

**MOVING FORWARD: NEW YORK CITY'S VISION
FOR THE
REAUTHORIZATION OF TEA-21**



**Michael R. Bloomberg, Mayor
The City of New York**

February 5, 2003



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK N.Y. 10007

February 2003

Dear Friend:

As Congress accelerates its debate on the reauthorization of the Transportation Equity Act for the 21st Century (TEA-21), it has before it a monumental task. Decisions on transportation funding today will have impacts for decades to come.

In determining priorities and allocating resources, I urge you to consider New York City's transportation needs in light of its unique global role and the corresponding impact that this City has on the surrounding region and the country. As the world's business and economic hub, New York City is host to global leaders in an unrivalled array of industries, including finance, publishing, manufacturing, entertainment, insurance, telecommunications and pharmaceuticals. It is also a world leader in the arts, culture and education with its matchless collection of museums, parks, theaters and institutions of higher learning.

New York City's vast transportation network has been an integral part of our City's success and earlier incarnations of this legislation have attempted to address this accordingly. Since it was enacted, the Intermodal Surface Transportation Efficiency Act (ISTEA) and its successor TEA-21 have been vital to helping New York maintain its transportation infrastructure and have been a catalyst for initiatives directed at enhancing transportation mobility, improving environmental quality and spurring economic development.

Going forward, it would be best to preserve the fundamental structure of ISTEA and TEA-21 and build upon our prior successes at establishing a national intermodal transportation system. First, it is important that New York not only maintain its present level of funding, but augment it as well. New York's vast infrastructure is an invaluable, complex and heavily utilized resource built over the last two hundred years. Yet, dependence upon this infrastructure has its corresponding cost in the deterioration of this over-stressed system. Second, the reauthorization of TEA-21 should allow for increased flexibility in order to maximize the opportunities to fund traditional and non-traditional transportation projects.

This past year and a half has been one of the most difficult periods ever endured by our country. The attacks of September 11, 2001, including the attack on the Pentagon and the destruction of the World Trade Center, rank among the most catastrophic disasters in this nation's and in New York City's history. The tragic loss of human life and the accompanying devastation of Lower Manhattan impacted everyone -- and for a short time everyone was a New Yorker. The ensuing world-wide outpouring of grief is a testament to the special place that this City holds in the hearts of people worldwide.

In the wake of this tragedy, the President, Congress, the Governor and two Mayoral administrations have worked closely together to ensure that the rebuilding progresses in a manner that properly honors the victims of September 11th, reconstructs Lower Manhattan in a way that will continue to reflect its role as a business capital of the world, and provides the appropriate transit and transportation infrastructure the City needs to thrive. The speed and facility with which the necessary funding was secured is profoundly appreciated and appropriate considering the key role Lower Manhattan plays in New York City as well as the nation's economy as the country's third largest business district.

In addition to the physical devastation of Lower Manhattan, the full impact of these attacks goes far beyond the site itself. The negative impact of these events has reverberated throughout the City as well as the nation and must be addressed in order to ensure the continued economic viability of each. Additionally, transportation needs that existed before September 11th, including transit needs, congestion mitigation, improved pedestrian and vehicular safety, improved freight movement and most importantly rehabilitation of our aging infrastructure -- including bridges and tunnels that predate those of most other cities -- continue to be critical in all of the boroughs of New York City. Just as the ISTEA and TEA-21 legislation addressed these needs, reauthorization must continue to offer the City of New York the resources it needs to continue to serve as a vibrant hub of community, culture and commerce.

The City of New York has accomplished much through the availability of Federal transportation funding. This White Paper describes many of those accomplishments, but also lays out a road map for future use of these funds. As New York recovers and continues to grow, the continued cooperation and commitment of the Federal government is needed not only for the good of New York, but for the good of the nation as well.

On behalf of the great people of the City of New York, I thank you for this opportunity to express our heartfelt thanks as well as our thoughts and concerns regarding this very important and timely legislation. I look forward to our continued cooperation as you endeavor to reauthorize TEA-21 during this Congressional session.

Sincerely,

A handwritten signature in black ink, reading "Michael R. Bloomberg". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Michael R. Bloomberg
Mayor

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I. EXECUTIVE SUMMARY

HISTORICAL BACKGROUND

The Intermodal Surface Transportation Efficiency Act (ISTEA) and its successor statute, the Transportation Equity Act for the 21st Century (TEA-21), have had an enormous impact on New York City's transportation network by increasing the amount of Federal funding available to the City and by expanding the types of projects eligible for funding.

In its allocation of these funds, the City of New York has pursued the following goals and funding priorities:

Ensuring Infrastructure Rehabilitation: With the most comprehensive and heavily used transportation network in the United States, New York City used ISTEA and TEA-21 funds to assist in the maintenance and preservation of its billions of dollars in infrastructure investment. Most importantly, \$1 billion in Federal funds were allocated from both ISTEA and TEA-21 for all bridge restorations, including the City's historic East River Bridges -- the Williamsburg Bridge, the Brooklyn Bridge, the Manhattan Bridge and the Queensboro Bridge. In addition, this money was supplemented with \$2.9 billion in City funds.

Promoting Transit: New York City's complex and extensive public transportation system is composed of elaborate subway, bus, commuter rail, as well as waterway systems. Under TEA-21, \$132.5 million in Federal funds were allocated for various ferry projects, including the rehabilitation of both Staten Island Ferry terminals and the purchase of new ferry boats. The City also received a Transportation Infrastructure Finance and Innovation Act (TIFIA) loan of \$158 million to assist in funding its ferry projects.

Improving Mobility: Given New York City's limited opportunity to increase roadway capacity to meet increasing demand, the City utilized TEA-21 funds to optimize its roadway system with state-of-the-art Intelligent Transportation System technologies, including a 24-hour a day/7-day a week Traffic Management Center. TEA-21 funds have also assisted in funding pedestrian improvement projects, such as in Downtown Flushing in Queens. In addition, with \$2.5 million in TEA-21 funds, the City rehabilitated rail facilities at the nation's largest wholesale terminal market, the Hunts Point Terminal Produce Market in the Bronx.

Enhancing Quality of Life: Using ISTEA and TEA-21 funds, the City has undertaken various transportation initiatives to improve the lives of the City's eight million residents and its 37.4 million annual visitors, from creating greenways and preserving the environment, to creating a safer street network and making streetscapes more appealing. More than \$103 million in ISTEA and TEA-21 funds allowed the City and State to make significant strides in the implementation of the New York City Bicycle Master Plan. The City also spent \$180 million under ISTEA and TEA-21 on alternative fuel vehicles, and TEA-21 funds have also contributed to the City's efforts to improve safety conditions on critical corridors such as Queens Boulevard.

NEW YORK CITY'S VISION FOR REAUTHORIZATION

New York City is both a regional and national economic engine and, as such, is uniquely poised to lead this country's economic resurgence. Accordingly, it is imperative that New York's transportation infrastructure be preserved and enhanced in order to ensure that the City continues to serve in its role as an economic catalyst.

New York City is constantly growing and evolving. The ensuing demands create an immediate need for new and innovative solutions to move people, vehicles and freight. ISTEA allowed Federal funds to be applied to a broader variety of projects, including pedestrian enhancements, bridge preventive maintenance, mass transit and bicycle facilities. Such flexibility empowers New York to expand the range of its projects and enhance its ability to improve its infrastructure investment.

In addition, New York City requires the financial wherewithal to maintain its existing transportation network. Despite arguments that the State pays less than its fair share in gas tax revenue, New York State and the City's share of TEA-21 funding was disproportionately low given its population, significant number of transit riders and overall tax contributions to Washington. The guarantee of an adequate funding stream enables the City to focus its efforts on maintaining its vast and complex infrastructure. Sufficient transportation funding in the reauthorization of TEA-21 -- and the flexibility to spend these monies most efficiently -- is imperative to the continued economic vitality of New York City and the rest of the nation.

LOOKING AHEAD:

NEW YORK CITY'S TRANSPORTATION GOALS & FUNDING PRIORITIES

Given the national successes resulting from ISTEA and TEA-21, it is imperative that the level of Federal investment in transportation be continued in the reauthorization of TEA-21. As such, New York City's goals and funding priorities within the context of the upcoming TEA-21 reauthorization will continue the four goals which were addressed so successfully in the prior incarnations of this legislation:

Ensuring Infrastructure Rehabilitation: Maintain and rehabilitate the City's infrastructure, which is crucial to the City's economic vitality and the quality of life of its residents. One example of such a project is the rehabilitation of the Harlem River Bridges, including the Third Avenue Bridge, the Willis Avenue Bridge and the 145th Street Bridge. Another critical project is the completion of work on the historic East River Bridges.

Promoting Transit: Promote transit projects to provide residents, commuters and visitors with efficient and alternative modes of transportation. Some critical projects that the City intends to pursue include the continued investment in its Staten Island Ferry infrastructure, along with the purchase of new ferry boats and the expansion of the transit system through projects such as East Side Access for the Long Island Railroad and the construction of a Second Avenue Subway.

Improving Mobility: Improve the safe, efficient and environmentally responsible movement of pedestrians, goods, transit commuters and vehicular traffic on the streets, highways, bridges, rails, subways and waterways of the City's transportation network. Projects include the installation of Advanced Traffic Control Devices, the placement of additional Traffic Video Cameras and the building of a cross harbor freight tunnel to reduce the burden of truck traffic.

Enhancing Quality of Life: Foster, manage and facilitate safe and environmentally sound modes of transportation and implement neighborhood improvement projects to enhance the quality of life of all New Yorkers. Projects include the implementation of a School Safety Initiative at all elementary schools and continuing safety improvements at key locations, such as Queens Boulevard (Queens), the Grand Concourse (the Bronx) and Downtown Brooklyn, and the continued implementation of additional bike routes and the New York City Greenway System.

LEGISLATIVE RECOMMENDATIONS

In order for the City of New York to continue to meet its goals and priorities, the City strongly advocates for the protection and enhancement of transportation funding in TEA-3, the successor to TEA-21. In addition, the City advocates for legislative changes to increase funding flexibility. Specifically, the City seeks to:

Protect and Enhance Funding: TEA-3's primary goal should be to provide the necessary funding levels to enable the City to meet the four previously described goals and priorities by: (a) enhancing funding (b) protecting firewalls and limiting the fluctuations of the Revenue Aligned Budget Authority (RABA) and by (c) ending diversions of revenue.

Maintenance of Transit Funding Formula: TEA-3 should recognize the important economic role transit systems play in providing residents, commuters and visitors with efficient and alternative modes of transportation by maintaining the existing transit funding formulas.

Retain Current Federal Transit Administration Local Match Percentage: TEA-3 should recognize the large investments urban localities dedicate for transit-related transportation projects and should therefore retain the current local match percentage of 20%.

Provide Direct Funding to Large Cities Through a Pilot Program: TEA-3 should recognize the importance of efficient transportation planning for urban areas by introducing a pilot program to allow large cities to receive Federal Highway Administration's (FHWA) funds directly, as opposed to receiving them through the states.

Increase Metropolitan Planning Funds Allocation: TEA-3 should recognize the important role Planning Funds play in meeting the future transportation needs of cities.

Provide a Separate Funding Mechanism for Freight Projects: TEA-3 should recognize the national need to improve freight mobility through a dedicated funding program for intermodal freight improvements.

Support for Transportation Security Measures: TEA-3 should recognize the need for a funding mechanism to support the implementation of security measures.

Provide Operating and Preventive Maintenance Funds: TEA-3 should recognize that cities will better meet their transportation needs through greater flexibility in obtaining Operating and Preventive Maintenance Funds.

Retain and Strengthen the Innovative Financing Mechanisms: TEA-3 should recognize the success of the innovative financing measures established in TEA-21, such as the Transportation Infrastructure Finance and Innovation Act (TIFIA) and continue such programs to help sponsors leverage project funds.

Provide More Explicit Definition of Context-Sensitive Roadway Design: TEA-3 should provide more explicit definition of context-sensitive design standards to minimize delays in implementing Federally-funded projects in constrained urban environments and create an urban context-sensitive solutions demonstration program to bring into focus the design flexibility that is allowable yet underutilized.

II. HISTORICAL BACKGROUND

ISTEA/TEA-21

Congressional authorization of ISTEA in 1991 was a substantial breakthrough for the City of New York in providing additional funds for transportation, as well as expanding the types of projects that were eligible for funding. Prior to ISTEA, New York City received an annual allocation of \$30 million in “Urban System” funds, based on a Federal formula, and on average \$25 million annually in unpredictable discretionary bridge funding through Congressional earmarks.

By increasing the authority of Metropolitan Planning Organizations (MPOs) such as the New York Metropolitan Transportation Council to distribute funds, ISTEA made New York City and other local transportation entities a partner in Federal transportation financing and metropolitan planning decisions. The City received an average of \$137 million annually under ISTEA, significantly more than the old “Urban System” and discretionary allocations. In addition, the City received \$96.3 million in High Priority Earmark funds.

Before the landmark ISTEA legislation was passed Federal highway money could only be used for capital construction or reconstruction projects on a complex hierarchy of Federal-aid road systems. Each system had different rules for the types of funding that could be used and the types of projects that could be financed on the various systems was strictly controlled. ISTEA consolidated and simplified the Federal-aid road system through the creation of the National Highway System. The majority of Federal funds could now be spent at any location for a variety of transportation purposes. The types of projects eligible for Federal highway funding were expanded to include mass transit, rail freight, traffic management operating costs, and pedestrian and bicycle facilities.

TEA-21, the successor to ISTEA enacted in 1998, built on the existing tenets of ISTEA to provide additional funding for multimodal projects, while providing increased funding for highway and bridge infrastructure and transit systems. Under TEA-21, New York City received \$185 million annually. In addition, the City received \$143.8 million in High Priority Earmark funds.

TEA-21 focused on quality of life and the importance of maintaining “livable cities.” Nowhere else has that been more ably implemented with Federal funds than in New York City. The New York City experience under TEA-21 is a tale of great success as the City has built upon its historic infrastructure of bridges, roadways, transit systems, freight facilities and ferry services to provide greater mobility and enhanced quality of life.

As Congress continues debating the reauthorization of the six-year TEA-21 legislation, New York City seeks to highlight its successes in effectively utilizing these Federal programs and proposes legislative recommendations to protect and enhance funding, and increase funding flexibility.

THE NEW YORK CITY EXPERIENCE

For New York City, the nation's most populous city, maintaining and rehabilitating its extensive and aging transportation network has been a significant highlight of both ISTEA and TEA-21. Both authorizations also allowed the City to make strides in promoting transit projects, improving mobility and enhancing the quality of life of all New Yorkers. In total, the City of New York received \$918 million in ISTEA program allocations and \$1.4 billion in TEA-21 program allocations. The majority of these allocations were received through the Congestion Mitigation & Air Quality Program (CMAQ), the Highway Bridge Replacement and Rehabilitation Program (HBRR) and the Surface Transportation Program (STP).

During this same period, in addition to utilizing Federal funds, the City committed substantial resources to its transportation program including more than \$2.3 billion during the six-year period covered by ISTEA and \$2.8 billion during the six-year period covered by TEA-21. This funding represents the bulk of the spending on City projects. During ISTEA, 62% of the funding for City projects came from the City and during TEA-21, 80% of the funding came from the City.

Ensuring Infrastructure Rehabilitation

New York City has the most comprehensive and heavily used transportation network in the United States, including over 19,490 lane miles of streets and highways, over 2,000 bridges with over 2 million daily bridge crossings into Manhattan alone, and a transit system that accounts for more than 30% of all transit trips nationwide.

With so much of this infrastructure built in the first half of the 20th Century or earlier, the City of New York has had to increase spending to maintain this vast and complex network. Over 17% of New York City's streets require capital improvements and 62% of the City-owned bridges are rated no better than fair. The New York Metropolitan Transportation Council's Regional Transportation Plan recently reported that New York City's year 2020 transportation infrastructure needs require a total of approximately \$56 billion assuming no new infrastructure. Moreover, this analysis was completed prior to the events of September 11th.

The maintenance and preservation of billions of dollars in infrastructure investment has been a top priority for New York City. A major portion of funds from both ISTEA and TEA-21 were allocated towards the rehabilitation of the City's bridges through the HBRR funding source – in particular for the historic East River bridges. In recognition of the importance of these economic lifelines \$1 billion in Federal funds were allocated from both ISTEA and TEA-21 for all bridge restorations. In addition, the City allocated \$2.9 billion of its own funds during the last two decades. Such funds were expended even during times of severe financial retrenchment. The restoration and repair of the Williamsburg Bridge, Brooklyn Bridge, Manhattan Bridge and Queensboro Bridge, at a cost of over \$2 billion, was conducted mostly in the last decade. During the next five years, the City will commit an additional \$1 billion to complete its bridge program. Additionally, a major program is now underway to rehabilitate the Harlem River bridges, including the Third Avenue Bridge, the Willis Avenue Bridge and the 145th Street Bridge.

Federal funds were also allocated towards street reconstruction projects, such as the reconstruction of Columbus Avenue from 59th Street to 110th Street in Manhattan, and the widening of sidewalks along 8th Street in Manhattan.

Promoting Transit

New York City has one of the most complex and extensive public transportation systems in the world. The Metropolitan Transportation Authority (MTA), a public-benefit corporation chartered by New York State, operates the subway system, commuter rail lines and buses that move 7.6 million people on an average weekday and which comprise the largest mass transit system in the country. The MTA received \$5.4 billion under ISTEA and TEA-21. In addition, the City contributed \$1.6 billion and the MTA committed \$5.6 billion towards its capital projects. The New York City Department of Transportation (NYCDOT) oversees the City's private bus franchises and the Staten Island Ferry, which combined represent the seventh largest mass transit system in the country.

Under TEA-21, \$132.5 million in Federal funds were authorized for various ferry projects in New York City, including the rehabilitation of both Staten Island Ferry terminals, the purchase of new ferry boats, improvements to Pier 11 (which now serves as a new ferry terminus for ferries from Brooklyn and New Jersey) and the design of the West Midtown Intermodal Ferry Terminal at Pier 79. However, to date, only \$74.8 million of the full authorization has been appropriated. The City has committed substantial capital funds, is expecting to spend over \$482 million in total funds, and has also received a TIFIA loan of \$158 million to assist in funding its ferry projects.

Improving Mobility

At present, New York City's transportation infrastructure is being utilized at or near capacity and there is very little opportunity to increase roadway space to meet increasing vehicular demand. New York City has two of the world's most important business districts (Midtown Manhattan and Lower Manhattan), densely populated residential areas and no direct rail freight access. Optimizing the capacity of roadway space necessitates that the roadways carry more vehicles in a more efficient manner in order to avert increased congestion and air pollution. As a result, over the last six years New York City and New York State utilized \$250 million in TEA-21 funds to help optimize the capacity of its roadway system with Intelligent Transportation System (ITS) efforts.

As part of its ITS efforts, the City of New York relies on an average of \$20 million a year in TEA-21 funds to operate its 24-hour a day/7-day a week Traffic Management Center (TMC) in Queens which is the focal point for all real time traffic control and data collection in the City. The TMC monitors and controls the Vehicular Traffic Control System that coordinates more than 6,000 signalized intersections and receives data from approximately 3,000 roadway sensors in the City's five boroughs. The TMC can also receive images from more than 72 cameras and disseminate information via 25 fixed or portable Variable Message Signs.

TEA-21 funds have also assisted in funding pedestrian improvement projects such as in Downtown Flushing, a major retail center and the single largest intermodal hub in the New York City Transit Authority system. The project, which is currently underway, will connect two greenways, expand bikeways, upgrade the pedestrian environment, alleviate vehicular congestion through a traffic diversion, create better links to the transit hub and provide enhanced access to the newly-developing waterfront along the Flushing River.

Improving mobility by rehabilitating rail facilities has also been a New York City priority. With \$2.5 million in TEA-21 funds, the City rehabilitated rail facilities at the nation's largest wholesale terminal market, the Hunts Point Terminal Produce Market in the Bronx. The City also rehabilitated the Staten Island Railroad to connect Staten Island businesses with cost efficient rail freight service. The railroad was purchased with \$10 million in ISTEA funds and rehabilitated with TEA-21 and local funds.

To improve the efficiency of the South Brooklyn Marine Terminal and provide better rail service to industrial customers, the City is also constructing improvements to the Brooklyn waterfront rail infrastructure along First Avenue with \$14 million in TEA-21 funds. TEA-21 also provided \$10 million for the completion of the Cross Harbor Freight Movement Project Environmental Impact Statement, which is near completion. The project is assessing the environmental impacts of numerous cross harbor freight movement alternatives to decrease congestion on the City's major roadways.

Enhancing Quality of Life

Using ISTEA and TEA-21 funds, the City has undertaken various transportation initiatives to improve the lives of the City's over eight million residents and its 37.4 million annual visitors, from creating greenways and preserving the environment, to creating a safer street network and making streetscapes more appealing.

More than \$103 million in ISTEA and TEA-21 funds allowed the City and State to make significant strides in the implementation of the New York City Bicycle Master Plan, initially conceived under ISTEA. This plan, which includes a 350-mile Greenway System and 500 miles of on-street bike lanes, would not have been possible without Federal funding.

The creation of new greenways has provided park-like commuting corridors that also serve as recreation areas. The greenways have begun to ring New York City in landscaped ribbons, opening up areas of the old industrial waterfront to public use and enjoyment. More than \$50 million in projects were initiated since the program began, including new multi-use paths, an esplanade beginning in Lower Manhattan's West Side and extending eleven miles up to the George Washington Bridge, a 22-mile greenway extending across the borough of Queens, a new on-street bike lane from Columbus Circle at the southern end of Central Park to the George Washington Bridge, a six-mile greenway connecting the northeast Bronx to Westchester County, and the St. George esplanade adjacent to the Staten Island Ferry. In addition, new bikeways/walkways have been added to the Manhattan Bridge and the Williamsburg Bridge, and a model Bike-on-Bus Program carries bicyclists over the Bronx-Whitestone Bridge.

The City spent \$180 million under ISTEA and TEA-21 on alternative fuel vehicles and expects to spend another \$100 million to purchase environmentally sound vehicles for its own fleet of cars and to upgrade the NYCDOT subsidized franchise bus services' fleet. Using \$7.9 million in TEA-21 funds, the City's Alternative Fuels Program integrated over 2,500 alternate fuel vehicles into the City's fleet and over 300 private taxicabs began using compressed natural gas (CNG).

TEA-21 funds have also contributed to the City's efforts to improve safety conditions on critical corridors such as Queens Boulevard. On this heavily-traveled road, the City increased pedestrian crossing time, installed protective fencing and added roadway safety enhancements and other capital improvements. Federal funds also helped fund the implementation of safety and pedestrian circulation improvements at Herald Square and Times Square in Manhattan and the Grand Concourse in the Bronx.

Federal monies have also funded safety programs such as Traffic Injury Prevention Strategies, which is a comprehensive program of traffic safety educational strategies targeting high risk age groups near high accident locations throughout the City. Funded activities include pedestrian, bicycle and vehicle safety presentations at elementary, middle and high schools, and educational materials development.

III. NEW YORK CITY'S VISION FOR REAUTHORIZATION

New York City: A Regional and National Economic Engine

New York City, the business capital of the world, is the site of the world's leading financial markets as well as many other capital intensive industries. New York is in a unique position to lead this country's economic resurgence as a result of its unique convergence of businesses and its extensive resources that include a vast and proven transportation infrastructure. Accordingly, New York's importance to any potential economic recovery must not only be appropriately recognized, but it must also be properly addressed.

New York City, with the highest gross metropolitan product (GMP) in the nation (at \$461 billion in 2001) and the 13th highest GMP in the world if it were a country (all according to data published by the U.S. Conference of Mayors in its June 2002 Annual Report "U.S. Metro Economies: The Engines of America's Growth"), is firmly established as a regional and national economic engine. This same study concludes that metropolitan areas, such as New York City, generate nearly 85% of the nation's employment, labor income and gross domestic product. Further, such metro economies contributed more than 86% (or \$3.9 trillion) of the growth of the nation's economy from 1991 through 2001.

Chief among the areas that must be addressed in order to ensure New York's continued economic vigor is that of the City's transportation infrastructure. This multi-faceted network must be restored and maximized in order to ensure that New York City continues to serve in its role as an economic catalyst.

New York City: Dynamic and Evolving

New York City's history is a testament to the fact that it is fluid and constantly evolving. Demographics shift continuously as people and businesses move into and throughout the City. Even as the City focuses on rebuilding Lower Manhattan, it is also turning its attention to burgeoning neighborhoods and communities in other parts of the City. The ensuing demands create an immediate need for new and innovative solutions to moving people, vehicles and freight.

Because of the accelerated pace at which technology changes, commerce adapts, demographics shift and opportunities arise, transportation funding must be sufficiently flexible to enable it to be invested quickly, yet judiciously and effectively. At the same time, New York City requires the financial wherewithal to maintain its existing transportation infrastructure. In short, without a flexible financial commitment from the Federal government, New York City's role as a regional, national and worldwide financial and cultural engine will be severely compromised.

Importance of Protecting & Enhancing Funding and Increasing Flexibility

In light of current national security concerns and economic constraints, a reemphasis on investment in transportation is imperative. Given New York's critical national role -- and the significant capital reinvestment and transit expenditures New York City will need to continue in that role -- an unequivocal commitment to the City for its appropriate level of funding will benefit the entire country.

A major issue encountered during the formation of the initial bill was the “donor/donee” distinction. The argument underlying this distinction is that states such as New York are entitled to a lesser portion of Federal transportation funds because these states pay fewer gas taxes than other states. This conclusion is fundamentally flawed in that it fails to take into account the commitment to mass transit made by New York and other similarly situated states and the fiscal reality that, when other taxes are factored in, New York City actually sends \$8 billion more dollars in tax revenue to Washington than it receives back in Federal aid (according to the John F. Kennedy School of Government’s 2000 annual report, “The Federal Budget and the States”).

Moreover, although New York State had 7.2% of the nation’s population in 1990, its funding for the FHWA major formula-based fund sources that constituted the bulk of funding under TEA-21 and ISTEA decreased from 5.9% of the national share in ISTEA, to 5.1% of the national share in TEA-21.

In addition to the demonstrated need to protect funding, New York’s history evidences that flexible funding is required in order to provide timely solutions to pressing issues. ISTEA allowed Federal highway funds to be applied to a broader variety of projects, including pedestrian enhancements, preventive maintenance on existing bridges, mass transit and bicycle facilities. Increased flexibility will empower New York to expand the range of available projects and amplify its ability to protect and improve the City’s infrastructure investment.

The guarantee of an adequate funding stream enables the City to continue to focus its efforts on maintaining its vast and complex transportation infrastructure, a component integral to its position as an economic engine. Adequate transportation funding in TEA-3 -- and the flexibility to spend these monies most efficiently -- is imperative to the continued economic vitality of New York City and the rest of the nation.

IV. LOOKING AHEAD: NEW YORK CITY'S TRANSPORTATION GOALS & FUNDING PRIORITIES

As Congress focuses on the reauthorization of TEA-21, New York City's funding priorities will center on projects that will enable the City to maintain and rehabilitate its extensive and aging infrastructure, and those that will make significant strides in promoting transit, improving mobility and enhancing the quality of life of all New Yorkers. In addition to specific program allocations, including CMAQ, HBRR and STP, the City hopes to maximize Congressional High Priority earmarks to support these projects.

ENSURING INFRASTRUCTURE REHABILITATION: Maintain and rehabilitate the City's infrastructure, including its bridges, tunnels, streets, sidewalks, highways, piers and rails which are crucial to the City's economic vitality and the quality of life of its residents.

New York City's transportation infrastructure, one of the oldest and most comprehensive in the country, is utilized by millions of people on a daily basis. As a consequence of this heavy use, which results in substantial wear and tear, the City expends significant resources to maintain and rehabilitate its infrastructure to ensure the safety of the traveling public. Some of the infrastructure rehabilitation projects the City hopes to secure funding for include:

- Rehabilitation of the Harlem River Bridges, including the Replacement of the Willis Avenue Bridge.
- Completion of the Rehabilitation of the East River Bridges.
- Continuation of an Anti-Icing Demonstration Project that Uses Environmentally Friendly Chemicals that are Less Corrosive to Bridges.
- Major Street Reconstruction Projects in all Five Boroughs.
- Expansion of the Preventive Maintenance Program for the Harlem River Bridges.
- Restoration of the FDR Drive Underpinnings along the Manhattan Shoreline due to Marine Borer Deterioration.
- Rehabilitation of Bicycle and Pedestrian Pathways along Parkway Facilities.

PROMOTING TRANSIT: Promote transit projects to provide residents, commuters and visitors with efficient and alternative modes of transportation.

New York City has the most extensive and complex public transportation system in the world, operating 24-hour a day/7-day a week bus and subway service throughout the City's five boroughs, as well as the most utilized public/private ferry system in the world. Each day six million people utilize the City's subways and buses. Promoting transit benefits the environment by helping to reduce traffic congestion and air pollution. Some of the critical transit projects the City hopes to secure funding for include:

- Rehabilitation of the Staten Island Ferry Terminals at St. George and Whitehall.
- Purchase of New Ferry Boats for the Staten Island Ferry.
- Expansion of the Ferry System with the Provision of Additional Terminals, such as the Battery Maritime Building as the Gateway to Governor's Island.
- Development of a Lower Manhattan Transit Hub.
- Provision of East Side Access for the Long Island Railroad and the Development of the Sunnyside Station in Long Island City.
- Construction of a Second Avenue Subway in Manhattan.
- Replacement of NYCDOT Franchise Buses.
- Bus Rapid Transit Initiatives.

IMPROVING MOBILITY: Improve the safe, efficient and environmentally responsible movement of pedestrians, goods, transit commuters and vehicular traffic on the streets, highways, bridges, rails, subways and waterways of the City's transportation network.

In a city as densely populated as New York, and with little opportunity to increase roadway space, improving mobility is crucial. By making better use of its road network and expanding other modes, the City can facilitate more rapid movement of people and goods. Some of the projects the City hopes to secure funding for include:

- Installation of Advanced Traffic Control Devices to Improve the Signal System.
- Placement of Additional Traffic Video Cameras throughout the Five Boroughs.
- Operation of the City's 24-hour a day/7-day a week Traffic Management Center.
- Rehabilitation of the First Avenue Rail Yard in Brooklyn.
- Design of Regional Cross Harbor Freight Improvements, Specifically a Rail Freight Tunnel as part of a National Strategy for Transportation System Redundancy.

ENHANCING QUALITY OF LIFE: Foster, manage and facilitate safe and environmentally sound modes of transportation and implement neighborhood improvement projects to enhance the quality of life of all New Yorkers.

New York City's five boroughs, which are home to over eight million people, represent many diverse and continuously evolving communities. Throughout the City, New Yorkers need to not only move quickly, but safely in a healthy environment. Some of the projects the City hopes to secure funding for include:

- Implementation of a School Safety Initiative to Improve Safety at all Elementary Schools.
- Continuation of Safety Improvements at Key Locations, such as Queens Boulevard in Queens, the Grand Concourse in the Bronx and Downtown Brooklyn.
- Installation of Final Pedestrian Safety Improvements at the Herald and Times Square Intersections.
- Continued Implementation of Additional Bike Routes and the New York City Greenway System in All Five Boroughs.

V. LEGISLATIVE RECOMMENDATIONS

In order for the City of New York to meet its goals and priorities in the years ahead and retain its status as the economic engine of the country, the City strongly advocates for the protection and enhancement of transportation funding in TEA-3, the successor to TEA-21. As noted earlier, despite its population and significant number of transit riders, New York State's and New York City's TEA-21 share was disproportionately low. The City also advocates for legislative changes to increase funding flexibility. Such flexibility will allow the City to maximize the use of Federal funds and expedite critical projects.

PROTECT AND ENHANCE FEDERAL FUNDING

Protect and Enhance Funding: TEA-3's primary goal should be to provide the necessary funding levels to enable the City to maintain and rehabilitate its infrastructure, promote transit, improve mobility and enhance quality of life by:

(a) Enhancing Funding. The City supports not only protecting the existing funding, but enhancing the level of funding. Most importantly, the reauthorization of TEA-21 should more accurately reflect New York's share of overall tax contributions and the proportion of its population and the size of its transportation and transit system to the rest of the country.

(b) Protecting Firewalls and the Revenue Aligned Budget Authority (RABA). To ensure adequate funding levels, it is imperative that the Highway Trust funds collected are used for their dedicated purpose. New York City recommends that the firewalls provided for in TEA-21 should be reauthorized and protected. In addition, while RABA has been effective, it must be modified to reduce dramatic swings in funding in order to facilitate long term capital construction planning. The City recommends that a portion of any surplus funds be placed in a "rainy day" account to help fund transportation projects when gas tax revenues fall. It is crucial that such a rainy day account be a dedicated account and protected from any diversion.

(c) Ending Diversions of Revenue. The City strongly supports an end to the diversion of ethanol revenues to the General Fund and advocates that the money collected should be credited to the Highway Trust Fund instead. The City also supports ending the diversion of interest earned by outstanding balances in the Highway Trust Fund to the General Fund. Currently interest earned by the balance in the Highway Trust Fund is credited to the General Fund, which reduces the amount of funds available for transportation investment. This interest should be credited to the purpose for which the tax funds were collected, namely, the Highway Trust Fund.

Maintenance of Transit Funding Formula: TEA-3 should recognize the important economic role transit systems play in providing residents, commuters and visitors with efficient and alternative modes of transportation by maintaining the existing transit funding formulas. New York City has one of the most complex and extensive public transportation systems in the world consisting of subways, buses, commuter rail lines and ferry systems which provide transportation to over 7.6 million people daily. This transit system and its ability to move such a large number of people quickly and inexpensively is an integral element of New York's ability to develop and maintain a flourishing business environment. In addition, it helps to alleviate an already congested roadway system and reduces the tremendous environmental costs that would otherwise be associated with additional traffic volume. The maintenance of this system is vital to the economic well-being not only of New York City, but to the nation as a whole. As such, the existing transit funding formulas must be maintained.

Retain Current Federal Transit Administration Local Match Percentage: TEA-3 should recognize the large investments urban localities dedicate for transit-related transportation projects and should therefore retain the current local match percentage of 20%. While requiring a local match for FTA projects demonstrates a locality's commitment to a project, the proposal to raise it to 50% for transit projects is inequitable and unfair to transit-dependant urban areas. While New York City's overall contribution already exceeds 50% of its share for its transit infrastructure, requiring a 50% match for all individual projects unnecessarily reduces the City's spending flexibility.

Provide Direct Funding to Large Cities Through a Pilot Program: TEA-3 should recognize the importance of efficient transportation planning for urban areas by introducing a pilot program to allow large cities to receive FHWA funds directly. Given New York City's large population and complex transportation infrastructure, the City government's role in transportation-related activities surpasses that of most other municipalities. In fact, the New York City Department of Transportation is larger than many other State Departments of Transportation. It plays an integral role in the planning, implementation and operation of transportation services within its five boroughs. While the New York State Department of Transportation assists the City in many ways, some of their project review functions are duplicative, creating unnecessary delays and increased project costs. The City recommends the implementation of a pilot program which would utilize a process similar to the FTA self-certification program, to enable direct funding for large cities using FHWA funds. Such a pilot program would provide large cities with an opportunity to expedite important projects and to reduce costs.

Increase Metropolitan Planning Funds Allocation: TEA-3 should recognize the important role Planning Funds play in meeting the future transportation needs of cities. New York City strongly supports an increase in the funding allocation for Planning Funds from the current 1% of MPO funding to 2% of funding. Planning Funds allotments serve as an important funding source for technical studies that lead to future capital projects. In New York City, Planning Funds were used to study the heavily congested Herald Square and Times Square intersections in order to identify safety improvements. Planning Funds have also led to the development and implementation of improvement plans for Downtown Flushing, as well as supported the Bronx Center Transportation Study which identified recommendations to improve roadway and intersection capacity. The Coney Island-Gravesend Sustainable Development Study is examining the linkage between transportation and land use in a revitalized area. Another study to address local and regional needs is the Jamaica Center Intermodal Study which is examining pedestrian flows between transportation modes in Jamaica Center where many subway and bus lines, the Long Island Railroad and the new AirTrain to JFK Airport converge.

Provide a Separate Funding Mechanism for Freight Projects: TEA-3 should recognize the national need to improve freight mobility through a dedicated funding program for intermodal freight improvements. While TEA-21 recognized the importance of freight and intermodal connections for overall national mobility, a separate funding mechanism was not established to implement projects. With much of the freight destined for the City entering via the George Washington Bridge, and with freight volumes forecasted to increase by 70% over the next twenty years, New York City needs to improve its rail facilities to offer a viable alternative for freight movement. A dedicated funding program is needed to implement freight improvements because rail bottlenecks are often regional in nature.

Support for Transportation Security Measures: TEA-3 should recognize the need for a funding mechanism to support the implementation of security measures. New York City has important transportation security issues that need to be addressed to ensure the safety of the traveling public and to protect its bridges, tunnels and transit infrastructure. This is a pressing need and the City advocates for a funding mechanism to address this priority.

INCREASE FEDERAL FUNDING FLEXIBILITY

Provide Operating and Preventive Maintenance Funds: TEA-3 should recognize that cities can better meet their transportation needs through greater flexibility in obtaining Operating and Preventive Maintenance Funds. ISTEA eliminated the eligibility of operating assistance and preventive maintenance as eligible expenditures for Federal assistance for large jurisdictions. TEA-21 represented a significant improvement over ISTEA with respect to flexibility. TEA-21 loosened the rules and allowed movement between funding sources and made additional City program priorities eligible for funds. For example, TEA-21 changed Federal funding requirements which allowed for Federally-funded preventive maintenance work on the East River Bridges – helping to protect the City and Federal government’s \$2 billion infrastructure investment.

Due to the age of New York City’s infrastructure and the commitment of funds made by both the City and Federal Government, additional flexibility of FHWA funds should be allowed so that more funds may be used to maintain capital assets such as the East River Bridges under the HBRR fund source. The City needs this type of flexibility in order to maintain its investment. New York City also supports the restitution of operating expenses as an eligible cost. Cities should be able to determine the most productive use of their funds, similar to small jurisdictions.

Retain and Strengthen the Innovative Financing Mechanisms: TEA-3 should recognize the success of the innovative financing measures established in TEA-21, such as the Transportation Infrastructure Finance and Innovation Act (TIFIA) and continue such programs to help sponsors leverage project funds. New York City supports these programs and has used them successfully to expedite the development of necessary transportation improvements, such as the reconstruction of the Whitehall Ferry Terminal and the rehabilitation of the Farley Post Office to accommodate an improved Pennsylvania Station.

Provide More Explicit Definition of Context-Sensitive Roadway Design: TEA-3 should provide more explicit definition of context-sensitive design standards to minimize delays in implementing Federally-funded projects in constrained urban environments and create an urban context-sensitive solutions demonstration program. TEA-21 addressed the need to achieve a balance in the design of roadway projects and included provisions to increase roadway reconstruction design flexibility in the implementation of Federally-funded projects. It also promoted a “context sensitive” design process to foster innovative thinking to achieve good design. However, more steps should be taken to help urban centers reap its benefits.

Roadway projects undertaken in the built urban environment routinely necessitate design variances that often result in significant project delays and higher costs. The routine and certainty with which the variance process is imposed illustrates the design-process failure to regularly account for realities of the built-environment, community values and quality of life considerations. Thus, the flexibility that is supposed to exist within the standards adopted for each state has not been fully realized. New York City supports a pilot program to clarify Federal standards within metropolitan areas.

VI. APPENDIX

APPENDIX A: REGIONAL TRANSPORTATION FACTS & FIGURES

2001 Population of the New York City Metropolitan Area

New York City	<u>8,019,000</u>
Bronx	1,338,000
Brooklyn	2,465,000
Manhattan	1,541,000
Queens	2,225,000
Staten Island	450,000
Surrounding Downstate New York Counties	<u>4,721,000</u>
Nassau	1,335,000
Suffolk	1,439,000
Westchester	929,000
Putnam	97,000
Dutchess	284,000
Rockland	289,000
Orange	348,000
New Jersey Counties	<u>5,457,000</u>
Bergen	887,000
Essex	793,000
Hudson	608,000
Union	523,000
Middlesex	757,000
Monmouth	623,000
Morris	473,000
Passaic	491,000
Somerset	302,000
Total New York City Metropolitan Area	18,197,000

Source: U.S. Census Bureau

New York City Road Statistics

Total Lane Miles	18,242	(1995)
Total Roadway (Linear) Miles	5,729	(1999)
Total Bridge Structures	2,076	(2002)
Total Sidewalk Miles	12,750	(2002)

Typical Business Day – Central Business District (CBD)--Midtown & Lower Manhattan

<u>Total Persons Entering and Leaving CBD</u>	7.64 million	(2000)
Via Public Transport	4.63 million	(2000)
Via Auto, Taxi and Truck	2.58 million	(2000)
Via Bicycle	12,386	(2000)
Total Buses Entering and Leaving CBD	21,053	(2000)
Total Trains Entering and Leaving CBD	11,918	(2000)
<u>Modal Share of Persons Entering CBD</u>		
Rapid Transit	51.1%	(2000)
Commuter Rail	7.7%	(2000)
Bus	6.0%	(2000)
Auto, Taxi and Truck	33.8%	(2000)
Bicycle	.2%	(2000)

Totals may not add up or equal 100 percent due to rounding. Also, not all commuting modes are represented in each section.

Public Transportation Serving New York City – Annual Statistics & Ridership

MTA NYC Transit Bus	739.7 million	(2001)
(Workday ridership)	2.4 million	(2001)
MTA NYC Transit Subway + Staten Island Railway	1,410.7 million	(2001)
(Workday ridership)	4.6 million	(2001)
MTA LIRR	85.6 million	(2001)
MTA Metro North Railroad	71.4 million	(2001)
MTA Long Island Bus	31.7 million	(2001)
NYCDOT Franchise Buses	114.0 million	(2001)
NYCDOT Staten Island Ferry	19.0 million	(2001)
Private Ferries	11.0 million	(2001)
PATH	69.8 million	(2001)
NJ Transit Bus	149.8 million	(2000)
NJ Transit Rail	63.9 million	(2000)
NJ Transit Hudson-Bergen Light Rail	4.4 million	(2000)

(MTA NYC Transit has 6,247 subway cars, 4,465 buses, 685 track miles, and 468 stations.)

New York City as Share of National Public Transportation – Annual

MTA Bus	18% of total U.S. passengers	(2000)
Subway	64% of total U.S. passengers	(2000)
Commuter Rail	46% of total U.S. passengers	(2000)

Source: Metropolitan Transportation Authority

Major New York City Vehicular Crossings – Daily Vehicle Traffic

Alexander Hamilton Bridge	177,899	(2000)
George Washington Bridge	317,618	(2000)
Lincoln Tunnel	129,710	(2000)
Holland Tunnel	101,137	(2000)
Staten Island - New Jersey Bridges	164,668	(2000)
Verrazano-Narrows Bridge	202,580	(2000)
Brooklyn-Battery Tunnel	63,242	(2000)
Brooklyn Bridge	147,767	(2000)
Manhattan Bridge	75,684	(2000)
Williamsburg Bridge	108,376	(2000)
Queens-Midtown Tunnel	80,879	(2000)
Queensboro Bridge	182,940	(2000)
Triborough Bridge	182,322	(2000)
Bronx-Whitestone Bridge	117,583	(2000)
Throgs Neck Bridge	98,357	(2000)
Henry Hudson Bridge	66,304	(2000)

New York City Rail Freight Statistics

Total Volumes of Freight Entering the City	220,186,000 tons annually	(2002)
Percentage of Freight Being Carried on Rail in NYC	2%	
Percentage of Freight Being Carried on Rail in NJ	15%	

Source: New York City Department of City Planning

APPENDIX B: NEW YORK CITY'S MAJOR TRANSPORTATION HUBS

<u>Major Transportation Hubs</u>	<u>Average Weekday Traffic</u>	
St. George Ferry Terminal/Whitehall Ferry Terminal <i>Staten Island Ferry, NYC Subway, Staten Island Railroad</i>	65,000	(2000)
Pier A <i>Private Ferries</i>	13,928	(2002)
Battery Park City Pier <i>Private Ferries</i>	12,835	(2002)
Pier 11 <i>Private Ferries</i>	15,113	(2002)
38th Street Pier <i>Private Ferries</i>	18,416	(2002)
Passenger Ship Terminal	600,000 per year	(2001)
Flatbush Avenue/Atlantic Terminal <i>NYC Subway</i>	22,378	(2001)
<i>Long Island Railroad</i>	15,390	(2001)
Jamaica Center <i>NYC Subway</i>	36,893	(2001)
<i>Long Island Railroad</i>	5,939	(1998)
<i>Port Authority AirTrain</i>	opening 2003	
Downtown Flushing <i>NYC Subway</i>	55,087	(2001)
<i>Long Island Railroad</i>	559	(1998)
Woodside <i>NYC Subway</i>	15,216	(2001)
<i>Long Island Railroad</i>	1,363	(1998)
World Trade Center <i>NYC Subway</i>	future status TBD	(NA)
<i>PATH Train</i>	future status TBD	(NA)
161st Street/Yankee Stadium <i>NYC Subway</i>	20,829	(2001)
Queensboro/Queens Plaza <i>NYC Subway</i>	20,352	(2001)
Grand Central Terminal <i>NYC Subway</i>	143,036	(2001)
<i>Metro North</i>	192,900	(2001)

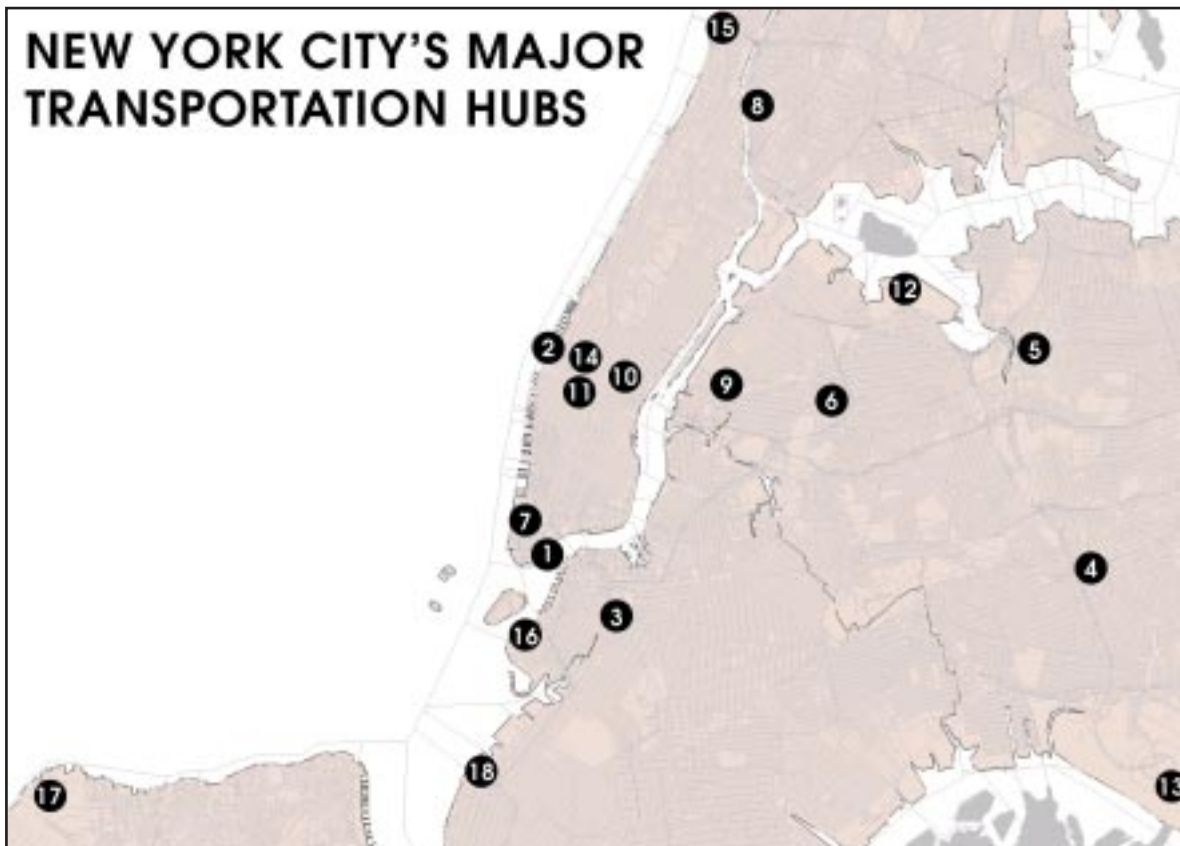
Penn Station		
<i>NYC Subway</i>	163,378	(2001)
<i>Long Island Railroad</i>	118,830	(2001)
<i>NJ Transit</i>	118,000	(2001)
<i>Amtrak</i>	23,500	(2002)
LaGuardia Airport (LGA)	21.9 million	(2001)
Kennedy International Airport (JFK)	30.4 million	(2001)
Port Authority Bus Terminal (Midtown)	7,200 buses daily	(2002)
George Washington Bridge Bus Station	810 buses daily	(2002)
Red Hook Container Terminal	70,000 TEUs*	(2001)
Howland Hook Marine Terminal	300,000 Containers**	(2001)
65th Street Rail Yard	0 Containers***	(2001)

*Twenty-foot equivalent units of containers.

**The Port Authority expects this figure to drop significantly in 2002 with the loss of two major shipping contracts.

***The 65th Street Rail Yard was inoperative in 2001. In March 2002 the Canadian Pacific Railroad signed an agreement with the New York City Economic Development Corporation to operate the facility to serve local businesses.

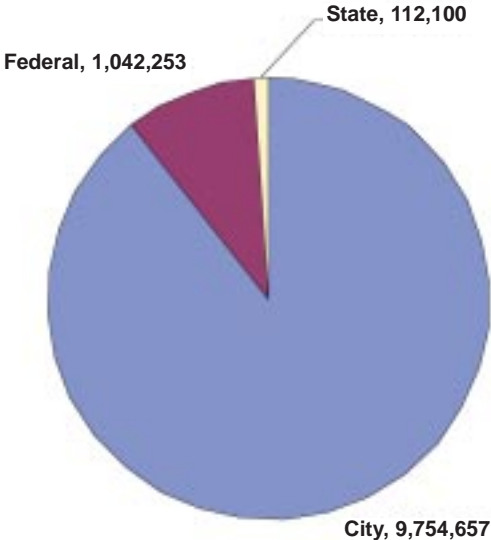
Source: New York City Department of City Planning



- | | |
|--------------------------------------|--|
| 1. Pier 11 | 10. Grand Central Terminal |
| 2. 38th Street Pier | 11. Pennsylvania Station |
| 3. Flatbush Avenue/Atlantic Terminal | 12. LaGuardia Airport |
| 4. Jamaica Center | 13. Kennedy International Airport |
| 5. Downtown Flushing | 14. Port Authority Bus Terminal |
| 6. Woodside | 15. George Washington Bridge Bus Station |
| 7. World Trade Center | 16. Red Hook Marine Terminal |
| 8. 161st Street/Yankee Stadium | 17. Howland Hook Marine Terminal |
| 9. Queensboro/Queens Plaza | 18. 65th Street Rail Yard |

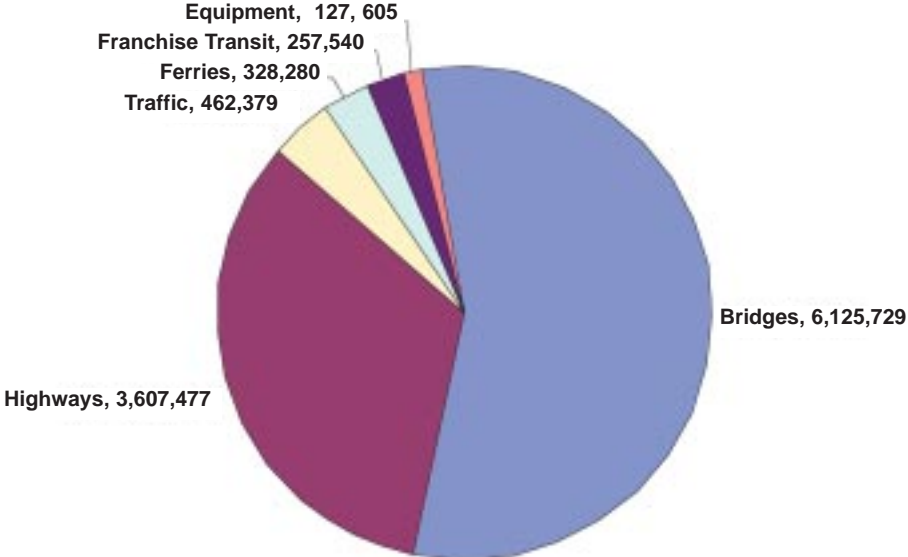
APPENDIX C: TRANSPORTATION FUNDING IN NEW YORK CITY

**City, State and Federal Transportation Funding in New York City Capital Plan
FY 2003 - 2011 (\$'s in 000's)**



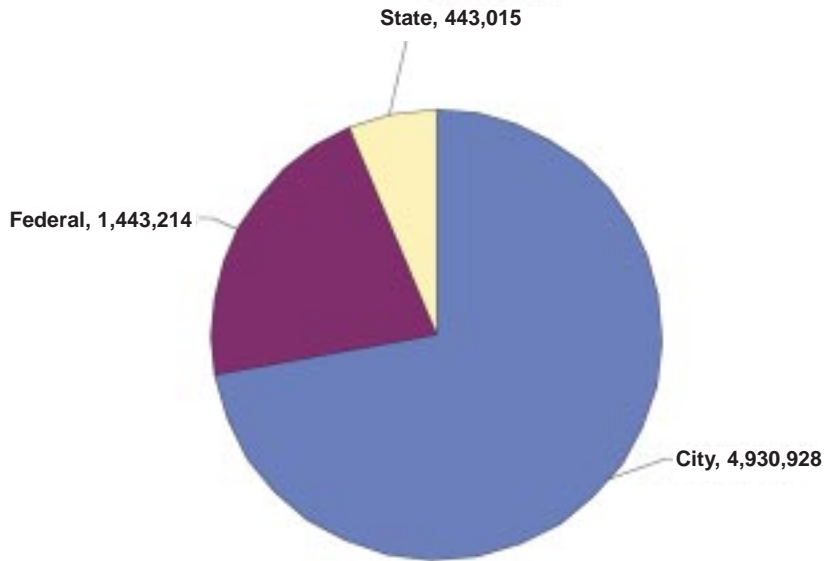
Note: City money is inclusive of \$4.9 million in private funding.
 Source: New York City 10-Year Capital Plan 2003-2011.
 New York City Office of Management and Budget, September 2002

**Distribution of Transportation Funds in New York City Capital Plan
FY 2003 - 2011 (\$'s in 000's)**



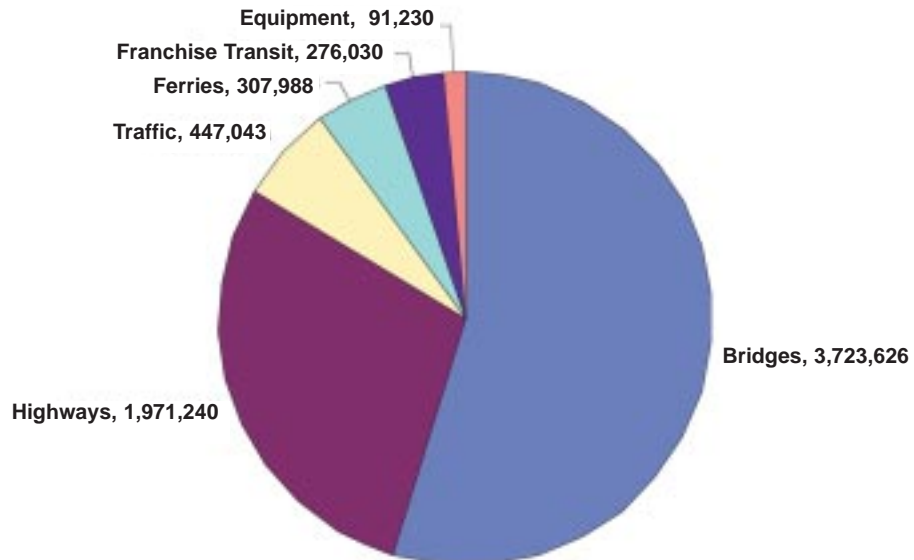
Note: Bridges money is inclusive of \$2.9 million in private funding and the Highway money is inclusive of \$2.0 million in private funding.
 Source: New York City 10-Year Capital Plan 2003-2011. Office of Management and Budget, September 2002

**City, State and Federal Transportation Funding in New York City Capital Plan
Commitments FY 1992 - 2002 (\$'s in 000's)**



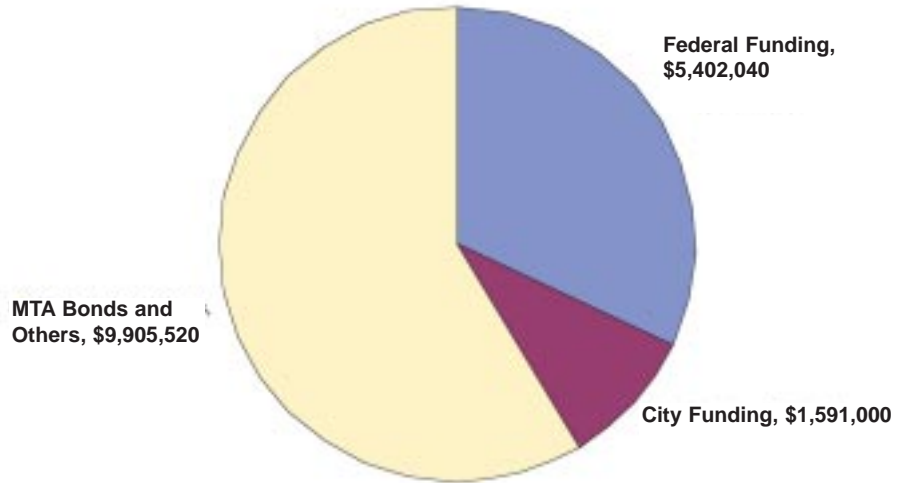
Note: City money is inclusive of \$119.2 million in private funding.
Source: New York City Office of Management and Budget, November 2002

**Distribution of Transportation Funds in New York City Capital Plan
Commitments 1992 - 2002 (\$'s in 000's)**



Note: Bridges money is inclusive of \$25.9 million in private funding, the Highway money is inclusive of \$86.4 million in private funding and the Franchise Transit money is inclusive of \$7.1 million in private funding.
Source: New York City Office of Management and Budget, November 2002

**City, MTA and Federal Transit Funding in MTA Capital Plan
FY 1992 - 2002 (\$'s in 000's)**



Source: Amended Metropolitan Authority Capital Program 2000-2004.
May 16, 2002

The Metropolitan Transportation Authority (MTA) is a public-benefit corporation chartered by New York State and governed by a 17-person board. It is responsible for operating and maintaining 343 rail and subway lines and bus routes; 8,231 rail and subway cars; 733 rail stations, and 4,864 buses that move 7.6 million people on an average weekday. In 2002 its operating budget was \$7.2 billion.

