MAGNARELLI: Ms. Bailey, I
13 just have a question.

14 First of all, thank you all for being
15 here again. I've seen you before.

16 Ms. Bailey, you talked about salt in
17 the Adirondacks. We did a study, I think it
18 was just two years ago -- I'm not quite
19 sure -- I was told it came back and that the
20 DOT was looking at it and it was going to
21 implement some of the things that were there,
22 including using less salt on the roads.

23 Are you saying they're not, or they're
24 not doing enough even with the study? Could

1 you explain that to me.

2 MS. BAILEY: And yes, for those who
3 may not know, in the fall of 2023 the
4 Adirondack State Road Salt Task Force Report
5 was released, issuing about 160 best-in-class
6 recommendations for how to prevent salt
7 pollution across the State of New York, but
8 seeing the Adirondacks as the canary in the
9 coal mine.

10 As part of the act that mandated the
11 creation of that report, several pilot
12 projects were required to be initiated by the
13 DOT. This August, some findings were
14 released about the status of those pilots and
15 their degrees of success. That is all we
16 really know, as the general public, about the
17 direction that the DOT is moving in --

18 ASSEMBLYMAN MAGNARELLI: How did it
19 go? I mean, things were released,
20 information released.

21 MS. BAILEY: Yes, there was a digital
22 report --

23 ASSEMBLYMAN MAGNARELLI: Was it
24 helping? Was it not helping?

1 MS. BAILEY: They showed signs of
2 positive salt reduction. I don't believe the
3 recommendations are being implemented to
4 their fullest extent.

5 Those of you who drive around the
6 Adirondack Park have seen plenty of plows
7 dropping salt when there's no precipitation
8 coming down and no snowpack on the road. Our
9 communities see it plain and clear,
10 particularly our local and county highway
11 road managers, who are doing their part to
12 reduce salt.

13 And I realize this is a large
14 institution to change. It takes time. But
15 we want to be a supportive partner to help
16 the department do just that. We think
17 there's a lot more they can be doing with
18 support.

19 ASSEMBLYMAN MAGNARELLI: Well, I'm
20 going to ask you to either contact my office
21 and come in and see me for an evaluation of
22 what we're talking about, or send me
23 something.

24 MS. BAILEY: Absolutely.

1 ASSEMBLYMAN MAGNARELLI: Because this
2 is something I am interested in. And I know
3 Billy Jones is very interested in it too. So
4 I'd like to follow up, okay?

5 MS. BAILEY: Thank you.

6 ASSEMBLYMAN MAGNARELLI: Thank you.

7 CHAIRWOMAN KRUEGER: (Inaudible.)

8 SENATOR COMRIE: I don't have any
9 questions, but thank you. Please keep in
10 contact with my office during the budget.
11 I'll do what I can to make sure that I
12 support my upstate colleagues.

13 As I said to the earlier panel, we
14 want to make sure that all of our communities
15 in this state get what they deserve in the
16 resources that you have.

17 I appreciate your testimony. Thank
18 you for being here.

19 CHAIRMAN PRETLOW: Assemblyman
20 Braunstein.

21 ASSEMBLYMAN BRAUNSTEIN: Thank you.

22 And thank you all for your patience,
23 for waiting all this time to testify.

24 My question is for the gentleman from

1 BAE Systems. How do you pronounce your name,
2 sir?

3 MR. HRONCICH: Yes, it's John
4 Hur-on-check.

5 ASSEMBLYMAN BRAUNSTEIN: Okay, thank
6 you.

7 You talked about the MTA plan and the
8 proposed bus purchases. You express there's
9 three different kinds of bus: There's
10 diesel, there's hybrid, and then there's
11 electric?

12 MR. HRONCICH: There's also natural
13 gas. That's another --

14 ASSEMBLYMAN BRAUNSTEIN: Let's stick
15 with those three that you discussed.

16 What is the cost of each individual
17 one?

18 MR. HRONCICH: That's a great
19 question. On average, right, a diesel bus is
20 about \$700,000. A hybrid electric bus would
21 be 925. And a battery electric bus would be
22 1.1, \$1.15 million each.

23 ASSEMBLYMAN BRAUNSTEIN: Not a huge
24 difference. Have you contacted the MTA and

1 had a conversation about why they chose
2 diesel over --

3 MR. HRONCICH: Yes, we've been
4 supplying the MTA with product for over
5 20 years, so we had a very good relationship
6 with the MTA.

7 They're investing in battery electric
8 buses. Now, the prices I gave you are just
9 for the bus. Out of those three types,
10 battery electric buses require substantial
11 funding for infrastructure, which is almost
12 1.5 times the cost of the bus. And the MTA
13 has 26 depots. So they're, you know, working
14 with Con Ed.

15 And you can just imagine, right, that
16 the bus, when it comes to battery electric
17 buses, is just a piece of the capital
18 requirement.

19 ASSEMBLYMAN BRAUNSTEIN: And do you
20 have a hypothesis about why they're moving
21 off of a hybrid bus? Is that the same
22 challenge with infrastructure?

23 MR. HRONCICH: No. Hybrid buses are
24 essentially no infrastructure required.

1 They're essentially replacements for diesel
2 buses in that respect.

3 I think it's a matter of funding,
4 frankly.

5 ASSEMBLYMAN BRAUNSTEIN: But you said
6 there were only about 200,000 difference.

7 MR. HRONCICH: Correct. Well, again,
8 this is John Hroncich's --

9 ASSEMBLYMAN BRAUNSTEIN: I guess I say
10 only, but when you're buying thousands it
11 probably --

12 MR. HRONCICH: Right, I can't speak
13 for the MTA, right, particularly. But the
14 MTA's looking at buying 2200 buses, so, you
15 know, the numbers get big really fast when
16 you're talking about --

17 ASSEMBLYMAN BRAUNSTEIN: I want to
18 just thank you for bringing that to our
19 attention.

20 MR. HRONCICH: Thank you.

21 CHAIRMAN PRETLOW: Senator?

22 CHAIRWOMAN KRUEGER: Thank you very
23 much -- {mic out; inaudible}. Sorry, there
24 we go. Thank you up there.

1 -- since you handle construction
2 materials and there's a lot of interest and
3 concern about trying to do things in a more
4 environmentally safe way.

5 Has there been progress in actually
6 being able to meet things like the CLCPA
7 requirements for improved products for
8 building our highways and our roads and
9 repairing them so that we can meet both sets
10 of targets, making sure we have safe and
11 healthy roads but also trying to decrease the
12 environmental damage?

13 MR. EPSTEIN: Sure. First and
14 foremost, I do want to say that we're
15 agnostic in terms of types of materials as
16 long as they're tested and they're deemed
17 safe and durable for the common public.

18 One of the things we'd like to see is
19 the state use more recycled asphalt pavement,
20 recycled concrete pavement in their
21 specifications, because basically not only
22 would it reduce the amount of aggregate
23 materials that need to be produced, but saves
24 energy and carbon emissions, as well as you

1 are reducing the amount of energy in the
2 production stage for -- you know, in terms of
3 energy.

4 So by using more recycled material --
5 and I believe New York City can use up to
6 40 percent right now -- you're not only
7 reducing the cost of production, the cost of
8 the material, and you're getting greater
9 value of the materials in terms of what you
10 can actually do in terms of performance on
11 the system.

12 So we would support any and all
13 alternatives that are deemed safe. And like
14 I said, what we want to do is remove our
15 energy footprint from the manufacturing
16 process.

17 But I do want to kind of cross over to
18 the conversation that was just had.
19 Unfortunately, because of the types of
20 temperatures that are involved in producing
21 materials like asphalt, there are no viable
22 or commercially available electrification
23 processes.

24 So this is something that we'll have

1 to work with the Legislature on in terms of
2 how we prepare the industry that's more than
3 willing to work with you on these alternative
4 materials, but in a way that we can actually
5 make them available to the towns, to the
6 counties, and to the state.

7 CHAIRWOMAN KRUEGER: Thank you. I
8 would love for us all to work on that
9 together. Thank you.

10 CHAIRMAN PRETLOW: Mr. Miller.

11 ASSEMBLYMAN MILLER: Thank you.

12 Thank you all for your testimony.

13 This is a question for Mr. Heefner.
14 You gave a figure there, and I just want to
15 clarify that. Eighty billion in aviation
16 economic impact across the state. Is there a
17 report with the airports broken down?

18 MR. HEEFNER: Yes, sir.

19 ASSEMBLYMAN MILLER: Is it something
20 you can supply us with?

21 MR. HEEFNER: Absolutely. Would love
22 to do that.

23 It's a beautiful website that New York
24 State DOT just finished this last year and

1 released it. They actually did a great job
2 of gathering pre-COVID information,
3 during-COVID information, and then the last
4 most updated information is from 2022. So
5 it's a really comprehensive study, and it's
6 quite interactive. I send my county
7 legislator there all the time.

8 You can click on it, click on all the
9 airports across the state. And it's a
10 beautiful graphic because you see how many
11 airports New York State has, and we are just
12 so gosh-darn blessed to have the ability to
13 have so many airports.

14 So yeah, I can definitely supply that
15 for you.

16 ASSEMBLYMAN MILLER: Thank you.

17 CHAIRMAN PRETLOW: Mr. Ra.

18 ASSEMBLYMAN RA: Thank you all for
19 your patience and sticking around.

20 County Executive Byrne. So you
21 finished -- right under the wire you
22 mentioned a program that you have in your
23 county and that you wanted to see perhaps
24 expanded. Could you perhaps just tell us a

1 little bit about it?

2 PUTNAM COUNTY EXECUTIVE BYRNE: Sure.

3 Thank you. It's a great question,
4 Assemblyman Ra.

5 Yes, Parents as Driving Partners.

6 It's actually -- I was trying to highlight.
7 It's a program that I don't administer, I
8 won't take credit for it. It's really our
9 county clerk, Michael Bartolotti, and it's
10 been a regional program that we worked with
11 Dutchess County and I believe Orange County,
12 in collaboration with our Youth Bureau.

13 And it really is a program that helps
14 give more of a guide and instructions for
15 parents to be actively involved in taking a
16 pledge with their teens when they go into
17 driving. That's been kind of a lacking
18 structure. It's been much more engaging.
19 And the whole thought process is that we're
20 now really not only helping them, but also
21 making our roads safer.

22 So it's been a very helpful
23 collaboration with our DMV and Youth Bureau
24 throughout the Hudson Valley. I just think

1 it's a really good model and it is something
2 that I think is very low-cost -- except for
3 some time, some commitment and some
4 brochures -- that could easily be expanded
5 statewide and help make our roads safe.

6 ASSEMBLYMAN RA: Parents as Driving
7 Partners.

8 PUTNAM COUNTY EXECUTIVE BYRNE:
9 Parents as Driving Partners, correct.

10 ASSEMBLYMAN RA: Thank you.

11 CHAIRMAN PRETLOW: Assemblyman Bores.

12 ASSEMBLYMAN BORES: Thank you all for
13 being here.

14 My questions are for Mr. Heefner.

15 Does NYAMA -- do you represent
16 airports of all sizes, including smaller
17 airports? Or is there a limit to who is
18 included?

19 MR. HEEFNER: Nope, we'll take anybody
20 that wants to be a member. We have all the
21 way from the Port Authority airports down to
22 your small general aviation --

23 ASSEMBLYMAN BORES: So I want to ask
24 you a question mostly about small airports,

1 and I wasn't sure if it was relevant.

2 MR. HEEFNER: Fire.

3 ASSEMBLYMAN BORES: You mentioned
4 sustainable fuels in your testimony. I would
5 add in replacements for avgas. You know, I
6 think most people don't realize that leaded
7 gas is still used, and obviously the FAA has
8 a long program, the EAGLE program, along with
9 others, to find replacements for it.

10 One of the challenges that's being
11 found is that there might be many different
12 kinds of fuels without lead that work, but
13 they can't actually be combined, which means
14 many small airports will need to have
15 multiple fuel tanks and may only have one.

16 So as you talk about investments in
17 these airports and preparing for what's
18 coming, what's your sense of where small
19 airports in New York are in terms of
20 installing additional fuel tanks and fuel
21 lines to prepare for that transition?

22 MR. HEEFNER: I couldn't have asked
23 for a better softball.

24 (Laughter.)

1 MR. HEEFNER: That's what the
2 Aviation Capital Grant Program helps with.
3 So at Greater Binghamton Airport we just
4 actually finished a self-serve avgas tank to
5 serve the general aviation public. And we
6 utilized the Aviation Capital Grant Program,
7 and there's an \$800,000 to do a tank.

8 That program is the perfect way to
9 allow the smaller airports to be able to
10 afford those different types of funding
11 sources. And we're also working with several
12 partners to be able to allow the smaller
13 airports that don't have the spending power,
14 the buying power, the borrowing power, to be
15 able to find avenues to be able to do that.

16 So it's definitely something that is
17 100 percent on our radar, and that's why we
18 think, you know, it's a great investment
19 because it allows those small communities to
20 get in front. I'm a former college football
21 player, so I'm always competing against
22 everybody, and that's why I say like New York
23 State has the ability to get in front of all
24 the other states if we invest in it properly.

1 So our airports are an absolute gem.

2 ASSEMBLYMAN BORES: Would love to
3 follow up on that.

4 Senator Liu -- who had to leave -- and
5 I are working on helping this transition
6 happen in New York, which I think really
7 needs to happen by 2031 when federal
8 preemption goes away. Which seems like a
9 long ways away, but in terms of investing in
10 these changes, isn't that far. So would love
11 to talk more about how we can make that
12 transition in New York.

13 MR. HEEFNER: Absolutely.

14 And I will just add that, you know, we
15 always, from NYAMA's perspective, try to make
16 sure that we take into account that the
17 federal government is a large player in this.
18 And our neighbors all the way on the
19 West Coast decided they wanted to jump the
20 gun a little bit and get in front of that,
21 and then they had to be reeled back.

22 So, you know, we're here to help.
23 We're here to work together. Love the
24 conversation. Let's roll.

1 ASSEMBLYMAN BORES: Looking forward to
2 it. Thank you.

3 CHAIRMAN PRETLOW: Assemblyman
4 Palmesano.

5 ASSEMBLYMAN PALMESANO: Yes.

6 Mr. Byrne, Mr. Epstein, it's wishful
7 thinking that you're both going to be able to
8 answer this, but I'm going to start with
9 Mr. Byrne.

10 But CHIPS, CHIPS, CHIPS. Flat funding
11 proposed in this budget, last year was flat
12 funding. But yet the Federal Highway
13 Administration said a 70 percent highway cost
14 construction inflation increase. How is that
15 impacting your ability in your role as county
16 executive to do the job you need to do and
17 the infrastructure?

18 And then also, you know, if you can
19 answer it, you know, based on your experience
20 both in your past job and with the
21 construction materials industry, what are you
22 seeing on how that's impacting your customers
23 who you're providing materials to?

24 So Kevin first, and hopefully you'll

1 have a chance.

2 PUTNAM COUNTY EXECUTIVE BYRNE: Sure.
3 I'll try to be brief so Mr. Epstein can
4 respond too.

5 Obviously the cost of inflation, the
6 cost of labor, the cost of everything has
7 gone up. So anytime we're not able to get
8 that increase, it will either force us to do
9 more borrowing as a county, postpone capital
10 projects, or dip further into property taxes
11 more than we need to. Or it forces us to
12 prioritize our spending elsewhere.

13 So yeah, it is a concern. And one of
14 the things that I know that we gave as
15 recommendations from the task force the
16 Assembly Minority came up with a while back
17 was tying the CHIPS to CPI. So it would be
18 indexed, so you wouldn't have to have this
19 battle each and every year. I think that
20 would be a really worthwhile endeavor.

21 MR. EPSTEIN: So to answer your
22 question directly, we're seeing much lower
23 placement of pavements on state highways.

24 And the thing that alarms me more than

1 anything is that there's something called
2 vendor placed paving, which is actually
3 administered by OGS, but the Department of
4 Transportation develops the projects. It is
5 probably the lowest-cost type of paving
6 program you can do in the state and has one
7 of the most expansive reaches.

8 But those numbers are basically
9 roughly half of what they were from a year
10 ago. So the tonnage for paving materials are
11 down, the number of lane miles that are being
12 renewed are down.

13 Now, that's not all the result of
14 inflation. We have to be honest with
15 ourselves, there are some big large-scale
16 projects that are underway. We saw this when
17 the Thruway went through the Tappan Zee
18 Bridge to the Mario M. Cuomo Bridge, you
19 know, transition.

20 A lot of time, attention and resources
21 go to large-scale projects, and so the core
22 activities tend to suffer. And so part of
23 what we need to look at is also
24 prioritization: Are we getting the maximum

1 amount of work for the public, or are we
2 doing, you know, a minimum amount for
3 priorities -- I'm not going to say they're
4 not important, that's not the issue. But are
5 we, given the condition of our current
6 system, are we using the money in the best
7 fashion that gives us the greatest return on
8 that investment?

9 ASSEMBLYMAN PALMESANO: Thank you.

10 And this is unusual for me. I just
11 want to say thank you.

12 And Kevin, thanks for working on that
13 task force. It was fun, and we traveled
14 around the state and we learned a lot and
15 came up with some good ideas. Hopefully some
16 of that can be implemented in the future.

17 Thank you. Thank you, guys.

18 CHAIRMAN PRETLOW: Assemblywoman
19 Shimsky.

20 ASSEMBLYWOMAN SHIMSKY: Just quickly,
21 thank you, Chairman Magnarelli, for agreeing
22 to look at the salt issue. There are better
23 ways. Thank you.

24 CHAIRMAN PRETLOW: Thank you one and

1 all. That ends this session -- this section.

2 CHAIRWOMAN KRUEGER: Thank you.

3 CHAIRMAN PRETLOW: Thank you very much
4 for your testimony.

5 (Off the record.)

6 CHAIRWOMAN KRUEGER: Okay, Panel E, if
7 you'd like to join us up front.

8 (Off the record.)

9 CHAIRWOMAN KRUEGER: Do we have anyone
10 else here joining us?

11 (Off the record.)

12 CHAIRWOMAN KRUEGER: Okay. Want him
13 to start?

14 CHAIRMAN PRETLOW: Yes, you can start.
15 Introduce yourself -- just start. Go right
16 into it.

17 MR. GREIF: I'm Christopher D. Greif,
18 advocate for people with disabilities and the
19 ADA accessibility president of a group that I
20 created over four years.

21 CHAIRWOMAN KRUEGER: Great. Okay,
22 please start.

23 MR. GREIF: Good evening, everyone.
24 Good evening, Senators and Assembly. If I

1 say everyone's name, we will not have enough
2 time.

3 My name is Christopher D. Greif. Some
4 of you may know me as a New York City Transit
5 Riders Council member, ACTA member, advocate
6 for people with developmental disabilities,
7 advocate for disabilities for over 32 years.

8 I'm here today to advocate for
9 accessibility. As the MTA was here -- and
10 I've been here since 9:30 this morning -- I
11 have seen a lot of things, and my
12 presentation, PowerPoints, the reason --
13 people thought I was going to do it on the
14 screen, and I said no. We need to show the
15 pictures of the history, what we
16 accomplished.

17 Senators and Assemblymembers who are
18 living in upstate, downstate, and everywhere
19 have seen what things have changed. We're
20 not talking about the old, we're talking
21 about the future of accessibility. The
22 future of accessibility is important to
23 everyone.

24 And when I say everyone, my former

1 colleague, let her rest in peace, the late
2 Edith Prentiss, was always fighting for
3 accessibility. And I am -- you may have
4 heard some of them call me Edith Prentiss
5 2.0. Yes, I am.

6 I am advocating for more
7 accessibility -- not just for elevators and
8 ramps, but everything. As you see in those
9 pictures and everything, we are trying to
10 advocate for more accessibility for not just
11 elevators and ramps but updating our
12 signages, LED lighting, updating the buses --
13 which I did hear somebody mention gasoline.

14 Well, it's called funding. We have to
15 advocate to get updated buses. But I'm glad
16 the buses are ADA-accessible and safe,
17 because there is a ramp in the front of the
18 bus, not in the back of the bus.

19 Second, Long Island Rail Road and
20 Metro-North are being tested with a special
21 alert button which is called boarding
22 assistance. The boarding assistance means we
23 will press the button and the train crew will
24 know there's an accessible customer.

1 Right now Metro-North is being tested,
2 at the Harlem Line, and it's already being
3 done at the Long Island Rail Road branches on
4 Nassau and parts of Suffolk County. And yes,
5 there is one in Brooklyn, at Nostrand.

6 We want to make sure we continue those
7 thoughts and continue those technologies to
8 move forward. As you've seen, there's a
9 program going on thanks to our elected
10 officials in Manhattan, and it did start in
11 Brooklyn in Jo Anne's district at
12 Jay Street-MetroTech, which is called the
13 NaviLens program. And it is in your district
14 too, Senator Krueger.

15 The NaviLens program is linked, even
16 on my phone. And it's not just for a person
17 for language, but deaf and blind communities
18 can also use it very well. It's been tested.

19 I was the chair of that technology
20 committee years ago, and I will say it is
21 nice to see -- to try something new and test
22 it first. I am the OMNY tester as well.
23 Unfortunately, my mother couldn't be here;
24 she is the AAR, Access-A-Ride. I've been

1 testing it all over around the boroughs and
2 everywhere.

3 Thank you.

4 CHAIRMAN PRETLOW: Thank you.

5 Chairman.

6 ASSEMBLYMAN MAGNARELLI: (Mic off;
7 inaudible.)

8 MR. GREIF: Thank you, Assemblyman,
9 and it was good to hear from you on the phone
10 last night.

11 CHAIRWOMAN KRUEGER: Leroy?

12 SENATOR COMRIE: Thank you for being
13 here and waiting all day.

14 Can you -- I didn't understand the
15 system. Can you explain it a little for me?

16 MR. GREIF: The system for
17 accessibility, you mean, Senator?

18 SENATOR COMRIE: Yes.

19 MR. GREIF: Okay. For the last six
20 years, accessibility, thanks to our former
21 president, Andy Byford, who restarted the
22 accessibility, MTA accessibility created.
23 Thanks -- that's why we have Quemuel Arroyo,
24 Q, who is there to continue working on more

1 accessibility.

2 Right now as we have been advocating,
3 and which I have been advocating with that
4 group, and Transit Riders Council, with Lisa
5 Daglian with PCAC, which is part of it, we've
6 been continuing advocating, updating our
7 trains, buses, elevators, ramps and, yes,
8 signages as well. And as you know, I have
9 been with you at the open house in Queens.

10 SENATOR COMRIE: Mm-hmm.

11 MR. GREIF: I was there for a reason
12 because a lot of people need to understand
13 that we have to move forward, not backwards.
14 And a lot of the groups when I've seen
15 lately --

16 SENATOR COMRIE: I'm sorry, I've only
17 got a little amount of time.

18 MR. GREIF: Sorry.

19 SENATOR COMRIE: Do you think ramps
20 are more effective than elevators for the
21 accessibility community?

22 MR. GREIF: A lot of us want more
23 accessible elevators, but if some stations
24 could be ramped, it would be really

1 appreciated and save costs, money.

2 SENATOR COMRIE: So as far as Hill
3 Station, do you think that's better as a ramp
4 or as an elevator?

5 MR. GREIF: It depends with the
6 station's structure. I can say some stations
7 may have more opening space; then you can do
8 a ramp. But if not, then the elevator's the
9 next option.

10 SENATOR COMRIE: Okay. Thank you.
11 Thank you.

12 MR. GREIF: Thank you, Senator.

13 CHAIRWOMAN KRUEGER: Assembly?

14 CHAIRMAN PRETLOW: Assemblymember
15 Simon.

16 ASSEMBLYWOMAN SIMON: There we go.
17 Thank you, Chris. Good to see you.

18 MR. GREIF: Good to see you.

19 ASSEMBLYWOMAN SIMON: Thank you for
20 coming and staying all day.

21 You know, a couple of us asked
22 questions of the MTA earlier about
23 accessibility -- which is obviously a work in
24 progress, as you know. Once upon a time we

1 didn't even have the hundred stations yet,
2 right?

3 MR. GREIF: Mm-hmm.

4 ASSEMBLYWOMAN SIMON: But we've also
5 had a continuing problem with elevators not
6 working, particularly the ones that are put
7 in by somebody else.

8 MR. GREIF: Yes.

9 ASSEMBLYWOMAN SIMON: And we've made a
10 lot of progress on that. There's a great
11 deal of fear that if the capital plan isn't
12 funded to the tune of the 68 billion, that
13 there will be cuts to the number of
14 accessibility improvements in stations.

15 Given your, you know, working so
16 closely with the MTA and being at just about
17 every opening I've ever seen -- I know I see
18 you all the time on Facebook --

19 MR. GREIF: Guilty as charged.

20 ASSEMBLYWOMAN SIMON: -- you know,
21 what is your feeling about the likelihood of
22 success in making the system more accessible?
23 And how quickly are we going to be able to do
24 that? It's a long project, but I'm

1 curious -- because you know a lot about
2 that -- what your views are on that.

3 MR. GREIF: Well, Assemblywoman Simon,
4 just to be very clear, what I've been telling
5 everyone -- not just in Brooklyn, but in all
6 the New York region -- you want an accessible
7 station, you have to put in the support
8 letter and they have to not just cc to the
9 MTA, it has to be cc'd to the Assembly, the
10 Senate, yes, and the Congress as well.

11 Thanks to some of -- we have seen more
12 stations being added in. You did have on
13 your list 4th Avenue-Ninth Street and Smith
14 at Ninth Street, which I mentioned to your
15 staff yesterday. Because a lot of people
16 have -- it's not just going to community
17 boards, it's support letters that would work.

18 And I have encouraged everyone, I have
19 done a presentation on it encouraging people
20 to do that as well. And I'm not afraid to
21 remind people that, you know, those are going
22 to be delayed, like with congestion pricing,
23 because that is going to go through.

24 We need the accessible stations. We

1 need them for a reason. Because if
2 Access-A-Ride cannot come, we need accessible
3 stations. And buses could be also -- could
4 be acting up. That's why we need accessible
5 stations as well.

6 ASSEMBLYWOMAN SIMON: Right. Okay.

7 MR. GREIF: And I have full
8 confidence, not because it's MTA, but
9 advocates watching the MTA. Because why
10 should we all go there and yell and fight?
11 We're sitting there, we're seeing the facts,
12 but there are times the press doesn't get the
13 right facts. And I will say the truth on
14 that.

15 ASSEMBLYWOMAN SIMON: I think that's a
16 very important point that we have accurate
17 information as we go forward.

18 But I think that -- there's a lot of
19 support, I think, among the Legislature for
20 improving the accessibility. So keep
21 fighting. Thank you.

22 MR. GREIF: Thank you.

23 CHAIRMAN PRETLOW: Assemblywoman
24 Giglio.

1 ASSEMBLYWOMAN GIGLIO: Thank you for
2 being here.

3 Yes, so I'll go back to accessibility.
4 And accessibility is important, and I'm
5 curious as to whether or not the MTA has on
6 their website any indication or information
7 for people with disabilities when an elevator
8 is down or when they can't get on a train, so
9 maybe they would look to go to another
10 station to get on a train where is
11 accessibility.

12 Do they have that information on their
13 website?

14 MR. GREIF: Yes, they do.

15 And I just want to add something that
16 I'm glad you brought up. Because since I've
17 been on the ACTA committee, I created the
18 accessible re-route. When the 1, 2 and 3
19 trains were out because of switch replacement
20 at 96th Street, I asked -- the staff at that
21 time before Q came on was Alex -- that we
22 need to work on accessible reroutes, because
23 if a total section is out, how is a senior, a
24 person with a disability or a baby

1 stroller -- or let's not forget veterans also
2 have disabilities, I don't want to leave them
3 out -- how can they get options in different
4 directions?

5 And I have been working with very
6 well -- close, yes, to the MTA. Some people
7 have said, Oh, you're so close -- well, yes.
8 How can you earn the trust if you don't work
9 with them? Fighting is not going to solve
10 anything. Working as a team and moving
11 forward.

12 ASSEMBLYWOMAN GIGLIO: Do they have
13 somebody specifically at the MTA that works
14 with you?

15 MR. GREIF: Yes. His name is
16 Quemuel Arroyo. And there is an MTA
17 Accessibility Division. There is an
18 MTA Accessibility Team, which is thanks to
19 Andy Byford, who changed the name to
20 MTA Accessibility.

21 I have attended a lot of those board
22 meetings. It's nice to hear the word
23 "accessibility" in their mouth. Just like a
24 cup of water.

1 ASSEMBLYWOMAN GIGLIO: Yes. And
2 because people with disabilities and seniors
3 and people with strollers rely in public
4 transportation, it is so important for
5 accessibility.

6 And my next question for you is
7 dealing with the blind and dealing with
8 people that may not see signals at a
9 crossing, the way in New York City or
10 anywhere else they have those bumps that they
11 put on the corners of the intersections to
12 let people know --

13 MR. GREIF: They're called braille.

14 ASSEMBLYWOMAN GIGLIO: What?

15 MR. GREIF: They're called the -- they
16 have braille on the floor also.

17 ASSEMBLYWOMAN GIGLIO: The braille on
18 the floor. And then they also have the
19 indications to let people know when it's safe
20 to cross and not.

21 So do we need more of those? And if
22 we do, is anybody mapping that out?

23 MR. GREIF: Right now, as I said maybe
24 before, it's in my presentation, it's called

1 the NaviLens program. It's being piloted
2 right now in Manhattan.

3 It was started at Jay Street and
4 MetroTech, in Jo Anne's district, which we
5 did start. It's now expanding, thanks to
6 Rabinowitz {ph} and my State Assembly or
7 Senate -- because right now I'm
8 concentrating, thinking.

9 The NaviLens program, which is
10 actually on my cellphone here, and I have
11 tested it myself, not just for deaf and
12 blind, but language as well.

13 ASSEMBLYWOMAN GIGLIO: Interesting.

14 MR. GREIF: And it's been going up
15 through different phases, and I will suggest
16 people who are going to come visit, try it
17 out.

18 ASSEMBLYWOMAN GIGLIO: Okay, great.
19 Thank you so much.

20 MR. GREIF: Thank you.

21 CHAIRWOMAN KRUEGER: Roxanne Persaud
22 to close.

23 And we want to make sure you don't
24 miss your train.

1 MR. GREIF: Yes.

2 SENATOR PERSAUD: Yes, Chris. Thanks
3 again for coming and sticking it out. Thanks
4 again for all the emails that you send every
5 day.

6 MR. GREIF: That's free of charge.

7 (Laughter.)

8 SENATOR PERSAUD: I just want to touch
9 on the Broadway Junction Station. Could you
10 give us any update as to their -- what
11 they're doing? We know we've gotten the
12 money to do the elevators and all the work
13 that's being done. Did they give you an
14 update on the progress?

15 MR. GREIF: Right now -- with that
16 station right now, since it's the most
17 heaviest one of all -- and Queensboro Plaza
18 was done thanks to the community of
19 Long Island City combined, and those were the
20 two.

21 I have seen them starting some work
22 going on, because it's not just a state, it's
23 a city and federal combined. And it's
24 supposed to link to the Long Island Rail

1 Road.

2 So it is going a little slow. But I
3 will say it's better to go slow because when
4 you're transferring there, it's very
5 congested and you have to be very cautious
6 where you're going to build.

7 Just like when they did Queensboro
8 Plaza. Yes, they closed the station. But
9 they did let everyone know as an option what
10 to transfer to, because the station has to be
11 fixed.

12 Just like on the 7 Line I mentioned to
13 Jessica earlier. Some of those stations have
14 holes on the floor, just like Broadway
15 Junction. They have to do not just an
16 elevator to be built, or escalators, they
17 have to build everything on that station to
18 make it fully accessible, and safety as well.

19 SENATOR PERSAUD: Okay, thank you.

20 MR. GREIF: No problem.

21 CHAIRMAN PRETLOW: Thank you very
22 much.

23 CHAIRWOMAN KRUEGER: Thank you very
24 much.

1 MR. GREIF: Thank you so much.

2 CHAIRWOMAN KRUEGER: The advocacy is
3 so important.

4 CHAIRMAN PRETLOW: And this formally
5 closes the hearing on Transportation.

6 (Applause.)

7 (Whereupon, the budget hearing
8 concluded at 6:47 p.m.)

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