

4266

2011-2012 Regular Sessions

I N A S S E M B L Y

February 2, 2011

Introduced by M. of A. MILLMAN -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to authorizing a residential parking permit system in the city of New York

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

1 Section 1. Legislative findings and intent. The legislature finds that  
2 a lack of parking for residents of the city of New York has resulted in  
3 traffic hazards, congestion and air and noise pollution. In addition,  
4 such lack of parking poses a hazard to residents and other pedestrians  
5 in such areas.

6 The legislature further finds that a residential parking system will  
7 reduce such hazards and will reduce pollution levels as well. The legis-  
8 lature, therefore, declares the necessity of this act to authorize the  
9 city of New York to adopt a residential parking system in accordance  
10 with the provisions of this act.

11 S 2. The vehicle and traffic law is amended by adding a new section  
12 1640-n to read as follows:

13 S 1640-N. RESIDENTIAL PARKING SYSTEM IN THE CITY OF NEW YORK. 1.  
14 NOTWITHSTANDING THE PROVISIONS OF ANY LAW TO THE CONTRARY, THE CITY OF  
15 NEW YORK MAY, BY ADOPTION OF A LOCAL LAW OR ORDINANCE, PROVIDE FOR A  
16 RESIDENTIAL PARKING PERMIT SYSTEM AND FIX AND REQUIRE THE PAYMENT OF  
17 FEES APPLICABLE TO PARKING WITHIN CERTAIN AREAS OF THE CITY IN ACCORD-  
18 ANCE WITH THE PROVISIONS OF THIS SECTION.

19 2. NO PERMIT SHALL BE REQUIRED ON STREETS WHERE THE ADJACENT PROPER-  
20 TIES ARE ZONED FOR COMMERCIAL OR RETAIL USE.

21 3. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO THOSE SPACES IN  
22 THE PERMIT AREAS WHICH, AS OF THE EFFECTIVE DATE OF THIS SECTION, HAVE  
23 METERED OR HIGHLY RESTRICTED PARKING REGULATIONS.

24 4. THE LOCAL LAW OR ORDINANCE PROVIDING FOR SUCH RESIDENTIAL PARKING  
25 SYSTEM SHALL:

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

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- 1 (A) SET FORTH THE FACTORS WHICH NECESSITATE THE ENACTMENT OF SUCH  
2 PARKING SYSTEM;
- 3 (B) PROVIDE THAT MOTOR VEHICLES REGISTERED PURSUANT TO SECTION FOUR  
4 HUNDRED FOUR-A OF THIS CHAPTER SHALL BE EXEMPT FROM ANY PERMIT REQUIRE-  
5 MENT;
- 6 (C) PROVIDE THE TIMES OF THE DAY AND THE DAYS OF THE WEEK DURING WHICH  
7 PERMIT REQUIREMENTS SHALL BE IN EFFECT;
- 8 (D) MAKE NOT LESS THAN TWENTY PERCENT OF ALL SPACES WITHIN THE PERMIT  
9 AREA OR AREAS AVAILABLE TO NONRESIDENTS AND SHALL PROVIDE FOR SHORT-TERM  
10 PARKING OF NOT LESS THAN NINETY MINUTES IN DURATION IN SUCH AREA OR  
11 AREAS;
- 12 (E) PROVIDE THE SCHEDULE OF FEES TO BE PAID FOR RESIDENTIAL PERMITS;  
13 AND
- 14 (F) PROVIDE THAT SUCH FEES SHALL BE CREDITED AS FOLLOWS:
  - 15 (1) MONIES GENERATED BY THE SALE OF RESIDENTIAL PARKING PERMITS SHALL  
16 BE CREDITED TO NEW YORK CITY TRANSIT, AN AGENCY OF THE METROPOLITAN  
17 TRANSPORTATION AGENCY, STATE OF NEW YORK, AND SHALL BE UTILIZED FOR THE  
18 PURPOSE OF UPGRADING AND IMPROVING THE NEW YORK CITY SUBWAY AND BUS  
19 SYSTEM; AND
  - 20 (2) MONIES GENERATED FROM FINES PAID IN CONNECTION WITH TICKETS ISSUED  
21 TO VEHICLES WITHOUT A PERMIT STICKER FOR PARKING IN A RESIDENTIAL ZONE  
22 WITHOUT A PERMIT STICKER SHALL BE CREDITED TO THE NEW YORK CITY GENERAL  
23 FUND.
- 24 5. NO LOCAL LAW OR ORDINANCE SHALL BE ADOPTED PURSUANT TO THIS SECTION  
25 UNTIL A PUBLIC HEARING THEREON HAS BEEN HAD IN THE SAME MANNER AS  
26 REQUIRED FOR PUBLIC HEARINGS ON A LOCAL LAW PURSUANT TO THE MUNICIPAL  
27 HOME RULE LAW.
- 28 6. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO ANY STATE HIGHWAY  
29 MAINTAINED BY THE STATE.
- 30 S 3. This act shall take effect immediately.