

NOTICE OF RULE MAKING

Pursuant to the power vested in me as Commissioner of Finance by section 237 of the New York State Vehicle and Traffic Law, section 19-203 of the Administrative Code of the City of New York, and sections 1043 and 1504 of the New York City Charter, I hereby promulgate the rule amending the Schedule of Parking Violation Fines to conform to rule amendments to 34 RCNY § 4-08 enacted by the New York City Department of Transportation (“DOT”) to update parking provisions to reflect current parking signage and terminology. This rule was published in the proposed form on February 27, 2018. A hearing for public comment was held on April 2, 2018.

S/S

Jacques Jiha, Commissioner of Finance

STATEMENT OF BASIS AND PURPOSE

Section 19-203(b) of the Administrative Code of the City of New York allows the Department to provide for penalties, other than imprisonment, for parking violations. The Department’s rule in 19 RCNY § 39-05 (“Rule 39-05”) codifies all fines pertaining to parking violations in violation of 34 RCNY § 4-08. The Department adjudicates and then collects and processes these fines, remitting the fines to the Commissioner. The Department cannot collect and process a fine without that fine being specified in Rule 39-05.

This rule is being amended to conform to the rule amendments to 34 RCNY § 4-08 that are being enacted by DOT. The rule amendments to 34 RCNY § 4-08 are being enacted by DOT to update parking provisions to reflect current parking signage and terminology.

The Department’s authority for this rule is found in section 237 of the New York State Vehicle and Traffic Law, section 19-203 of the Administrative Code of the City of New York, and sections 1043 and 1504 of the New York City Charter.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

Amendment to Rule Relating to Parking Violations

- Section 39-05 of Chapter 39 of Title 19 of the Rules of the City of New York is amended to read as follows:

§ 39-05 Amount of Fines.

Scheduled fines. The following schedule of fines shall apply to violations listed below:

Violation	
(a) Stopping, standing or parking where stopping is prohibited, unless otherwise specifically enumerated in this schedule	\$100.00
(b) Standing or parking where standing is prohibited, unless specifically enumerated in this schedule	\$100.00
(c) Parking where parking is prohibited, unless otherwise specifically enumerated in this schedule	\$30.00
(d) Stopping, standing or parking in violation of 34 RCNY 4-08(e)(6)	\$80.00
(e) Stopping, standing or parking in violation of 34 RCNY 4-08(e)(11)	\$50.00
(f) Standing or parking in violation of 34 RCNY 4-08(b)(4), [(c)(1)], (c)(8), (f)(2), (3), (5), or (k)(2)	\$80.00
(g) Standing or parking in violation of 34 RCNY 4-08(j)	\$50.00
(h) Standing or parking of unaltered vehicle with commercial plates in violation of 34 RCNY 4-08(k)(1)	\$100.00
(i) Standing or parking of vehicle with commercial plates without the name and address of the owner properly marked on the vehicle in violation of 34 RCNY 4-08(k)(1)	\$100.00
(j) Parking in violation of 34 RCNY 4-08(n)(8)	\$50.00
(k) All parking meter violations	\$20.00
(l) All [handicapped parking violations] <u>parking violations concerning parking permits for people with disabilities</u>	\$150.00
(m) Parking a commercial vehicle in violation of 34 RCNY 4-08(k)(5) or (6), unless otherwise specifically enumerated in this schedule	\$50.00
(n) Parking a commercial vehicle that is a tractor-trailer combination, tractor, truck trailer or semi-trailer in violation of 34 RCNY 4-08(k)(6)	
First offense	\$250.00
Any subsequent offense within a six month period	\$500.00
(o) Parking in violation of officially posted street cleaning rules, unless such rules have been suspended by the Commissioner of Transportation or his or her designee	\$30.00
(p) Parking where parking is prohibited by officially posted rule other than street cleaning rules	\$45.00
(q) Obstructing traffic at an intersection in violation of 34 RCNY § 4-08(e)(12)	\$100.00

(r) Idling an engine in violation of 34 RCNY 4-08(p)	\$100.00
(s) Unauthorized passenger pickup or discharge in violation of 34 RCNY § 4-10(c)(1)	\$500.00
(t) Failure of an intercity bus to prominently display a copy of an intercity bus permit in violation of 34 RCNY § 4-10(d)(7)(ii)	\$500.00
(u) Failure of an intercity bus to properly display the operator's name, address and telephone number in violation of 34 RCNY § 4-10(d)(7)(iii)	\$500.00
(v) Stopping or standing by an intercity bus in its assigned on-street bus stop location except when actively engaged in the pick-up or discharge of passengers in violation of 34 RCNY § 4-10(d)(7)(v)	\$500.00
(w) Altering an intercity bus permit in violation of 34 RCNY § 4-10(d)(7)(vi)	\$500.00