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

4698

2011-2012 Regular Sessions

I N A S S E M B L Y

February 7, 2011

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

AN ACT to amend the vehicle and traffic law and the administrative code of the city of New York, in relation to alternate side of the street parking

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

Section 1. The vehicle and traffic law is amended by adding a new section 1205 to read as follows:

S 1205. ALTERNATE SIDE OF THE STREET PARKING. WHEN PARKING IS PROHIBITED BY THIS ARTICLE OR BY LOCAL LAW, ORDINANCE, ORDER, RULE OR REGULATION, PURSUANT TO AN ALTERNATE SIDE OF THE STREET PARKING LAW, ORDINANCE, ORDER, RULE OR REGULATION, NO PENALTY SHALL BE IMPOSED, NOR SHALL ANY NOTICE OF VIOLATION BE ISSUED TO AN OWNER OR OPERATOR OF A VEHICLE UNLESS AND UNTIL TEN MINUTES HAVE ELAPSED FROM THE TIME POSTED ON A TRAFFIC SIGN, SIGNAL OR MARKING THAT DEMARCATES THE PROHIBITED PERIOD OF PARKING. THE ELAPSED TIME SHALL BE MEASURED FROM THE TIME POSTED ON A TRAFFIC SIGN, SIGNAL OR MARKING THAT DEMARCATES THE PROHIBITED PERIOD OF PARKING TO THE TIME PUBLISHED ON THE NOTICE OF VIOLATION, WITH THE PERIOD UP TO AND INCLUDING TEN MINUTES PAST THE POSTED PROHIBITED PERIOD NOT CONSTITUTING A VIOLATION OF THE PROHIBITIONS POSTED ON THE TRAFFIC SIGN, SIGNAL OR MARKING.

S 2. Subdivision (b) of section 1640 of the vehicle and traffic law is amended to read as follows:

(b) Such a legislative body also may by local law, ordinance, order, rule or regulation prohibit, restrict or limit the stopping, standing or parking of vehicles upon property owned or leased by such city or village; PROVIDED THAT SUCH LAWS, ORDINANCES, ORDERS, RULES OR REGULATIONS DO NOT CONFLICT WITH ARTICLE THIRTY-TWO OF THIS CHAPTER.

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

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S 3. Subdivision (d) of section 1660 of the vehicle and traffic law, as added by chapter 763 of the laws of 1964, is amended to read as follows:

(d) Such a town board also may by ordinance, order, rule or regulation prohibit, restrict or limit the stopping, standing or parking of vehicles upon property owned or leased by such town; PROVIDED THAT SUCH ORDINANCES, ORDERS, RULES OR REGULATIONS DO NOT CONFLICT WITH ARTICLE THIRTY-TWO OF THIS CHAPTER.

S 4. The administrative code of the city of New York is amended by adding a new section 19-163.2 to read as follows:

S 19-163.2 GRACE PERIOD FOR PARKING RULES. WHEN PARKING IS PROHIBITED BY THIS ARTICLE OR BY LOCAL LAW, ORDINANCE, ORDER, RULE OR REGULATION, PURSUANT TO AN ALTERNATE SIDE OF THE STREET PARKING LAW, ORDINANCE, ORDER, RULE OR REGULATION, NO PENALTY SHALL BE IMPOSED, NOR SHALL ANY NOTICE OF VIOLATION BE ISSUED TO AN OWNER OR OPERATOR OF A VEHICLE UNLESS AND UNTIL TEN MINUTES HAVE ELAPSED FROM THE TIME POSTED ON A TRAFFIC SIGN, SIGNAL OR MARKING THAT DEMARCATES THE PROHIBITED PERIOD OF PARKING. THE ELAPSED TIME SHALL BE MEASURED FROM THE TIME POSTED ON A TRAFFIC SIGN, SIGNAL OR MARKING THAT DEMARCATES THE PROHIBITED PERIOD OF PARKING TO THE TIME PUBLISHED ON THE NOTICE OF VIOLATION, WITH THE PERIOD UP TO AND INCLUDING TEN MINUTES PAST THE POSTED PROHIBITED PERIOD NOT CONSTITUTING A VIOLATION OF THE PROHIBITIONS POSTED ON THE TRAFFIC SIGN, SIGNAL OR MARKING.

S 5. This act shall take effect immediately.