

# STATE OF NEW YORK

9714

## IN ASSEMBLY

February 6, 2020

Introduced by M. of A. QUART -- 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 city-issued parking permits

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The administrative code of the city of New York is amended  
2 by adding a new section 19-162.3 to read as follows:

3 § 19-162.3 City-issued parking permits. a. For the purposes of this  
4 section, the term "city-issued parking permit" means a permit issued by  
5 the department or the department of education, if the commissioner has  
6 delegated authority to the department of education pursuant to subdivi-  
7 sion b of this section, that indicates that permission to park in  
8 certain areas during certain times has been granted. The term shall not  
9 include a parking permit issued pursuant to section 19-162.1 or 19-162.2  
10 of this subchapter, a parking permit issued to individuals with disabil-  
11 ities, or a single-use parking permit.

12 b. Notwithstanding any other provision of law, and except as provided  
13 in section 14-183 of this code, no other city agency shall issue a  
14 permit that indicates that permission to park in certain areas during  
15 certain times has been granted; however, the commissioner may delegate  
16 authority to the department of education to issue such permits. In the  
17 event of such delegation, city-issued parking permits issued by the  
18 department of education shall continue to be subject to the requirements  
19 of subdivisions c, d, e, f, h, and i of this section, and any applicable  
20 rules promulgated by the department pursuant to subdivision g of this  
21 section.

22 c. A city-issued parking permit shall be valid for no more than one  
23 year unless suspended or revoked.

24 d. 1. Each person applying for a city-issued parking permit or renewal  
25 thereof on behalf of themselves, their agency or non-profit entity shall  
26 file an application in such form and detail as the commissioner shall  
27 prescribe, which may include inputting the required information into a  
28 permit application system.

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

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1 2. An application for a city-issued parking permit or renewal thereof  
2 shall include, but is not limited to, the following information:

3 (a) if applying on behalf of a city agency, the name of the city agen-  
4 cy and the employee's relationship to such agency if issued to an indi-  
5 vidual;

6 (b) the license plate number of the vehicle or vehicles to be associ-  
7 ated with such permit when associated with a specific vehicle or vehi-  
8 cles; and

9 (c) a statement articulating the justification for needing such  
10 permit.

11 3. Upon the approval of an application, the department shall issue a  
12 city-issued parking permit to the applicant that may only be used with  
13 the vehicle or vehicles identified on such application when the permit  
14 is to be used with specific vehicles.

15 4. City-issued parking permits shall not be transferrable to another  
16 person or vehicle if issued to a specific individual or vehicle.

17 5. Whenever any information provided on such an application has  
18 changed, such agency shall notify the department within ten days of such  
19 change.

20 e. A city-issued parking permit shall be a physical permit or a  
21 programmable feature associated with a license plate number and shall  
22 contain the name of the sponsoring city agency, the expiration date of  
23 the permit, and a unique identifier or other technology designed to  
24 allow the city to detect valid permits. Such permit may contain any  
25 additional information or features as required by the department.

26 f. 1. Parking with a city-issued parking permit shall be permitted in  
27 areas specified on or programmed into the permit and may allow for park-  
28 ing in some or all of the following areas:

29 (a) at parking meters;

30 (b) in truck loading and unloading zones;

31 (c) in "no standing/parking except authorized vehicles" or "authorized  
32 vehicle only areas", when such permit authorizes such use; and

33 (d) in "no parking" areas.

34 2. Parking with a city-issued parking permit shall not be permitted in  
35 the following areas, in addition to any areas designated by rule or  
36 specified on or programmed into the permit:

37 (a) "no standing" areas;

38 (b) "no stopping" areas;

39 (c) fire hydrants;

40 (d) bus stops;

41 (e) areas where such parking would constitute double parking;

42 (f) driveways;

43 (g) bridges and highways; and

44 (h) car-sharing parking spaces.

45 g. The department may promulgate such rules and regulations as are  
46 necessary to implement the provisions of this section.

47 h. Any violation of subdivision d of this section involving a false  
48 material statement or fact concealed in connection with an application  
49 for a city-issued parking permit or renewal thereof shall, upon  
50 conviction thereof, be punishable by a civil penalty of not less than  
51 two hundred fifty dollars nor more than one thousand dollars. Civil  
52 violations issued pursuant to this section shall be adjudicated at the  
53 environmental control board or any tribunal established within the  
54 office of administrative trials and hearings designated by the commis-  
55 sioner.

1 i. No later than January thirty-first, two thousand twenty-one, the  
2 department and agencies delegated to issue parking permits by the  
3 commissioner shall post information online regarding the issuance of  
4 city-issued parking permits, including, but not limited to, the number  
5 of applications submitted and the number of such permits issued in the  
6 previous year, disaggregated by the sponsoring city agency in the case  
7 of the department. Such information shall be updated at least annually.

8 § 2. The administrative code of the city of New York is amended by  
9 adding a new section 14-183 to read as follows:

10 § 14-183 Parking permits issued by the police department. a. The  
11 department may issue parking permits to city, state, or federal law  
12 enforcement agencies that indicate that permission to park in certain  
13 areas during certain times has been granted.

14 b. Such permits shall be valid for no more than one year unless  
15 suspended or revoked.

16 c. 1. Except for department fleet vehicles, an application for a park-  
17 ing permit or renewal thereof shall include, but is not limited to, the  
18 following information:

19 (a) the name of the applicant;

20 (b) the license plate number of the vehicle or vehicles to be associ-  
21 ated with such permit; and

22 (c) a statement articulating the justification for needing such  
23 permit.

24 2. Upon the approval of an application, the department shall issue a  
25 parking permit to the applicant that may only be used in the vehicle  
26 identified on such application.

27 3. Parking permits shall not be transferrable to another person or  
28 vehicle.

29 4. Whenever any information provided on such an application has  
30 changed, the permittee shall notify the department within ten days of  
31 such change.

32 d. A parking permit shall be a physical permit or a programmable  
33 feature associated with a license plate number. Such permit issued to a  
34 city shall contain the name of the agency. Such permit issued to an  
35 agency of the United States shall indicate that such permit is issued  
36 for federal law enforcement purposes. Such permit issued to an agency of  
37 the state shall indicate that such permit is issued for state law  
38 enforcement purposes. All parking permits shall contain at least the  
39 expiration date of the permit and a unique identifier or other technolo-  
40 gy designed to allow the city to detect valid permits.

41 e. 1. Parking with a permit shall be permitted in areas specified on  
42 or programmed into the permit, and may allow for parking in some or all  
43 of the following areas:

44 (a) at parking meters;

45 (b) in truck loading and unloading zones;

46 (c) in "no standing/parking except authorized vehicles" or "authorized  
47 vehicle only" areas, when such permit authorizes such use; and

48 (d) in "no parking" areas.

49 2. Parking with a permit shall not be permitted in the following  
50 areas:

51 (a) "no standing" areas;

52 (b) "no stopping" areas;

53 (c) fire hydrants;

54 (d) bus stops;

55 (e) areas where such parking would constitute double parking;

56 (f) driveways;

1 (g) bridges and highways;

2 (h) car-sharing parking spaces; and

3 (i) any other location as designated by the commissioner.

4 f. The department may promulgate such rules and regulations as are  
5 necessary to implement the provisions of this section.

6 g. Any violation of subdivision c of this section involving a false  
7 material statement or fact concealed in connection with an application  
8 for a parking permit or renewal thereof shall, upon conviction thereof,  
9 be punishable by a civil penalty of not less than two hundred fifty  
10 dollars nor more than one thousand dollars. Civil violations issued  
11 pursuant to this section shall be adjudicated at the environmental  
12 control board or any tribunal established within the office of adminis-  
13 trative trials and hearings designated by the commissioner.

14 h. No later than January thirty-first, two thousand twenty-one, the  
15 department shall post information online regarding the issuance of city-  
16 issued parking permits, including, but not limited to, the number of  
17 applications submitted and the number of such permits issued in the  
18 previous year. Such information shall be updated annually.

19 i. Individuals holding permits issued pursuant to this section shall  
20 be subject to the rules of the department of transportation relating to  
21 the issuance of separate parking violations for the misuse or fraudulent  
22 use of city-issued parking permits, as provided for in chapter four of  
23 title thirty-four of the rules of the city of New York.

24 § 3. This act shall take effect on the ninetieth day after it shall  
25 have become a law. Effective immediately, the addition, amendment  
26 and/or repeal of any rule or regulation necessary for the implementation  
27 of this act on its effective date are authorized to be made and  
28 completed on or before such effective date.