



E11 Impact of September 11th Events on the Public Transportation System in New York

Danielle D. Ruttman, JD, MAFS, New York City Transit Authority, 130 Livingston Street, Brooklyn, NY*

This presentation will provide insight into the impact of the events of 9/11/01 on a public transportation authority.

The attack on the World Trade Center on September 11, 2001, profoundly affected New York, the U.S. and the world. Its effect on the New York City Transit Authority (NYCTA) and its legal operations are the focus of this paper.

The NYCTA is the largest public transportation system in the country. It is open twenty-four hours a day 365 days a year. Over 6 million people a day rely on this system for transportation. Annual ridership exceeds 2 billion passengers. The system has 468 subway stations, over 6,000 subway cars and over 4,000 buses. It employs more than 48,000 people.

On 9/11/01, virtually all public transportation in the five boroughs of New York stopped – stranding millions of people. Passengers were evacuated from train cars in collapsed tunnels and removed to safety. Within hours, substantial amount of NYCTA equipment and personnel were deployed to identify and contain the damage, assist in the rescue efforts and resume limited service.

As all were focused on the hope of rescue, normal legal activity stopped. Courts closed. Many Manhattan courts had to be relocated. Section 29-a of Article 2B of the Executive Law vested with the Governor the authority to temporarily suspend specific provisions of any statute, local law, ordinance, orders, rules or regulations, or parts thereof, of any agency during a State disaster emergency, if compliance with such provisions would prevent, hinder or delay action necessary to cope with the disaster. Effective 9/11/01, New York Governor George E. Pataki signed Executive Order 113 which temporarily suspended virtually every law, whether civil, criminal or administrative, of the State of New York that contained a limitation of time. The Executive Order was effective for 30 days. This protected those affected by the events whether they were damaged from the attacks or involved in the rescue efforts. As of this writing, parts of it have been extended seven times by seven additional Executive Orders.

The Torts Division of the Transit Authority has an inventory of approximately 10,000 personal injury matters. From the initial notices of claim through civil trials to appeals, virtually every matter was affected by the disaster. Litigants, employees and witnesses were unavailable to proceed because they perished, were displaced or involved in the recovery effort. Calculating statutes of limitation became a fluid process. The effect continues to be felt. It is interesting to note that there was only one minor personal injury action filed against NYCTA for injuries relating to the World Trade Center attack on 9/11/01.

While litigation matters were stayed, other matters had to be expedited. Creating, posting, bidding, awarding and performance of huge contracts to rebuild damaged and destroyed subway stations were done in record time.

Every day New Yorkers rely on the NYCTA. Its response to the events of September 11th serves as a reminder that that reliance is not misplaced.

Executive Orders, Statutes of Limitations, Public Transportation