

STATE OF NEW YORK

1861--D

2009-2010 Regular Sessions

IN SENATE

February 9, 2009

Introduced by Sens. KLEIN, ADDABBO, DIAZ, HASSELL-THOMPSON, HUNTLEY, KRUEGER, ONORATO, SAVINO -- read twice and ordered printed, and when printed to be committed to the Committee on Cities -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Codes in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee and committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the administrative code of the city of New York and the vehicle and traffic law, in relation to increasing the fine for tractor-trailer combinations that park on residential streets overnight

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. Subdivision c of section 19-170 of the administrative code
 2 of the city of New York, as amended by local law number 104 of the city
 3 of New York for the year 1993, is amended to read as follows:
 4 c. [A] 1. Except as otherwise provided in paragraph two of this subdivi-
 5 vision, a violation of this section shall be punishable by the monetary
 6 fine authorized for violation of the rules and regulations of the
 7 commissioner in paragraph one of subdivision a of section twenty nine
 8 hundred and three of the New York City Charter.
 9 2. A first violation of this section, when the commercial vehicle is a
 10 tractor-trailer combination, tractor, truck trailer or semi-trailer,
 11 shall be punishable by a monetary fine of two hundred fifty dollars. Any
 12 such subsequent violation of this section by the same owner, as defined
 13 in paragraph a of subdivision one of section two hundred thirty-nine of

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 the vehicle and traffic law, within a six month period shall be punisha-
2 ble by a monetary fine of five hundred dollars.

3 § 2. Subdivision 2 of section 237 of the vehicle and traffic law, as
4 amended by chapter 782 of the laws of 1990, paragraph (a) as amended by
5 section 1 of part B of chapter 93 of the laws of 2002, is amended to
6 read as follows:

7 2. To provide for penalties other than imprisonment for (a) parking
8 violations in accordance with a schedule of monetary fines and penal-
9 ties, provided however, that monetary penalties shall not exceed fifty
10 dollars for each parking violation other than (i) in a city with a popu-
11 lation of one million or more, violations committed in spaces where
12 stopping or standing is prohibited for which monetary penalties shall
13 not exceed one hundred dollars and, (ii) handicapped parking violations
14 for which monetary penalties shall not exceed one hundred fifty dollars;
15 and (b) abandoned vehicle violations, except in a city with a population
16 of one million or more, provided however, that monetary penalties shall
17 not be less than two hundred fifty dollars nor more than one thousand
18 dollars for each abandoned vehicle violation; and (c) a city with a
19 population of one million or more may impose a monetary penalty of up to
20 two hundred fifty dollars for a first offense and up to five hundred
21 dollars for subsequent offenses within a six month period for tractor-
22 trailer combinations, tractors, truck trailers and semi-trailers parked
23 overnight on streets in residential neighborhoods;

24 § 3. This act shall take effect on the sixtieth day after it shall
25 have become a law.

**NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1**

BILL NUMBER: S1861D

SPONSOR: KLEIN

TITLE OF BILL:

An act to amend the administrative code of the city of New York and the vehicle and traffic law, in relation to increasing the fine for tractor-trailer combinations that park on residential streets overnight

PURPOSE OR GENERAL IDEA OF BILL:

This legislation raises the parking fines for tractor-trailer combinations, large tractors, truck-trailers, and semi-trailers that are parked in New York City residential zones.

SUMMARY OF SPECIFIC PROVISIONS:

Section 1. Amends subdivision c of section 19-170 of chapter 5 of title 19 of the administrative code of the city of New York, to raise the fine for tractor-trailer combinations, tractors, truck-trailers, and semi-trailers that park overnight on New York City residential streets to \$250 for a first offense and \$500 for each subsequent offense within a six-month period.

Section 2. Amends Vehicle & Traffic Law section 237(2) to authorize the City of New York to impose the traffic penalties provided for in section 1 of this bill.

JUSTIFICATION:

The current fine for parking a commercial vehicle on a New York City residential street between 9pm and 5am is \$50. This small sum of money is of little deterrent value when compared to the costs of parking such vehicles in off-street parking sites. The current situation encourages many commercial vehicle owners to choose to illegally park their large truck-cabs and trailers on city streets over other less costly options. As a result, city residents find precious parking spaces occupied by illegally parked tractor-trailer combinations. This legislation seeks to alleviate this problem.

PRIOR LEGISLATIVE HISTORY:

2008 - S.6544A - Referred to Cities

FISCAL IMPLICATIONS:

Increase in revenue from parking fines.

EFFECTIVE DATE:

Sixty days after it shall have become law.

STATE OF NEW YORK

8804--B

2009-2010 Regular Sessions

IN ASSEMBLY

June 9, 2009

Introduced by M. of A. BENEDETTO -- read once and referred to the Committee on Transportation -- recommitted to the Committee on Transportation in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

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13 in paragraph a of subdivision one of section two hundred thirty-nine of
14 the vehicle and traffic law, within a six month period shall be punisha-
15 ble by a monetary fine of five hundred dollars.

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17 amended by chapter 782 of the laws of 1990, paragraph (a) as amended by
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