

NEW YORK CITY
DEPARTMENT OF CONSUMER AND WORKER PROTECTION
DCWP RULES HEARING: PARKING LOTS AND GARAGES

VIRTUAL PUBLIC HEARING

REMOTE - VIA TELECONFERENCE

September 23, 2024

INDEX

Name/Title	Page
Reina Revina, Hearing Officer	3
Vincent Petraro, Metropolitan Parking Ass'n.	5
Unidentified Male 1	7
Mr. Kristen Sokich	8
Unidentified Female 1	11
Michael Muss	12
Mr. Kristen Sokich	14
Mr. Karl Beecher	16

1 MS. REINA REVINA: Alright. Thank you so
2 much. Good morning. My name is Reina Revina. I've
3 been designated as the Hearing Officer for our public
4 hearing of the Department of Consumer and Worker
5 Protection on the proposed rules to amend and add
6 rules relating to parking lots and parking garages.
7 This hearing is being held by teleconference call. It
8 is now 11:00 a.m. on Monday, September 23, 2024. And
9 I am hereby convening the public hearing on this
10 proposed rule.

11 The proposed rule was published in The City
12 Record on August 22, 2024. The published notice and
13 rules are available online on the NYC Rules website
14 and the Department's website. The Department has
15 proposed these rules pursuant to the authority vested
16 in the Commissioner of the Department of Consumer and
17 Worker Protection by sections 1043 and 2203(f) of the
18 New York City Charter, and sections 20-104(b) of the
19 New York City Administrative Code.

20 This hearing affords the public the
21 opportunity to com-, to comment on all aspects of the
22 rules the Department has proposed. The Department
23 will carefully review all testimony, written, and
24 written comments received at this hearing and will
25 give due weight and consideration to proposals and

1 recommendations that are submitted for the record at
2 this hearing.

3 If anyone is present, to ensure that
4 everyone seeking to testify today will have an opp-,
5 will have an opportunity to do so, I ask that we all
6 follow these ground rules. During the hearing, all
7 participants should give due respect and consideration
8 to the folks offering their testimony, and to please
9 mute their lines if they are not speaking. Each
10 witness will have a maximum of three minutes to
11 provide oral testimony. If your comments take longer
12 than three minutes, please synthesize your oral
13 testimony and leave a written copy for the record.
14 And unlike the limit on the time for oral testimony,
15 there is no limit on the number of pages you can
16 submit as written testimony or as documents for the
17 record. The written submission will be made part of
18 the public record.

19 If you are looking to testify today and you
20 have not let me know, please do so in the chat.

21 And now, before we begin, I will remind
22 folks to mute your line until called to provide
23 testimony. And thank you. And since I did not have
24 anyone before to provide testimony, please do so in
25 the chat, again, and you will have three minutes. And

1 I will begin to call, if there are any.

2 Yes, Vincent?

3 MR. VINCENT PETRARO: Yes, hi. Good
4 morning, and thank you. My name is Vincent Petraro,
5 and I represent the Metropolitan Parking Association,
6 the MPA, which is the trade association of most of the
7 parking operators in the City of New York. Our
8 membership has operators with one location, up to the
9 largest operators in the City of New York. The
10 workforce are members of Local 272 of the Teamsters.

11 During COVID-19, parking was designated an
12 essential service by New York State, and the MPA's
13 members and the employees helped keep the City running
14 by parking the vehicles of other essential workings,
15 including law enforcement, firefighters, doctors,
16 nurses, others within the medical field, retail
17 workers, among others.

18 Parking is one of the most regulated
19 businesses in the City of New York, and the MPA has
20 been working with the Department of Consumer and
21 Worker Protection for decades. My interaction goes
22 back to the early '90s when Mark Green was the
23 Commissioner.

24 During Jonathan Mintz's tenure, the MPA and
25 the Department worked together to amend the bicycle

1 parking regulations to make them fairer for both
2 consumers and parking operators. Our major issue with
3 the proposed reg- regulations that we'd like to speak
4 about today concerns section 2-161(g)(11), which
5 concerns different prices for monthly customers.

6 Seven years ago, the MPA had this very same
7 conversation with what we then called DCA staff, and
8 explained that there are so many different reasons for
9 different rates for monthly customers, and that as
10 long as no one is paying more than the posted monthly
11 rate, there should not be a requirement to list all of
12 the varied permutations. What is fairest to the
13 consumer is that no customer pay more than the posted
14 monthly rates, similar to what hotels do.

15 After the meeting with DCA staff and these
16 di-, and those discussions, the issue was resolved,
17 until now. We propose that the Department accept
18 their past practice of allowing different monthly
19 rates, as long as the monthly customers do not pay
20 more than the posted board rate. The reason is that
21 there can be so many different and varied permutations
22 of monthly mar- parking. For example, there could be
23 someone who has been a customer for 20 years versus
24 someone who just became a customer a month ago, or
25 someone who is a customer for 19 years or 18 years, or

1 whatever amount of years, compared to a brand new
2 customer. They could be someone with a very small car
3 or one with a compact car, one with a mid-sized car,
4 and on and on. One with a very tall vehicle that can
5 only fit in certain places. One who takes their car
6 out on the weekend versus one who takes their car out
7 every single day, versus one who takes their --

8 MS. REVINA: Please wrap up. You have 30
9 seconds.

10 MR. PETRARO: Mm-hmm. Versus one who takes
11 their car out three days a week. So, as you can see,
12 there's many, many permutations. And, so, we just
13 thinking that protecting consumers for overcharging
14 should be the primary concern. Thank you. And I'll
15 submit --

16 MS. REVINA: Thank you.

17 MR. PETRARO: -- my written testimony.

18 MS. REVINA: Alright. Thank you so much.

19 And, as I mentioned, if there are anyone here who
20 wants to submit their own written testimony, there is
21 no limit on the number of pages, and you can do so on
22 the NYC Rules. If there is anyone else who would like
23 to testify today, please do remark that in the chat or
24 raise your hand.

25 UNIDENTIFIED MALE 1: Hello?

1 MS. REVINA: Yes?

2 UNIDENTIFIED MALE 1: Yeah. I'd like to
3 know, this is hearing for my, for my summons? Or is
4 it just rules?

5 MS. REVINA: This is a rules hearing, sir.

6 UNIDENTIFIED MALE 1: Oh, I have a summons
7 here. How -- I, I thought I can -- it's a hearing for
8 my summons.

9 MS. REVINA: No, this is for the proposed
10 rules for the parking lots. If you are looking to
11 find --

12 UNIDENTIFIED MALE 1: Oh, is it just that?
13 Is it just like a lecture for, for, for rules, the new
14 rules for --

15 MS. REVINA: Yes.

16 UNIDENTIFIED MALE 1: It's not actual
17 hearing for my summons, right?

18 MS. REVINA: No, it is not.

19 UNIDENTIFIED MALE 1: Oh, okay. Forget
20 about it. I'm leaving, okay?

21 MS. REVINA: Okay, thank you. Kristen
22 Sokich? I apologize if I mispronounce anyone's name.
23 Are you going to testify today?

24 MR. KRISTEN SOKICH: I actually have a
25 question. Is it okay if I ask a question?

1 MS. REVINA: Well, this is not really a
2 question and answer.

3 MR. SOKICH: Okay, that's, that's, that's
4 fine. I could testify, then.

5 MS. REVINA: If you do have a question, you
6 can send it over to our RulesComments@DCWP.nyc.gov.
7 That will be the appropriate channel.

8 MR. SOKICH: Alright. Well, since you've
9 already got me on the call, I, I guess I will testify
10 briefly. There's a --

11 MS. REVINA: You'll have three minutes.

12 MR. SOKICH: Okay, great. Thank you. So,
13 in the 2-161, operation of parking lots and garages,
14 on page 5.2, it states:

15 Every licensee must report to the police
16 commissioner, in writing, the registration
17 number, make, and the name of the owner of every
18 motor vehicle stored on a transient basis and
19 left in a licensed garage.

20 I don't know how we would go about providing
21 the name of every owner. That's not something, you
22 know, it's not like a hotel, where, you know, the, the
23 person comes in and registers and gives us their name
24 and their credit card and shows us their license.
25 Typically, when a vehicle pulls into a garage, you

1 know, they're telling us how long they're going to
2 stay. We mark the, you know, the, the make, the
3 model, the license plate number. And I think that the
4 way this is worded, it's extremely onerous, because
5 now we would, in essence, have, every operator in the
6 City would have to change the way they do business.

7 And I think the public would also have a
8 problem with that, because nobody has ever provided
9 their name, unless they were a monthly customer and
10 filling out an application. It just seems like an, an
11 extremely onerous requirement for operators to have to
12 ask for this information, record it.

13 And then, I'm not even -- this, to me, seems
14 very vague in terms of, you know, it's, it's stating
15 that every car that stays over 72 hours, which could
16 be thousands and thousands of cars, has to be reported
17 to the police commissioner. This, this whole part of
18 the, of the, the new rules that's being put, put in
19 writing here just seems extremely onerous. It's
20 almost like an invasion of privacy when you're asking
21 somebody what their name is. I mean, people are even
22 hesitant to give their cell phone numbers a lot of
23 times. I could just imagine what the pushback would
24 be on asking them who they are.

25 And if that could be revisited, I think it

1 would be worthwhile. It would be a benefit to
2 operators and the public alike, who I'm sure will not
3 be interested in providing this information.

4 MS. REVINA: Okay. Thank you so much. I
5 will note that. And, like I said, if you have any
6 more extensive testimony, you can send that over, a
7 written testimony, and that will have no written pages
8 maximum. Thank you.

9 MR. SOKICH: Agreed. Thank you.

10 MS. REVINA: Alright. Seeing that no one is
11 present to offer more testimony, I will go off camera
12 and adjourn the hearing until an individual appears to
13 offer testimony or until 12:00 p.m., whichever comes
14 first. So, if there is anyone here that would like to
15 present testimony, please do so now by putting it on
16 the chat or raising their hands. If not, thank you so
17 much.

18 MR. PETRARO: Thank you.

19 UNIDENTIFIED FEMALE 1: I'm sorry. I was
20 having a hard time finding the link. I was just
21 wondering if, by any chance, you could just repeat
22 quickly an overview of what was said?

23 MS. REVINA: Well, this is a, the rules
24 hearings for the parking lots and garages of the
25 proposed rules with the Department of Consumer and

1 Worker Protection. If you would like to provide
2 testimony, please do so to, by raising your hand or
3 putting it in the chat. If there is no more
4 testimony, I will go off camera until somebody offers
5 a testimony, or before 12:00 p.m.

6 UNIDENTIFIED FEMALE 1: Okay, thank you.

7 MS. REVINA: Thank you

8 [OFF THE RECORD] [00:15:29]

9 [ON THE RECORD] [00:18:42]

10 MS. REVINA: Yes, Michael?

11 MR. MICHAEL MUSS: Yes, I'd like to propose
12 or mention something on section 161(g) regarding the
13 illuminated signs for entrances and exits. There are,
14 there are --

15 MS. REVINA: Okay. You will have three
16 minutes.

17 MR. MUSS: I'll need less, don't worry.
18 Thank you. Not all entrances are large enough to, or
19 not all garages have entrances and exiters -- exits.
20 They're both one of the same. So, putting it in the,
21 in that area to have both entrance and exit may
22 confuse people, so. And the fact that it also needs
23 to be illuminated may be difficult on certain
24 buildings, and certain landlords may not require it,
25 and certain permits may be required. So, I would have

1 something else or some other options other than
2 illuminated by maybe not by electricity, but by
3 something else.

4 So, I'd like to propose not necessarily
5 having entrance and exits on a one gara-, on a one
6 entrance garage, and other options for, instead of
7 illuminated signs.

8 MS. REVINA: Alright, thank you so much. We
9 will -- I've noted that. And, again, if anybody here
10 is present and would like to provide testimony, you
11 can raise your hand or I'll put it in the chat, and
12 you will have three minutes to provide a oral
13 testimony. If you need more time or you have more
14 thoughts, please do so by a written testimony. There
15 is no limit regarding the pages, and we will all post
16 the comments once it is all combined together. Thank
17 you.

18 Alright. Like I had mentioned, since there
19 is no one present to provide testimony, I will go off
20 camera until somebody else will offer a testimony.
21 Thank you.

22 [OFF THE RECORD] [00:21:10]

23 [ON THE RECORD] [00:26:52]

24 MS. REVINA: Hi. Good afternoon. Like I
25 mentioned, this is a rules hearing in which we are

1 accepting oral testimonies only. Regarding any
2 questions that might be proceeded towards us, we will
3 answer that as soon as we review and receive guidance.
4 If you have any, again, questions, please send them
5 over to the RulesComments@DCWP.nyc.gov. And,
6 furthermore, if there is no more testimony, again, I
7 will go off camera. But, yes, Kristen Sokich?

8 MR. SOKICH: Yeah, hi. I have another piece
9 of testimony I'd like to put into the record.

10 MS. REVINA: Is this in behalf of someone
11 else, or is this in terms of your organization?

12 MR. SOKICH: This is in terms of my
13 organization and the greater --

14 MS. REVINA: Okay.

15 MR. SOKICH: -- the greater good of the
16 public.

17 On page 11, letter R, the, the rule states
18 that whenever a parking charge is determined by time
19 for which a parking space is provided and a receipt
20 cannot be immediately stamped or marked upon the
21 return of the customer's appearance at the licensed
22 premises, an auxiliary time clock shall be provided.
23 The problem here is not many people use time clocks
24 anymore. The industry is moving to ticketless
25 tickets, which are done mobilely on a phone.

1 I'd like to recommend that the City thinks
2 about potentially having the requirement changed.
3 Instead of a time, time clock, that maybe a bar code
4 reader or QR code reader is installed instead, due to
5 the fact that a lot of people don't get tickets now,
6 that everything is ticketless, it's mobile-based. And
7 if there's a QR reader or a bar code, they could
8 simply read the bar code and it will stamp the time of
9 entrance back into the garage versus having a
10 antiquated time clock that's really not practiced by
11 the majority of parking operators.

12 MS. REVINA: Okay, thank you so much. We
13 will note that in our list of comments. And if there
14 is anyone else who wants to testify, again, please
15 just put it in the chat or raise your hand. If not, I
16 will go off camera to adjourn this meeting until 12:00
17 p.m. today. Thank you. Or unless somebody else would
18 like to testify.

19 [OFF THE RECORD] [00:29:51]

20 [ON THE RECORD] [00:30:29]

21 MS. REVINA: For those who are recently
22 joined, like I mentioned, if you are going to testify
23 here today, please raise your hand or put it in the
24 chat that you would like to testify. If not, I will
25 go off camera again until someone is going to go, to

1 testify today. And if there are anyone who would like
2 to submit a written testimony, please do so at our NYC
3 Rules website. Thank you.

4 [OFF THE RECORD] [00:31:02]

5 [ON THE RECORD] [00:33:13]

6 MS. REVINA: Okay. I see that somebody else
7 joined. Again, if you would like to provide an oral
8 testimony, please do put it in the chat or raise your
9 hand. If not, I will again go off camera until
10 somebody else has chose to provide an oral testimony.
11 Thank you.

12 [OFF THE RECORD] [00:33:34]

13 [ON THE RECORD] [00:39:07]

14 MS. REVINA: As I see there is another
15 person who just joined, again, if you would like to
16 pro- provide the testimony, please do so in the chat
17 or raise your hand. If not, I will go off camera
18 until the meeting is adjourned, or 12:00 p.m. Thank
19 you.

20 [OFF THE RECORD] [00:39:27]

21 [ON THE RECORD] [00:51:05]

22 MS. REVINA: Excuse me. Yes, Karl?

23 MR. KARL BEECHER: Hey, Reina.

24 MS. REVINA: Yes.

25 MR. BEECHER: First of all, how you doing

1 today?

2 MS. REVINA: Good, good. Would you like to
3 provide a testimony today?

4 MR. BEECHER: Ab- absolutely. And --

5 MS. REVINA: Okay.

6 MR. BEECHER: -- before I continue, I just
7 want to say I like the way your name goes, Reine
8 Revira -- Revina, right?

9 MS. REVINA: Yes, correct.

10 MR. BEECHER: Yeah, that, that kind of
11 rhymes. But, anyway, this is the thing. I, I read
12 most of the information and it all seems like I'm, I'm
13 in agreement, except for a little bit of a tweaking of
14 some. Actually, I put, I had sent it out, but I'll
15 read off some of the things that I had written.

16 Thanks for the opportunity to share my
17 testimony. I'm Karl Beecher. Pursuant to section 1,
18 subchapter Q of chapter 2 of Title 6 of the Rules of
19 the City of New York, I support the proposed rule
20 amendment, with some suggestions, addendums, tweaking,
21 however.

22 I'm in the agreement that parking lots and
23 garages are permitted to charge customers different
24 rates based on a method of payment. However, I do not
25 -- let's see what else. Oh, I do not know the

1 particulars as to how this plays out. But, if there
2 is one specific price respective to a particular day,
3 time, duration, and vehicle, the conversion and charge
4 should only be diminished, but never increased. In
5 other words, the conversion should only be made as a
6 discount, and not a penalty. If the licensee is
7 charging \$50.00 and then indicates a discount for cash
8 payment to \$47.00, then that's fine. On the other
9 hand, if the licensee was charging the same service at
10 a rate of \$47.00 for each patron and, and an extra
11 \$3.00, totaling \$50.00, for a credit card payment,
12 that would be unjust and unacceptable. So, yeah. So,
13 I don't know if you guys understand that.

14 But, secondly, rate charges should be
15 allowed with a proviso of sufficient notification of a
16 timespan no less than six months instead of two
17 months, allowing the patrons ample time to acquire
18 more funds to address the im- impending rate changes,
19 as well as to seek out a competitive price from other
20 establishment that is comparable to said rate prior to
21 the rate change, or increase.

22 Thirdly, addressing the certificate of
23 occupancy, and I'm not sure if I understood this
24 right, but it appeared to say something like the
25 maximum vehicle capacity, like, whatever that would

1 be, whether it's changed or when- whenever it's full,
2 I think anytime there's a change to that situation it
3 should be a notification given to all customers, some
4 type of documentation indicating that, to be specific.
5 Considering there's been in the news some situations
6 where garages have fallen and crazy stuff like that is
7 happening, I guess the customer should have that
8 ability to decide whether they want to keep their
9 vehicle in that particular location.

10 Also, all signage, I noticed Manhattan has
11 their signage at 12" x 18". The thing is, I think
12 all, all five boroughs should have --

13 MS. REVINA: Please wrap up.

14 MR. BEECHER: Yeah. All five boroughs, you
15 know, whatever, should have the same thing.

16 And last, but last, not least, I think every
17 garage should have a live person and not a intercom
18 situation, because I have experienced a very bad
19 situation where there was no one around and it was
20 hard to get out, the thing wasn't working. So, I felt
21 like, basically, I was being held hostage. It was
22 ridiculous. So, someone physical, a person, live
23 person should always be there, 24/7, and not a
24 security guard, which is what they had.

25 But, anyway, thanks again. I appreciate the

1 time.

2 MS. REVINA: Okay. Thank you so much. We
3 have noted that. And it looks like we are coming to
4 an end. So, once again, thank you for attending our
5 rules hearing. If there is anyone else who would
6 provide, who would want to provide a testimony, please
7 do so now. There is about three minutes left. And if
8 there is no one else, I will adjourn this meeting
9 until 12:00 p.m., or anyone else who would like to
10 provide testimony. And I will do so, I will go off
11 camera until then. Thank you.

12 MR. BEECHER: I think Vincent was up, but I
13 want to, I forgot to say one other thing. So, I'm not
14 too sure if you could hear what I'm saying.

15 MS. REVINA: You, yeah, you've passed the
16 three minutes, Karl. If you have any more comments,
17 please do send them over to us in our
18 RuleComments@DCWP.nyc.gov, or to the NYC Rules
19 website. I will put, put that right now in the chat
20 for everyone else to be notified as well. Thank you.

21 MR. BEECHER: Okay, thanks. Reina, one
22 quick question, because I know you're getting ready to
23 go. Dealing with trying to get onto this thing,
24 right. When I actually registered, I had to wait
25 before someone let me in. I thought it was automatic,

1 where once you hit the link, you just go right into
2 the room. Is there something that we need to know of
3 how to access this?

4 MS. REVINA: No, that is a manual security
5 measure on our end, so we know who is coming in and
6 out, essentially. So, it is, I was the one who
7 entered everybody, and as they come in and out. So,
8 for any hearings in the future, that is how we do
9 things.

10 MR. BEECHER: Oh, I see. Alright, thanks
11 again. Have a good day.

12 MS. REVINA: Alright. Seeing that it is now
13 12:00 p.m., I will adjourn the hearing. All of the
14 information that I mentioned is currently in the chat.
15 Thank you so much for, everyone, for participating.
16 Have a nice day.

17 MR. PETRARO: Thank you. You, also.

18 [END OF PUBLIC HEARING]

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CERTIFICATE OF ACCURACY

I, Ryan Manaloto, certify that the foregoing transcript of DCWP Rules Hearing: Parking Lots and Garages on September 23, 2024, was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



Date: October 18, 2024

GENEVAWORLDWIDE, INC
228 Park Ave S - PMB 27669
New York, NY 10003