

# Silver's Skepticism

By Jacob Gershman

The New York Sun, June 11, 2007

Thank goodness for Sheldon Silver.

Mr. Silver, the obstructionist, the political merchant, the dour face of Albany's status quo, is one of the few voices of caution in the intensifying battle over congestion pricing.

Whatever the motive, Mr. Silver and one of his colleagues in the Assembly, Richard Brodsky, have been asking the right questions in a debate that could use a dose of reality.

Were it up to Mayor Bloomberg, state lawmakers would give him the go-ahead and ask questions later. The administration knows how business is done up there; it wants a quick-and-dirty, backroom deal. Why else would it wait until April to announce an extraordinarily complicated road-use charge scheme and then demand it sail through the Legislature by June?

As it's marketed by the administration, congestion pricing seems sensible. The city has too much traffic and pollution, problems that will get only worse as the population climbs to 9 million. The city also wants to build and expand its transit infrastructure, but it faces funding gaps on key projects, like the Second Avenue subway. Congestion pricing supposedly would, with a single stone, kill all the birds, easing traffic, stemming greenhouse gas emissions, and providing a new steady cash flow for mass transit.

Mr. Silver isn't convinced. Among his questions: How do we know congestion pricing would reduce traffic? Paying \$8 a day is one thing, but how do we know the city isn't going to double the fee in a year or two? How do we know the extra revenue is going to be spent on important mass transit projects and won't be shifted around the budget every time a new fiscal crisis pops up.

And what about London? In its PlaNYC promotional materials, the Bloomberg administration describes the London's congestion pricing program as a smashing success. That's like describing a jellied eel as bagels and lox.

In February, British newspapers reported that congestion in the city, after dropping by 30% in 2003 when the program started, is back to pre-charge levels, despite a fee increase of more than 50% in 2005. Meanwhile, the charge zone has grown larger, spreading westward to areas such as Kensington, Chelsea, and Notting Hill. Manchester is now proposing to charge motorcyclists, which have been exempted from fees. The

mayor of London, Kenneth Livingstone, is floating the idea of charging high emissions vehicles \$50, three times more than other cars.

The experience of London points to a problem with the logic of congestion pricing. If the charges work by encouraging more people to take public transportation and deterring frivolous trips to the city, the reduction in traffic would make driving a more attractive option. The number of motorists would increase until equilibrium is reached. The failure to reduce traffic encourages city officials to hike up the fees until they cause enough pain, making the program an increasingly regressive tax.

That congestion pricing may not necessarily decrease congestion is a point that hasn't provoked much concern for Mr. Bloomberg or Governor Spitzer, who declared himself a supporter of the program last week.

As Nicole Gelinas of the Manhattan Institute points out, the driving force behind the mayor's plan is money. For the Metropolitan Transportation Authority, which is staring down a \$1.8 billion deficit in 2010, congestion pricing is quite the golden goose. If Spitzer officials have their way, the money generated by the program would be used as operating aid to help close the MTA's budget gap.

If money weren't the object, they'd give the revenues back via a tax cut. Instead, the money taken away from drivers that is supposed to pay for long-term transit improvements would become a fiscal crutch for an agency that is lacking in accountability and efficiency.

Calling the program "MTA bailout pricing" might not resonate with New Yorkers but would have the benefit of being accurate. "Before you impose new costs, manage better, use the money more efficiently," said a historian of Mayor Giuliani's administration, Fred Siegel. "Wouldn't it make sense before you make thunderous pronouncements and lay out grand schemes that you get your own house in order?"

Mr. Siegel asks another question: If Mr. Bloomberg, the same person who dismissed traffic concerns related to the West Side stadium project, was seriously intent on combating traffic, why wouldn't he first roll back the scandalous number of parking permits issued to public employees in Lower Manhattan or do a better job of enforcing traffic violations that contribute to congestion? The answer may be that cracking down on double parking doesn't win a politician national attention — or bring in much money.

Now that the governor is siding with the mayor and Senate Republicans, who have depended on Mr. Bloomberg's largess, are showing signs of backing the plan, the only true opposition is in the Assembly. I don't presume that Mr. Silver is a neutral observer whose opinion is an objective reflection of the merits and flaws of congestion pricing. But Mr. Silver's skepticism is just what the city needs.