

## STATEMENT OF NECESSITY

### DEPARTMENT OF TAXATION AND FINANCE

Specific reasons underlying the finding of necessity: Pursuant to Article 29-C of the Tax Law, a surcharge is in effect, beginning January 1, 2019, on certain intrastate for-hire transportation that begins in, ends in, or passes through the geographic area of the city of New York, in the borough of Manhattan, south of and excluding 96<sup>th</sup> Street (the “congestion zone”). The Commissioner is required to administer this surcharge, and to accept the registration of persons liable for the surcharge.

This rule is being readopted on an emergency basis so that persons liable for the congestion surcharge can timely register, and to ensure that proper transportation records are kept, beginning January 1, 2019. The emergency readoption of the rule will prevent a gap in in the effectiveness of the congestion surcharge regulations until the rule becomes effective as a permanent measure, upon publication of the permanent adoption of the rule in the State Register.