S T A T E O F N E W Y O R K

8804--B

2009-2010 Regular Sessions

I N A S S E M B L Y

June 9, 2009

Introduced by M. of A. BENEDETTO -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the administrative code of the city of New York and the vehicle and traffic law, in relation to increasing the fine for tractor-trailer combinations that park on residential streets overnight

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision c of section 19-170 of the administrative code of the city of New York, as amended by local law number 104 of the city of New York for the year 1993, is amended to read as follows:

c. [A] 1. EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH TWO OF THIS SUBDIVISION, A violation of this section shall be punishable by the monetary fine authorized for violation of the rules and regulations of the commissioner in paragraph one of subdivision a of section twenty nine hundred and three of the New York City Charter.

2. A FIRST VIOLATION OF THIS SECTION, WHEN THE COMMERCIAL VEHICLE IS A TRACTOR-TRAILER COMBINATION, TRACTOR, TRUCK TRAILER OR SEMI-TRAILER, SHALL BE PUNISHABLE BY A MONETARY FINE OF TWO HUNDRED FIFTY DOLLARS. ANY SUCH SUBSEQUENT VIOLATION OF THIS SECTION BY THE SAME OWNER, AS DEFINED IN PARAGRAPH A OF SUBDIVISION ONE OF SECTION TWO HUNDRED THIRTY-NINE OF THE VEHICLE AND TRAFFIC LAW, WITHIN A SIX MONTH PERIOD SHALL BE PUNISHABLE BY A MONETARY FINE OF FIVE HUNDRED DOLLARS.

S 2. Subdivision 2 of section 237 of the vehicle and traffic law, as amended by chapter 782 of the laws of 1990, paragraph (a) as amended by section 1 of part B of chapter 93 of the laws of 2002, is amended to read as follows:

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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2. To provide for penalties other than imprisonment for (a) parking violations in accordance with a schedule of monetary fines and penalties, provided however, that monetary penalties shall not exceed fifty dollars for each parking violation other than (i) in a city with a population of one million or more, violations committed in spaces where stopping or standing is prohibited for which monetary penalties shall not exceed one hundred dollars and, (ii) handicapped parking violations for which monetary penalties shall not exceed one hundred fifty dollars; and (b) abandoned vehicle violations, except in a city with a population of one million or more, provided however, that monetary penalties shall not be less than two hundred fifty dollars nor more than one thousand dollars for each abandoned vehicle violation; AND (C) A CITY WITH A POPULATION OF ONE MILLION OR MORE MAY IMPOSE A MONETARY PENALTY OF UP TO TWO HUNDRED FIFTY DOLLARS FOR A FIRST OFFENSE AND UP TO FIVE HUNDRED DOLLARS FOR SUBSEQUENT OFFENSES WITHIN A SIX MONTH PERIOD FOR TRACTOR-TRAILER COMBINATIONS, TRACTORS, TRUCK TRAILERS AND SEMI-TRAILERS PARKED OVERNIGHT ON STREETS IN RESIDENTIAL NEIGHBORHOODS;

S 3. This act shall take effect on the sixtieth day after it shall have become a law.