

Governor Phil Murphy

# Governor Murphy Calls Out Congestion Pricing Scheme for Violating New York Law, Cutting Corners Once Again, and Evading Requirements for Proper Public Vetting

03/4/2024

*In Written Comments Submitted on Behalf of New Jersey, Governor Points Out Flaws in Rushed Plan, Outlines Six Measures to Help Mitigate Disproportionate Burden on New Jerseyans*

*Governor Also Calls in to Live Public Hearing Today to Underscore Grave Concerns, Invite MTA to the Table to Resolve Together*

**TRENTON** – Governor Phil Murphy today formally submitted written comments on behalf of the State of New Jersey to the Triborough Bridge & Tunnel Authority (TBTA), which will set the tolls for New York City’s congestion pricing scheme. In the letter, the Governor raises that the process to establish the tolling scheme violates New York State law and demonstrates that the Metropolitan Transit Authority (MTA) is continuing to take shortcuts in order to rush through its ill-conceived and ill-considered Central Business District (CBD) Tolling Program.

“Today, I again voiced New Jersey’s concerns with MTA’s plans for congestion pricing in New York City,” **said Governor Murphy**. “MTA continues to cut corners on the legal and procedural requirements to establish congestion pricing in an effort to ignore the chorus of voices rising up in opposition to MTA’s plans. Enough is enough. It’s time for MTA to abandon its proposal and rethink congestion pricing in a way that makes sense.”

A full copy of the comments submitted today can be [found here](https://urldefense.com/v3/https://t.e2ma.net/click/v5lfb1/nrddit/b2hm47_!!J30X0ZrnC1oQtbA!MpF6up5HxIS7a-9TNTQkRjE6CPq8b1fUS7OX4Xms5z1GcwVHgmwuuwLC3Puqq0lqciwXYQYw2cjSJxQgyWnsFhpqB99o$) ([https://urldefense.com/v3/https://t.e2ma.net/click/v5lfb1/nrddit/b2hm47\\_!!J30X0ZrnC1oQtbA!MpF6up5HxIS7a-9TNTQkRjE6CPq8b1fUS7OX4Xms5z1GcwVHgmwuuwLC3Puqq0lqciwXYQYw2cjSJxQgyWnsFhpqB99o\\$](https://urldefense.com/v3/https://t.e2ma.net/click/v5lfb1/nrddit/b2hm47_!!J30X0ZrnC1oQtbA!MpF6up5HxIS7a-9TNTQkRjE6CPq8b1fUS7OX4Xms5z1GcwVHgmwuuwLC3Puqq0lqciwXYQYw2cjSJxQgyWnsFhpqB99o$)). In addition to the written comments, Governor Murphy made good on his claims that New Jersey will use every tool at its disposal to fight the unfair and unjust plan by calling into the MTA’s public hearing today to voice his opposition directly to the board on behalf of New Jersey’s 9.3 million residents. Listen to Governor Murphy’s comments [here](https://urldefense.com/v3/https://t.e2ma.net/click/v5lfb1/nrddit/ruim47_!!J30X0ZrnC1oQtbA!MpF6up5HxIS7a-9TNTQkRjE6CPq8b1fUS7OX4Xms5z1GcwVHgmwuuwLC3Puqq0lqciwXYQYw2cjSJxQgyWnsFikjVwty$). ([https://urldefense.com/v3/https://t.e2ma.net/click/v5lfb1/nrddit/ruim47\\_!!J30X0ZrnC1oQtbA!MpF6up5HxIS7a-9TNTQkRjE6CPq8b1fUS7OX4Xms5z1GcwVHgmwuuwLC3Puqq0lqciwXYQYw2cjSJxQgyWnsFikjVwty\\$](https://urldefense.com/v3/https://t.e2ma.net/click/v5lfb1/nrddit/ruim47_!!J30X0ZrnC1oQtbA!MpF6up5HxIS7a-9TNTQkRjE6CPq8b1fUS7OX4Xms5z1GcwVHgmwuuwLC3Puqq0lqciwXYQYw2cjSJxQgyWnsFikjVwty$)).

Governor Murphy noted in his letter today that the TBTA and the MTA have failed to engage in an adequate rulemaking process in violation of the New York State Administrative Procedure Act (SAPA) and the MTA Reform and Traffic Mobility Act (TMA) in their rush to implement a first-in-the-nation congestion pricing scheme. Moreover, the recommendations being considered by the TBTA raise significant concerns that the adopted tolling scheme will be contrary to state law, as well as arbitrary and capricious and unconstitutional. Those latter claims have been previously outlined in the lawsuit New Jersey filed in July 2023 in federal court.

In his letter today, the Governor also reiterated that the tolling structure recommended by the Traffic Mobility Review Board (TMRB) is the result of a failed environmental analysis that violates the National Environmental Policy Act (NEPA) and the Clean Air Act (CAA) and therefore must be revised to ensure that it complies with state and federal

Review  
Back  
to top

law.

Governor Murphy also noted today that New Jersey will continue to pursue its legal challenges to the proposed tolling scheme, including one lawsuit that is already pending. However, given the undue speed with which the MTA and the TBTA are seeking to implement congestion pricing, New Jersey is compelled to submit this comment letter in advance of its claims being fully adjudicated.

In his letter, Governor Murphy strongly urged the TBTA to implement the following measures to help address the unfair and disproportionate economic and environmental burdens the tolling scheme will place on New Jersey, its residents, and its communities. The first two are newly proposed in today's letter in direct response to the TMRB's toll recommendations, while the latter four were proposed in the Governor's August 2023 letter to the TMRB:

1. Revise and shorten the period during which drivers are subject to peak-hour tolling;
2. Clarify that the low-income toll credit and crossing credits apply jointly;
3. Provide crossing credits for those who use the George Washington Bridge;
4. Increase the crossing credits for all New Jersey crossings;
5. Do not toll during off-peak hours; and
6. Provide additional credits or refunds to all low-income drivers so that they have parity with low-income drivers residing in the Central Business District;

## Governor Phil Murphy

[Home \(/governor/\)](#)

### Administration

[Governor Phil Murphy \(/governor/admin/about\)](#)

[Lt. Governor Tahesha Way \(/governor/admin/lt\)](#)

[In memoriam of Lt. Governor Sheila Y. Oliver \(/governor/admin/lt-sheila-y-oliver\)](#)

[Senior Staff \(/governor/admin/staff\)](#)

[Cabinet \(/governor/admin/cabinet\)](#)

[Office of Climate Action and the Green Economy \(/governor/climateaction/\)](#)

[Office of Equity \(/governor/admin/equity/\)](#)

[Office of Health Care Affordability and Transparency](#)

[\(/governor/admin/affordablehealthcare/index.shtml\)](#)

[Boards, Commissions & Authorities \(/governor/admin/bca\)](#)

[New Jersey Puerto Rico Commission \(https://www.nj.gov/puertoricocommission/\)](#)

[Internship Opportunities \(/governor/admin/internship.shtml\)](#)

[Governor's Fellows Program \(/governor/admin/fellows\)](#)

[Governor's Residence - Drumthwacket \(http://drumthwacket.org/\)](#)

### Key Initiatives

[Economy & Jobs \(/governor/initiatives/#Economy\)](#)

[Education \(/governor/initiatives/#Education\)](#)

[Environment \(/governor/initiatives/#Environment\)](/governor/initiatives/#Environment)

[Health \(/governor/initiatives/#Health\)](/governor/initiatives/#Health)

[Law & Justice \(/governor/initiatives/#Justice\)](/governor/initiatives/#Justice)

[Transportation \(/governor/initiatives/#Transportation\)](/governor/initiatives/#Transportation)

## News & Events

[Press Releases \(/governor/news/news/562024/approved/news\\_archive.shtml\)](/governor/news/news/562024/approved/news_archive.shtml)

[Photos \(https://www.flickr.com/photos/govmurphy\)](https://www.flickr.com/photos/govmurphy)

[Public Addresses \(/governor/news/addresses\)](/governor/news/addresses)

[Executive Orders \(/infobank/eo/056murphy/approved/eo\\_archive.html\)](/infobank/eo/056murphy/approved/eo_archive.html)

[Administrative Orders \(/governor/news/ao/approved/ao\\_archive.shtml\)](/governor/news/ao/approved/ao_archive.shtml)

[Direct Appointments \(/governor/news/appointments\)](/governor/news/appointments)

[Advice and Consent Appointments \(/governor/news/acappointments\)](/governor/news/acappointments)

[Statements on Legislation \(/governor/news/statements/approved/statements\\_archive.shtml\)](/governor/news/statements/approved/statements_archive.shtml)

[Administration Reports \(/governor/news/adminreports/approved/archive.shtml\)](/governor/news/adminreports/approved/archive.shtml)

[Transition Reports \(/governor/news/reports/approved/reports\\_archive.shtml\)](/governor/news/reports/approved/reports_archive.shtml)

[Press Kits \(/governor/news/press\)](/governor/news/press)

## Social

[Facebook \(https://www.facebook.com/governorphilmurphy/\)](https://www.facebook.com/governorphilmurphy/)

[Twitter \(https://twitter.com/GovMurphy\)](https://twitter.com/GovMurphy)

[Instagram \(https://www.instagram.com/govmurphy/\)](https://www.instagram.com/govmurphy/)

[Snapchat \(https://www.snapchat.com/add/philmurphy\)](https://www.snapchat.com/add/philmurphy)

[YouTube \(https://www.youtube.com/njgovernorsoffice\)](https://www.youtube.com/njgovernorsoffice)

## Contact Us

[Scheduling Requests \(/governor/contact/scheduling/\)](/governor/contact/scheduling/)

[Contact Us \(/governor/contact/all/\)](/governor/contact/all/)

## Statewide

[NJ Home \(//www.nj.gov\)](http://www.nj.gov)

[Services A to Z \(//www.nj.gov/nj/gov/njgov/alphaserv.html\)](http://www.nj.gov/nj/gov/njgov/alphaserv.html)

[Departments/Agencies \(//www.nj.gov/nj/gov/deptserv/\)](http://www.nj.gov/nj/gov/deptserv/)

[FAQs \(//www.nj.gov/faqs/\)](http://www.nj.gov/faqs/)

[Contact Us \(//www.nj.gov/nj/feedback.html\)](http://www.nj.gov/nj/feedback.html)

**Privacy Notice ([//www.nj.gov/nj/privacy.html](http://www.nj.gov/nj/privacy.html))**

**Legal Statement & Disclaimers ([//www.nj.gov/nj/legal.html](http://www.nj.gov/nj/legal.html))**

**Accessibility Statement ([//www.nj.gov/nj/accessibility.html](http://www.nj.gov/nj/accessibility.html))**

([//nj.gov/opra/](http://nj.gov/opra/))

(<https://my.state.nj.us/openam/UI/Login>)

(<https://tech.nj.gov/>)

Copyright © State of New Jersey, 1996-2024  
Office of Governor PO Box 001  
Trenton, NJ 08625  
609-292-6000