

# STATE OF NEW YORK

1861--B

2009-2010 Regular Sessions

## IN SENATE

February 9, 2009

Introduced by Sens. KLEIN, ADDABBO, DIAZ, HASSELL-THOMPSON, HUNTLEY, ONORATO, SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Cities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the administrative code of the city of New York and the vehicle and traffic law, in relation to increasing the fine for commercial vehicles that park on residential streets overnight

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

1 Section 1. Subdivision c of section 19-170 of the administrative code  
2 of the city of New York, as amended by local law number 104 of the city  
3 of New York for the year 1993, is amended to read as follows:

4 c. A first violation of this section shall be punishable by [~~the~~] a  
5 monetary fine [~~authorized for violation of the rules and regulations of~~  
6 ~~the commissioner in paragraph one of subdivision a of section twenty~~  
7 ~~nine hundred and three of the New York City Charter]~~ of two hundred  
8 fifty dollars. Any subsequent violation of this section by the same  
9 owner as defined in paragraph a of subdivision one of section two  
10 hundred thirty-nine of the vehicle and traffic law within a six-month  
11 period shall be punishable by a monetary fine of five hundred dollars.

12 § 2. Subdivision 2 of section 237 of the vehicle and traffic law, as  
13 amended by chapter 782 of the laws of 1990, paragraph (a) as amended by  
14 section 1 of part B of chapter 93 of the laws of 2002, is amended to  
15 read as follows:

16 2. To provide for penalties other than imprisonment for (a) parking  
17 violations in accordance with a schedule of monetary fines and penal-  
18 ties, provided however, that monetary penalties shall not exceed fifty  
19 dollars for each parking violation other than (i) in a city with a popu-  
20 lation of one million or more, violations committed in spaces where

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

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1 stopping or standing is prohibited for which monetary penalties shall  
2 not exceed one hundred dollars and, (ii) handicapped parking violations  
3 for which monetary penalties shall not exceed one hundred fifty dollars;  
4 and (b) abandoned vehicle violations, except in a city with a population  
5 of one million or more, provided however, that monetary penalties shall  
6 not be less than two hundred fifty dollars nor more than one thousand  
7 dollars for each abandoned vehicle violation; and (c) a city with a  
8 population of one million or more may impose a monetary penalty of up to  
9 two hundred fifty dollars for a first offense and up to five hundred  
10 dollars for subsequent offenses within a six month period for commercial  
11 vehicle parked overnight on streets in residential neighborhoods;

12 § 3. The New York city department of transportation is directed to  
13 place signs in areas impacted by section 19-170 of the administrative  
14 code of the city of New York. These signs shall inform the general  
15 public about the regulations and penalties for violating such regu-  
16 lations as established by subdivisions b and c of section 19-170 of the  
17 administrative code of the city of New York.

18 § 4. This act shall take effect on the sixtieth day after it shall  
19 have become a law.

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**NEW YORK STATE SENATE  
INTRODUCER'S MEMORANDUM IN SUPPORT  
submitted in accordance with Senate Rule VI. Sec 1**

BILL NUMBER: S1861B

SPONSOR: KLEIN

TITLE OF BILL:

An act to amend the administrative code of the city of New York and the vehicle and traffic law, in relation to increasing the fine for commercial vehicles that park on residential streets overnight

PURPOSE OR GENERAL IDEA OF BILL:

This legislation raises the parking fines for commercial vehicles parked in New York City residential zones and provides for the placement of signs regarding such fines.

SUMMARY OF SPECIFIC PROVISIONS:

Section 1. Amends subdivision c of section 19-170 of chapter 5 of title 19 of the administrative code of the city of New York, raising the fine for commercial vehicles parked overnight on New York City residential streets to \$250 for a first offense and \$500 for each subsequent offense within a six-month period.

Section 2. Directs the Department of Transportation to place signs in affected areas informing the general public about these fines. Section 3. Sets the effective date of 60 days after becoming a law.

JUSTIFICATION:

The current fine for parking a commercial vehicle on a New York City residential street between 9pm and 5am is \$50. This sum is inconsequential when compared to the costs of storing such vehicles in off street parking, leaving many commercial vehicle owners to choose illegal parking on streets over other options. As a result, city residents find precious parking spaces occupied by illegally parked commercial vehicles. This legislation seeks to alleviate this problem and ensure violators are properly informed of the fines via signs in affected areas.

PRIOR LEGISLATIVE HISTORY:

2008 - S.6544A - Referred to Cities

FISCAL IMPLICATIONS:

Increase in revenue from parking fines; cost of placement of signs by Department of Transportation.

EFFECTIVE DATE:

Sixty days after becoming law.

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## STATE OF NEW YORK

8804

2009-2010 Regular Sessions

## IN ASSEMBLY

June 9, 2009

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

AN ACT to amend the administrative code of the city of New York and the  
vehicle and traffic law, in relation to increasing the fine for  
commercial vehicles that park on residential streets overnight

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

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2 of the city of New York, as amended by local law number 104 of the city  
3 of New York for the year 1993, is amended to read as follows:

4 c. A first violation of this section shall be punishable by ~~[the]~~ a  
5 monetary fine ~~[authorized for violation of the rules and regulations of~~  
6 ~~the commissioner in paragraph one of subdivision a of section twenty~~  
7 ~~nine hundred and three of the New York City Charter]~~ of two hundred  
8 fifty dollars. Any subsequent violation of this section by the same  
9 owner as defined in paragraph a of subdivision one of section two  
10 hundred thirty-nine of the vehicle and traffic law within a six-month  
11 period shall be punishable by a monetary fine of five hundred dollars.

12 § 2. Subdivision 2 of section 237 of the vehicle and traffic law, as  
13 amended by chapter 782 of the laws of 1990, paragraph (a) as amended by  
14 section 1 of part B of chapter 93 of the laws of 2002, is amended to  
15 read as follows:

16 2. To provide for penalties other than imprisonment for (a) parking  
17 violations in accordance with a schedule of monetary fines and penal-  
18 ties, provided however, that monetary penalties shall not exceed fifty  
19 dollars for each parking violation other than (i) in a city with a popu-  
20 lation of one million or more, violations committed in spaces where  
21 stopping or standing is prohibited for which monetary penalties shall  
22 not exceed one hundred dollars and, (ii) handicapped parking violations  
23 for which monetary penalties shall not exceed one hundred fifty dollars;  
24 and (b) abandoned vehicle violations, except in a city with a population

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1 of one million or more, provided however, that monetary penalties shall  
2 not be less than two hundred fifty dollars nor more than one thousand  
3 dollars for each abandoned vehicle violation; and (c) a city with a  
4 population of one million or more may impose a monetary penalty of up to  
5 two hundred fifty dollars for a first offense and up to five hundred  
6 dollars for subsequent offenses within a six month period for commercial  
7 vehicle parked overnight on streets in residential neighborhoods;

8 § 3. The New York city department of transportation is directed to  
9 place signs in areas impacted by section 19-170 of the administrative  
10 code of the city of New York. These signs shall inform the general  
11 public about the regulations and penalties for violating such regu-  
12 lations as established by subdivisions b and c of section 19-170 of the  
13 administrative code of the city of New York.

14 § 4. This act shall take effect on the sixtieth day after it shall  
15 have become a law.

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**NEW YORK STATE ASSEMBLY**  
**MEMORANDUM IN SUPPORT OF LEGISLATION**  
**submitted in accordance with Assembly Rule III, Sec 1(f)**

BILL NUMBER: A8804

SPONSOR: Benedetto

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PURPOSE OR GENERAL IDEA OF BILL:

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PRIOR LEGISLATIVE HISTORY:

FISCAL IMPLICATIONS:

Increase in revenue from parking fines; cost of placement of signs by Department of Transportation.

EFFECTIVE DATE:

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