

**CITY OF NEW YORK
DEPARTMENT OF FINANCE**

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

MARTHA E STARK
Commissioner of Finance

Note: New matter is underlined: matter to be deleted is in [brackets].

Section 1. The definition of “notice of violation (summons)” contained in section 39-01 of chapter 39 of title 19 of the Official Compilation of Rules of the City of New York is amended to read as follows:

Notice of violation (summons). “Notice of violation” shall mean:

(1) A form or duplicate thereof prepared and distributed by the Bureau substantially completed and sworn to or affirmed by authorized issuing agents which shall constitute a notice of violation when served as hereinafter provided.

(2) For purposes of this definition, authorized issuing agents shall be members of the Police Department, Fire Department, Department of Transportation, Traffic Enforcement Agents, Department of Sanitation, the Sheriff, Under Sheriff, and Deputy Sheriffs of the Office of the City Sheriff, Department of Business Services, Business Integrity Commission, New York City Housing Authority Police, Port Authority of New York and New Jersey Police, Police of the Metropolitan Transportation Authority and its subsidiary authorities, United States Park Police, Department of Buildings Special Patrolmen, State Regional Park Police, Taxi and Limousine Commission, Waterfront Commission of New York Harbor, Department of Parks and Recreation, Department of Correction, Roosevelt Island Security Organization, Sea Gate Association Police, Snug Harbor Rangers with peace officer status, Amtrak Police Officers, Office of Court Administration Court Officers, Department of Health Police Officers, Health and Hospitals Corporation Police Officers, New York State Office of Mental Health Safety Officers, New York State Office of Mental Retardation and Developmental Disabilities Police Officers, Triborough Bridge and Tunnel Authority Police Officers, State University Maritime College Public Safety Officers, Department of Environmental Protection Police Officers, and managers of the New York City Transit Authority.

(3) For purposes of this definition, authorized issuing agents shall also include special patrolmen appointed by the police commissioner pursuant to subdivision (c) of §14-106 of the Administrative Code of the City of New York to do special duty at Parkchester South Condominium, at the New York City Hunts Point Terminal Market in the borough of the Bronx, and Stuyvesant Town in the borough of Manhattan.

BASIS AND PURPOSE OF AMENDMENT

The definition of “Notice of Violation (summons)” contained in section 39-01 of the Rules relating to Parking Violations is being amended to give authorization to the Market Inspectors of the newly created Business Integrity Commission (“BIC”).

The Business Integrity Commission has assumed legal responsibilities from the Department of Business Services to regulate public wholesale markets pursuant to a 2001 revision of the City Charter. Previously, the Department of Business Services Market Inspectors had the authority to issue parking tickets in the Fulton Fish Market and other wholesale markets. The New York City Police Department’s Traffic Enforcement Agents do not patrol these wholesale markets and the BIC Market Inspector’s responsibility is to prevent illegally parked cars blocking the entry of trucks attempting to deliver goods to the markets and those who block the egress of retailers who purchase goods at these wholesale markets. The Business Integrity Commission needs to retain this authorization so that it can continue to issue parking summonses in order to meet its Charter mandate to provide security and enforcement to the markets.