§ 1204. General powers of the authority. 1. To sue and be sued.

2. To have a seal and alter the same at pleasure.

* 3. To acquire, hold, use and dispose of equipment, devices and appurtenances, and other property for its corporate purposes, including, the power to dispose of personal property with a value of five hundred thousand dollars or less by public auction in accordance with guidelines adopted by the metropolitan transportation authority pursuant to section twelve hundred sixty-five of this article and title five-A of article nine of this chapter.

* NB Effective until June 30, 2028

* 3. To acquire, hold, use and dispose of equipment, devices and appurtenances, and other property for its corporate purposes.

* NB Effective June 30, 2028

3-a. To acquire by purchase or condemnation pursuant to the provisions of the condemnation law real property or rights or easements therein necessary or convenient for the corporate purposes of the authority, and to use the same so long as its corporate existence shall continue.

3-b. To apply for and receive and accept grants of property, money and services and other assistance offered or made available to it by any person, government or agency whatever, which it may use to meet capital or operating expenses and for any other use within the scope of its powers, and to negotiate for the same upon such terms and conditions as the authority may determine to be necessary, convenient or desirable.

4. To make rules and regulations for its organization and internal management.

5. To appoint officers, assign powers and duties to them, and fix their compensation.

5-a. To make, amend and repeal rules governing the conduct and safety of the public as it may deem necessary, convenient or desirable for the use and operation of the transit facilities under its jurisdiction, including without limitation rules relating to the protection or

maintenance of such facilities, the conduct and safety of the public, the payment of fares or other lawful charges for the use of such facilities, the presentation or display of documentation permitting free passage, reduced fare passage or full fare passage on such facilities and the protection of the revenue of the authority. Violations of such rules shall be an offense punishable by a fine of not exceeding twenty-five dollars or by imprisonment for not longer than ten days, or both, or may be punishable by the imposition by the transit adjudication bureau established pursuant to the provisions of this title of a civil penalty in an amount for each violation not to exceed one hundred dollars or, in the case of certain repeat violations relating to the payment of fares in accordance with subdivision eleven of section twelve hundred nine-a of this title, not to exceed one hundred fifty dollars (in each case exclusive of supplemental penalties, interest or costs assessed thereon), in accordance with a schedule of such penalties as may from time to time be established by rules of the authority. Such schedule of penalties may provide for the imposition of supplemental penalties, not to exceed a total of fifty dollars for each violation, upon the failure of a respondent in any proceeding commenced with respect to any such violation to make timely response to or appearance in connection with a notice of violation of such rule or to any subsequent notice or order issued by the authority in such proceeding. There shall be no penalty or increment in fine by virtue of a respondent's timely exercise of their right to a hearing or appeal. The rules may provide, in addition to any other sanctions, for the confiscation of tokens, tickets, cards or other fare media that have been forged, counterfeit, improperly altered or transferred, or otherwise used in a manner inconsistent with such rules. The authority shall not use, or arrange for the use, of biometric identifying technology, including but not limited to facial recognition technology, to enforce rules relating to the payment of fares.

6. To appoint employees and fix their compensation subject to the provisions of the civil service law and to grant, in its discretion, cash payments to the surviving spouse or to the legal representatives of its deceased employees, equal to the current monetary value of accumulated and unused vacation time, if any, and the monetary value of

accumulated and unused overtime, if any, for overtime which was worked and credited subsequent to June fifteenth, nineteen hundred fifty-three, computed at the rate of salary in effect at the time the overtime was worked, standing to the credit of its employees as of the time of their death and, notwithstanding the provisions of section one hundred thirty-five of the civil service law or any other state or local law to the contrary, to grant, in its discretion, severance pay to surplus employees on separation from service.

7. To retain and employ counsel, auditors, engineers and private consultants on a contract basis or otherwise for rendering professional or technical services and advice.

8. Pursuant to the provisions of this title, to construct, reconstruct, improve, maintain and operate any transit facility, whether now existing, or constructed, acquired or provided in the future, and to fix fares on any such transit facilities.

9. To construct, reconstruct, improve, maintain and operate buildings, structures and facilities as may be necessary or convenient and to maintain and operate, directly or enter into contracts or leases for the acquisition, maintenance, and operation of areas for the parking of motor vehicles in the vicinity of its transit facilities, and in its discretion to fix and charge for such parking a combination fee which shall include the established rate of fare for use of its transit facilities.

9-a. To post signs notifying the public of the maximum fine for throwing, dumping, or causing to be thrown, dumped, deposited or placed any refuse, trash, garbage, rubbish, litter, or any nauseous or offensive matter on subway tracks or the right-of-way of a subway, pursuant to section fifty-two-e of the railroad law, to the extent that funds for such signs are available.

10. With the consent of the city to use officers, employees, agents and facilities of the city paying to the city an agreed proportion or amount of the compensation or costs involved.

11. To make or enter into contracts, agreements, deeds, leases, conveyances or other instruments necessary or convenient, and to assist and cooperate with the metropolitan transportation authority to carry out the powers of the metropolitan transportation authority in furtherance of the purposes and powers of the authority as provided in this article, including, without limitation, the transactions described in sections twelve hundred sixty-six-c, twelve hundred sixty-nine and twelve hundred seventy-d of this article. This power shall include the power to make contracts with other persons operating transit facilities for combined fares for the use of such facilities and the transit facilities operated by the authority and for the division of such fares, and the power to make contracts for the transportation of the United States mail or personal property.

12. To surrender to the city property no longer required by the authority.

13. To rent space and grant concessions on or in any transit or other facility under its jurisdiction, to fix and collect rentals, fees or other charges therefor, and to contract for the sale or disposition of waste, products or by-products incidental to its operations or in excess of its requirements.

13-a. Notwithstanding the provisions of section fourteen hundred twenty-three of the penal law or the provisions of any general, special or local law, code, ordinance, rule or regulation to the contrary the authority may erect signs or other printed, painted or advertising matter on any property, including elevated structures, leased or operated by it or otherwise under its jurisdiction and control and may rent, lease or otherwise sell the right to do so to any person, private or public.

14. To make plans, surveys and studies of transit facilities in the city and prepare recommendations in regard thereto.

15. To exercise all requisite and necessary authority to manage,

control and direct the maintenance and operation of transit facilities transferred to it for the convenience and safety of the public with power, in its discretion, to extend, modify, discontinue, curtail, or change routes or methods of transportation where the convenience and safety of the public would be served thereby or where existing routes or methods are inefficient or uneconomical; provided, however, that (except in cases of emergencies) at least thirty days prior to any proposed modification, discontinuance, curtailment or change of any transit route or method of transportation, the authority shall give notice of its intention to the board of estimate and shall, upon request of such board within such period, conduct a public hearing thereon.

16. In its discretion to provide and maintain a transit police department and a uniformed transit police force. Such department and force shall have the power and it shall be their duty, in and about transit facilities, to preserve the public peace, prevent crime, detect and arrest offenders, suppress riots, mobs and insurrections, disperse unlawful or dangerous assemblages and assemblages which obstruct free passage; protect the rights of persons and property; guard the public health; regulate, direct, control and restrict pedestrian traffic; remove all nuisances; enforce and prevent violation of all laws and ordinances; and for these purposes to arrest all persons guilty of violating any law or ordinance. Appointments to such transit police force shall be made in accordance with applicable provisions of the civil service law and only persons who shall be less than twenty-nine years of age at the date of the filing of an application for civil service examination, who have never been convicted of a felony, and who are citizens of the United States shall be appointed transit patrolmen on the transit police force. Each member of such force shall be a police officer as defined by paragraph (e) of subdivision thirty-four of section 1.20 of the criminal procedure law and shall possess all the powers of a police officer of a city in the execution of criminal process; and criminal process issued by any court or magistrate of a city may be directed to and executed by a member of such force, notwithstanding the provisions of any local or special act, ordinance or regulation.

The authority may appoint a chief and a deputy chief of the transit police department who, in the discretion of the authority, may be selected from the ranks of the transit police force, and assign powers and duties to them and fix their compensation. The chief shall be the head of such department. During the absence or disability of the chief, the deputy chief shall possess all the powers and perform all the duties of the chief. The transit police force shall consist of captains, lieutenants, sergeants and police officers. The authority may detail persons in the rank of captain of the transit police force to serve in higher ranks. A captain when so detailed to serve in a higher rank may be granted an increase in salary above the grade established for the rank of captain in the uniformed force. The authority may maintain a division for detective purposes to be known as the detective division and may, from time to time, detail to service in said division as many members of the force as it may deem necessary, and may at any time revoke any such detail. Any member of the force while so detailed may be granted an increase in salary above the grade established for his or her rank in the uniformed force, but shall retain his or her rank in the force and shall be eligible for promotion the same as if serving in the uniformed force, and the time during which he or she serves in such division shall count for all purposes as if served in his or her rank or grade in the uniformed force.

16-a. The authority shall establish and publish or cause to be published schedules for all passenger transportation services under its operation. Such schedules shall include the estimated departure and arrival time at each terminal point of each route except that, on lines where the headway time during the period between six A.M. and seven P.M. is less than ten minutes, such headway time alone may be listed for that period. Such schedules shall also show the elapsed running time between the terminal and each station. Schedules shall be made available at each facility on the applicable route at which tokens or tickets are sold and shall be posted at each appropriate station operated by the authority.

17. To do all things necessary or convenient to carry out its purposes and for the exercise of the powers granted in this title.

18. A copy of any report submitted by the authority pursuant to sections twenty-eight hundred, twenty-eight hundred one and twenty-eight hundred two of this chapter shall be submitted contemporaneously to the mayor.

19. To invest any funds, accounts or other monies not required for immediate use or disbursement, at the discretion of the authority, in any of the investments in which the metropolitan transportation authority is permitted to invest its monies pursuant to subdivision four of section twelve hundred sixty-five of this article.