

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.

LBD14966-01-0

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.