STATE OF NEW YORK

10723

IN ASSEMBLY

September 9, 2022

Introduced by COMMITTEE ON RULES -- (at request of M. of A. O'Donnell) -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to authorizing certain residential parking permit systems 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:

Section 1. The vehicle and traffic law is amended by adding a new section 1640-s to read as follows:

§ 1640-s. Residential parking systems in the city of New York. 1. Notwithstanding the provisions of any law to the contrary, the city of New York may, by adoption of a local law or ordinance, provide for certain residential parking permit systems and fix and require the payment of fees applicable to parking within the area of the city in which such parking systems are in effect in accordance with the provisions of this section.

2. Such residential parking permit systems may be established within that area of the city of New York within certain neighborhoods, including but not limited to, Washington Heights, Harlem, Morningside Heights, Upper West Side, East Harlem, and Upper East Side.

3. The city of New York may undertake a study on the effectiveness of such programs on parking access taking into consideration:

(a) Traffic flow and parking availability in the areas immediately surrounding the central business district;

(b) Equity issues and household income in relation to the cost of parking permits; and

(c) Environmental impact of emissions and air pollution.

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

5. The local law or ordinance providing for such residential parking systems shall:

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

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

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

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

(d) provide the schedule of fees to be paid for such permits.

6. No 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.

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

§ 2. This act shall take effect immediately and shall expire December 1, 2028, when upon such date the provisions of this act shall be deemed repealed, provided that any such local law or ordinance enacted pursuant to this act shall remain in full force and effect only until December 1, 2028.