Legislation Details (With Text)

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Title:	A Local Law to amend the administrative code of the city of New York, in relation to prohibiting certain commercial establishments from parking vehicles on city streets		
Sponsors:	Robert F. Holden, Kalman Yeger, Nantasha M. Williams, Erik D. Bottcher, Marjorie Velázquez, Kevin C. Riley, Jennifer Gutiérrez, Carlina Rivera		
Indexes:			
Attachments:	1. Summary of Int. No. 393, 2. Int. No. 393, 3. May 19, 2022 - Stated Meeting Agenda, 4. Hearing Transcript - Stated Meeting 5-19-22, 5. Minutes of the Stated Meeting - May 19, 2022		

Date	Ver.	Action By	Action	Result
5/19/2022	*	City Council	Introduced by Council	
5/19/2022	*	City Council	Referred to Comm by Council	
12/31/2023	*	City Council	Filed (End of Session)	

Int. No. 393

By Council Members Holden, Yeger, Williams, Bottcher, Velázquez, Riley, Gutiérrez and Rivera

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting certain commercial establishments from parking vehicles on city streets

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 hereby amended to add a new section 19-170.3 to read as follows:

§ 19-170.3 Limitation on parking of motor vehicles by certain commercial establishments. a. As used in this section, the following terms have the following meanings:

Commercial establishment. The term "commercial establishment" means a motor vehicle repair shop, rental vehicle business or vehicle maintenance shop. A commercial establishment does not include a car dealership as defined in section 415 of the vehicle and traffic law.

Inventory vehicle. The term "inventory vehicle" means a motor vehicle that is owned by a commercial

establishment for the purpose of selling, renting or leasing to a consumer.

Motor vehicle repair shop. The term "motor vehicle repair shop" means any person, as defined in section 1-112 of this code, who for compensation, is wholly or partially engaged in the business of repairing or diagnosing motor vehicle malfunctions or repairing motor vehicle bodies, fenders or other components damaged by accident or otherwise. The term "motor vehicle repair shop" also includes any shop, drive-in station, or garage at which motor vehicles are inspected for the purposes of appraising, evaluating or estimating the extent or value of motor vehicle damage or the necessity or cost of motor vehicle repairs.

Rental vehicle business. The term "rental vehicle business" means any person, as defined in section 1-112 of this code, in the business of providing rental vehicles to the public. The term "rental vehicle business" does not include carsharing organizations as defined in subdivision a of section 19-175.5.

Shop vehicle. The term "shop vehicle" means a motor vehicle that is in the possession of or is being operated at the direction of a commercial establishment for the purpose of maintenance, service or repair, but is not owned by such commercial establishment.

Vehicle maintenance shop. The term "vehicle maintenance shop" means any person, as defined in section 1-112 of this code, who for compensation, is wholly or partially engaged in the business of performing vehicle maintenance such as fueling, changing oil, batteries or tires, replacing fan belts, air filters or oil filters, installing windshield wiper blades or light bulbs, or such other minor repair and servicing functions.

b. It shall be unlawful for any commercial establishment to park, store, idle or otherwise maintain on any street any inventory vehicle or shop vehicle.

c. Any owner of a commercial establishment found to be in violation of this section is liable for a civil penalty of not less than $250 and not more than $400. For purposes of this section, every day that any single inventory vehicle or shop vehicle is parked in violation of this section shall be considered a separate violation.

d. Where an owner or lessee of a motor vehicle, other than a commercial establishment, receives a summons for a violation of subdivision b, it is an affirmative defense that such motor vehicle was in the

possession of or operated at the direction of a commercial establishment at the time of the violation alleged in the summons.

e. Any inventory vehicle that is parked in violation of subdivision b of this section is subject to impoundment. Any inventory vehicle impounded pursuant to this subdivision shall not be released until all applicable towing and storage fees have been paid. The commissioner may promulgate rules concerning the procedure for the impoundment and release of inventory vehicles pursuant to this subdivision.

f. The penalties and fees provided for in this section shall be in addition to any other penalties, fees or remedies provided by law or regulation.

§ 2. This local law takes effect 120 days after it becomes law.

Session 12
BM
LS # 1427
4/28/22 12:00pm

Session 11
AM
LS #7507
Int #1130