

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2020**

No. 9

Introduced by Council Members Powers, the Speaker (Council Member Johnson), Brannan, Holden, the Public Advocate (Mr. Williams), Chin, Constantinides, Rivera, Levin, Van Bramer, Kallos, Ayala, Lander and Deutsch.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to city-issued parking permits

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-162.3 to read as follows:

§ 19-162.3 City-issued parking permits. a. Definition. For purposes of this section, the term “city-issued parking permit” means a permit issued by the department or the department of education, if the commissioner has delegated authority to the department of education pursuant to subdivision b, that indicates permission to park in certain areas during certain times has been granted. The term shall not include a parking permit issued pursuant to sections 19-162.1 or 19-162.2, a parking permit issued to individuals with disabilities, or a single-use parking permit.

b. Issuance. Notwithstanding any other provision of law, and except as provided in section 14-183, no other city agency shall issue a permit that indicates permission to park in certain areas during certain times has been granted; however, the commissioner may delegate authority to the department of education to issue such permits. In the event of such delegation, city-issued parking permits issued by the department of education shall continue to be subject to the requirements of

subdivisions c, d, e, f, h, and i and any applicable rules promulgated by the department pursuant to subdivision g.

c. Term. A city-issued parking permit shall be valid for no more than one year unless suspended or revoked.

d. Application. 1. Each person applying for a city-issued parking permit or renewal thereof on behalf of themselves, their agency or non-profit entity shall file an application in such form and detail as the commissioner may prescribe, which may include inputting the required information into a permit application system.

2. An application for a city-issued parking permit or renewal thereof shall include, but need not be limited to, the following information:

(a) if applying on behalf of a city agency, the name of the city agency and the employee's relationship to such agency if issued to an individual;

(b) the license plate number of the vehicle or vehicles to be associated with such permit when associated with a specific vehicle or vehicles; and

(c) a statement articulating the justification for the permit need.

3. Upon the approval of an application, the department shall issue a city-issued parking permit to the applicant that may only be used with the vehicle or vehicles identified on such application when the permit is to be used with specific vehicles.

4. City-issued parking permits shall not be transferrable to another person or vehicle if issued to a specific individual or vehicle.

5. Whenever any information provided on such an application has changed, such agency shall notify the department within 10 days of such change.

e. Form of permits. A city-issued parking permit may be a physical permit or a programmable feature associated with a license plate number and shall contain the name of the sponsoring city agency, the expiration date of the permit, and a unique identifier or other technology designed to allow the city to detect valid permits. Such permit may contain any additional information or features as required by the department.

f. Permissible uses. 1. Parking with a city-issued parking permit shall be permitted in areas specified on or programmed into the permit and may allow for parking in some or all of the following areas:

(a) at parking meters;

(b) in truck loading and unloading zones;

(c) in “no standing/parking” areas except “authorized vehicles” or “authorized vehicle only”, when such permit authorizes such use; and

(d) in “no parking” areas.

2. Parking with a city-issued parking permit shall not be permitted in the following areas, in addition to any areas designated by rule or specified on or programmed into the permit:

(a) “no standing” areas;

(b) “no stopping” areas;

(c) fire hydrants;

(d) bus stops;

(e) areas where such parking would constitute double parking;

(f) driveways;

(g) bridges and highways; and

(h) carsharing parking spaces.

g. Rules. The department may promulgate such rules as are necessary to implement the provisions of this section.

h. Violations. Any violation of subdivision d of this section involving a material false statement or material fact concealed in connection with an application for a city-issued parking permit or renewal thereof shall upon conviction thereof be punishable by a civil penalty of not less than \$250 nor more than \$1,000. Civil violations issued pursuant to this section shall be adjudicated at the environmental control board or any tribunal established within the office of administrative trials and hearings designated by the commissioner.

i. Posting information. No later than January 31, 2021, the department and agencies delegated to issue parking permits by the commissioner shall post information online regarding the issuance of city-issued parking permits, including, but not limited to, the number of applications submitted and the number of such permits issued in the previous year, disaggregated by the sponsoring city agency in the case of the department. Such information shall be updated at least annually.

§ 2. Chapter 1 of title 14 of the administrative code of the city of New York is amended by adding a new section 14-183 to read as follows:

§ 14-183 Parking permits issued by the police department. a. The department may issue parking permits to city, state, or federal law enforcement agencies that indicate permission to park in certain areas during certain times has been granted.

b. Such permits shall be valid for no more than one year unless suspended or revoked.

c. 1. Except for department fleet vehicles, an application for a parking permit or renewal thereof shall include, but need not be limited to, the following information:

(a) the name of the applicant ;

(b) the license plate number of the vehicle or vehicles to be associated with such permit; and

(c) a statement articulating the justification for the permit need.

2. Upon the approval of an application, the department shall issue a parking permit to the applicant that may only be used in the vehicle identified on such application.

3. Parking permits shall not be transferrable to another person or vehicle.

4. Whenever any information provided on such an application has changed, the permittee shall notify the department within 10 days of such change.

d. A parking permit may be a physical permit or a programmable feature associated with a license plate number. Such permit issued to a city shall contain the name of the agency. Such permit issued to an agency of the United States shall indicate that such permit is issued for federal law enforcement purposes. Such permit issued to an agency of the state of New York shall indicate that such permit is issued for state law enforcement purposes. All parking permits shall contain at least the expiration date of the permit and a unique identifier or other technology designed to allow the city to detect valid permits.

e. 1. Parking with a permit shall be permitted in areas specified on or programmed into the permit, and may allow for parking in some or all of the following areas:

(a) at parking meters;

(b) in truck loading and unloading zones;

(c) in “no standing/parking” except “authorized vehicles” or “authorized vehicle” only, when such permit authorizes such use; and

(d) in “no parking” areas.

2. Parking with a permit shall not be permitted in the following areas:

(a) "no standing" areas;

(b) "no stopping" areas;

(c) fire hydrants;

(d) bus stops;

(e) areas where such parking would constitute double parking;

(f) driveways;

(g) bridges and highways;

(h) carsharing parking spaces; and

(i) any other location as designated by the commissioner, taking into consideration traffic rules promulgated by the department of transportation after the effective date of this law.

f. The department may promulgate such rules as are necessary to implement the provisions of this section.

g. Any violation of subdivision c of this section involving a material false statement or material fact concealed in connection with an application for a parking permit or renewal thereof shall upon conviction thereof be punishable by a civil penalty of not less than \$250 nor more than \$1,000. Civil violations issued pursuant to this section shall be adjudicated at the environmental control board or any tribunal established within the office of administrative trials and hearings designated by the commissioner.

h. No later than January 31, 2021, the department shall post information online regarding the issuance of city-issued parking permits, including, but not limited to, the number of applications

submitted and the number of such permits issued in the previous year. Such information shall be updated annually.

i. Individuals holding permits issued pursuant to this section shall be subject to the rules of the department of transportation relating to the issuance of separate parking violations for the misuse or fraudulent use of city-issued parking permits, as provided for in subparagraph (iv) of paragraph (3) of subdivision (o) of section 4-08 of chapter 4 of title 34 of the rules of the city of New York.

§ 3. Nothing in this local law is intended to affect, alter, or amend any rules of the department of transportation promulgated prior to the date of enactment of this local law relating to violations for misuse or fraudulent use of agency-authorized permits as defined in such rules.

§ 4. This local law takes effect in 90 days, except that the commissioner of transportation and the police commissioner may take any necessary actions to implement this law, including the promulgation of rules, prior to such effective date.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on November 26, 2019 and returned unsigned by the Mayor on January 2, 2020.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 9 of 2020, Council Int. No. 1422-A of 2019 to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEPHEN LOUIS, Acting Corporation Counsel.