New York City Congestion Pricing Program Case Study

“…the failure has to do as much with political chemistry and personalities as the substantive merits of the pricing proposal” — Ken Orski

Background

Initiative Description

Congestion pricing in New York City was an unsuccessful attempt in 2008 at charging motorists a fee to enter the busiest portion of Manhattan during the workday. The initiative was championed by Mayor Michael Bloomberg in an effort to reduce congestion in New York City and generate funding for citywide transportation improvements, mainly involving mass transit. The plan was one of 16 transportation initiatives laid out in the Mayor’s sustainability plan for 2030, PlaNYC, unveiled in April 2007. It was clearly the most visible and widely debated of all of the proposals included in PlaNYC.

Once implemented, congestion pricing was estimated to generate $420 million per year in revenue that would have been reinvested in transportation improvements, especially in areas underserved by transit. Had it been approved by March 31, 2008, New York City would have received a $354 million grant through the USDOT’s Urban Partnership Agreement program, the majority of which was intended to fund complementary transit improvements including express bus service, bus rapid transit routes, dedicated bus lanes on bridges, and new ferry service.

Legislative approval at the state level was required to implement congestion pricing, granting New York City the authority to levy the charge. However, citing a lack of support for the plan within the State Assembly, the Speaker decided not to call for a vote on the proposal, effectively killing it.

New York City’s Transportation Background

The five boroughs that comprise the City of New York (Figure 1) are served by a vast network of roadways, bridges and mass transit facilities, including a subway and bus system and three commuter rail lines. Most New York City transit services as well as toll bridges and tunnels within the City are operated by the Metropolitan Transportation Authority (MTA). Intercity rail, other bus service, and ferry service also play important roles in the region’s transportation system. The Port of New York and New Jersey Authority operates transit as well as bridge and tunnel facilities that connect the two states. Bringing the City’s transit system fully into a state of good repair and expanding and improving transit services to serve growing population and employment that the City is...
expecting have been important goals of the current mayor, as outlined in his 2030 sustainability plan, PlaNYC.

**Figure 1**

The borough of Manhattan is a 23-square mile island situated between the Hudson and East Rivers, primarily laid out on a grid street pattern (Figure 2). Its region below 60th Street, roughly the lower geographic half of the island, is considered the central business
district (CBD) of New York City for the purposes of the congestion pricing scheme. The CBD is connected to the State of New Jersey to the west via two toll tunnels, to the borough of Brooklyn to the southeast via one toll tunnel and three untolled bridges, and to the borough of Queens to the east via one tolled tunnel and one untolled bridge. These bridges and tunnels and the street connections across 60th Street represent the cordon of the congestion pricing plan across which the charge would have applied.

Traffic congestion in the CBD has become worse over the past 15 to 20 years despite dramatic improvements to mass transit. The City began heavily reinvesting in its transit system in the early 1980s. Although auto commuters represent only 16 percent of those who entered the CBD in 2005, over 800,000 total vehicles entered Manhattan on a typical weekday that year, with more than 274,000 workers commuting by car in 2000. Heavy congestion on the bridges and tunnels increased from seven hours to 10 hours per day from 1990 to 2005, representing a spreading of the “rush hour” across the entire workday. Average speeds in the CBD as measured by GPS data from taxis were 8 MPH in late 2007.
New York City is currently the second most congested city in the U.S. according to the Texas Transportation Institute.¹

With an estimated 1 million more residents and 750,000 more jobs expected by 2030 in New York City, increased investments in transit have been called for, even beyond those projects already funded and under construction.² Finding ways to reduce congestion on city streets and highways, bridges and tunnels and on heavily used transit lines, as well as ways to raise sufficient revenue in support of ongoing operations, maintenance as well as expansion of transit services, are compelling priorities for New York City’s transportation system.

**Development**

*Initiative Development*

In May 2006, USDOT introduced its *National Strategy to Reduce Congestion on America’s Transportation Network* as a new and comprehensive way to reduce congestion on U.S. roadways, rail networks, airports, and waterways. The Urban Partnership Agreement (UPA) program is one component of this effort by which USDOT partners with metropolitan regions in the country to pursue one of its so-called “4T” strategies of congestion reduction: tolling, transit, telecommuting, and technology. Cities selected through an application process for partnership status receive priority consideration for available federal discretionary funds across a dozen programs. Applications were solicited in December 2006 and submitted by the end of April 2007.³

In that same month, on April 22, 2007, New York City Mayor Michael Bloomberg unveiled PlaNYC, a broad initiative outlining efforts for the city’s sustainability through 2030. The plan’s goals were to enhance New York’s urban environment by focusing on five key dimensions—land, air, water, energy, and transportation—to increase quality of life and reduce greenhouse gas emissions. PlaNYC’s transportation component focused on reducing congestion by adding mass transit capacity and achieving a state of good repair for the city’s roads, subways, and rails. One of 16 transportation initiatives was a proposed three-year congestion pricing program, charging drivers a fee to enter Manhattan below 86th Street to achieve a predicted 6.3 percent reduction of traffic within the zone and raise an estimated $420 million annually.² (The congestion zone is shown in Figure 3 under its final, modified form.)

New York City had applied to the UPA program, presenting congestion pricing as its applicable strategy for congestion reduction. The city was among nine metropolitan regions chosen by USDOT in June 2007 as preliminary finalists for a UPA grant, but was cautioned that without the necessary state legislative approval in place by August, final selection and the funding could be in jeopardy.⁴ Mayor Bloomberg fought for legislative approval at end of the 2007 state legislative session, but came up against strong opposition from outer
borough state legislators as well as members of the City Council who felt the plan would harm their constituents. They believed transit would still not be a viable option for some, placing the financial burden on those commuters. Concerns also arose from predictions of worsened congestion and pollution near the zone’s periphery due to park-and-ride activity on city streets.

The plan won the support of the Governor and other key elected officials including the State Senate Majority Leader, the City Council’s Speaker, and the Manhattan Borough President. Although legislative approval was not granted, with the help of the Governor, a compromise agreement establishing a 17-member Traffic Congestion Mitigation Commission (TCMC) was reached in July. The commission was tasked with studying not only the Mayor’s congestion pricing proposal, but other strategies to achieve a similar measure of congestion relief.\(^5\)

USDOT awarded New York City a $354 million UPA grant in August 2007, but made it contingent upon City Council and State Legislature approval of the congestion charge by March 31, 2008. Additionally, only $10 million of the grant could have been used to implement the congestion pricing scheme (primarily because of constraints on the sources of federal funds comprising the grant), with the vast majority of the money stipulated for the plan’s complementary transit improvements.\(^6\) The city would have had to fund the estimated $223 million cost for congestion pricing system separately.

At the end of January 2008, the TCMC released its report evaluating the Mayor’s congestion pricing plan, an alternative version of the plan, and three other traffic mitigation schemes. The commission voted to recommend the alternative congestion pricing plan, which incorporated several modifications to the Mayor’s proposal. The major changes included charging inbound travel only, not including an uncharged periphery route within the zone, not charging for intra-zonal trips, and shifting the northern border from 86th to 60th Street (Figure 3). Predicted congestion reduction was 6.8 percent (compared to 6.7 percent under the Mayor’s proposal using revised travel demand modeling) and annual revenue generation was estimated at $520 million.\(^1\) Unchanged components of the plan included: the basic daily fees of $8 for auto users and $21 for truck users, weekdays from 6 AM to 6 PM; a credit for tolls paid in crossing a tolled bridge or tunnel into Manhattan; and barrier-free toll collection, either through the E-ZPass electronic transponder system or a camera-based license plate recognition system.
A decision on congestion pricing’s approval came down to an extended deadline of April 7, 2008. It garnered late support at the state level from New York’s new Governor, David Paterson, who had replaced Eliot Spitzer two weeks before the end of March, and secured the City Council’s endorsement on March 31. Despite the Governor’s support, his last-minute efforts at consensus building, and intense lobbying from the Mayor’s Office, the plan was declared dead on April 7, as State Assembly Speaker Sheldon Silver refused to hold a vote for the plan, declaring that Assembly opposition was too great to even consider the measure.7

**Sponsors and Stakeholders**

**Mayor’s Office**

**Building Support**

Mayor Bloomberg and his office were the main champions of the congestion pricing initiative. Congestion pricing’s roots can be traced back to early in the Mayor’s second term that began in 2005 when his office began a near-term examination of how New York City uses ever-scarcer land for various city services. This effort then grew to looking 20 to 25 years into the future and expanded from a basic infrastructure plan into a long-term growth plan centered on sustainability. From this work, PlaNYC emerged.
Congestion pricing was included in PlaNYC as a bold solution to the negative quality-of-life, economic, environmental, and health impacts of traffic congestion in the city. Members of the Mayor’s staff, especially Deputy Mayor for Economic Development Dan Docotoroff, as well as large businesses that work closely with the Mayor’s Office, had been influenced by the success of congestion pricing on London. The Partnership for New York City, a nonprofit business organization, performed a background study that presented data on the economic impacts of traffic congestion on the city, including the oft-cited conclusion that it costs the regional economy $13 billion a year. Accordingly, the initial impetus for congestion pricing was congestion reduction and the resultant economic and environmental improvements. Only further into its development did the central issue of revenue generation for the MTA emerge as a major driving force.

Mayor Bloomberg championed his proposal extensively, building support within the City Council and receiving the backing of a diverse coalition of business, labor, environmental, civic, and transportation advocacy groups. Support also came from the federal level, with the USDOT eager to award New York the UPA grant to showcase congestion pricing in the U.S. The Mayor’s newly established Office of Long-term Planning and Sustainability played a significant role in developing and promoting the initiative. One interviewee remarked that congestion pricing’s inclusion within the context of a larger sustainability initiative was beneficial to winning broad-based support. No significant institutional opposition existed, aside from some small outer borough businesses and parking interests within Manhattan. However, in the end, the Mayor was unable to convince a key group of state lawmakers to approve the proposal, and accordingly, he also received a good part of the blame for its failure.

**Convincing State Leaders**

After PlaNYC and congestion pricing’s introduction in April 2007, the Mayor presented his plan to state lawmakers late in that year’s legislative session, providing a relatively short time for them to examine and debate its merits. Although Senate Republicans, which held a majority at the time, were generally on board with the Mayor’s agenda, it was reported that “testy” meetings were held with Senate Democrats that damaged relations between the two groups. In addition, the Mayor’s relationship with the Democratically-controlled State Assembly historically had been difficult.

The second go-around in April 2008 was the more significant of the two attempts, as State Assembly Speaker Sheldon Silver announced then that the matter would not be considered in open session, and the deadline to receive the federal UPA grant passed. Postmortem analyses by pundits suggested the Mayor’s insistent and somewhat combative approach in attempting to persuade the Assembly into approving his plan had backfired, leading to the plan’s demise at the behest of the Speaker.
The key group of lawmakers that the Mayor failed to convince of the plan’s value included outer borough and suburban Assembly members. Despite numerous data-based presentations to members of the Assembly on the benefits of the plan, he failed to build the necessary political support among state legislators over time that would have engendered consensus and endorsement. Assembly members interviewed after the plan’s failure generally described the Mayor’s tone as “threatening” during his campaign pressing for their approval. It was reported that the Mayor had faltered at the art of compromise and negotiation and generated political ill-will with lobbying activities that failed to satisfy Assembly Democrats.

**City Council**

The City Council also played a significant part in the effort to advance congestion pricing. Speaker Christine Quinn, whose district is in Manhattan, was a strong backer of the proposal, and she and her office worked to build support among other Council members. However, at the time of the Council’s vote, there was still some internal opposition from the Council’s members. The eastern halves of Brooklyn and Queens, underserved by transit, were primary regions where this opposition originated, notwithstanding promised transit service improvements. More than half of the 30 votes in favor of the proposal consisted of the Manhattan and Bronx delegations; those in Manhattan gaining most of the congestion relief benefits, and, based on its socioeconomic make-up, those in the Bronx overwhelmingly using transit to travel into Manhattan.

Although the required approval ultimately was to have come from the State Legislature, rendering the Council’s role a secondary one, the Legislature’s action is typically first triggered by a “home-rule message”, essentially an endorsement and request for action from the City Council. But while there is typically routine interplay between Council members and their state counterparts on home rule issues, they did not actively lobby the State Legislature, deferring to the Mayor, whose initiative it was. The Council’s vote was taken at the deadline in March 2008 and passed with 30 in favor and 20 against.

**State Assembly**

The failure of the New York State Assembly to support the Mayor’s congestion pricing proposal was the ultimate key to its setback. Many members of the Assembly, especially outer borough and surrounding community representatives, voiced concern and opposition to the plan. No champion existed within the State Assembly to counteract the public ambivalence of Speaker Sheldon Silver (notwithstanding the fact that his legislative district lies entirely within the congestion pricing cordon where public support was the strongest) and the plan’s critics, led by the outspoken Assemblyman Richard Brodsky.

The manner in which the Assembly, led by Speaker Silver, dealt with the matter of the congestion pricing proposal received wide-ranging criticism. Speaker Silver was a key part...
of the tenuous relationship that existed between the State Assembly and the Mayor’s Office. At the deadline, Speaker Silver led a closed-door Democratic conference to debate the measure over the three days prior to the announcement of its defeat. This manner of considering the plan was criticized by some as secretive, obscuring from the public a measure of accountability as to who supported or opposed the plan and for what reasons.11

Richard Brodsky, an assemblyman from Westchester County (a suburb north of New York City) and member of the TCMC, was a vocal opponent of the congestion pricing plan. He strongly objected to the plan even though many residents in his district who commute to Manhattan by car would have received a substantial credit against the charge for bridge tolls they were already paying. Also, many of his constituents, while relatively affluent, use mass transit for their commutes. Assemblyman Brodsky was quoted in the New York Times as saying, “I don’t believe public places should be distributed based on an ability to pay.”12 He felt the congestion charge was regressive at its essence, even if the impact would have been borne primarily by working- and middle-class commuters outside his district. Brodsky felt that the issue of economic equity was not prevalent enough in the debate and was overlooked by notable advocates such as environmental groups.

**Metropolitan Transportation Authority**

The MTA was the main transportation agency involved in the debate over congestion pricing. Improving mass transit was an integral component of the congestion pricing scheme. Drivers choosing to forgo their cars and avoid paying the charge would be enticed to take commuter rail, subway, bus, or potentially ferry service into Manhattan’s CBD. In turn, the upfront funding from the UPA grant would help implement immediate transit service improvements to attract new ridership. As the debate over the proposal unfolded, the anticipated revenue from the proposed congestion charge was increasingly acknowledged as a significant source for longer-term transit capital improvements. Increasingly, what was initially characterized as a proposal driven primarily to address congestion and sustainability issues became viewed as primarily an alternative way to fund transit.

Specifically, the MTA’s credibility was a critical factor, as public and elected officials’ confidence in the MTA to successfully implement the promised service improvements became a primary issue affecting the fate of the City’s congestion pricing’s proposal. Interviewees agreed that the MTA was supportive through the process of identifying the necessary improvements and working through the technical details of implementing the charge system. Top MTA staff led by CEO Elliot Sander received praise for their effort at interagency coordination, for example when working out the toll credit arrangement with the Port Authority of New York and New Jersey, the bi-state agency that oversees bridge and tunnel crossings from New Jersey into New York City.
One interviewee described the MTA’s support as tacit rather than energized, but most was satisfied with the supportive role that the MTA played. However, the MTA did not initiate a proposed set of improvements. Instead, perhaps based on past issues about the MTA’s ability to deliver on its promises, elected officials and other leading proponents of the congestion pricing measure were asked to present the agency with specific, region-by-region transit improvements identified by current and potential transit riders and other stakeholders to determine which ones might be feasible financially and operationally. According to most interviewees, the MTA’s responses to these proposals were reasonable and generally accepted by stakeholders.

Nonetheless, the MTA’s credibility suffered another setback near the approval deadline in March 2008, when a fare increase on weekly and monthly passes—voted on in the previous December—went into effect. This increase was quickly followed by the untimely announcement that other promised service improvements planned previously outside of congestion pricing would not be implemented because of less-than-expected revenues from real estate taxes, a significant source of funding for the agency’s budget. Additionally, the emphasis on the financially troubled MTA’s budget led some to see the congestion charge as a “commuter tax in disguise.”

A commuter tax, which had been levied in New York City until 1999 to support the use of city services by non-residents, remained an unpopular concept with state lawmakers whose districts lie outside the city.

The stress on funding the MTA’s capital program also precipitated a late change to the congestion pricing plan from a three-year pilot program to a permanent one, so that its projected revenue could be used to secure long-term bond financing. Some opponents of the untested plan objected to moving away from trial-based implementation.

Traffic Congestion Mitigation Commission
When the Legislature remained unconvinced by the initial 2007 congestion pricing proposal it received from the City, the Traffic Congestion Mitigation Commission was formed as a compromise between the Governor (on behalf of the Mayor) and the Legislature to study the merits of the original proposal alongside other potential traffic reduction strategies. The implementing legislation also mandated that a new MTA capital plan be formulated two years early, so as to link the congestion charge revenue to the agency’s long-term budget.

The TCMC comprised 17 individuals appointed by the Mayor, City Council Speaker, Governor, Assembly Speaker and Minority Leader, and Majority and Minority Leaders of the Senate. The Commission held public hearings in the fall of 2007 and analyzed other proposals for traffic reduction in New York City. One interviewee noted that because of its balanced composition and success at soliciting spirited public input, the Commission provided a good forum to debate alternative congestion reduction schemes, including a...
modified congestion pricing plan. There was a general sentiment, including from the Mayor’s Office, that the alternative congestion pricing plan ultimately endorsed by a majority of Commission members in January 2008, included substantive improvements to the Mayor’s initial proposal (the details of which were noted earlier in the Initiative Development section).

**Media**

Media in the New York metropolitan region were overwhelmingly in favor of congestion pricing. The *New York Times*, *Newsday* (Long Island), and the *Journal News* (Westchester County) ran multiple editorials lauding the congestion pricing plan and urging lawmakers to pass it. In addition, the editorial boards of the more conservative *Daily News* and *New York Post* were in favor of the proposal, although within the print media, they had run the most critical articles during congestion pricing’s development. It is not often that the editorial boards of the *New York Times*, *Daily News*, and *New York Post* agree on a significant revenue-based public policy issue for the city.

Following the plan’s failure to gain legislative approval, or even an up or down vote, one analyst of the congestion pricing ordeal observed that “the New York press corps was largely on the side of Mayor Bloomberg and against Speaker Silver.” In fact, the *New York Times* published a scathing editorial laying the blame for the plan’s failure squarely on the shoulders of the Speaker, calling him “unworthy of his office” and “cowardly” for not formally considering the plan until the last minute and then deciding not to hold an open vote. It placed the onus on Speaker Silver to propose alternatives to reduce congestion and fill the MTA’s budget gap.

**Communications/Marketing**

*The Campaign for New York’s Future*

Three primary aspects to marketing congestion pricing included a public campaign, a legislative campaign, and the TCMC’s report recommending congestion pricing as the preferred strategy to reducing traffic congestion in the city.

The primary campaign vehicle behind congestion pricing and relied upon by the Mayor was the Campaign for New York’s Future, which was formed to promote the goals of PlaNYC. This 501(c)(4) nonprofit organization was established by the Partnership for New York City—a business organization representing CEOs from the top 200 firms in New York that promotes commerce, finance, and innovation—along with many other business, civic, health, labor and environmental organizations. The Campaign for New York’s Future raised funds to promote and campaign for congestion pricing, focusing on disseminating information on its benefits. One specific aspect of the campaign that resonated with members of the public and local elected officials touted how traffic reduction would benefit
those areas of the city where asthma rates were high, particularly among the very young, such as in the Bronx and parts of Brooklyn. Marketing efforts also emphasized the receipt of the significant federal UPA grant to improve transit service in the near-term if the plan gained approval.

Polling was used to verify what the Mayor’s Office had, itself, inferred from its sense of public opinion—namely, that public support for congestion pricing was prevalent: in the end it was about 60 percent in favor. Polling results also indicated a strong preference to dedicating the revenue from the congestion charge to long-term transit capital improvements rather than leaving the funding open to general use. In this sense, the public campaign was rather successful, although as discussed in Section V, there were unresolved issues with the proposal that left a certain contingent of the public dissatisfied with its implementation. The legislative campaign, principally among members of the State Assembly, was not successful. As presented in Sections III and V, communication between the Mayor’s Office and the Assembly was inadequate to build enough support for Albany to grant its approval. As one legislator commented, looking back on the failure of the plan to gain approval: “All politics is relationships, and if [the Mayor] hasn’t built the relationships over time he can’t suddenly create those relationships with 48 hours to go in the process.”

**Lessons Learned**

Looking back, interviewees identified a number of issues that in retrospect could have been the difference between winning approval and losing the battle for congestion pricing in New York City.

**Champion within the State Assembly**

A strong advocate for congestion pricing never materialized in the legislative body that had the final say—the State Assembly. Without a champion, opponents had a relatively easy job of foiling the Mayor of the country’s largest city and the nation’s Secretary of Transportation who was offering up more than a third of a billion dollars. An influential champion of the Mayor’s message in the legislature may have been able to build momentum and support for congestion pricing to at least counterbalance the intense opposition that materialized, and perhaps force Speaker Silver, whose District would have benefited from and whose constituents supported the proposal, to hold a vote and declare his position one way or the other, which he never had to do. A champion in the State Assembly also may have been able to make the case for congestion pricing sooner to allow more time for debate, understanding, and for supporters to emerge and coalesce.
**Timing**

At least one interviewee remarked that the Mayor, his administration and those organizing the campaign should have approached and engaged Albany earlier in the process, and that it had perhaps spent too much time focused on the City Council.

Another question about “timing” stems from the fact that members of the State Senate and Assembly, who serve two-year terms, were up for reelection in 2008. The *New York Times* reported a month after congestion pricing’s failure that its consideration during an election year may have made state legislators reluctant to back a controversial and untested (in the U.S.) proposal during a reelection year. About a dozen legislators declined to complete an endorsement questionnaire for congestion pricing on behalf of the League of Conservation Voters, a strong proponent of the plan.

Whether or not the creation of the Traffic Congestion Mitigation Commission, which pushed the Legislature’s consideration of the City’s proposal from the summer of 2007 to the spring of 2008, was a result of conscious strategy of delay in relation to election year timing is not clear. But the effect was the same.

**Agency Credibility**

The credibility of the MTA remained a lingering issue. MTA credibility became a significant factor for congestion pricing once the debate over its implementation became more of an issue about revenue and less about being part of the solution to achieving PlaNYC’s sustainability goals. Despite generally positive reaction to the MTA’s work at responding to stakeholders in identifying transit service improvements to fund with the congestion charge and coordinating with other agencies on its technical aspects, some skeptics remained unconvinced that the agency could deliver on its promises. A post-evaluation survey conducted by the Partnership for New York City identified the MTA as a significant part of the problem, with low credibility cited as a cause. One individual interviewed suggested that linking the congestion charge to the immediate service improvements (those to have been funded by the UPA grant), rather than long-term capital improvements, would have created a stronger link between the charge itself and the promised traffic reduction benefits upon which the initiative was marketed.

**Unresolved Issues**

As the plan evolved—from the Mayor’s initial proposal presented in PlaNYC, to the alternative scheme advanced by the TCMC, and finally to the incorporation of last-minute modifications in an attempt to win state legislative approval—so did these issues of debate, but they were never fully resolved.

**Operational Concerns**

Several technical concerns with the way congestion pricing would have been implemented and operated drew criticism. Concerns voiced by city and state leaders included.
• Park-and-ride activity predicted near the zone’s periphery or at main transit hubs outside the zone that could increase local congestion and pollution (this issue was partially resolved with the incorporation of a residential parking program)
• Shifting of traffic patterns outside the zone that could exacerbate local congestion
• Potentially inadequate support for transit access to accommodate the anticipated increase in riders diverted from autos, despite planned MTA service improvements
• Unaddressed underlying causes of congestion within the zone, including double-parking, truck deliveries, taxis picking up and discharging passengers, pedestrian-vehicle conflicts at intersections, and others

One late amendment to congestion pricing’s draft legislation included a shift from a pilot program to a permanent one. In this manner, the revenue stream would be able to back bonds for the MTA’s capital improvements. There was some disagreement among interviewees about whether this change harmed or helped the proposal’s chances for approval. Some noted that both the successful implementation of congestion pricing in London and Stockholm began as pilot programs, and it was thought that introducing the scheme on a trial basis would be a better way to gain user acceptance. However, others argued that supporters of the plan would have been satisfied either way—if congestion pricing were implemented on a trial or permanent basis. There existed a general belief that once the initiative was in place, it would be there to stay.

User Equity
A second unresolved issue and serious reservation of congestion pricing’s opponents was user equity. The congestion charge was to apply equally to all users and was seen by some as an unfair, regressive tax on the lower and middle class. To offer some accommodation in addressing this concern, one last-minute amendment to the plan would have reimbursed the charge for low-income motorists who qualify for the federal earned income tax credit, however, the details of implementing that provision were not spelled out.10,15 Proponents also argued that only a small fraction of lower-income residents in outer boroughs drive to work in Manhattan, relying instead on mass transit, and would not be affected. Nonetheless, critics responded with the counterargument that small businesses that rely on frequent truck deliveries into the congestion zone, workers who have jobs requiring the mobility of an automobile, and residents who would still not have adequate transit options would be unfairly impacted. There was no good way to satisfy the contingent of people—primarily those in the eastern halves of Brooklyn and Queens—for whom driving would remain their preferred option, that reduced congestion would potentially improve their driving experience and be worth the additional costs to them as a result of the congestion charge.

Questions were also raised over the equity of crediting users who already paid bridge or tunnel tolls that in many cases negated the congestion charge entirely. Among them, the
primary group was motorists from New Jersey who essentially would pay nothing beyond existing tolls collected by the Port Authority. One last-minute amendment to satisfy critics of this element would have required the Port Authority to contribute $1 billion per year to the MTA to help fund its capital program. Alternately, if the contribution would not be made, an additional $3 charge would have been levied on users of Port Authority facilities to enter the congestion zone, but this alternative drew sharp criticism from New Jersey state leaders.\textsuperscript{16} In the end, it was moot.

\textit{Politics and Personalities Can Be the Pivot Point}

Summed up in the headline to this case study, as most students of the political process would agree, despite the most comprehensive and compelling of strategic plans, years of studies and analyses that lead to clear conclusions, and widespread support from the public and the media, in the face of political rivalries, or simply the absence of a strong political bond among key leaders, the most meritorious of proposals may not stand a chance. Mayor Bloomberg’s inability or unwillingness, whichever it was and for whatever reasons, to do what was needed to gain the support of powerful legislative leaders such as Speaker Silver, whose own constituency supported the Mayor, is a stark lesson that people and their interrelationships may represent the single most important driver or barrier in advancing such political initiatives.

\textit{“Lose-Lose” May be Better than “Win-Lose” – if the Burden is Perceived as Shared Equitably}

In evaluating the failure to implement congestion pricing in New York City one year later, one interviewee observed that it is more difficult to gain support for a challenging public policy initiative when there is a clear distinction between winners and losers—those who would gain from the congestion charge’s traffic reduction benefits and revenue investment and those who would simply feel that they would be paying a an increased cost for the status quo. Instead, though it may appear counterintuitive, it may well be easier to gain general public support when everyone feels they are sharing in the sacrifice to be made and that by and large, none are gaining a disproportionate or unfair advantage. It was an interesting observation.

\textbf{Additional References}

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