



## Legislation Details (With Text)

<b>File #:</b>	Int 1088-2018	<b>Version:</b>	*	<b>Name:</b>	Requiring DOT permits on site and increasing related penalties.
<b>Type:</b>	Introduction	<b>Status:</b>			Filed (End of Session)
		<b>In control:</b>			Committee on Transportation
<b>On agenda:</b>	8/8/2018				
<b>Enactment date:</b>		<b>Enactment #:</b>			
<b>Title:</b>	A Local Law to amend the administrative code of the city of New York, in relation to requiring DOT permits on site and increasing related penalties				
<b>Sponsors:</b>	Kalman Yeger, Robert F. Holden, Alan N. Maisel, Mark Gjonaj, Mark Levine				
<b>Indexes:</b>	Agency Rule-making Required				
<b>Attachments:</b>	1. Summary of Int. No. 1088, 2. Int. No. 1088, 3. August 8, 2018 - Stated Meeting Agenda with Links to Files, 4. Hearing Transcript - Stated Meeting 08-08-2018, 5. Minutes of the Stated Meeting - August 8, 2018				

Date	Ver.	Action By	Action	Result
8/8/2018	*	City Council	Introduced by Council	
8/8/2018	*	City Council	Referred to Comm by Council	
12/31/2021	*	City Council	Filed (End of Session)	

Int. No. 1088

By Council Members Yeger, Holden, Maisel, Gjonaj and Levine

A Local Law to amend the administrative code of the city of New York, in relation to requiring DOT permits on site and increasing related penalties

Be it enacted by the Council as follows:

Section 1. Section 19-108 of the administrative code of the city of New York, as added by local law number 104 for the year 1993, is amended to read as follows:

§ 19-108 Display of permit. [A copy of any permit issued pursuant to this subchapter shall be kept on the site of the opening or use or at the designated field headquarters of the work with respect to which the permit was issued] Every person performing work with respect to a permit issued pursuant to this subchapter shall have on his or her person a copy of such permit and shall [be presented] present such permit upon demand of a police officer or any [authorized] officer or employee of the department or of any other city agency.

§ 2. Paragraph 1 of subdivision b of section 19-121 of the administrative code of the city of New York,

as amended by local law 104 for the year 1993, is amended to read as follows:

1. [Any] A copy of any permit granted pursuant to this section shall be posted in a conspicuous place on or near the material or equipment or kept on the site [or] and in the designated field headquarters of the work with respect to which the permit was issued so as to be readily accessible to inspection.

§ 3. Subdivision b of section 19-149 of the administrative code of the city of New York, as added by local law number 104 for the year 1993, is amended to read as follows:

b. Any person who knowingly violates any of the other provisions of this subchapter not otherwise provided for in this section or of section 24-521 of the code or any order issued by or rule promulgated by the commissioner pursuant thereto or the terms or conditions of any permit issued pursuant thereto or who knowingly causes, authorizes or permits such violation shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable by a fine of not more than seven thousand five hundred dollars, or by imprisonment not exceeding sixty days, or both such fine and imprisonment for each violation, except that any person who knowingly violates the provisions of sections 19-102, 19-107(a)(i), 19-108, 19-121(a) or 19-121(b) shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable by a fine of not less than ten thousand dollars and not more than fifteen thousand dollars, or by imprisonment not exceeding one year, or both such fine and imprisonment for each violation.

§ 4. Paragraph 1 of subdivision b of section 19-150 of the administrative code of the city of New York, as amended by local law number 5 for the year 2018, is amended to read as follows:

b. 1. Except as provided in [subdivision] subdivisions c and d of this section, such civil penalty shall be determined in accordance with the following schedule:

Section of the Administrative Code	Maximum Civil Penalty (dollars)
[19-102]	[10,000]
[19-107]	[10,000]
19-109	10,000
19-111	5,000
19-112	5,000
19-113	5,000
19-115	5,000

19-116	5,000
19-117 subd(a)	10,000
19-119	10,000
[19-121]	[10,000]
19-122	5,000
19-123	10,000
19-126	10,000
19-128	5,000
19-133	5,000
19-133.1	10,000
19-135	5,000
19-137	5,000
19-138	5,000
19-139	10,000
19-141	5,000
19-144	10,000
19-145	10,000
19-146	5,000
19-147	10,000
19-148	5,000
24-521	10,000
All other Provisions of this subchapter and rules or orders relating thereto	5,000

Note: Reference to an administrative code provision is intended to encompass the penalties for violations of the rules or orders made or of the terms or conditions of permits issued pursuant to such code provision.

§ 5. Section 19-150 of the administrative code of the city of New York, as amended by local law number 5 for the year 2018, is amended by adding a new subdivision d as follows:

d. In addition to or as an alternative to the penalties set forth in section 19-149, any person who violates 19-102, 19-107(a)(i), 19-108, 19-121(a) or 19-121(b) shall be liable for a civil penalty not less than ten thousand dollars and not more than fifteen thousand dollars for each violation.

§ 6. This local law takes effect 120 days after it becomes law, except that the department of transportation shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

07/19/18