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

2648

2009-2010 Regular Sessions

I N S E N A T E

February 26, 2009

Introduced by Sen. ADAMS -- read twice and ordered printed, and when printed to be committed to the Committee on Cities

AN ACT to amend the administrative code of the city of New York and the vehicle and traffic law, in relation to violations for parking in a bicycle lane

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

Section 1. Subdivision b of section 19-203 of the administrative code of the city of New York, as amended by section 2 of part B of chapter 93 of the laws of 2002, is amended to read as follows:

b. To provide for penalties other than imprisonment for parking violations, provided however, that monetary penalties shall not exceed fifty dollars for each parking violation, provided that monetary penalties shall not exceed one hundred dollars for each parking violation committed in a space where stopping or standing is prohibited and provided, further, that monetary penalties shall not exceed one hundred fifty dollars for each handicapped parking violation *OR VIOLATION FOR PARKING IN A BICYCLE LANE*;

S 2. The vehicle and traffic law is amended by adding a new section 1809-f to read as follows:

S 1809-F. MANDATORY SURCHARGE REQUIRED FOR CERTAIN VIOLATIONS RELATING TO PARKING IN A BICYCLE LANE. 1. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, WHENEVER PROCEEDINGS IN AN ADMINISTRATIVE TRIBUNAL OR A COURT RESULT IN A FINDING OF LIABILITY, OR CONVICTION FOR A VIOLATION OF ANY STATUTE, LOCAL LAW OR ORDINANCE OR RULE INVOLVING THE PARKING, STOPPING OR STANDING OF MOTOR VEHICLES IN A BICYCLE LANE, THERE SHALL BE LEVIED, IN ADDITION TO ANY SENTENCE OR OTHER SURCHARGE REQUIRED OR PERMITTED BY LAW, AN ADDITIONAL SURCHARGE OF THIRTY DOLLARS.

2. THE MANDATORY SURCHARGE PROVIDED FOR IN SUBDIVISION ONE OF THIS SECTION SHALL BE PAID TO THE CLERK OF THE COURT OR ADMINISTRATIVE TRIBUNAL THAT MADE THE DETERMINATION OF LIABILITY. WITHIN THE FIRST TEN DAYS

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

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OF THE MONTH NEXT SUCCEEDING THE COLLECTION OF SUCH SURCHARGE, THE COLLECTING AUTHORITY SHALL PAY SUCH SURCHARGE TO THE CHIEF FISCAL OFFICER OF THE COUNTY IN WHICH SUCH VIOLATION OCCURRED OR IF THE VIOLATION OCCURRED IN NEW YORK CITY, TO THE CITY OF NEW YORK, TO BE USED BY SUCH CITY FOR THE NEW YORK CITY DEPARTMENT OF TRANSPORTATION'S BICYCLE SAFETY OUTREACH PROGRAM.

S 3. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.