

STATE OF NEW YORK

1406--A

2019-2020 Regular Sessions

IN ASSEMBLY

January 15, 2019

Introduced by M. of A. SIMON, WALKER, D'URSO, COOK, MOSLEY, WILLIAMS, ARROYO -- Multi-Sponsored by -- M. of A. BLAKE, DE LA ROSA, ORTIZ, RIVERA, SOLAGES -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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

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

13 § 1640-q. 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 the area of the city in which such
18 parking system is in effect in accordance with the provisions of this
19 section.

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

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1 2. Such residential parking permit system may only be established
2 within that area of the city of New York within the neighborhoods of
3 Clinton Hill, Fort Greene, Prospect Heights, Park Slope, Gowanus,
4 Carroll Gardens, Cobble Hill, Boerum Hill, Columbia Street Waterfront
5 District, Brooklyn Heights, Fulton Ferry Landing, Downtown Brooklyn,
6 DUMBO, and Vinegar Hill which shall mean that area generally bounded on
7 the northerly side by the East River, on the easterly side by Washington
8 Avenue to Eastern Parkway, on the southerly side by Eastern Parkway to
9 Prospect Park West and Prospect Park West to the Prospect Expressway,
10 and on the westerly side by the Prospect Expressway to the Gowanus
11 Canal, Gowanus Bay, Red Hook Channel, and Buttermilk Channel.

12 3. Notwithstanding the foregoing, no permit shall be required on
13 streets where the adjacent properties are zoned for commercial or retail
14 use or in metered parking spaces.

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

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

19 (b) provide that motor vehicles registered pursuant to section four
20 hundred four-a of this chapter shall be exempt from any permit require-
21 ment;

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

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

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

28 (f) provide that such fees excluding administrative expenses, shall be
29 remitted by the city of New York to the applicable mass transit agency
30 on a quarterly basis to be deposited in the general transportation
31 account of the New York city transportation assistance fund established
32 pursuant to section twelve hundred seventy-i of the public authorities
33 law.

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

37 6. The provisions of this section shall not apply to any state highway
38 maintained by the state.

39 § 3. Subdivision 1 of section 1270-i of the public authorities law, as
40 added by section 4 of part NNN of chapter 59 of the laws of 2018, is
41 amended to read as follows:

42 1. The authority shall create and establish a fund to be known as the
43 "New York city transportation assistance fund" which shall be kept sepa-
44 rate from and shall not be commingled with any other moneys of the
45 authority. The New York city transportation assistance fund shall
46 consist of three separate accounts: (i) the "subway action plan
47 account"; (ii) the "outer borough transportation account"; and (iii) the
48 "general transportation account". The authority shall make deposits in
49 the subway action plan account of the moneys received by it pursuant to
50 the provisions of subdivision (c) of section twelve hundred
51 ninety-nine-H of the tax law in accordance with the provisions thereof,
52 shall make deposits in the outer borough transportation account of the
53 moneys received by it pursuant to the provisions of subdivision (d) of
54 section twelve hundred ninety-nine-H of the tax law in accordance with
55 the provisions thereof, and shall make deposits in the general transpor-
56 tation account of the moneys received by it pursuant to the provisions

1 of subdivision (e) of section twelve hundred ninety-nine-H of the tax
2 law in accordance with the provisions thereof, [~~and~~] pursuant to the
3 provisions of section eleven hundred eleven-C of the vehicle and traffic
4 law, and pursuant to the provisions of paragraph (f) of subdivision four
5 of section sixteen hundred forty-q of the vehicle and traffic law.

6 § 4. This act shall take effect immediately and shall expire December
7 1, 2024 when upon such date the provisions of this act shall be deemed
8 repealed, provided that any such local law or ordinance enacted pursuant
9 to this act shall remain in full force and effect only until December 1,
10 2024.