Metropolitan Transportation Authority

State of New York

October 22, 2021

Karen Persichilli Keogh, Secretary to the Governor
Elizabeth Fine, Counsel to the Governor
Executive Chamber, State of New York
Albany, NY 12224

Re: Government Transparency Initiative

The Metropolitan Transportation Authority (MTA) strongly supports the Governor's initiative to increase transparency. The MTA is committed to being open and accountable to the public and has a robust program to share a wide array of information. Our website includes data and reports on operations, governance, and finance. In addition, we share data on the Open NY website and are working collaboratively with the Office of Information Technology Services (NYS ITS) to make even more data available, all in user-friendly formats. We also regularly communicate with our customers via social media to ensure that service information is readily available, and complaints are addressed quickly.

Our staff have found effective new strategies to engage with the public, share data, and maintain transparency. For the first time ever, we have been sharing daily ridership and traffic information on our website to highlight the impacts of the pandemic on our system. The MTA's public meetings now allow for testimony via video or phone, expanding access to those who may not have the time or ability to attend them otherwise. Finally, MTA staff have been out among our customers for initiatives like the Mask Force to encourage appropriate use of masks and safety and have participated in hundreds of virtual public meetings when public-facing events were not appropriate to maintain open lines of communication with stakeholders and the public at large.

The attached pages provide more detail on existing agency policies and practices, in addition to plans for increasing transparency for each of the topics identified in the September 20, 2021 memorandum. We look forward to working with the Governor's office on this important initiative.

Janno Lieber
Acting Chair and CEO
Metropolitan Transportation Authority

The agencies of the MTA

MTA New York City Transit
MTA Long Island Rail Road

MTA Metro-North Railroad
MTA Bridges and Tunnels

MTA Construction & Development
MTA Bus Company

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The Metropolitan Transportation Authority's Transparency Plan

1. Review of MTA's Current Public Engagement

Steps taken to review agency policies and procedures on transparency.
In response to the September 20, 2021 memorandum, the MTA launched a wide-scale review of all existing agency policies and procedures related to transparency. Executives in departments responsible for communications, compliance, data, FOIL, government affairs, and legal documents were asked to take a hard look with their staffs at both successful practices as well as areas that need to be improved. Contributions to this response come from departments across the MTA, including Communications, Corporate Compliance, Finance, Government Affairs, Legal, Technology, and Operations. This plan demonstrates the importance of transparency and accountability at MTA.

What public meetings and hearings does the agency hold? What access does the public have to engaging with the agency leadership? What opportunities exist for the public to participate in agency decision-making? What does the agency do to solicit input from the public?

The MTA conducts monthly Committee and full meetings of the Board, as well as toll and fare hearings every few years. In some instances, MTA and its agencies must also hold public hearings if there are permanent changes being considered for service or access to transit facilities, such as stations or subway booths. All of these meetings, which involve agency leadership, are open to the public and invite public comment.

During the COVID-19 pandemic, the MTA began utilizing virtual platforms to conduct toll and fare hearings as well as the monthly Board and Committee meetings. We received overwhelmingly supportive feedback that the virtual option for attending meetings improved participation and accessibility. Indeed, when we returned to in-person Board and Committee meetings, many members of the public, in particular advocates for people with disabilities, requested that a virtual testimony option be re-instated. As a result, MTA now allows for virtual, phone, and in-person testimony at our Committee and Board meetings, which are streamed live and recorded for later viewing. All meeting materials, including agendas, reports, and presentations, are posted online. [1]

In addition to these regular sessions, certain projects and initiatives, such as the Central Business District Tolling Program (CBDTP)[2], Bus Network Redesigns[3], Second Avenue Subway, Penn Station Access/Four Bronx Stations, have their own dedicated public meetings, open houses, and workshops, along with multiple avenues for the public to provide input.

In the case of CBDTP, early outreach has included 13 virtual webinar-style meetings (3 focused on Environmental Justice (EJ) communities with 6 additional planned) that were recently held that provided information about the project and allowed for comments and questions. The project team has also brought

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[1] https://new.mta.info/transparency/board-and-committee-meetings
[2] https://new.mta.info/project/CBDTP
[3] https://new.mta.info/system_modernization/bus_network

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together an EJ Technical Advisory Group and an EJ Stakeholder Working Group to allow the public to engage further and directly interact with the project team, which includes senior and executive-level staff. To date, nearly 1,000 individuals registered for the events and nearly 400 individuals spoke. The events have also been live-streamed and recorded and there have been roughly 9,000 'views' to date. Finally, in addition to the public comments we've received nearly 5,500 comments via the website. We anticipate this type of engagement will continue for some time on this project.

Beyond meetings, the MTA looks to engage with the public with surveys and informal interactions. Our online "Customers Count" surveys are conducted on a regular basis.[4] Recently, the MTA launched an initiative to update the Subway map to make it more user-friendly. New maps are placed throughout the system with a QR code that links to a survey.[5] The feedback will help inform decisions on the map design.

What information does the agency make available on its website and social media? What are the information requests most commonly sought from the agency? What are the areas of greatest public interest in the agency's work?

Millions of people rely on the MTA's services every day to move around the New York metropolitan region. As such, the public has a strong interest in our operations and financial health, most importantly whether we are serving our customers safely and efficiently. If a train is delayed or there are traffic delays, peoples' lives are greatly impacted. The importance of our service is reflected in the extensive utilization of our communication outlets, which include our website, call centers, social media, e-mails and letters, help points in the subway system, and walk-ins to our customer service center. From the public, we often get questions and comments on travel information, facilities, service, employees, and fare or toll payments. From the media, we get questions about everything from the capital plan, to the operating budget and service, to contracts and major projects.

The MTA publishes extensive amounts of information on our website, which had over 12,700,000 views in September 2021. On our websites, users can find data, reports, and other documentation related to a variety of topics, including:

- Budget and finances – budgets, financial reports, investor information, tax information, and subsidy reports. A "Budget Basics" webpage provides a simple overview of the MTA's budget process and allows users to download budget information in spreadsheet format.
- Capital projects – capital plans and current capital project information.
- Data – ridership information, toll data, real-time arrivals, accessibility information, performance metrics, routes and schedules, and geographic information. Performance Dashboard websites allow the public to easily visualize performance metrics.
- Freedom of Information Law (FOIL) – online form submission, guides for common submission topics, and an automated tool for service delay verifications.
- Governance, risk, and compliance – documents on codes of ethics, Board governance, internal control (risk) management; compliance information regarding regulatory disclosures, budgeting, Board materials, MTA policies, and Title VI.
- Procurement and business opportunities – lists of current solicitations, guides for contractors and suppliers, and reporting on M/WBE/DBE/SDVOB.

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[4] https://new.mta.info/mta-customers-count
[5] https://www.wsj.com/articles/mta-tests-new-subway-map-that-evokes-jettisoned-1972-version

- Public meetings and notices, including Board & committee information – project information, livestream and recorded meetings, Board meeting materials including reports and presentations.

Information such as service disruptions, safety statistics, system accessibility, rolling stock reliability, paratransit operations, bus speeds, and traffic volumes are reflected in our performance metrics, which are reported monthly to the MTA Board. These data are also available on our website via dashboards with data visualization tools. Data can also be downloaded in excel format for further analysis.

In addition to extensive data sharing and reporting, we communicate with our customers about day-to-day operations. 87% of website use and 78% of NYCT's social media mentions are related to travel information and we strive to make this information available in several formats. The MTA's website and apps feature system and service information. We publish station and route information, schedules, service alerts, and real time train and bus locations using industry standard open data formats. Over 1500 website and app developers have made use of our real time data, allowing the public to access important information for trip planning and service disruptions via their preferred third-party app while they are traveling.

Our social media accounts alert customers to service disruptions, respond to concerns and complaints in real time, advertise public meetings, and promote new programs and projects in multiple languages. As an example, MTA's New York City Transit's social media accounts were mentioned 45,000 times and over 16,000 social media responses to customers in September 2021. In addition to service information, social media mentions from the public include comments about stations, employees, fare payment, temperature control, cleanliness, and safety.

In addition, we regularly receive formal requests through FOIL. The MTA is on pace to receive 3,100 FOIL requests in 2021, in addition to approximately 6,000 MTAPD police report requests. Notwithstanding a brief dip in requests during the COVID-19 pandemic, there has been a steady increase in FOIL requests to the MTA in each of the past several years. Frequent requests include topics such as accident reports, bid results for goods or services, and train delay verifications.

Recognizing that many of our customers cannot readily access information online, we have call centers for each agency as well as a New York City Transit customer service center in addition to responding to e-mails and letters. The call centers received almost 134,000 calls and there were over 4,800 walk-ins at the customer service center. Over 11,400 e-mail and letter responses were sent out to customers. In addition, to ensure that information is disseminated throughout our network. For example, the MTA accelerated an already substantial investment in digital screens to display service changes, publicize meetings, and announce new projects and initiatives.

2. Proposed Plan to Expand Transparency and Expected Timeline

Expanding information available to the public and compliance with Open Data NY

MTA information and data are found on multiple pages throughout our website, which can make it difficult for the public to find. Twenty distinct MTA datasets are also hosted on the Open NY data portal, with 56 filters, charts, and maps related to those datasets. Recognizing that our data can be found in multiple locations, the MTA is working closely with NYS ITS to streamline and

centralize information on the Open NY data portal, making MTA data more easily accessible to the public. The MTA currently expects the centralizing to be complete by the end of 2021. The MTA will submit a catalog of data to the legislature within 180 days after enaction of Chapter 482 of the Laws of 2021 and will submit a schedule for publication of those data within 3 years. [6] As part of this effort, the MTA is currently conducting reviews across the agency to identify additional data that might be useful to the public in open data formats (spreadsheet, geographic, or other machine-readable formats), and will post these data as they become available. Some examples of additional datasets that will be made available in open data formats:

- Ridership – Daily ridership numbers for all MTA operating agencies; ridership by station or stop location.
- Geographic information – Track locations, station and stop locations, station assets (e.g., elevators, stairs, benches).
- Performance metrics – Statistics and reports from the Board Book in machine-readable formats

In addition, the MTA Board meeting materials (aka the "Board Book") contain data and reports pertinent to agency operations and oversight, but most of the information is in pdf format which is not easily accessible or manipulable. MTA is actively investigating a method for producing these data in an open data format that will be uploaded to our Board meetings website and to the Open NY data portal. The MTA expects to identify a method by December 2021 and aims to begin the publishing of Board Book data in machine-readable formats by February 2022.

To ensure compliance with this mandate and to coordinate our data efforts, the MTA will assign a staff person to serve as Data Coordinator. This person will report to the Chief Customer Officer and will be identified by the end of 2021.

Filing timely reports with the legislature

The MTA is particularly diligent about any reporting that is legally mandated and, beyond sharing with the legislature, posts information on the Transparency section of the MTA website, [7] We also share mandated metrics data, such as 4-5 minute delays, Lost Time Accidents, and Additional Journey Time, on our performance dashboards website. These data can be downloaded in spreadsheet format. [8]

There are more than two dozen reports required to be submitted to the legislature and/or Governor's office under the Public Authorities Law in addition to numerous reports that are required to be submitted to MTA Board, New York State agencies such as Department of State and Empire State Development, and New York City agencies and officials. MTA remains committed to meeting its statutory obligations by regularly producing these reports and making them available to the public where appropriate.

Compliance with Project Sunlight

The MTA works with senior leadership to update the Project Sunlight database. Each quarter, a reminder is sent to decision-makers to upload their meeting information. Any new employees or employees promoted to senior roles are trained on the Public Integrity Reform Act and Project Sunlight. Every year,

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[6] Signed into law on October 19, 2021. MTA will submit a data catalog by April 2022 and a data publication schedule by October 2024.
[7] https://new.mta.info/transparency/
[8] https://new.mta.info/transparency/metrics

the Project Sunlight policy (most recently updated on March 27, 2018) is distributed to agency leadership to remind them of their responsibilities. This policy is reviewed every three years and revised as necessary.

While trainings and reminders are provided to leadership, oversight within the MTA could be improved to ensure that meetings are documented in Project Sunlight. The MTA will strengthen its compliance with the Public Integrity Reform Act immediately by assigning a staff member that is directly responsible for coordination and oversight of MTA's participation in Project Sunlight. This person, who will be identified by the end of 2021, will ensure that all meetings are up to date by May 2022.

Timely compliance with FOIL

As FOIL requests increase and technological capabilities change, the MTA FOIL team is undertaking multiple initiatives to improve operations and reduce response times to FOIL requests, including: 1) Updating the MTA FOIL platform to better track processing and response times to increase efficiency, transparency, and improve customer service; 2) Forming knowledge centers within the FOIL team to increase efficiency by assigning requests to FOIL officers based on subject matter expertise; 3) Developing internal seminars for MTA management to promote knowledge and understanding of FOIL statute and process.

The MTA receives many requests that are related to litigation discovery. For example, in September 2021, 81 out of the 288 FOIL requests received (28%) fell into this category. These inquiries pose a great burden on our staff as the searches are extensive and time-consuming. In addition, these requests are related to specific circumstances and events that are the subject of litigation, and not the interests of the general public at large. Greater transparency through FOIL would be significantly enhanced if the MTA were able to spend more time responding to FOIL requests that serve the interests of the general public and did not have to devote so much of its limited FOIL resources to responding to personal injury lawyers attempting to supplement or outright circumvent the discovery process.

Lastly, a subset of FOIL requests requires additional review and analysis by the Executive Chamber. In order to increase transparency and improve response times to MTA FOIL requests, we propose working collaboratively with the Executive Chamber to make the review process more efficient.

Reducing costs for and easing access to agency data and records

As mentioned previously, the MTA is working closely with NYS ITS to streamline and centralize information on the Open NY data portal. This will make information more easily accessible to all stakeholders. In the long run, this would reduce costs by automating the way that data are shared in addition to reducing search times for information requested by the public. The MTA has made changes to reduce or eliminate the costs of providing data or records for both the customer and the agency. For example, we are utilizing weblinks to disclose video records rather than using DVDs. We are also waiving duplication fees for the vast majority of FOIL responses. In addition, the MTA will proactively identify and produce commonly requested data. In addition to transparency benefits, this will reduce costs by decreasing the number of requests and therefore the amount of searching needed by our agency staff to identify and produce records.

Expanding agency participation in public and community events and increasing access to and public participation in meetings, hearings and decision-making

As discussed above, the MTA employs numerous methods for engaging the public, including participating regularly in community meetings, public Board and Committee meetings and hearings, social media, small in-person or virtual meetings, phone calls to build strong relationships with elected officials, community groups, and other stakeholders and to allow these groups to have a voice in decision-making. The MTA seeks to meet with and respond to any stakeholder with questions, issues, or comments.

Even with all these outlets, the MTA continues to explore new opportunities to further engage with the public and involve them in decision-making. For example, in recent years, the MTA has created interactive videos available on our YouTube channel that highlight the operations of the agency, new projects, and public meetings.[9] Additionally, our monthly "Mask Force" events, in which we distribute masks to our customers, promote public safety and create more informal interactions between MTA employees and our customers.[10]

We look forward to increased participation and oversight from the public that utilizes this information to help improve our projects, policies, and operations.

3. Measures of Success and Long-term Monitoring

The MTA will make every effort to improve transparency and build its relationship with the public. Several plans described in this document are underway and we have established timelines and are monitoring implementation. The appointment of staff to oversee key transparency initiatives such as Open Data and Project Sunlight will ensure that we continue to follow through on our commitments to the public.
The success of these initiatives can be measured in increased data and information available to the public, more interactions between agency staff and stakeholders, reduced FOIL requests, and more timely responses to legally mandated reporting. The table in Attachment A discusses metrics for each of the topics outlined in this document. We look forward to continuing our collaborative partnership with the Executive Chamber to ensure that we are providing the best possible service for our customers and are accountable to all stakeholders.

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[9] https://www.youtube.com/user/mtainfo
[10] https://new.mta.info/maskforce

Attachment A – Overview of MTA's Transparency Plan and Implementation Timeline

Topic	Proposed Plan	Timeline	Metrics and Long-term Monitoring
Making additional information available to the public	- Post additional information and datasets that are useful to the public	- Existing datasets to be centralized and uploaded to Open NY by Dec. 2021 - Additional datasets uploaded as available	- Number of datasets - Dataset downloads - Social media interactions
Ensuring the timely preparation of legally mandated reporting and identify ways to make useful information available to the public	- Post additional datasets that are useful to the public - Proactively produce legally mandated reporting	- Existing datasets to be uploaded to Open NY by Dec. 2021 - Additional datasets uploaded as available	- Number of datasets - Dataset downloads - Reduction of requests due to increased access to information
Ensuring the use of Project Sunlight database	- Assign staff member that is directly responsible for coordination and oversight	- Staff member assigned by end of 2021 - Meetings records to be updated by May 2022	- Number of meetings accounted for and uploaded quarterly
Improving response time for all FOIL requests	- Improve workflow and processes, create knowledge centers, and develop trainings - Work with Exec. Chamber on improving efficiency	- Develop plan for implementation by May 2022	- Number of FOIL requests - Turnaround time for FOIL-related requests
Complying fully with Executive Order 8.95 and Chapter 482 of the Laws of 2021	- Post additional datasets that are useful to the public on Open NY portal - Develop data catalog and publication schedule - Assign Data Coordinator	- Existing datasets to be uploaded to Open NY by Dec. 2021 - Data Coordinator assigned by end of 2021 - Data catalog submitted within 180 days and publication schedule submitted within 3 years	- Number of datasets - Dataset downloads
Posting documents required for meetings open to the public at the same time the agenda is posted	- Ensure agendas and meeting materials are posted in advance of monthly Board meetings	- To be implemented immediately	- Agendas and meeting materials posted in advance of monthly Board meetings
Reducing or eliminating the costs associated with providing data or records	- Produce more information online digitally to reduce both requester and agency costs	- Existing datasets to be centralized and uploaded to Open NY by Dec. 2021 - Additional datasets to be uploaded on rolling basis	- Number of datasets available - Dataset downloads - Reduction in FOIL / information requests
Participation of agency personnel events/meetings and new avenues for public participation	- Continue providing opportunities for virtual and in-person engagement	- Ongoing	- Number of meetings/events - Social media interactions - Public survey responses