



## **Weed for Rails: Fixing the MTA With Marijuana Revenue**

New Yorkers are facing a transit crisis—and this city is in dire need of a sustainable solution to fix the Metropolitan Transportation Authority.

In 2014, then-Council Speaker Melissa Mark-Viverito [called for the legalization of marijuana](#), becoming one of the first elected officials in New York State to do so.

Today, Mark-Viverito is proposing a 4-point action plan to advocate for the legalization of marijuana in a manner that is: fair and equitable; uses no less than 50% of the tax revenue from marijuana sales to help fund transit improvements for City residents; and provides opportunities for redress for the communities that have been most adversely affected by marijuana arrests and incarceration. The plan also provides for significant oversight of existing and future City policies relating to marijuana.

### **4-Point Marijuana Legalization Action Plan**

#### **1. Advocate for Legalizing the Sale of Marijuana**

California, Colorado, and Washington all have marijuana markets exceeding [\\$1 billion](#) since legalization, with California at more than \$2.75 billion. New York might expect even greater sales given our size, available financing, and status as a [leading destination for tourists from all over the world](#).

As Public Advocate, Mark-Viverito will ensure that the Governor and the State Legislature follow through on their [campaign promises](#) to legalize the sale of marijuana for recreational use by working with advocacy groups to push for State legislation that legalizes the sale of marijuana in a manner that is fair and equitable and is dedicated to public transit improvements.

Immediately upon taking office, the Public Advocate will submit a memorandum of support for marijuana's legalization and will work to build a grassroots movement to demand that the Governor and State Legislature pass legalization legislation in the 2019 legislative session.

#### **2. Invest Marijuana Revenue in Subway Capital Program**

New York City's subway now has the [worst on-time performance](#) of any major rapid transit system in the world. The subway system is crumbling because of decades of disinvestment. Tax revenue from marijuana sales can be used to help improve service by funding desperately needed repairs and capital projects.

There will be ample tax revenues available. In 2015, Colorado collected more than \$135 million in taxes and fees on medical and recreational marijuana. Sales in the state totaled over \$996 million. One study estimated the likely California market for recreational marijuana between [\\$15 and \\$20 billion in annual sales revenue](#). Given the size of New York's population and considering the experiences of other

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jurisdictions, the marijuana market here has the potential to yield [\\$1.3 billion annually in State and City tax revenue](#).

As Public Advocate, Mark-Viverito will aggressively advocate for the State to use that estimated \$1.3 billion in tax revenue from the legalization of marijuana to pay for the repair of the subways and capital improvements. Currently, the MTA has a capital program of [\\$15.2 billion](#) for the subways. The marijuana tax revenue, if invested in transit, will assist struggling New Yorkers by addressing their transportation needs, and will also help to minimize potential fare hikes.

Mark-Viverito will also advocate for a “lockbox” provision in state legalization legislation to ensure that no less than half of marijuana tax revenues are dedicated to public transit.

Mark-Viverito strongly supports instituting a congestion pricing plan, which [she voted for in 2008](#), and investing associated revenues in public transit. However, given the timeline needed to implement such a plan, it is unlikely to produce revenue in the short-term. In contrast, the full legalization of marijuana can be accomplished immediately.

### **3. Support Policy Approaches that Address Historical Wrongs**

In addition to funding the MTA, Mark-Viverito supports legalizing marijuana in a manner that provides redress for the many thousands of people who have been arrested for using marijuana recreationally. Any bill that legalizes marijuana must include the following provisions:

1. Expunge criminal convictions of the thousands arrested for using the drug recreationally<sup>1</sup>.
2. Provide priority to women and minority-run businesses and nonviolent offenders who have been convicted on marijuana charges when issuing licenses to grow and sell marijuana.
3. Establish a fund to support [non-profits that are willing to teach business management to low-income communities](#).

### **4. Programmatic Oversight**

As Public Advocate, Mark-Viverito will convene public oversight hearings on issues relating to marijuana enforcement. Such oversight will include an in-depth examination of, and reporting on, implementation of NYPD policy favoring ticketing as opposed to arrests for marijuana use.

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<sup>1</sup> California incorporated an expungement program for criminal convictions as part of legalizing marijuana. See <http://www.governing.com/topics/public-justice-safety/gov-california-marijuana-criminal-record-state.html>