

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TRUCKING ASSOCIATION OF NEW YORK,

Plaintiff,

-against-

METROPOLITAN TRANSPORTATION
AUTHORITY, TRIBOROUGH BRIDGE AND
TUNNEL AUTHORITY, LETITIA JAMES, in her
capacity as Attorney General for the STATE OF NEW
YORK,

Defendants.

**DECLARATION OF F.
JOSEPH RICCI**

Case No: 1:24-cv-4111

F. JOSEPH RICCI, under penalty of perjury, hereby declares:

1. I am the President and Chief Executive Officer of the Textiles Rental Services Association of America (hereinafter "TRSA"), a trade association serving more than 300 industry operators and their supplier partners worldwide.
2. TRSA supports the linen, uniform, and facility services industry by serving as a collective voice for the industry, advocating for fair regulatory and legislative policy, and promoting a stronger, safer, and more environmentally conscious community through advocacy, education, certification, research, and information-sharing.
3. TRSA is a member of the Trucking Association of New York (hereinafter "TANY"), and I make this declaration on behalf of TRSA and in support of TANY's motion for a preliminary injunction to prevent the implementation of the Central Business District Tolling Program (hereinafter "Tolling Program").

4. The Tolling Program, if implemented, will have an undeniably significant adverse effect on the linen, uniform, and facility services industry and all of the essential businesses that the industry serves.
5. TRSA's members play an important role in providing safe and clean Personal Protective Equipment ("PPE") to firefighters through a specialized linen cleaning process used to maintain the protective and flame-resistant qualities of firefighters' uniforms.
6. TRSA's members ensure the safe operation of healthcare facilities, hotels, restaurants, first responders, critical infrastructure operations, government entities, auto-related services, and other operations located at or below 60th Street in Manhattan (the "Zone").
7. TRSA's members deliver hygienically clean reusable linens, uniforms, and other textiles to and pick up soiled items from their customers in the Zone, making multiple trips into the Zone each day.
8. TRSA's members perform daily delivery and pick-up services in the Zone by using owned or leased fleets of delivery trucks.
9. TRSA's members with customers in the Zone will be subject to the truck rate imposed by the Tolling Program.
10. The Tolling Program further imposes a toll, at the truck rate, upon each TRSA's member's truck every time that truck enters the Zone, multiple times per day, while other vehicles are either capped at a once-per-day charge or are wholly-exempt from the Tolling Program.

11. Essential services operating in the Zone rely heavily upon TRSA's members to provide frequent and efficient delivery and pick-up of hygienically clean and safe products including linens, uniforms, garments (e.g., healthcare PPE including scrubs, gowns, towels, sheets, and blankets; flame-resistant PPE worn by firefighters and industrial employees; high visibility gear needed for critical infrastructure jobs; food service coats used by food processors, grocers, and restaurant and hospitality staff), and other critical supplies for the safe operation of these industries.
12. Without TRSA's members' frequent, time- and energy-efficient, and cost-effective routes, essential services would be without a steady and reliable stream of hygienically clean and safe linens and uniforms.
13. Without items provided by TRSA's members, these essential services would not function, or would be forced to switch to single-use disposable products, increasing the amount of unneeded waste.
14. TRSA's members also serve the hospitality, bar, and restaurant industry operating in the Zone.
15. As an example, one TRSA member who operates a food and beverage linen delivery and pick-up route is required to send up to five trucks into the Zone on a given day to meet its customers' delivery and pick-up needs.
16. The routes of those five trucks require at least one truck to enter the Zone multiple times per day.
17. The Metropolitan Transportation Authority ("MTA") expects TRSA's members, who provide delivery and pick-up routes in the Zone, to simply pass along charges under

the Tolling Program to their customers, including those customers operating essential services.

18. MTA has failed to consider the Tolling Program's significant adverse economic impact to TRSA's members' customers operating essential services and hospitality businesses located in the Zone.
19. Under MTA's model, TRSA's customers are expected to pay the costs of the Tolling Program charges imposed upon each delivery and pick-up service truck, amounting to multiple charges per day.
20. Customers who also receive daily truck deliveries of food and other products in addition to linens, uniforms, and textiles, are expected to absorb the cost of the Tolling Program for each delivery received, over and above those paid for TRSA's members' deliveries and pick up services.
21. If TRSA's members must pay a per-trip toll as required under the Tolling Program, when they renegotiate contracts with their customers, they will need to increase their charges, driving up costs for essential services and the end-users, thus increasing the costs of healthcare, dining, auto-related services, hospitality and tourism, and other economic sectors.
22. Implementation of the Tolling Program will create negative cascading effects on the hundreds of small businesses operating in the Zone.
23. TRSA's members are conscious of the slim profit margins under which their small business customers operate and structure their delivery and pick-up routes to provide the most cost-effective services.

24. MTA has publicly stated that the Tolling Program is intended to encourage the motor carrier and truck industry to optimize their routes.
25. Route optimization is a top priority for TRSA's members. TRSA's members already optimize their delivery routes to their customers, ensuring that delivery and pick-up services are efficient and cost-effective, while balancing delivery and pick-up rules and regulations, including those regulations in place to protect the unionized workforce.
26. MTA has also publicly encouraged delivery truck operators, like TRSA's members, to perform their services in the Zone during off-peak times or to otherwise adjust their routes to avoid the Zone.
27. Most of TRSA's members' customers require deliveries during peak hours. TRSA's members have little discretion over daily delivery and pick-up times, as customers' needs and business hours dictate the schedule and timing. TRSA's members cannot complete drop-offs and pick-ups to businesses that are closed.
28. By trying to alter TRSA's members' delivery routes, MTA is attempting to disrupt the essential support that TRSA's members provide to medical facilities throughout lower Manhattan, such as the delivery of hygienically clean and safe linens and Personal Protective Equipment continuously, every day.
29. The Tolling Program is required to generate a certain amount of revenue to support improvements to subways, buses, and railroads.
30. TRSA's members cannot use subways, buses, and railroads to complete deliveries or perform pick-up services. TRSA's members have no other viable way to meet the

needs of the essential services in the Zone aside from driving their fleets of trucks into the Zone.

31. For these reasons, TRSA's members and the trucking industry should be wholly exempt from the Tolling Program.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 5/20/24



E. JOSEPH RICCI