STATE OF NEW YORK

3058

2021-2022 Regular Sessions

IN ASSEMBLY

January 22, 2021

Introduced by M. of A. FAHY -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to the residential parking permit system in the city of Albany; and to amend chapter 454 of the laws of 2010 amending the vehicle and traffic law relating to authorizing a pilot residential parking permit system in the city of Albany, in relation to making such provisions permanent

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

Section 1. Section 1640-m of the vehicle and traffic law, as added by chapter 454 of the laws of 2010, is amended to read as follows:

§ 1640-m. [~~Pilot residential~~] **Residential** parking permit system in the city of Albany. 1. Notwithstanding the provisions of any law to the contrary, the city of Albany may, by adoption of a local law or ordinance, provide for a residential parking permit system and fix and require the payment of fees applicable to parking within certain areas of the city or as delineated by the common council of the city of Albany in accordance with the provisions of this section.

2. Such residential parking permit system may only be established within the areas of the city of Albany described as follows: an area within [~~three-quarters of~~] a **one** mile radius of the Nelson A. Rockefeller Empire State Plaza. The permitted streets within this area shall be described in a local law or ordinance adopted by the common council of the city of Albany pursuant to this section.

3. Notwithstanding the 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:

a. Set forth the specific factors which necessitate the implementation of said system and shall include, but not be limited to, findings of

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

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facts as to the existence of such traffic hazards, congestion and air and noise pollution within any such areas;

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 the days of the week during which permit requirements shall be in effect;

d. Make not less than twenty percent of all spaces within the permit area or areas available to nonresidents which shall provide short-term parking of not less than ninety minutes in duration in such area or areas;

e. Make not more than [~~two thousand seven~~] three thousand five hundred [~~fifty~~] of the approximately nine thousand residential spaces within the permit area or areas available for residential parking by permit;

f. Provide the schedule of fees to be paid for residential permits; and

g. Provide that such fees shall be credited to the general fund of the city of Albany.

5. No local law or ordinance shall be adopted pursuant to this section until a public hearing thereon has been held by the common council of the city of Albany concerning the designation of the certain area or areas in which said parking permit system is to be implemented.

§ 2. Section 3 of chapter 454 of the laws of 2010 amending the vehicle and traffic law relating to authorizing a pilot residential parking permit system in the city of Albany, as amended by section 1 of item K of subpart B of part XXX of chapter 58 of the laws of 2020, is amended to read as follows:

§ 3. This act shall take effect immediately [~~and shall remain in full force and effect for a period of nine years after the implementation of the local law or ordinance adopted by the city of Albany pursuant to section 1640-m of the vehicle and traffic law as added by section two of this act at which time this act shall expire and be deemed repealed~~].

§ 3. This act shall take effect immediately.