STATE OF NEW YORK

6931

2017-2018 Regular Sessions

IN SENATE

October 27, 2017

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

AN ACT to amend the vehicle and traffic law, in relation to requiring the city of New York to establish a pilot residential parking permit system within a two mile radius of LaGuardia airport; and providing for the repeal of such provisions upon expiration thereof

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 1640-q to read as follows:

§ 1640-q. Pilot residential parking permit system in the city of New York. 1. Notwithstanding any provision of law to the contrary, the city of New York shall, within one year of the effective date of this section, upon adoption of a local law or ordinance, establish and provide for the operation of a residential parking permit system, and fix and require the payment of fees applicable to parking within the areas in which such parking system is in effect in accordance with the provisions of this section.

2. Such residential parking permit system shall be operated by the city of New York for a period of one year after it is implemented. Furthermore, such residential parking permit system shall only be established within the areas of the borough of Queens described as follows: an area within a two mile radius of LaGuardia airport. The permitted streets within this area shall be described in a local law or ordinance adopted by the council of the city of New York pursuant to this section.

3. Notwithstanding the foregoing provisions of this section, no permit shall be required on streets where the adjacent properties are zoned for commercial office and/or retail use.

4. The local law or ordinance providing for such residential parking permit system shall:

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

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(a) set forth factors necessitating the enactment of such parking system;

(b) provide that motor vehicles registered pursuant to section four hundred four-a of this chapter, or those possessing a special vehicle identification parking permit issued in accordance with section twelve hundred three-a of this chapter, shall be exempt from any permit requirement;

(c) provide the times of day and the days of the week during which permit requirements shall be in effect;

(d) make not less than twenty percent of all spaces within each permit area available to nonresidents and shall provide short-term parking of not less then ninety minutes in duration in such areas;

(e) provide the schedule of fees to be paid for such permits; and

(f) provide that such fees shall be credited to the general fund of the city of New York.

5. No local law or ordinance shall be adopted pursuant to this section until a public hearing thereon has been had in the same manner as required for public hearings on a local law pursuant to the municipal home rule law.

§ 2. This act shall take effect immediately and shall expire and be deemed repealed:

(a) 1 year after it shall have taken effect, if the city of New York shall have failed to establish a residential parking permit system pursuant to section 1640-q of the vehicle and traffic law, as added by section one of this act, within 1 year of the effective date of this act; or

(b) 1 year after the date the residential parking permit system shall have been implemented in accordance with section 1640-q of the vehicle and traffic law, as added by section one of this act.

(c) The city of New York shall notify the legislative bill drafting commission upon the date of the implementation of the residential parking permit system in such city in order that such commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.