

Governor Murphy Announces Filing of Amended Complaint Against the Metropolitan Transportation Authority and the Triborough Bridge and Tunnel Authority in Congestion Pricing Lawsuit

01/16/2024

TRENTON – Governor Phil Murphy today announced the State of New Jersey’s [request](https://d31hzhk6di2h5.cloudfront.net/20240116/5f/e0/d5/8c/fe41d09092169189789f2369/Dkt_87_-_Letter_to_Judge_Wettre_with_Amended_Compl.pdf) (https://d31hzhk6di2h5.cloudfront.net/20240116/5f/e0/d5/8c/fe41d09092169189789f2369/Dkt_87_-_Letter_to_Judge_Wettre_with_Amended_Compl.pdf) to add constitutional claims against the Metropolitan Transportation Authority (MTA) and the Triborough Bridge and Tunnel Authority (TBTA) and to add two individual plaintiffs to its congestion pricing lawsuit.

The State’s original complaint in the lawsuit, filed in July 2023 against the U.S. Department of Transportation and the Federal Highway Administration, alleges that the federal government violated the National Environmental Policy Act and the Clean Air Act by approving plans for congestion pricing without adequate environmental review. The claims against the federal government are still pending, and New Jersey filed its most recent [brief](https://d31hzhk6di2h5.cloudfront.net/20240116/52/98/9b/34/4c15a34e34a56f002e319c74/New_Jersey_MSJ_Opposition_Rep) (https://d31hzhk6di2h5.cloudfront.net/20240116/52/98/9b/34/4c15a34e34a56f002e319c74/New_Jersey_MSJ_Opposition_Rep) in support of those claims on Friday.

Today’s proposed amendments to the complaint add the MTA and the TBTA as defendants and allege that their proposed congestion pricing tolling scheme violates the U.S. Constitution’s dormant Commerce Clause and unconstitutionally burdens the right to travel. The complaint also adds co-plaintiffs who live in New Jersey, travel for work in the Central Business District (CBD), have lower incomes, and will not be eligible for the CBD tax credit since they do not live in New York.

“The tolling scheme currently being pursued by the MTA fails to address our greatest concerns,” **said Governor Murphy**. “Compounding the federal government’s failure to subject the MTA’s proposal to the full environmental review it warranted, it’s now clear that the MTA’s plans will also result in a scheme that unfairly tolls and discriminates against New Jerseyans, especially low-income New Jersey drivers. The federal government and the MTA can no longer be permitted to fast-track a proposal that solely benefits New York’s transportation system at the expense of hardworking New Jerseyans.”

The individual plaintiffs in the proposed amended complaint, Timothy Horner of East Orange and Eric Grossman of Union City, are represented by their own private counsel.

Governor Phil Murphy

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