

## Governor Phil Murphy

# Governor Murphy Announces Filing of New Claims in Congestion Pricing Lawsuit

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**TRENTON** – Governor Phil Murphy today announced that the State of New Jersey is taking action to update its pending lawsuit over congestion pricing with new claims. The new claims focus on actions taken by the Federal Highway Administration (“FHWA”) last year to approve last-minute changes that New York officials made to their congestion pricing plans and to allow congestion pricing to begin without appropriate environmental reviews.

The State’s original complaint in the lawsuit, filed in July 2023, alleges that the federal government violated the National Environmental Policy Act (“NEPA”), the Administrative Procedure Act, and the Clean Air Act when it approved plans for congestion pricing without adequate environmental review. Notably, at the time the FHWA completed its original faulty review, no tolling scheme had been set by the Metropolitan Transportation Authority (“MTA”) for its congestion pricing program.

In March 2024, the MTA adopted a tolling scheme that fundamentally differed from the tolling schemes previously assessed by the FHWA. In a quick re-evaluation, the FHWA rubber-stamped the March 2024 tolls, without conducting an adequate re-evaluation. The MTA then paused its plans for congestion pricing in June, before reversing course in November when it announced a never-before-considered phased-in tolling scheme, and the FHWA again greenlit the program without meaningful further analysis. New Jersey’s supplemental complaint asserts that these bare-bones re-evaluations also violate federal law.

In December 2024, a federal court agreed with New Jersey that the FHWA violated federal law when it initially approved the MTA’s plans in 2023. New Jersey’s new claims regarding more recent developments were not previously considered by the court.

“The decision by the federal government and the MTA to fast-track a proposal that solely benefits New York’s transportation system at the expense of hardworking New Jerseyans must be reevaluated and rescinded,” **said Governor Phil Murphy**. “Not only is this scheme a financial strain on hardworking New Jerseyans, but it will also have adverse environmental consequences on many North Jersey communities, as the federal government has admitted. The FHWA cannot continue to turn a blind eye to the significant environmental impacts that congestion pricing will have on New Jersey, favoring New York at the expense of its neighbors.”

For a copy of the amended complaint, please click [here](https://d31hzhk6di2h5.cloudfront.net/20250127/79/bd/c9/21/cb499453091b57a4aeab5ad1/Ex_A_Supplemental_Complaint_as_filed_.pdf) ([https://d31hzhk6di2h5.cloudfront.net/20250127/79/bd/c9/21/cb499453091b57a4aeab5ad1/Ex\\_A\\_Supplemental\\_Complaint\\_as\\_filed\\_.pdf](https://d31hzhk6di2h5.cloudfront.net/20250127/79/bd/c9/21/cb499453091b57a4aeab5ad1/Ex_A_Supplemental_Complaint_as_filed_.pdf)).

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