

**THE CITY OF NEW YORK
DEPARTMENT OF FINANCE**

Pursuant to the power vested in me as Commissioner of Finance by sections 389(b) and 1043 of the New York Charter, section 237 subdivision 3 of the Vehicle and Traffic Law and section 19-203 of the Administrative Code of the City of New York, I hereby promulgate the within amendments to the Rules Relating to Parking Violations (New matter is underscored).

MARTHA E. STARK
Commissioner of Finance

§39-05 Amount of Fines. Scheduled fines. [The] Except as otherwise provided for specific violations within the Restricted Area, the following schedule of fines shall apply to violations listed below:

<u>VIOLATION</u>	<u>[LOCATION OF OFFENSE</u>	
	Outside of Restricted Area	Inside of Restricted Area]
[(a) Parking within 15 feet of a fire hydrant	\$50.00	\$50.00]
[(b) Obstructing traffic	\$50.00	\$50.00]
[(c)] <u>(a) Stopping, standing or parking where stopping is prohibited, unless otherwise specifically enumerated in this schedule</u>	[\$50.00] <u>\$100.00</u>	[\$50.00]
[(d)] <u>(b) Standing or parking where standing is prohibited, unless specifically enumerated in this schedule</u>	[\$50.00] <u>\$100.00</u>	[\$50.00]
[(e) Parking in a traffic lane on the roadway side of parked vehicle (Double Parking)	\$50.00	\$50.00]
[(f) Parking or standing in a bus stop or lane	\$50.00	\$50.00]
[(g)] <u>(c) [All parking violations,] Parking where parking is prohibited, unless otherwise specifically enumerated in this schedule</u>	\$30.00	[\$50.00]
<u>(d) Stopping, standing or parking in violation of 34 RCNY 4-08(e)(6)</u>	<u>\$80.00</u>	
<u>(e) Stopping, standing or parking in violation Of 34 RCNY 4-08(e)(11)</u>	<u>\$50.00</u>	
<u>(f) Standing or parking in violation of 34 RCNY 4-08(c)(1), (4), (f)(2), (3), (5), or (k)(2)</u>	<u>\$80.00</u>	

(g) <u>Standing or parking in violation of 34 RCNY 4-08(j)</u>	<u>\$50.00</u>	
[(h) Parking a vehicle with expired or improper plate or vehicle registration sticker	\$50.00	\$50.00]
[(i) Parking vehicle with expired or improper inspection sticker or without such sticker	\$50.00	\$50.00]
[(j) <u>(h) Parking [vehicle without taillights, reflectors, head lamps or other required equipment] in violation of 34 RCNY 4-08(n)(8)</u>	\$30.00	[\$45.00]
[(k) <u>(i) All parking meter violations</u>	\$20.00	[\$50.00]
[(l) <u>(j) All handicapped parking violations</u>	\$150.00	[\$150.00]
[(m) Parking, stopping or standing in a designated bicycle lane	\$50.00	\$50.00]
[(n) <u>(k) Parking a commercial vehicle in [excess of 3 hours where such parking is not otherwise restricted] violation of 34 RCNY 4-08(k)(5) or (6)</u>	\$50.00	[\$50.00]
[(o) Parking or standing in a crosswalk or intersection or on a sidewalk	\$50.00	\$50.00]
[(p) Parking a commercial vehicle while not actively engaged in business within three city blocks of where the summons is issued, except if owned operated by gas or oil heat supplier or systems maintenance company or any public utility, on a residential street from 9 p.m. to 5 a.m.	\$50.00	\$50.00]
[(q) Parking or standing of unaltered vehicle with commercial plates	\$50.00	\$50.00]

[(r)] (l) 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	[\$50.00]
[(s)] (m) Parking where parking is prohibited by officially posted rule other than street cleaning rules	\$45.00	[\$50.00]

As used in this section, the term "Restricted Area" means all of Manhattan south of the building line on the north side of 96th Street, and between the Hudson River and the East River. Within the Restricted Area, the fine for violations enumerated in paragraphs (c), (i) (l) and (m) is \$50.00 and for paragraph (h) the fine is \$45.00.

Fines following a hearing. (a) For persons found guilty after a hearing, a fine may be fixed by the hearing examiner in an amount not to exceed [fifty (\$50) dollars for each parking violation] that indicated in the foregoing schedule of fines.

(b) Upon any finding of liability for a parking violation, the Parking Violations Bureau shall levy such mandatory surcharge as may be imposed by law in addition to any other fine or penalty otherwise permitted or required by this chapter.

(c) Upon a showing of good cause, made by the respondent under oath or on affirmation, after a plea of not guilty or guilty with an explanation, any scheduled fine may be reduced. Procedures for such reduction may be fixed by the Director.

§39-06 Declaration of Emergency Conditions. When a civil emergency other than a snow emergency affecting traffic conditions within the City of New York has been declared by the Governor of the State of New York or the Mayor or Police Commissioner of the City of New York and which, upon request, has been confirmed by order of the Transportation Commissioner or Deputy Commissioner of Traffic, the fine of \$50.00 shall become effective for all violations of a rule prohibiting parking, and the fine of \$100.00 shall become effective for all violations of a rule prohibiting stopping or standing, twenty-four hours after the adoption of the order of the Transportation Commissioner or Deputy Commissioner [of Traffic] and shall apply to all notices of violation for such violations issued during the emergency.

BASIS AND PURPOSE OF AMENDMENTS

A recently enacted state law has increased the maximum fine for parking violations in no stopping or no standing spaces from \$50 to \$100. The purpose of these amendments is to establish reasonable and appropriate fines for violations of rules prohibiting the stopping, standing or parking of vehicles consistent with the new law, and to provide higher fines for the most serious parking violations.

The New York City Department of Finance is amending section 39-05 of title 19 of the Rules of the City of New York ("RCNY") to increase the fine for all violations of rules prohibiting the stopping or standing of vehicles to \$100.00. The fine for violation of sections 4-08(c)(1), (4), (e)(6), (f)(2), (3), (5), or (k)(2) of title 34 of RCNY is being increased only to \$80.00, and the fine for violation of sections 4-08(e)(11) or (j) is not being increased at all and is remaining at \$50.00. Although the wording of paragraphs relating to rules prohibiting parking is also proposed to be amended, that will not change any of the current fines for these violations.

The Department of Finance is also amending section 39-06 of title 19 of RCNY to provide that in a civil emergency, other than a snow emergency, declared by the governor, or the mayor or the police commissioner, the commissioner of transportation can increase the fine for all violations of a rule prohibiting parking to \$50.00 and for all violations of a rule prohibiting stopping or standing to \$100.00.