

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER No. 47

December 14, 1999

PROCLAMATION OF A STATE OF EMERGENCY

Whereas, Employees of the New York City Transit Authority and the Manhattan and Bronx Surface Transit Operating Authority have threatened to commence an unlawful strike on December 15, 1999, and such strike would effectively cease all subway and bus services provided by the New York City Transit Authority and the Manhattan and Bronx Surface Transit Operating Authority; and

Whereas, It is necessary to insure public safety and the orderly transportation of people and goods in the City of New York; and

Whereas, The threatened strike would cause an increase in the response time of emergency vehicles which will endanger the lives and health of the City's residents, commuters and visitors, the loss of instructional time for more than one million students, wide-scale inability to gain access to routine medical care, massive disruptions in the criminal and civil court systems, the loss of wages for hundreds of thousands of persons, the loss, on a daily basis, of hundreds of millions of dollars for businesses in the City, and millions of dollars per day of lost revenues for the City and the Board of Education, and millions of dollars per day in increased expenditures by the City of New York;

Whereas, These circumstances constitute an imminent peril to the public health and safety requiring the adoption of special rules, regulations, procedures and restrictions as emergency measures; and

Whereas, Executive Law §24 authorizes the Mayor to promulgate local emergency orders upon a finding that the public safety is imperiled by the event of a public emergency or in the event of reasonable apprehension of immediate danger thereof, to protect life and property and to bring an emergency situation under control;

Now, therefore, by the power vested in me as Mayor of The City of New York, it is hereby ordered:

Section 1. State of Emergency. A state of emergency is hereby declared to exist within the City of New York.

§ 2. Manhattan traffic restrictions.

a. During the hours designated by the Commissioner of Transportation or the Director of the Mayor's Office of Emergency Management in consultation with the Police Commissioner, all private passenger vehicles containing fewer than three persons (including the driver) are hereby prohibited from entering that portion of Manhattan situated south of 96th Street from the East River to the Hudson River by any street, highway, bridge or tunnel.

b. Reserved arterial roadways

(1) The following are designated as reserved arterial roadways:

- (a) Fifth Avenue between 96th and 23rd Streets
- (b) Madison Avenue between 23rd and 57th Streets
- (c) Broad Street, from South Street to Wall Street
- (d) Nassau Street, from Wall Street to Spruce Street
- (e) Liberty Street, from West Street to Maiden Lane
- (f) Maiden Lane, Liberty Street to South Street
- (g) 29th Street from First Avenue to Twelfth Avenue
- (h) 30th Street from First Avenue to Twelfth Avenue
- (i) 49th Street from First Avenue to Twelfth Avenue
- (j) 50th Street from First Avenue to Twelfth Avenue

(2) During the hours designated by the Commissioner of Transportation or the Director of the Mayor's Office of Emergency Management in consultation with the Police Commissioner, reserved arterial roadways may be used only by buses, taxis and for-hire vehicles, Access-a-Ride vehicles, ambulettes and emergency vehicles.

(3) During the hours designated by the Commissioner of Transportation or the Director of the Mayor's Office of Emergency Management in consultation with the Police Commissioner, all parking privileges within the reserved arterial roadways are suspended, with the exception of privileges granted to persons holding a New York City Special Vehicle Identification permit (unless such permits have been suspended pursuant to paragraph (4) of this section), and the privilege of using truck-loading areas for trucks actually loading and unloading.

(4) The Commissioner of Transportation is authorized to suspend privileges granted to persons holding a New York City Special Vehicle Identification permit with regard to parking on a reserved arterial roadway.

§ 3. Additional occupancy requirements for private passenger vehicles

During the hours designated by the Commissioner of Transportation or the Director of the Mayor's Office of Emergency Management in consultation with the Police Commissioner, private passenger vehicles with fewer than three occupants (including the driver) are prohibited on the following roadways:

- (1) Westbound LIE from west of the Grand Central Parkway to the Queens Midtown Tunnel
- (2) Westbound Bruckner Expressway from the Bruckner Interchange to the Triboro Bridge
- (3) Southbound Harlem River Drive from Dyckman Street to the Triboro Bridge
- (4) Southbound FDR Drive from the Harlem River Drive to 73rd Street
- (5) Southbound Henry Hudson Parkway from Mosholu Parkway to the George Washington Bridge
- (6) Northbound Belt Parkway from 4th Avenue to the merge with the Gowanus Expressway at 60th Street
- (7) Northbound Gowanus Expressway from 92nd Street to the interchange with the BQE, provided that the Bus/HOV EZ Pass Lane is designated for Access-a-Ride vehicles, ambulettes, buses or vans carrying 15 or more passengers, and emergency vehicles only
- (8) Eastbound BQE from the Gowanus Expressway to the Manhattan Bridge
- (9) Northbound Prospect Expressway from Church Avenue to the Gowanus Expressway

§ 4. Restrictions on buses.

a. During the hours designated by the Commissioner of Transportation or the Director of the Mayor's Office of Emergency Management in consultation with the Police Commissioner, private buses having 6 or more wheels and a seating capacity of 15 or more passengers are hereby prohibited from entering Manhattan south of 96th Street except as provided in subdivision b.

b. The following buses shall be permitted to enter Manhattan south of 96th Street:

- (1) School buses carrying school students.
- (2) Tour buses operating pursuant to a license from the New York City Department of Consumer Affairs.
- (3) Interstate common carriers providing normal daily fixed route service authorized by the Federal Highway Administration
- (4) Intrastate common carriers providing normal daily fixed route service authorized by the New York State Department of Transportation
- (5) Private buses operating pursuant to a franchise or temporary operating authority granted by the City of New York.

(6) Private buses that have been approved to participate in the New York City Transit Strike Contingency Plan and who display an official placard evidencing such approval and participation.

§ 5. Restrictions on ferries.

No private ferry or boat shall be permitted to board or discharge passengers at a City-owned dock or pier unless prior approval has been granted by the Office of Private Ferry Operations of the New York City Department of Transportation.

§ 6. Taxi and for-hire vehicle provisions

The following provisions shall apply to vehicles licensed by the New York City Taxi and Limousine Commission:

(a) All for-hire vehicles and commuter vans licensed as such by the Taxi and Limousine Commission are authorized, for the duration of the emergency, to pick up passengers with or without prearrangement. This shall include but not be limited to the pickup of passengers by street hail.

(b) All commuter vans licensed as such by the Taxi and Limousine Commission are authorized to operate outside of the geographical area set forth in their operation authorization, and are further authorized to accept and discharge passengers on streets which otherwise constitute bus routes and at points which otherwise constitute bus stops.

(c) The Chair of the Taxi and Limousine Commission is authorized, for the duration of the emergency, to suspend the Commission's inspection requirements for any licensed vehicle.

(d) Taxicabs and for-hire vehicles licensed as such by the Taxi and Limousine Commission are directed to pick up passengers from more than one location if such passengers are travelling in the same general direction. Each such passenger, other than a passenger seven years of age or younger or an attendant accompanying a person with a disability, shall pay a fare equal to the difference between the fare applicable when the passenger is discharged and the fare applicable when the passenger enters the vehicle.

(e) Taxicabs, for-hire vehicles and commuter vans licensed as such by the Taxi and Limousine Commission are directed to pick up passengers for group rides at all points designated for that purpose by the Chairperson of the Commission. The fare charged for such group rides by taxicabs and for-hire vehicles shall be the applicable fare for transportation from the pickup point to the final destination. The fare charged for such group rides by commuter vans between Manhattan and any other borough shall be a flat rate of \$4.00 per person, and the fare for such group rides from point to point in Manhattan shall be a flat rate of \$1.50 per person. In addition to the foregoing rates of fare, a surcharge for each passenger including the first passenger picked up at a group ride location may be charged by taxicabs, in the amount of five dollars per passenger for

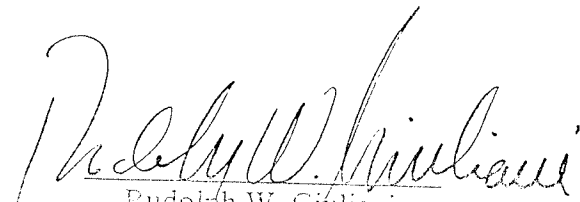
trips originating at Kennedy and LaGuardia airports and two dollars per passenger for trips originating at all other locations. Such surcharge may not be charged for a passenger seven years of age or under or for an attendant accompanying a person with a disability.

§ 7. Temporary storage of bicycles in commercial buildings

Buildings designated for business or commercial use shall, notwithstanding the provisions of any lease or similar agreement to the contrary, make arrangements for storage of bicycles within the building or the building's garage, or permit employees working in the building to store bicycles in spaces designated for such purpose by their employers.

§ 8. Any person who knowingly violates any provision of this Order shall be guilty of a class B misdemeanor, which shall be punishable by a fine of \$500 or imprisonment not to exceed three months.

§ 9. Sections 1, 5, 6a, 6b and 8 of this Order shall take effect immediately. Sections 2, 3 4, 6c, 6d, 6e and 7 of this Order take effect immediately in the event the strike action by transit workers is commenced, as determined by the Mayor.


Rudolph W. Giuliani
Mayor