



**2013 NYS Joint Legislative Budget Hearing, Transportation
Testimony of Nadine Lemmon on Behalf of Tri-State Transportation Campaign
January 31, 2013**

Thank you for this opportunity to testify today. My name is Nadine Lemmon, and I am the Albany Legislative Advocate for Tri-State Transportation Campaign. Tri-State is a non-profit policy and advocacy organization working for a more sustainable transportation network in New York, New Jersey, and Connecticut. I'd like to address three budget issues today: 1) funding for non-motorized transportation, 2) funding for statewide transit systems and 3) a proposed speed camera demonstration program in New York City.

Funding for Pedestrian and Bicycling Infrastructure

In 2011, with the leadership of Senator Fuschillo and Assemblyman Gantt, New York State passed a Complete Streets law. The intention of the law was to assure that our roads will be built for all users, not just those who drive cars. Unfortunately, since passage of the law, there have been several real and potential hits to the funding sources that are needed to implement Complete Streets:

1. The new federal transportation law, MAP-21, reduced dedicated funding for pedestrian and bicycling infrastructure by 30%.
2. MAP-21 also gives Governors the option of sweeping up to 50% of the remaining funds to non-pedestrian and bicycling facilities.
3. This year, NYS DOT changed the criteria for the Marchiselli Program, which used to provide key state dollars for federal-aid projects. Now, it is unlikely that new pedestrian and bicycling infrastructure will be eligible for these crucial state funds. This leaves municipalities and counties responsible for 20% of the cost of their projects, and consequently, increases the likelihood that federal dollars will be left on the table.

Before all of this transpired, the state spent at least \$5 per capita (of federal and state funds) on non-motorized transportation. Today, we ask that the legislature commit to, at a minimum, maintaining this level of funding so that communities will still have the option to build

sidewalks, bike lanes and trails, if they want to.

This commitment can be achieved by adding a line to the budget dedicated to pedestrian and bicycling infrastructure. However, if the legislature would prefer to work within the parameters of the proposed Executive Budget, we urge you to add article VII language to assure some portion of the \$300 million proposed for the NY Works fund goes to non-motorized transportation infrastructure. Last year, NY Works spent \$1 billion for transportation projects; almost none of that money went to pedestrian and bicycling facilities.

The Governor's intent for this money is to foster economic development, and there is no better way to do that than to strengthen our downtowns with better pedestrian, bicycling, and transit options. Besides the clear impacts to economic development when we make our hamlets, villages and towns walkable and bikeable, each \$1 million of spending on pedestrian and bicycling infrastructure creates at least 9.6 jobs, while road-only projects create just 7.8 jobs.

Funding for Transit

Thank you for your support of the MTA's 5-year capital program, and your commitment to offset the reductions to the payroll mobility tax with general fund contributions—we were glad to see both of these commitments continued in the Executive Budget.

The increased receipts in dedicated tax revenues for downstate transit is a clear sign that the economy is recovering. We are heartened to see the substantial proposed increases in the Executive Budget for operating funding for the MTA and suburban downstate transit, especially after the blow caused by Super Storm Sandy. These are much-needed funds that can help offset the losses from Sandy, and that can enable systems to consider expanded service—for example, Sunday service for Suffolk County Transit customers on Long Island, which is especially important for non-traditional commuters.

Unfortunately, the picture is not as good for upstate transit systems; revenues going to the upstate (PTOA) account are down. This account provides the only source of dedicated funding for the upstate systems, but because of insufficient growth in the petroleum business tax, it was difficult to even achieve flat state operating funding this year, and doing so required a transfer of capital funds to help support operations.

An additional impediment is that non-MTA transit systems have no multiyear capital plans and are thus more dependent on annual appropriations from the state. This budget does provide a \$18.5 m. capital appropriation for state omnibus matching program and \$18.5 m. for 100% state share program for Non-MTA transit systems. That is the same appropriation that was in the SFY 2012-2013 budget. Unfortunately, these anticipated capital dollars from years past have not been made available to the transit systems, causing some upstate systems to borrow to meet capital needs.

In order to assure adequate capital and operating funds for systems across the state, we ask that you:

- *Expedite the distribution of these non-MTA capital appropriations.*
- *Support Article VII Transportation and Economic Development Bill, Part B*
This legislation permanently and equitably redistributes the transmission tax, which is a tax that is collected statewide. Permanent redistribution would provide an important second dedicated funding source for non-MTA operations.
- *Support Revenue Bill, Part A*
This legislation extends the MTA business tax surcharge for 5 years, which expires this year and supports operations for the MTA and downstate systems.
- *Going forward, commit to creating long-term structural stability of transit capital and operating budgets through improved revenue sources, downstate and upstate alike.*
It is a vicious circle. Revenues for transit are dependent on the growth of the economy, and yet transit is needed to grow the economy. We need to find stable and diverse funding sources for transit that can support these systems, whether the economy is up or down.

We are concerned that that this budget sets a bad precedent: debt service for State-issued MTA service contract bonds, previously paid from NYS general funds, is now being put back on the agency. It is not the dollar amount that concerns us this year, as much as the precedent. If all state promises to pay service contract bonds were put back onto the MTA, it would have serious consequences on future operations and capital plans.

Ultimately, to stop last-minute maneuvers like this, new revenue sources need to be found. Tri-State supports Assemblyman Brennan's transportation bond act (A00200) as part of a total funding package that includes new revenue sources.

Speed Camera Demonstration Program

NYC Department of Transportation has embarked on significant initiatives to reduce speeding in the City, including reduced speed zones around schools and neighborhoods, traffic calming projects and an ad campaign highlighting the importance of obeying the 30 mph speed limit. Unfortunately, motorists continue to break the law—each year over 70,000 summonses are issued for speeding violations.

Speeding kills. When a person is hit by a car traveling 30 mph, there is a 20% chance that they'll be killed. If they are hit by a car traveling 40 mph, *there is a 70% chance they'll be killed*. Motor vehicles are the leading cause of death due to injury amongst children in NYC, and child pedestrians account for three quarters of these victims. In 2010, pedestrians accounted for 55% of traffic fatalities; speeding claimed two times as many lives as distracted driving.ⁱ

These are avoidable deaths and, with the density of pedestrians in NYC, it is crucial that we address this dilemma head on. Speed enforcement cameras are now in use in over 100 communities, in 13 states across the country. Research shows that speed enforcement cameras reduce injuries and fatalities by 40-45%, and reduce speeding by 71%.ⁱⁱ This program will operate like the successful Red Light Camera Program already in use. NYC needs streets that are safer—for pedestrians, bicyclists and drivers.

We urge you to include Article VII legislation in the budget that authorizes a speed camera demonstration program in New York City. There is precedent for this type of legislation to be included in the budget—the expansion of the red light camera demonstration programs in Nassau and Suffolk Counties were passed in last year’s budget, and in 2010, a bus camera demonstration program was also passed in the budget. In order to achieve the goal of “Complete Streets”, the City needs more tools to enforce traffic laws.

Thank you again for this opportunity.

ⁱ New York State Governor’s Traffic Safety Committee. “Speed-Related Accident Data By County,” (2010): http://www.safeny.ny.gov/10data/NYS2010_Speed_AccCountyklnj.pdf

ⁱⁱ Wilson, C., Willis, C., Hendrikz, J.K., Bellamy, N. “Speed Enforcement Detection Devices for Preventing Road Traffic Injuries,” *The Cochrane Collaboration* (2006).