

Increasing Use of Public Transit Lynn King University at Buffalo Law Student

What public transportation do we have?

The Niagara Frontier Transportation Authority (NFTA) provides bus and rail service to Erie and Niagara Counties.¹ In Erie County, this metro service is delivered via 38 interwoven bus routes and one light rail line. Service extends out to many of Buffalo's outer-ring suburbs², but is concentrated within City



limits and runs most frequently during peak hours. The NFTA also provides special transit service to disabled riders, riders attending special events, and metro pass holders in need of emergency transportation. Riders have the choice of purchasing single passes, day passes, or month passes.

Who rides it?



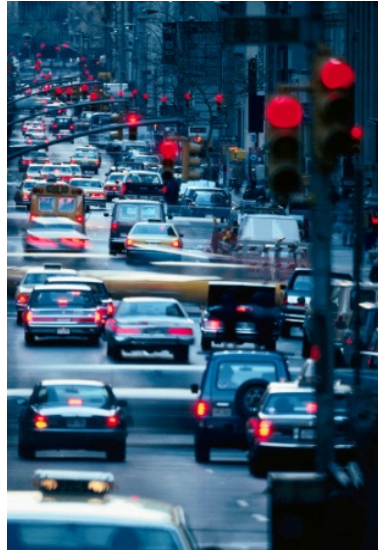
The most transit dependent people in our area are low-income, elderly, and disabled community members.³

However, our environment-savvy and budget-conscious residents also see the value in ridership. Approximately 5% of commuters in Erie County use public transit.⁴ Many riders do not own cars, but those who do save money on gas and parking

when they switch to transit.⁵ Even when the cost difference is not great, most drivers who continue to use transit do so because they can use their

commuting time to engage in useful or pleasant activities that are not possible in a car.⁶

What parameters are there to public transit growth?



The largest impediment to the growth of public transit is cost. Altering City infrastructure to accommodate transit growth is extremely expensive⁷. Enticing new users⁸ and educating a diverse group of existing users⁹ requires up-front capital and on-going administrative funds.¹⁰

Metro operators have four ways to obtain funds: fares, state and local tax revenue,¹¹ grants, and bonds.¹² Tax money and grants typically come with stringent spending requirements, often restricting both creative growth and efficiency.¹³ The current sources of revenue seldom cover the true costs of running public transit.¹⁴ Most public transit providers have run deficits since the 1940's, around the same time cars became the predominant mode of travel.

Who benefits from increased transit use?

Everyone benefits from a healthier environment and reliable transportation.¹⁵ Switching to transit burns less fossil fuel, helping to make our air cleaner.¹⁶ Also, people who ride the bus walk more than drivers do, making transit a healthier option.¹⁷ This is great for insurance companies whose costs decrease as public health increases from better air quality and more exercise. Employers benefit from healthier workers who have reliable, affordable transportation. Cities benefit from urban density and eased traffic that accompanies a strong transit system.¹⁸



How can we increase transit use locally?

To increase ridership, transit must be the more attractive option for people who have other transportation options. Best practices, as seen in cities comparable to Buffalo, typically incorporate a combination of increased metro amenities and local policy that encourages transit use. Like Cleveland¹⁹ and New York City, Buffalo could create dedicated bus lanes to speed travel times.²⁰ While continuing to upgrade its fleet of buses, the NFTA could simultaneously purchase new buses that provide better branding for service²¹ and comfort.²² If the NFTA partnered with local

government to keep bus shelters clean and accessible, the NFTA could leverage that security to install information and ticket sale devices at frequently used stops.²³ As a landlord, the NFTA has an opportunity to develop dense, mixed-use properties, a form of development that has a positive, reciprocal relationship with transit.²⁴ Buffalo can help spur interest in ridership through disincentivizing driving by increasing parking rates, eliminating parking lots, subsidizing metro passes, and requiring all new development to be mixed-use and transit friendly.²⁵



Often riders only need to become familiar with metro to switch over to its use.²⁶ Show riders once how much more pleasant²⁷ and productive commuting using transit can be and they are likely to keep riding.²⁸ The NFTA might entice new riders by offering free rides for one week.²⁹ Once the system has increased revenue, it will be more feasible to purchase green technology³⁰ and to provide more attractive amenities to educate and encourage riders, or natural gas powered buses.

Since financing is always the biggest obstacle to NFTA growth, smart initial steps may include increased efficiencies and moves to generate revenue. The NFTA might begin by consolidating its services with similar services, such as UB's.³¹ The NFTA could also create partnerships with the businesses that bring travelers into and out of Buffalo via air and rail. If, for example, the 8 airlines that fly through the Buffalo Airport³² sold NFTA shuttle passes directly to customers at the time they purchase their airline tickets, this would give the airlines another amenity to offer customers, a source of ready-made customers for the metro system, and an increase in revenue for all parties.³³

¹ NFTA website, <http://nfta.com>.

² NFTA bus service reaches every major suburb around Buffalo. NFTA Erie County Route Map, http://nfta.com/metro/pdfs/Erie_County.pdf.

³ The Greater Buffalo-Niagara Regional Transportation Council lists enhancing mobility for the region's transit dependent as one of its ways to improve the region's economic competitiveness and economic justice. GBNRT TIP Report 4-5, 14 (2010),

http://www.gbnrtc.org/fileadmin/content/pdf/TIP/TIP_2011-2015_FINAL_Report_Complete.pdf.

⁴ U.S Census Bureau, Erie County, New York Commuting Characteristics by Sex Statistics (2010), http://factfinder.census.gov/servlet/STTable?_bm=y&-context=st&-qr_name=ACS_2009_1YR_G00_S0801&-ds_name=ACS_2009_1YR_G00_&-tree_id=309&-redoLog=true&-caller=geoselect&-geo_id=05000US36029&-format=&-lang=en; “Cheaper gas and job losses tend to drive transit ridership down. Almost 60 percent of transit riders go to work.” Lena H. Sun. *Public Transit Ridership Rises to Highest Level in 52 Years: 4% Increase Comes Despite Job Losses, Plunging Gas Prices*. Wash. Post Online, Mar. 9, 2009, available at <http://www.washingtonpost.com/wp-dyn/content/article/2009/03/08/AR2009030801960.html>.

⁵ The average commute is 15 miles each way. With gas prices at about \$3/gallon, the average commuter pays \$4.50 in gas each day plus the cost of parking. Switching from auto to bus will save a commuter an average of \$146 per month, more if her business participates in the NFTA’s Metro-PAL card. Interview with C. Douglas Hartmayer, NFTA Dir. of Pub. Affairs and Bob Gower, Manager of Serv. Planning, in Buffalo, NY (Oct. 20, 2010); NFTA Metro-PAL Webpage, <http://www.nfta.com/metro/advantage-pal.asp>; Dallas Area Rapid Transit riders cited fuel cost savings, a decrease in stress, and the opportunity to relax as among the factors people weighed when opting out of driving and into buses. Sun, *supra*. note 4; In Cleveland, commuters preferred the high speed bus service which cost much less than driving and provided riders with time to get ready for their days. Cassandra Shofar, *Cleveland Area Ranks as One of the Fastest for Commuters*, The News-Herald, (Oct. 15, 2010), <http://global.factiva.com.gate.lib.buffalo.edu/ga/default.aspx>.

⁶ Brown, Werner, & Kim, *Personal and Contextual Factors Supporting the Switch to Transit Use: Evaluating a Natural Transit Intervention*, 3 *Analyses of Soc. Issues & Pub. Policy* 1, 139-160 (2003).

⁷ “Car use is firmly anchored in U.S. policies and subsidies, community design, and personal habits and social aspirations. From federally backed road and housing construction programs, to zoning mandates for large setbacks and parking areas, to failures to charge car users for car infrastructure (e.g., parking lots, highway patrols), car use is literally built into our physical and economic environments.” Brown, *supra*. note 6, at 140.

⁸ “Strong evidence shows that many individuals will not engage in environmentally friendly behaviors if they entail a sense of sacrifice or unpleasantness” (Brown, *supra*. note 6, at 157).

⁹ New York City’s new high speed buses, called “select bus service” didn’t take the old metro cards- leaving long time, foundational users confused. Michael M. Grynbaum, *Rolling Out Speedier Bus System, to Glitches and Grumbles*, NY Times, Oct 11, 2010, at A17, http://www.nytimes.com/2010/10/11/nyregion/11bus.html?_r=1&scp=2&sq=transit&st=cse.

¹⁰ Even posting schedules at bus stops is a daunting task considering there are approximately 5000 of them, all of which would require new hardware, maintenance, and quarterly updates to stay current. Interview with C. Douglas Hartmayer & Bob Gower, *supra*. note 5.

¹¹ The NFTA gets 1/8 of 1% of county sales tax revenue and another small percentage of mortgage tax revenue. Interview with C. Douglas Hartmayer & Bob Gower, *supra*. note 5.

¹² Federal Transportation Administration Grant Webpage (2010), http://www.fta.dot.gov/funding/finance/grants_financing_106.html; Sun, *supra*. note 4; *End of the Lines; Public Transport*, 396 *The Economist* US 24, Aug. 21, 2010.

¹³ For example, when the NFTA saw substantial savings when the State retracted its requirement that the NFTA use a certain percentage of bio-fuel in running their buses, a rule that had had questionable positive environmental impact. NFTA Budget for Fiscal Year Ending 2011 Part 1 (2010), at i-6, *available at* http://nfta.com/annual_report.asp.

¹⁴ Fares on the most heavily used routes only recover up to 50% of the running costs of those routes, and those are buses that run at capacity most of the time. Buffalo is at or slightly above the industry standard, making on average 30% of its expenses back in fares. Generally, the NFTA hopes to break even on new services. Personal communication with Bob Gower, October 20, 2010; Interview with C. Douglas Hartmayer & Bob Gower, *supra*. note 5.

¹⁵ The Sierra Club lists switching from driving to public transit, biking, or walking as the number one thing Americans can do to reduce global warming. Sierra Club, *Clean energy Solutions: Ten Things You Can Do to Help Curb Global Warming*, (2010), <http://www.sierraclub.org/energy/tenthings/>.

¹⁶ On a traditional grading scale, The American Lung Association gives Erie County a grade of “D” for Particle Pollution, a form of pollution that does damage similar to smoking cigarettes. American Lung Association’s State of the Air Report, October 16, 2010, available at <http://www.stateoftheair.org/2010/states/new-york/erie-36029.html>; The Urban Land Institute released a study in 2009 stating that reducing auto dependency and increase use of mass transit will “significantly curb greenhouse gas emissions.” Dylan Rivera, *Report: Compact development, mass transit can curb global warming emissions*, *The Oregonian*, Jul 28, 2009, <http://global.factiva.com/ga/default.aspx>.

¹⁷ Metro riders have an 81% lower risk of becoming obese. The average person who switches from driving to metro loses more than 6 pounds in the first year and half. Steven Reinberg, *Taking Public Transit Might Help You Stay Slim*. *Bloomberg Business Week*, Health Day June 29, 2010 16:00 EST., <http://www.businessweek.com/lifestyle/content/healthday/640612.html>; Brown, *supra*. note 6.; Richard Wener & Gary Evans, *A Morning Stroll: Levels of Physical Activity in Car and Mass Transit Commuting*, 39 *Env’t & Behavior* 1, 2007; Ryan Edwards, *Public Transit, Obesity, and Medical Costs: Assessing the Magnitudes*, 46 *Preventative Medicine* 1, 2008.

¹⁸ Sierra Club Sprawl Report, 2010, <http://www.sierraclub.org/sprawl/report01/transitvshighways.asp>

¹⁹ Cleveland saw an increased ridership of 48% after it upgraded it’s service to Bus Rapid Transit. Geoff Kirbyson, *New Flyers Offers Bus Rapid Transit for Winnipeg*, *Winnipeg Free Press*, Jun 10, 2010, at A3

²⁰ Shofar, *supra*. note 5; Transit Update, *Bus Rapid Transit Wins in Cleveland*, 205 *Railway Age* 11:20, (November 1, 2004), <http://web.ebscohost.com/ehost/pdfviewer/pdfviewer?vid=6&hid=113&sid=e024d226->

[a074-4264-afb4-122c2200e6fc%40sessionmgr114](http://www.nymag.com/print/?/news/features/67027/); Robert Sullivan, *Subway on the Street*, New York Magazine (July 4, 2010), <http://nymag.com/print/?/news/features/67027/>.

²¹ “In Maplewood, New Jersey, the local Chamber of Commerce partnered with NJ TRANSIT to establish a concierge service at their local train station. Just like at a hotel, the concierge can take care of commuters' needs with a simple phone call. In fact, one desk represents more than 30 community businesses. Commuters can drop off dry cleaning, order gourmet take-out for the night's dinner and have their car tires replaced—all through one quick stop at the concierge desk on the way to work. Local businesses aren't the only ones that benefit. The concierge establishes a vibrant presence at the train station, and encourages people to ride more often because they can get more done.” Public Transportation, *Ten Ways to Enhance Your Community: Unleash the Power of Public Transportation*, (2010), <http://www.publictransportation.org/reports/asp/10ways.asp>.

²² Offering wifi, plenty of natural light, and easy entrance and exiting make buses more accommodating. Geoff Kirbyson, *supra*. note 19; Even something as simple as a new paint job can be an indicator to consumers that the service has been upgraded. Sullivan, *supra*. note 20.

²³ Grynbaum, *supra*. note 9; Interview with C. Douglas Hartmayer & Bob Gower, *supra*. note 5.; Sullivan, *supra*. note 20.

²⁴ Sierra Club Sprawl Report, *supra*. note 18; New York, the city that is the embodiment of dense, mixed use development has a thriving metro system. Sullivan, *supra*. note 20.; Reinberg, *supra*. note 17.

²⁵ Sierra Club Report on Sprawl, *supra*. note 18; The Federal Transportation Equity Act for the 21st Century allows employers to give a tax-free monthly benefit of up to \$100 for the cost of commuting via public transit. Public Transportation, *supra*. note 21.

²⁶ In Atlanta, the congestion caused by the Olympics forced many students to try public transit. However, even after the games ended, many riders chose to continue taking metro. Brown, *supra*. note 6 at 155.

²⁷ New Jersey used federal funding to improve the attractiveness and amenities of its transit stations, providing landscaping, kiosks, parking, and by developing mixed-use buildings in the vicinity. Cities like West Lafayette, Indiana (the home of Purdue University) also create mixed-use development around its transit stations, using retail, restaurants, parks, and residences to draw and feed into the metro system. Tempe, Arizona has made and Corpus Christi, Texas have added lighting, art, and landscaping to improve the look of the transit system, resulting in increased ridership. Public Transportation, *supra*. note 21.

²⁸ Brown, *supra*. note 6 at 144.

²⁹ Such as Martinsville, VA did. Mickey Powell, *New Routes, No Fees Increase Bus Ridership*. Martinsville Bulletin, Jun. 5, 2009, <http://www.martinsvillebulletin.com/article.cfm?ID=19183>.

³⁰ The NFTA is currently in the process of swapping out all of their buses to hybrids. Interview with C. Douglas Hartmayer & Bob Gower, *supra*. note 5; State College, PA installed natural gas powered buses after reaping the financial benefits of taking over college campus transit. Replacing older parts of fleet with low-emission engines as

Tampa, FL did. APTA Outstanding Public Transportation Manager Award 2010, <http://www.apta.com/members/memberprogramsandservices/awards/Documents/APTA-Awards-Program-2010.pdf>; Bloomington, IL bought hybrid buses with the savings it accrued from sharing operating costs with IU. APTA Outstanding Public Transportation System 2010, <http://www.apta.com/members/memberprogramsandservices/awards/Documents/APTA-Awards-Program-2010.pdf>; Albuquerque, New Mexico, Asheville, North Carolina, and Charlotte, North Carolina have similarly been replacing their transit buses with alternative energy vehicles, some with emissions filters. The United States Conference of Mayors Best Practices Guide, January 2007, <http://usmayors.org/bestpractices/EandEBP07.pdf>.

³¹ State College, PA: “In 1999, CATA assumed the operation of Penn State’s campus bus routes, integrating them into one comprehensive town/gown transit program. As an alternative to universal access, CATA developed the nation’s largest program of pre-sold transit service to off-campus student housing complexes. As a result, State College has become the nation’s most transit-intensive small urban area, with more than 7 million passengers carried annually in a community with fewer than 100,000 residents.” APTA Transportation Manager Award, *supra*. note 30; Bloomington, IL: The public transit system partnered with Illinois University’s campus transit to share an operating facility, which “led to substantial savings for both systems through the shared use of bus servicing facilities, bus fueling infra-structure, bus storage areas, operator ready and training rooms, and employee parking lots. By being under the same roof, the two systems have been better able to cut costs through joint procurement of fuel, lubricants, utilities, supplies, services, and equipment.”

³² <http://www.buffaloairport.com/Carriers.asp>

³³ This idea was proposed for the Houston airport in Tory Gattis’s web posting. “Why couldn't it also offer pre-paid express bus tickets when somebody buys a plane ticket either starting or ending in Houston? That's the time to grab people. Not only does Continental already have their credit card at that point, making the transaction easy, there's also the opportunity to really sell the value of the express bus right there on the web page... Of course, for Continental to have an incentive to do this, they'll need a cut of each ticket sold. And to incentivize pre-payment, there might also need to be a discount vs. the walk-up price.” Houston Strategies Blogspot, Posting of Tory Gattis, Monday April 13, 2009, <http://houstonstrategies.blogspot.com/2009/04/radically-increasing-iah-express-bus.html>; as applied to Buffalo, the NFTA would take in more fare revenue and a transaction fee would provide incentive to airlines, whose profit margins on ticket sales are very small.

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