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

9065

I N A S S E M B L Y

January 20, 2012

Introduced by M. of A. COLTON, ABBATE -- read once and referred to the Committee on Cities

AN ACT to amend the administrative code of the city of New York, in relation to permitting any remaining time available on a muni-meter receipt to be used at more than one parking location and providing for an affirmative defense

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

Section 1. The administrative code of the city of New York is amended by adding a new section 19-167.2 to read as follows:

S 19-167.2 MUNI-METER RECEIPTS; REMAINING TIME TRANSFERABLE. A. A PERSON SHALL BE ALLOWED TO LEAVE A MUNI-METERED PARKING FIELD OR BLOCK PRIOR TO THE EXPIRATION TIME INDICATED ON THE MUNI-METER RECEIPT AND PARK AT ANOTHER MUNI-METERED PARKING FIELD OR BLOCK FOR THE LENGTH OF TIME REMAINING ON SUCH RECEIPT.

B. FOR THE PURPOSES OF THIS SECTION, THE TERM "MUNI-METER RECEIPT" SHALL MEAN THE RECEIPT SHOWING THE AMOUNT OF PARKING TIME PURCHASED THAT IS DISPENSED BY AN ELECTRONIC PARKING METER AND MUST BE DISPLAYED IN A CONSPICUOUS PLACE ON A VEHICLE'S DASHBOARD.

C. IN ANY PROSECUTION OR PROCEEDING ALLEGING A MUNI-METER VIOLATION FOR EXPIRED TIME, IT SHALL BE AN AFFIRMATIVE DEFENSE TO SUCH VIOLATION, WITH THE BURDEN OF PROOF ON THE PERSON WHO RECEIVED THE SUMMONS, THAT HE OR SHE DID IN FACT HAVE TIME REMAINING ON THE MUNI-METER RECEIPT. SUCH DEFENSE SHALL BE DEEMED ESTABLISHED IF SUCH PERSON PRODUCES THE ACTUAL MUNI-METER RECEIPT AT SUCH PROSECUTION OR PROCEEDING.

S 2. This act shall take effect immediately.

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

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