



**Testimony of Chief Judge Mary Gotsopoulos
New York City Department of Finance
Before the New York City Council
Committee on Transportation on Intros 301, 372, 609, and 610**

June 22, 2011

Good afternoon, Chairman Vacca and members of the City Council Committee on Transportation. I am Mary Gotsopoulos, Chief Judge for Parking Adjudications at the New York City Department of Finance. I thank you for the opportunity to testify on Intros 301, 372, 609 and 610 concerning the adjudication of parking tickets. The City issues parking, red light camera, and bus lane violations each year to maintain public safety and order on our streets. Most people who receive a violation, either on their windshield or through the mail, acknowledge their mistake and pay the ticket. But in some cases, a person may feel that the ticket was given in error and will want to dispute it. The Department of Finance adjudicates nearly 2 million disputed parking summonses each year for commercial and non-commercial motorists.

To meet the needs of motorists, we offer same-day hearings in-person without an appointment at our business centers, hearings via mail, and an online option to challenge the ticket. We constantly strive to provide a fair and convenient process.

In March, Mayor Bloomberg and Speaker Quinn jointly announced that the City added the capability of uploading evidence electronically in order to contest parking, red light camera, and bus lane violations online. Additional evidence beyond a statement of why the ticket is not valid is not always necessary, but the new capability will enable people to include additional information when making their case. Respondents are now able to submit photos, letters, and other documents by web, just like they can in person or by mail.

Our Administrative Law Judges evaluate the actual summons written and the verbal or written defense of the motorist, as well as any additional evidence they provide. The ticketing officer does not participate in the proceedings in the overwhelming majority of cases. The Administrative Law Judges who hear these cases give the same weight to testimony and evidence offered in person, online, or through the mail, giving equal consideration to the summonses under review and the testimony of the motorist.

Intro 301 would create an affirmative defense to parking violations issued for failure to display a muni-meter receipt if the driver provides a valid receipt at a hearing. Since Administrative Law Judges today take receipts into account when conducting a hearing on this charge, we think this affirmative defense is unnecessary. In fact, 74% of motorists that contest summonses issued for failure to display a muni-meter receipt are found to be not guilty.

Intro 372 would suspend alternate side of the street parking rules on blocks that are adjacent to filming. This bill raises many concerns. The power to determine where alternative side parking is suspended is delegated to a production company. That information would not be available to our ALJ's since it is not made by a city agency. The provision concerning suspending parking rules within a certain radius of actual filming is even more troubling from an adjudication point of view since the area where filming occurs can vary from moment to moment and again is not recorded anywhere. To adjudicate a defense like this we would need an official determination of the specific areas, with well-defined borders including the sides of the street, where parking has been suspended. Further, many film

permits are granted within 48 hours of filming for short durations of time. The process outlined in Intro 372 would require considerable interagency coordination on very fast deadlines, and would result in the decrease of cleanliness scorecard ratings on streets where parking would not otherwise be disrupted.

Intro 609 would allow for an electronic signature for people contesting a parking ticket online. The Department of Finance currently has a successful on-line parking hearing process. Our online hearings reduce the burden on motorists, eliminating the need to come to a Business Center or find a stamp and mail a letter. Online hearings are not only more convenient for motorists, but are also less costly and more efficient for the Department, a benefit to all taxpayers. All aspects of the hearing are held on-line, including submission of evidence, as I mentioned earlier. In March, 16,767 violations were contested online. Again, the online submission of this information carries with it the weight of an in-person submission or appearance.

Electronic signatures would be expensive to program into Finance's hearing application and would make hearing submissions more complicated for motorists. We want to make this option as user-friendly as possible, and adding additional steps would create barriers to deter usage of this channel. We are not aware of any issues with on-line hearings that would suggest electronic signatures are needed, as our judges would not view the testimony any differently if this bill becomes law. If this bill is being put forward because of a specific concern, we are happy to discuss alternative ways to resolve that particular constituent issue.

Intro 610 provides for a 30 day waiting period before late fees can be imposed. We support this bill which is akin to the way we implement late fees under our current system. While we recognize that the bill would limit our flexibility to change course in the future, we think this restriction is fair and do not object to it.

I thank you and will be happy to take your questions.

**DEPUTY COMMISSIONER
NEW YORK CITY DEPARTMENT OF TRANSPORTATION
HEARING BEFORE THE CITY COUNCIL
COMMITTEE ON TRANSPORTATION
JUNE 22, 2011**

Good morning Chairman Vacca and members of the Transportation Committee. My name is David Woloch; I'm the Deputy Commissioner for External Affairs at the New York City Department of Transportation (DOT). Before we begin our testimony on the bills being heard today that seek to improve parking, I'd like to take a moment to acknowledge on behalf of the agencies present what we've done recently to make parking in New York City easier for drivers.

The introduction of the Muni-meter system is the largest and most notable improvement to parking in New York City. Over the course of the next year, DOT will be replacing all remaining single-space parking meters with muni-meters throughout the city. These improvements make it easier for drivers to pay at meters, reduce sidewalk encumbrances and make more curb space available for parking.

Additional parking has also been created through the reduction of Alternate Side Parking days in a number of neighborhoods. In 2008 and 2009, at the request of CBs 2 and 6 in Brooklyn and CB8 in the Bronx, DOT changed approximately 9,600 ASP signs throughout these districts to ease parking for local residents. This year, thanks to Local Law 30, we can now offer reduced ASP in other parts of the city as well. In addition, working in partnership with the Council we have made our parking regulations available online and will have them mapped by May 2012.

DOT is also working to improve parking in shopping and retail areas through the PARK Smart program, which aims to increase the availability of metered parking spaces by encouraging motorists to park no longer than necessary. The meter rate is higher when demand for parking is greatest and decreases when demand is lower. Developed in close collaboration with each community, PARK Smart makes parking easier while reducing congestion and improving safety on our streets. We are also working to promote off hour deliveries and to

create "loading windows" in commercial areas where we make curb space available for parking during certain hours of the day and limit it to truck loading only during others.

To reduce traffic congestion and increase the availability of parking, the Bloomberg Administration has made great efforts to reduce the number of parking placards distributed to City Agencies. In 2008, city-issued permits were cut by over 50%, and the issuance of permits became the sole responsibility of the Police Department and DOT, a system which has significantly cut down on the number of fraudulent placards.

The Department of Finance (DOF) has also made it easier to resolve parking summonses. DOF is now accepting payments over the web (in addition to in-person, on the phone, by mail); offering same-day hearings in their Business Centers and making hearing requests available online or by mail; and as of this year, drivers can now choose the option to submit evidence online. These changes have enabled drivers to contest over 10,000 summonses on the web each month.

While we have undoubtedly made parking easier, there is no question that the parking experience is still a frustrating one for New Yorkers. We are eager to work with the Council to continue to find solutions, though with so many cars and so little curb space, there are few easy answers. Intro 44-A, which would require DOT to establish a program to disseminate a new class of placards for temporary one day permits, is well intentioned but does not seem feasible. The bill would require additional staff and resources, open us up to further permit abuse, and would create a permit that would inherently be difficult to allocate, limit and manage. While the language is not clear, if this bill applies to areas of no standing or no stopping it would be of great concern as these areas generally remain clear for safety or traffic flow purposes. Instead we believe the Council's intent is to allow the permit holder to park only where there is a no parking regulation or in spots available to other permit holders. So an additional problem we see with Intro 44-A is that the applicant would not actually get that much utility out of the permit, since the "no parking" regulation is not that frequent in many communities. Most neighborhoods have no parking zones in front of houses of worship, and they often exist on commercial strips

to accommodate deliveries. But the typical residential block lacks any "no parking" zones. Arguably on most blocks, the only time the permit would be useful is for the few hours of the week when ASP is in effect, which itself would compromise street cleaning. We do not see the value in creating a new class of permit that would be difficult to administer and be susceptible to abuse for a privilege that may not actually be that useful to the permittee. In short, this new program would have many costs and risks, but would provide little benefit.

Thank you Chairman Vacca and members of the Committee; I will be happy to answer your questions at the conclusion of the testimonies given.

Parking Permit Abuse Report Highlights Need for Authentic Permit Act Transportation Alternatives, Council Members Garodnick and Comrie, Local Civic Groups and Businesses Call For Passage Of Garodnick's Authentic Permit Act To Reform Parking Permit Abuse

June 22, 2011

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Transportation Alternatives released a report today detailing the citywide epidemic of parking permit abuse. The report, entitled "Totally Bogus: A Study of Parking Permit Abuse in NYC," highlights the ongoing usage of fraudulent parking permits in New York City. The report's findings support the results of a recent probe by the State Inspector General which showed widespread parking permit abuse by public officials in New York.

"New York is suffering from an epidemic of parking permit abuse," said Paul Steely White, Executive Director of Transportation Alternatives. "Illegally parked cars are a safety hazard as they block crosswalks and fire hydrants and force dangerous veering maneuvers by other motorists. Parking permit abuse also hurts local businesses when parking spaces are blocked by vehicles using illegitimate permits. It's clear that past permit reform attempts have not gone far enough to crack down on counterfeit and bogus permits."

Key findings from the report:

- 57 percent of the permits in the survey were either legal permits used illegally or illegitimate permits.
- One in four permits surveyed was a fake, suggesting that citywide there are at least 10,000-25,000 fraudulent permits. (That's more fake permits than the 12,000 New York City yellow cabs).
- Manhattan's Civic Center neighborhood led the survey for highest rate of permit abuse; less than 5 percent, or 11 of 244 permits surveyed were being properly used.

Transportation Alternatives has a long history of advocacy for the appropriate use of permits. *Totally Bogus: A Study of Parking Permit Abuse in NYC* is the organization's third report on the issue. Prior reports inspired Mayor Bloomberg to reduce Department of Education permits by 83 percent and remaining permits by 32 percent, and set up a special enforcement unit to crack down on illegal parking permits.

Council Member Garodnick, who has been the lead sponsor on parking permit reform bills since 2006, introduced the Authentic Permit Act (Intro. 465) earlier this year to ensure authenticity by mandating the use of barcodes on city permits. Today, Transportation Alternatives called for a renewed push to enact the Authentic Permit Act and praised Council Members Garodnick and Leroy Comrie and their colleagues in the City Council for showing leadership on the pressing issue of permit abuse.

"Our report highlights the need for the Authentic Permit Act and New Yorkers will applaud this effort to curtail parking permit abuse," said White. "This legislation will bring relief to communities around the city."

Council Member Garodnick offered his reasons for backing the bill:

"As a matter of safety, congestion and simple fairness, we should not have cars masquerading as official vehicles to park where they please," Garodnick said. "I thank Transportation Alternatives for staying on top of this issue and for supporting a bill that will remove the question about whether a parking permit is legitimate."

The Authentic Permit Act is sponsored by Daniel R. Garodnick, Margaret S. Chin, Gale A. Brewer, Fernando Cabrera, Daniel Dromm, Lewis A. Fidler, David G. Greenfield, Letitia James, Brad S. Lander, Rosie Mendez, Jumaane D. Williams, Helen D. Foster, Ydanis A. Rodriguez, James F. Gennaro, Leroy G. Comrie, Jr., Robert Jackson, James G. Van Bramer, Stephen T. Levin, Michael C. Nelson, G. Oliver Koppell, Peter F. Vallone, Jr., Ruben Wills, Deborah L. Rose, James Vacca, Peter A. Koo, and Eric A. Ulrich

Founded in 1973, Transportation Alternatives is New York's leading voice on transportation issues and advocates for bicycling, walking and public transit as the best alternatives for a safer, more livable New York

Totally Bogus: A Study of Parking Permit Abuse in NYC can be found online at:
http://transalt.org/files/newsroom/reports/2011/totally_bogus.pdf

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TESTIMONY
JUNE 22, 2011
City Council
250 Broadway

Committee on Transportation
Intro 0372-2010

Good morning, Honorable Committee Chair and Council Member James Vacca, Committee Members, ladies and gentlemen. I am Christopher H. Olechowski, Chairman of Brooklyn Community Board No. 1 located in the northern section of the Borough. On behalf of Community Board No. 1 I submit this testimony showing our support for the bill for a Local Law to amend the administrative code of the city of New York, in relation to the suspension of alternate side of the street parking rules during filming.

Our neighborhoods of Greenpoint & Williamsburg have seen incredible changes and growth over the past decade. We have indeed seen a Renaissance. Our district has become quite popular in terms of being a place to live and visit.

Many new venues for entertainment have been established here. Might I say, that "location, location, location" is the buzz word for our community when it comes to the film industry.

While we believe in stimulating the local economy and growing industry in NYC, we do not believe that it should be at the expense of our community. There has been little - if nothing - given to our neighborhood in the recent explosion of the film industry. In most of Greenpoint and Williamsburg, the alternate side of the street parking (ASP) is four days a week. In NYC many other communities have regulations that are greatly reduced or require no ASP at all. Right off the bat, we are on the losing end with parking.

Filming here in Greenpoint and Williamsburg has created a tremendous hardship for both residents and businesses. We have received voluminous complaints from residents who have no

place to put their vehicles, had cars towed, and businesses who cannot operate while filming is being authorized for their streets.

Our office has found that on several occasions, film crews have in fact, gone beyond the approved permitted areas and captured more parking for them only! It is a constant battle on certain locations where filming is being done for several days at a clip and often. The frequency is great on some blocks that have become ever popular for shoots of movies and TV series.

So far, from a period of March 2011 to June 2011, there have been over 140 notices issued for film production in Community Board No. 1. These have required residents and businesses to find parking elsewhere, usually with little pre-notification.

This new law would provide some much needed relief for many in our community.

We wholeheartedly support Intro 0372-2010 which would suspend parking of ASP rules on blocks adjacent to filming.

Community Board No. 1 gives thanks to our local Council Member, Stephen Levin, for supporting this bill in the City Council.

Working for a Better Greenpoint-Williamsburg.

Respectfully submitted,



Christopher H. Olechowski
Chairman

**STATEMENT OF
SUSAN R. PETITO
ASSISTANT COMMISSIONER, INTERGOVERNMENTAL AFFAIRS
NEW YORK CITY POLICE DEPARTMENT**

**BEFORE THE NEW YORK CITY COUNCIL
TRANSPORTATION COMMITTEE
JUNE 22, 2011**

Good morning, Mr. Chairman, and members of the Council. I am Susan Petito, Assistant Commissioner, Intergovernmental Affairs of the New York City Police Department, and I am here today on behalf of Police Commissioner Raymond Kelly to provide our comments regarding two bills before you, Intro. Nos. 231-A and 435.

First, Intro. 231-A would establish a year-long pilot program, in one or more community districts to be determined by the Department of Transportation, in which a photograph must accompany every parking summons issued for certain enumerated violations: bus stops, handicapped zones, bicycle lanes, crosswalks, sidewalks, fire hydrants, double parking, and failure to display a required document or license plate. We respectfully urge the Council not to approve this bill, for several of the same reasons we discussed in June of 2009, when this Committee heard a similar bill.

We have previously discussed the fiscal and technological difficulties which would be created by enactment of this proposal. We acknowledge that the sponsors might have taken those difficulties into account by framing the bill as a pilot project with limited geographic scope, rather than as a universal change to the manner in which parking summonses are issued and processed. However, a completely new infrastructure with associated hardware and software changes for both the NYPD and the Department of Finance would still have to be implemented, to create, store, download and communicate photographs associated with the enumerated parking violations, in order to comply with this proposal. If the photograph were to be considered a part of the notice of violation, then an electronic or other mechanism would need to be designed in order to somehow communicate that photograph to the owner of the vehicle receiving the summons as well. We therefore question the extent to which making this proposal a pilot project rather than a full-scale, Citywide change decreases the expenditure of City resources which would be necessary to implement it.

We also note that changing the character of the bill, from a Citywide proposal to instead establish a pilot program within a limited geographic area, would create a notable inconsistency regarding parking summonses. Motorists in different parts of the City would be entitled to expect different levels of evidence supporting the issuance of a parking summons, and would have different defenses available to contest them.

In addition, this revised version of the bill would require all of the enumerated parking summonses to be accompanied by photographs, not only those issued using Parking Ticket Devices. This means that our police officers would need to be provided with, and carry, cameras in addition to all of the equipment they already need to carry.

Further, enforcement personnel assigned to agencies other than the NYPD would also need to carry cameras, and develop their own infrastructure to support this initiative.

Beyond the technical and fiscal consequences flowing from enactment of Intro. 231-A, the bill introduces a host of complications regarding the evidentiary value of photographs and the use to which they would be required to be put by Administrative Law Judges adjudicating summonses. We learned during the June, 2009 hearing that the intent behind the proposal is for summonses to be automatically dismissed if they are not accompanied by a photograph, but the plain language of the bill does not clearly state that consequence.

There would be circumstances in which photographs will not be clear, or not capable of being taken or downloaded. For example, on cloudy or rainy days, or at night, it is much less likely that a successful photograph could be taken. It may be literally impossible to photograph a violation, for example, if a motorist having been warned and persisting in committing the violation physically moves the vehicle before the enforcement officer is able to snap the photograph. Or a motorist dropping off a passenger is blocking a bus in a bus stop, and observed by an enforcement officer, but the bus moves out of the bus stop before the officer can take the photo. The inability to take the photo does not mean that the violation was not committed, but the summons would be fatally flawed pursuant to this proposal.

One photograph will almost certainly not be enough to document a violation in some cases. As an example, a vehicle parked illegally in a bus stop would conceivably require a photo capturing the vehicle, its license plate, the relevant signage, and the address where the vehicle is located. Such a photo may not be physically possible to take. There may be one sign on the block, with the vehicle too far from the sign for the sign to be legible in a photograph of both. Alternatively, enforcement personnel would potentially have to take several photographs to get a complete picture of the violation, which could be contested by a motorist claiming that the photos do not accurately reflect the situation on the street, for example that the photo of the sign was not the closest sign to the vehicle, stating a different regulation. The bill would require enforcement personnel to spend more time documenting each parking violation, and would possibly place them in jeopardy, having to take photographs from the street with their backs to oncoming traffic. The bill also carries a greater level of potential danger to enforcement personnel because of the likelihood of encountering a motorist who objects to the issuance of the violation, or to the photographing of their vehicle, or even of themselves if they happen to be in or near the vehicle.

It is uncertain whether and how explanations would need to be provided where multiple photos are taken, or when a photo was impossible to take, and it is further uncertain whether and how the photographs would need to be verified or authenticated as part of the adjudication process. In fact, under the plain language of the bill, there is no opportunity for such explanations, and, we presume, the lack of a photo would result in automatic dismissal. In addition, it is unclear what probative value some photographs may have, since the violations they are assumed to document may not be easily determined from a photograph, for example, the exact distance a vehicle is parked from a hydrant.

But we again reiterate the most important reason not to enact this bill. It would incalculably damage the validity of all parking summonses issued. This bill carries with it an underlying assumption that the prima facie case established by the issuance of the summons itself, and the sworn affirmation of its truth by the issuing officer, is insufficient. The bill in effect communicates doubt about the validity of parking summonses unless they are supported by a contemporaneous photograph, which will ultimately beg the question of why a photograph is not required for the issuance of a summons for every violation, not only parking violations, no matter how and by whom it is issued. We believe that the summons itself must and should continue to provide the evidence needed to support a finding that the violation has been committed.

Turning to Intro. 465, the bill would require the NYPD and the DOT to place barcodes on the parking placards they issue, which would allow Traffic Enforcement Agents to confirm their validity. We have several concerns regarding possible enactment of this bill. Most important, we respectfully suggest that it is inappropriate to enact into law the requirement to utilize a particular technological tool, in this case the barcode, which may not be the best means of ensuring validity and in fact may become obsolete within a relatively short period of time, given the rapid pace of development of security technology.

The parking placards currently issued by the NYPD and DOT carry security features which we would be happy to discuss with you in a more private setting. We would certainly not object to legislation which would require parking placards issued by our agencies to bear security features of a nature and design to be approved by the Police Commissioner. But the use of one particular mechanism, the barcode, may not provide the type of verification that one might expect. A good copy of a document can also replicate the barcode, and unless the barcode is tied to an infrastructure which can in real time provide additional information about the owner or registrant of the document which bears it, the barcode may be useless for verification purposes.

In addition, our understanding is that the intent of the bill is for Traffic Enforcement Agents to use their Parking Ticket Devices to scan the barcode in the same manner that they scan barcodes on vehicle registration stickers. However, the vehicle registration sticker is easily accessible, located on the edge of the vehicle windshield, against which the scanner is directly held. It is unclear that a PTD scanner would be able to read a barcode appearing on a parking placard sitting inside the vehicle on the dashboard, because of the distance involved.

It is also unclear what the cost for enabling the PTDs to perform this function would be, and whether it would be worth the result, especially since in no event would the Traffic Enforcement Agent be able to determine from the barcode whether the actual use of the placard was legitimate or not, notwithstanding whether it is a genuine placard.

Accordingly, we are unable to support the enactment of Intro. 465 as written, but we understand and agree with the Council's concerns regarding the ability to determine whether parking placards are valid, and would be pleased to discuss this issue with you

further.

Thank you, and we welcome your questions.

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My name is James Huntley, and I am proud to be a New York City Traffic Enforcement Agent and President of Communications Workers of America, Local 1182—the union that represents Traffic and Sanitation Enforcement Agents.

I would particularly like to recognize the Chair of the Committee, Councilman Vacca and others for being here to show their support for New York City Enforcement Agents.

I am here today to express my opposition to Intro 231-A. Our members, both Traffic and Sanitation Enforcement Agents are law enforcement professionals who belong to the city's elite Uniformed Forces. We enforce the law, work closely with Police Officers and other emergency services personnel, and generate hundreds of millions of dollars each year for the city.

But, for too long, our members were underappreciated and the perils we faced on the job were ignored. Each year, far too many Traffic Enforcement Agents are brutalized and assaulted simply for doing their jobs. Fortunately, with the support of the Council and the State, we now have laws that help protect these dedicated public servants from on-the-job assaults. But our victory is incomplete. We must recognize that this hard-working group of law enforcement professionals is still fighting for respect in this City. TEAs are woefully underpaid. T.E.A's starting salary is presently \$29,217, and the maximum salary is \$38,159. My Members are finding it extremely difficult to meet their financial responsibilities. My members put their lives on the line everyday to protect New Yorkers. Yet, when they go home, it is difficult to provide for their families. Rather than making investments in this workforce, now the City is proposing to invest potentially millions of dollars in this photo pilot program. Intro 231-A is example of misaligned priorities. We hope that you will re-consider passing this bill.

Thank you once again to all of you. And, most importantly, thank you to the men and women who serve as Traffic and Sanitation Enforcement Agents for the job you do each and every day.

June 22, 2011
Committee on Transportation
Testimony in Support of the Use of Barcodes on Placards

My name is Peter Krashes and I am the current President of the Dean Street Block Association from 6th Avenue to Vanderbilt in Brooklyn. We cover three city blocks near facilities for three different city agencies: the 78th Precinct, the FDNY Ladder Company 105 and the Brooklyn headquarters of HPD.

Our community is truly burdened by the illegal parking of the employees from these three facilities, as well as the copycats they inspire. Illegal parking that radiates out for several blocks from the 78th Precinct infringes on roughly 4 ½ blocks of curbside space and several blocks of sidewalks. Many of our sidewalks are not walk-able. Many of our streets cannot get cleaned. Many neighbors are angry over the sacrifices they have to make because of the selective enforcement of parking regulation law.

Several weeks ago, working with Transportation Alternatives, our block association surveyed the area where the problems in our community exist. The results show that compliance is nearly non-existent. Of 87 cars we observed outside the authorized zone immediately adjacent to the precinct, all but 4 were parked illegally. Only four cars used placards in a legal fashion. Of the other 83, 12 had some form of construction gear (a hardhat, goggles, a vest, etc) in the dashboard; 11 or so had a phony placard, and around 35 had nothing at all - no excuse, no defense, they were just illegally parked. The remainder had legal placards, but were parked illegally (with two or four wheels on the sidewalk, in fire zones, in front of hydrants, in a Church zone, etc.).

The 78th Precinct is unusual for two reasons. First, its location is carved out of another police precinct, and at the intersection of three precincts. Most of its illegal parking is actually in other precincts. Second, it is virtually across the street, (as is our fire house), from the upcoming Barclays Center. The sidewalks the employees of the 78th Precinct park on are the same ones arena pedestrians will surge through in 18 months.

The affects on our community are numerous. First, the obvious "no enforcement" zone around the precinct sends a message that the law is selectively enforced. The failure to enforce the law has inspired the construction workers of the Barclays Center to park on sidewalks and in no standing zones as well. As a result, many of the cars parked illegally on our sidewalks and in our streets are simply out of towners taking advantage of convenient free parking at the cost of our community life. Second, there is virtually no street cleaning because alternative side street cleaning is not possible. We believe this is one of the contributing factors to a serious rodent infestation currently underway in the

vicinity of the 78th Precinct. Finally, as our City grows and develops, look at the consequences to our community of this illegal parking. Should the public truly be forced to balance the desire of employees of city facilities to have more parking than they are entitled to against the safety of arena pedestrians and our community's ability to have a meaningful and safe street life?

Bar codes on placards will help traffic enforcement agents separate legally parked from illegally parked cars. Please support this bill.

Thank you,

Peter Krashes

President

Dean Street Block Association, 6th Avenue to Vanderbilt



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Testimony of Paul Steely White Executive Director, Transportation Alternatives June 22nd, 2011 Transportation Hearing

Intro. 465 (Garodnick) "The Authentic Placard Act"

A Local Law to amend the New York city charter, in relation to requiring parking placards to have a barcode which would allow traffic enforcement agents to confirm their validity.

Thank you Chairman Vacca, and esteemed members of the Transportation Committee:

The public is appalled at the ticket fixing scandal. The story continues to demand headlines, has reduced New Yorker's opinion of the police, and has even resulted in several juries entirely discrediting testimony of officers who have been connected to the scandal. Yet tens of thousands of tickets are "fixed" every day in this City before they're even written, by officers who unintentionally or otherwise are stymied by our permit system. This must end.

Free parking is very valuable, which means that bogus permits are very valuable. The City, however, doesn't take the necessary steps to safeguard this prize. That failure damages small business, degrades New Yorkers' quality of life, and jeopardizes public safety. We allow the law to be violated in brazen fashion, and this disrespect has broken the permit system. Councilman Garodnick's bill establishes a clear path out of this predicament. We recommend the Authentic Permit Act's swift passage.

Free parking is very valuable, which makes bogus permits valuable

In Park Slope a garaged parking space has been listed with a broker for \$59,500.¹ Someone who drives to work at 250 Broadway could expect to pay \$500 each month, or \$6000 a year for a parking space at a local garage.²

A bogus permit, however, can be obtained for free from a friend or from a union delegate; can be designed through the use of Photoshop; or for the low fee of \$250, can be purchased on the Internet.³ Each of these illegal options represents *tremendous* value.⁴

¹ <http://www.elliman.com/new-york-city/brooklyn/park-slope/845-union-street--unit-326/845-union-street/riiwjor>

² Icon Parking Systems 233 Broadway New York, NY 10007 (212) 732-2943

³ <http://www.streetsblog.org/2010/06/15/want-the-best-deal-on-parking-get-yourself-a-police-surgeon-permit/>

⁴ A permit purchased at \$250 which avoids the price of a \$6,000/year spot amounts to a 2300% return on your investment (ROI). That's the same ROI as investors who hold Apple stock they purchased in June of 1999 receive— expect a bogus permit gets you that astounding return each year, every year, with very little risk of loss. (<http://www.kyleconroy.com/2010/04/apple-stock>)

The consequences of the City's failure to crack down on fraudulent permit bearers:

There are tens of thousands of counterfeit or illegally issued permits around the city.¹ Our research shows that approximately twenty-five percent of permits which appear on dashboards are either photocopies or facsimiles of authentic permits, bogus permits issued by private groups that only *seem* official, or are otherwise bogus.

Bearers of illicit permits are the bane of small business, as they tend to park in high-traffic areas for hours on end, clogging up loading zones and metered-parking intended for customers.

Bearers of illicit permits also degrade New Yorker's quality of life, by parking in driveways, bus stops, or on sidewalks.

Bearers of illicit permits often endanger the lives of others, by parking in crosswalks, illegally double-parking (which causes other motorists to swerve), or by blocking fire hydrants.

The law is violated in brazen fashion

It is against the law of NYC to counterfeit an official permit, or to possess a counterfeit permit.² In addition, someone who knowingly uses a bogus permit is guilty of possession of a forged instrument in the third degree³ and someone who has created a bogus permit has committed forgery in the second degree.⁴

No one who uses a bogus permit is afraid of being punished, however, because the law is simply not enforced. Our reports shows that there are thousands of fake permits on the street right now, and an even larger number of permits that are issued by unions and other associations on the expectation they will be acknowledged as a "courtesy."

Specifically, for our report we surveyed 1,450 permits used in every borough in the City. Only 37% or permits parkers parked legally in these areas. Of the other 57% (820):

- 477 (33%) were apparently legal permits⁵ used illegally (i.e., parking in a fire zone, parking in front of a hydrant, parking on a sidewalk)
- 215 (63%) appeared to be union-issued, and were therefore not legally authorized.
- 29 (9%) were obvious fakes (i.e., referring to non-existent agencies)
- 28 (8%) were obviously photocopied
- 38 (11%) had expired
- 29 instances of personal affects standing in for a permit (8%)

¹ Transportation Alternatives, *Totally Bogus, A Study of Parking Permit Abuse in NYC*
http://transalt.org/files/newsroom/reports/2011/Totally_Bogus.pdf

² NYC Ad. Code §19-166

³ NYS Penal Law § 170.20

⁴ § 170.10

⁵ Importantly, some percentage of the "legal" permit were actually fakes which were so sophisticated they fooled our volunteers.

The permit system is broken

The dizzying array of official city-issued permits – over 17 different designs!- confuses agents and complicates enforcement. Each of these 17 designs is subject to a different set of rules regarding enforceability, which further complicates the officer's task.⁶

Enforcement officers should not, and cannot, devote their time to determining a permits' authenticity. Enforcement officers need to be able to distinguish the real from the phony with certainty and ease in order to do their job efficiently.

Councilman Garodnick's bill establishes a clear path out of this predicament

Councilman Garodnick's bill solves the problem by eliminating subjectivity which slows enforcement. His bill requires official permits to feature a bar code, so enforcement agents can determine with a quick scan whether the driver is legally parked.

This proactive approach costs nothing, and will save the City millions of dollars a year in new parking meter revenue. The bill will also make parking spots more available for small business owners to accept deliveries, for customers to find parking, and for residents of neighborhoods plagued by this issue.

There are a few recommendations that Transportation Alternatives has for the bill which we respectfully ask the Council to consider:

- a) To be effective, the bar code must contain information which corresponds to the vehicle(s) it vouches for, or else a permit may be transferred between users or photocopied without consequence.
- b) Once city-issued permits have bar codes, enforcement agents must scan the bar codes and enforce the law. We recommend the Council watchdog the Police Department to ensure that the law is applied universally and all scannable permits are scanned, and all non-scannable permits are identified as false and appropriate actions are taken.
- c) Once city-issued permits have bar codes, it is likely there need not be 17 different designs for City issued permits. With bar code technology, the enforcement officer no longer needs to know which agency permit authorizes parking in which location – they can scan and receive the answer instantaneously. The variety of permits makes enforcement more difficult for enforcement agents, and we hope that the Council crafts legislation in a way that discourages this practice from continuing.
- d) There is a significant amount of information that can be contained in a bar code, and significantly more can be stored in other, similarly free technologies like QR code. We recommend the Council investigate these technologies. For instance, some permits authorize the bearer to park at locations specially designated for their agency. These signs are complicated for ordinary motorists to understand, and they can be replaced by this smart technology. As another example, the system can create accountability by including geographic information (a permit which authorizes a

⁶ Guidelines for distinguishing when permits are legal to park can be found at:
http://nyc.uncivilservants.org/how_can_i_tell

specific employee to visit sites in Queens would raise a red flag when found in that employee's residential neighborhood in Brooklyn).

- e) We recommend working with our partners in Albany to require the design and distribution of Federal, State and City permits to be completed in a coordinated fashion which prioritizes respect for the law and respect for the citizens of New York while minimizing the variety of permits on the street.
- f) We ask the Council to take this opportunity to consider the benefits of adding more parking enforcement, which frees up parking for shoppers, collects revenue from meters, and sends a strong message that the parking rules apply to everyone.
- g) We ask the Council to require an annual permit tracking system, because you cannot solve a problem if you can't measure it. The system could, among other things, require the City's agencies to disclose how many permits they grant, which criteria they use to decide who receives a permit, and their objective in granting those permits – all important information for policymakers.

Bogus parking placard allows advocacy group to park all over New York City without a single ticket

by Alex Katz and Erin Einhorn DAILY NEWS WRITERS • June 22, 2011 Daily News has discovered the greatest parking deal in the city - day-long free spots on some of the Big Apple¹'s busiest streets.

All it takes is Photoshop², a color printer and a bit of poster board to crank out a real-looking government placard to place in your dashboard - and nary a ticket will come your way.

The News proved it yesterday while working with the advocacy group Transportation Alternatives³, which made a bogus placard from the fictional "New York State Numismatic Agency⁴" - aka the agency of coin collection.

The placard was slapped with the seal of the Republic of Bulgaria⁵ and laminated to give it extra gravitas.

Then we popped it on the dashboard of a rented 2011 Dodge Caliber⁶ and took it on a tour of some of the city's most parking-starved neighborhoods, pulling in for more than seven hours in illegal spaces near City Hall, Brooklyn⁷'s Borough Hall and in the heart of Times Square⁸.

We put no money in meters, circled no blocks in search of elusive legal spaces - and drove off without a ticket.

"There is a culture of rampant abuse and no respect for the rules and regulations that are on the books," said Transportation Alternatives' Noah Budnick⁹.

A study the group released in April estimated that as many as 25,000 fraudulent permits are on the streets - but the total could be higher, Budnick said.

"It might as well be an infinite number given what you see put on dashboards that people try to pass off as parking permits," Budnick said.

Our Numismatic Agency permit made its debut at 8 a.m., spending 2-1/2 hours in a spot directly across Broadway from City Hall in space marked "no standing any time except authorized vehicles."

It then spent three hours in a permit-only spot near Cadman Plaza in downtown Brooklyn¹⁰ - a few feet in front of a fire hydrant - then landed for more than two hours in a "no standing anytime" space in traffic-clogged Times Square at 46th St. and Broadway.

During the course of seven hours, more than 25 cops or traffic agents passed by our illegally parked vehicle.

The vast majority of officers strolled by without much more than a passing glance at the car - or the placard.

So much for vigilance

Just two cops in Times Square - where a would-be terrorist last year parked a bomb-filled SUV in the center of the tourist mecca - stopped to actually read the placard.

They peered inside the car - but didn't seem to notice the placard was as fake as a \$10 Gucci¹¹ purse.

"It's completely frustrating that there are so many bogus placards on the street, and there is no easy and uniform way of dealing with them," said City Councilman Dan Garodnick (D-Manhattan)¹².

He has proposed a bill - set for a hearing Wednesday - that would require the city to put bar codes on placards so enforcement agents could use a scanner to quickly learn if a placard is legit.

Administration officials have not taken a position on the bill, but a spokesman for the NYPD¹³ denied his crews don't enforce the law.

"Since the NYPD Internal Affairs Bureau special initiative against bogus and improper use of placards began in 2008, it has issued 29,885 summonses and towed 6,484 vehicles.

"Sorry we missed yours," said top NYPD spokesman Paul Browne¹⁴.

"IAB would have happily made it tow No. 6,485."

eeinhorn@nydailynews.com



TRANSPORTATION
ALTERNATIVES

TOTALLY BOGUS

A Study of Parking
Permit Abuse in NYC



**Permits above depict a ratio of city-wide permit use.
43 percent permits used legally vs. 57 percent used illegally*

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EXECUTIVE SUMMARY

NEW YORK CITY MADE SWEEPING CHANGES TO THE CITY'S FREE PARKING SYSTEM for government workers in 2008. The number of parking permits was slashed by 46 percent, to 78,000 permits. By handing out fewer parking passes each year, the City is encouraging more civil servants to ride public transit, easing traffic congestion while freeing up parking spots for others.

Despite the reduction in city-issued parking permits, the system remains broken. Each step in the process—from creation of the permits, to distribution and enforcement—is fatally flawed, creating a system wrought with abuse and lacking effective oversight.

In the present study, researchers at Transportation Alternatives canvassed five New York City neighborhoods and found that a majority of permit holders—57 percent—were either agency permits used to park illegally—double-parking or ditching their cars on sidewalks and bus lanes, or totally bogus permits. The study found that 24 percent of permits on display were illicitly photocopied, fraudulent or otherwise invalid.

Clearly, further reform is needed. Modernizing New York City's two-tiered parking system can help local businesses by freeing up space for customers and deliveries. It can boost the City's bottom line by increasing meter collections. It can even make the City safer by increasing the odds that police will flag suspicious vehicles, like the van that parked for two days in Times Square last year with no license plates and a bogus permit until the NYPD's bomb squad arrived. Finally, parking permit reform is necessary as a simple matter of fairness for residents unable to find parking in their neighborhoods.

The study focused on five neighborhoods where concentrations of city, state and federal offices have led to ongoing complaints from residents about parking abuse: Downtown Brooklyn; Civic Center in Manhattan; Jamaica, Queens; Saint George, Staten Island and Concourse Village, the Bronx.

KEY FINDINGS

- 57 percent of the permits in the survey were either legal permits used illegally or illegitimate permits.
- One in four permits was a fake, suggesting that citywide there are at least 10,000-25,000 thousand fraudulent permits. (That's more fake permits than the 12,000 New York City yellow cabs).
- Manhattan's Civic Center neighborhood led the survey for highest rate of permit abuse; less than 5 percent, or 11 of 244 permits surveyed were being properly used.



Car with agency permit parked illegally in a bike lane and on the sidewalk



Bogus parking permit on the windshield

T.A. highlighted the problem of government workers using permits to park illegally in our 2007 report, *Above the Law*. This earlier study found that 77 percent of drivers were using their permits to park illegally, wherever, whenever. The current study confirms that the problem persists—with 57 percent of drivers using legitimate and bogus permits as a park-anywhere-they-want-for-free pass. This form of permit abuse leads to more cars cruising for scarce parking spaces and prevents delivery vehicles from reaching the curb leading to more double-parked vehicles. It degrades air quality for New Yorkers, leading to added health risks for asthma, diabetes, heart disease and cancer. Finally, illegal permit parking erodes the public’s trust in government and law enforcement.

The problem of bogus permits, also identified in the 2007 study, is still rampant. Bogus permits include official-looking permits unrecognized by the City, photocopies of real permits, expired permits and personal effects masquerading as permits: transit vests, patrol manuals and even a sheet of paper scrawled with the letters “NYPD.” In the case of the bomb scare in Times Square last year, the Dodge van that came under suspicion had tinted windows and no plates but a permit on its windshield claiming that its driver was a detective in the crime unit of “Metropolitan New Jersey and New York,” a nonexistent agency. The phony permit fooled the NYPD for two days, accounting for the agency’s slow response, NYPD spokesman Paul Browne later admitted.

RECOMMENDATIONS

- 1. Add bar codes to parking permits.** Bar codes, those black stripes used by businesses to track product inventory, would vastly cut down on fraud. With a quick swipe, parking enforcement officers would be able to tell the real permits from the fake. In February 2011, City Councilmember Dan Garodnick introduced a bill that would require all new parking permits to contain bar codes, bringing the system into the electronic age.
- 2. More enforcement of illegal and bogus permits.** The NYPD and DOT, the two agencies that jointly oversee city-issued permits, need to send a message that improper use of parking permits will not be tolerated. The NYPD should ticket employees who park illegally—with or without a permit—as well as anyone posting phony permits or personal effects on their dash to evade parking laws.
- 3. Annual tracking of permit use and abuse.** The NYPD and DOT should release a report each year tallying the number of permits issued and violations handed out. Annual tracking will allow the public to tell how much enforcement is happening and whether it is making a difference.

PURPOSE AND METHODOLOGY

RESEARCHERS AT TRANSPORTATION ALTERNATIVES SURVEYED FIVE NEW YORK CITY neighborhoods to find out if Mayor Bloomberg's parking permit reforms have cut down on abuse. In 2008, Bloomberg cut Department of Education permits by 83 percent and remaining permits by 32 percent, leaving a total of 78,026 permits. Bloomberg also authorized just two agencies — NYC Department of Transportation (DOT) and NYPD—to issue permits. Additionally, the NYPD was ordered to create a permit enforcement unit with “enforcement procedures to prevent the abuse of placards.”

“Double-parking can bring streets to a standstill, but any laminated dashboard card can usually ward off hefty fines.”

—COUNCILMEMBER LEROY COMRIE, DISTRICT 27, SOUTHEAST QUEENS

But anecdotal evidence suggests that permit abuse is as bad as ever. From Jamaica to Brooklyn Heights, residents continue to complain about a two-tier parking system that “adds a sense of lawlessness in the community,” according to Michael Burke of the Downtown Brooklyn Partnership. Businesses suffer from diminished parking spaces and loading zones.

Why is illegal parking so common among permit holders? The evidence suggests that there are too many cars for too few spaces. According to a Lower Manhattan parking study by the DOT and the New York City Economic Development Corporation, “vehicles with law enforcement permits use 127 percent more space hours than are designated for them from 9AM-5PM.” A Schaller Consulting study, *Top 10 Drive-To-Work Census Tracts in Manhattan*, found that “government workers are twice-as-likely to drive to work than private sector workers.” With so few parking spaces available and an incentive to drive to work, permit users double-park or leave their cars blocking fire hydrants, sidewalks, bus lanes or at un-fed meters. According to Councilmember Leroy Comrie, the result is traffic mayhem. In Jamaica, Queens, “double-parking can bring streets to a standstill, but any laminated dashboard card can usually ward off hefty fines,” said Councilmember Comrie.

Why do some many New Yorkers use fraudulent permits? Though it may not be explicit policy, the NYPD's traffic enforcement division essentially operates under the premise that citywide there is a “no hit” policy on vehicles with permits in the window. Permit abusers talk of the NYPD extending a “courtesy” to agencies to break the law.

In January, T.A. revisited its 2007 study sites to find out if the reduction in parking permits had translated into less abuse.

METHODOLOGY

Because so many permits are issued by city, state, and federal agencies, and so many others are fraudulent, this study was unable to document permit abuse on all city streets. Therefore, this study is a snapshot of systemic problems.

On Wednesday, January 20, 2010, volunteers with Transportation Alternatives fanned out across four neighborhoods: Downtown Brooklyn; Civic Center in Manhattan; Jamaica, Queens and Saint George, Staten Island. A fifth neighborhood, Concourse Village in the Bronx, was surveyed months later, on Tuesday, August 24, 2010.

T.A. analyzed the permits according to the following criteria:

- The number of legal permits used legally
- The number of legal permits used illegally
- Total permits used illegally
- Number of counterfeit permits
- Types of counterfeit permits

RESULTS

- **1450** Total permits used legally and illegally
- **57 percent** Agency permits used to park illegally or totally bogus permits (**820**)
- **33 percent** Agency permits used to park illegally (**477**)
- **43 percent** Permits used legally (**630**)
- **24 percent** Bogus (**343**)

TYPES OF BOGUS PERMITS

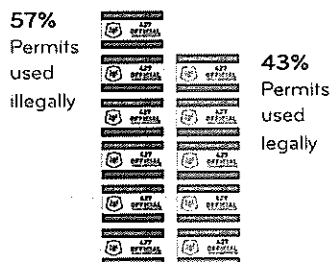
- **63 percent** Union (**215**)
- **8 percent** Xeroxed (**29**)
- **9 percent** Fake (**32**)
- **11 percent** Expired (**38**)
- **8 percent** Personal effects masquerading as permits (**29**)

OVERVIEW OF RESULTS

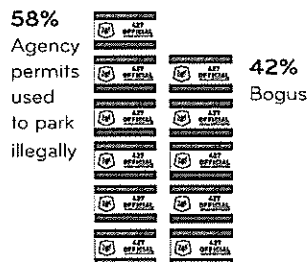
- **57 percent** of agency permits used to park illegally or were totally bogus permits
- **One in four** permits was bogus
- **8 percent** of permits were personal effects thrown on a dashboard
- Manhattan's Civic Center neighborhood led the survey for highest rate of permit abuse; **less than 5 percent, or 11 of 244 permits** surveyed, were being properly used.

CITY-WIDE RESULTS

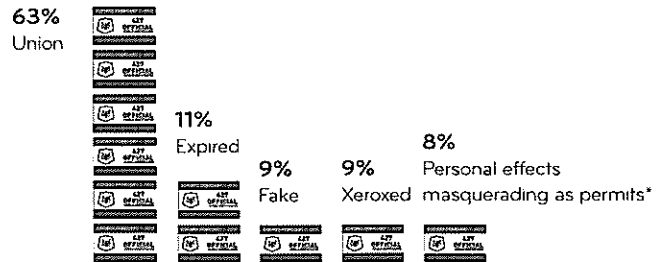
Total Legal and Illegal **1450**



Agency Permits used to park illegally & Bogus Permits **820**



Types of Bogus Permits **343**



*Personal effects including but not limited to transit vests, patrol manuals and even a sheet of paper scrawled with the letters "NYPD."

COMMUNITY PROFILE OF PERMIT ABUSE:	
584	Total permits used legally and illegally
43% (254)	Permits used legally of total permits
57% (330)	Permits used illegally of total permits
21% (124)	Bogus permits of total permits



DOWNTOWN BROOKLYN

CENSUS TRACTS

9, 11, 13, 25, 27, 37, 41, 43

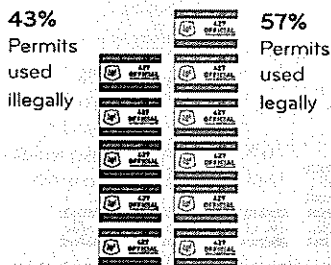
STREETS SURVEYED

Livingston, Schermerhorn, State, Pacific, Gold, Pearl, Jay, Bridge, Duffield, Lawrence, Court, Adams, Smith, Hoyt, Nevins, Bond, Montague, Pierrepont, Middagh, Boerum, Remsen, Joralemon, Clinton Streets; Red Hook Lane; Aitken Place; Atlantic Avenue; Brooklyn Bridge Boulevard; Cadman Plaza

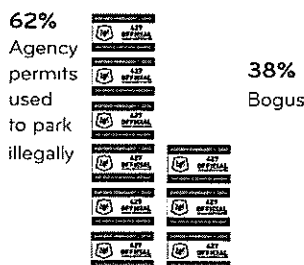
FACILITIES IN THE AREA

- Brooklyn Borough Hall: 209 Joralemon Street
- Main Post Office, Brooklyn: 271-301 Cadman Plaza East
- Main Courthouse: 360 Adams Street
- 84th Police Precinct: 301 Gold Street
- NYC Fire Department and EMS: 9 Metrotech Center
- Brooklyn Family Court: 238 Adams Street
- NYC Transit Headquarters: 370 Jay Street
- Department of Motor Vehicles: 10 Metrotech Center
- Brooklyn House of Detention for Men: 275 Atlantic Avenue
- Brooklyn Hospital Center: 121 DeKalb Avenue

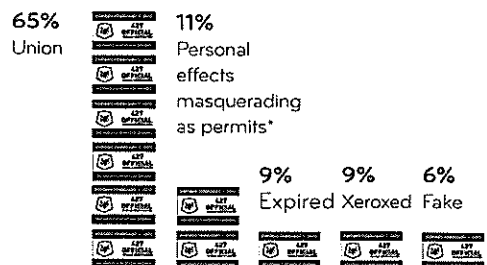
Total Legal and Illegal **584**



Agency Permits used to park illegally & Bogus Permits **330**

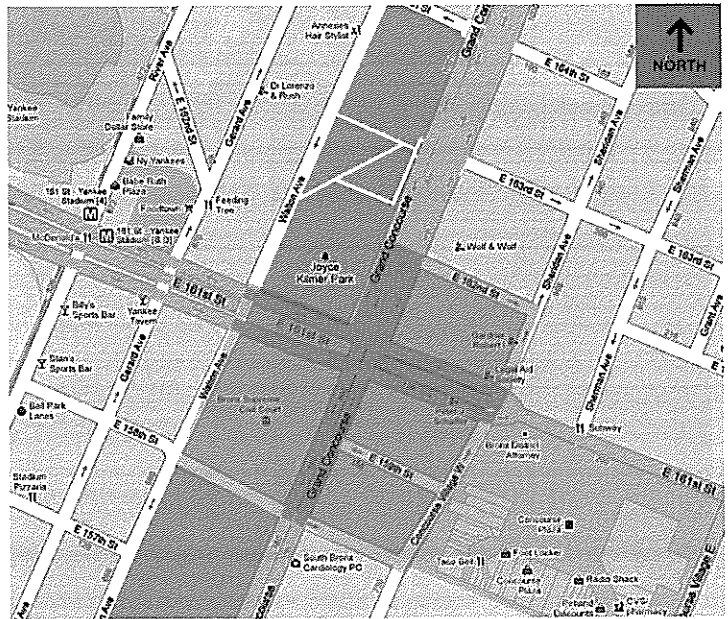


Types of Bogus Permits **124**



*Personal effects including but not limited to transit vests, patrol manuals and even a sheet of paper scrawled with the letters "NYPD."

COMMUNITY PROFILE OF PERMIT ABUSE:	
262	Total permits used legally and illegally
60% (157)	Permits used legally of total permits
40% (105)	Permits used illegally of total permits
27% (71)	Bogus permits of total permits



CONCOURSE VILLAGE, THE BRONX

CENSUS TRACTS

59.01, 59.02

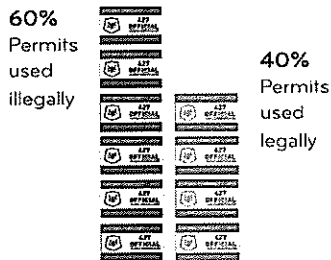
STREETS SURVEYED

158th, 159th, 161st, 162nd Streets; Sherman, Walton, Sheridan, Grant Avenues; Grand Concourse

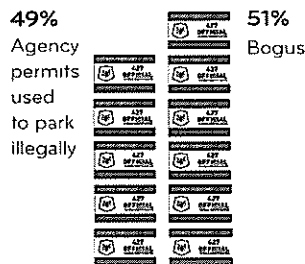
FACILITIES IN THE AREA

- Bronx Borough Hall: 851 Grand Concourse
- Bronx County Courthouse: 851 Grand Concourse
- Bronx Borough President's Office: 851 Grand Concourse
- Yankee Stadium: East 161st Street and River Avenue
- New York Public Library, Melrose Branch: 910 Morris Avenue
- Montefiore Medical Center: 305 East 161st Street
- P.S. 35 - Franz Siegel School (K-4): 261 East 163rd Street
- P.S. 156 - Benjamin Banneker School (Pre K-6): 750 Concourse Village West
- Cardinal Hayes High School: 650 Grand Concourse
- Bronx High School for Law, Government and Justice: 244 East 163rd Street

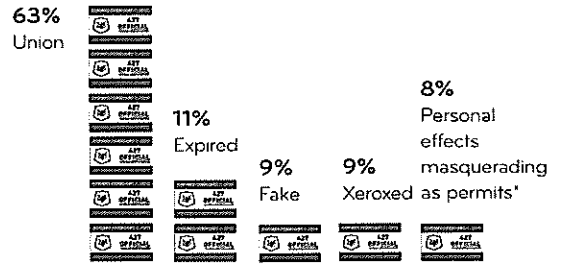
Total Legal and Illegal **262**



Agency Permits used to park illegally & Bogus Permits **105**

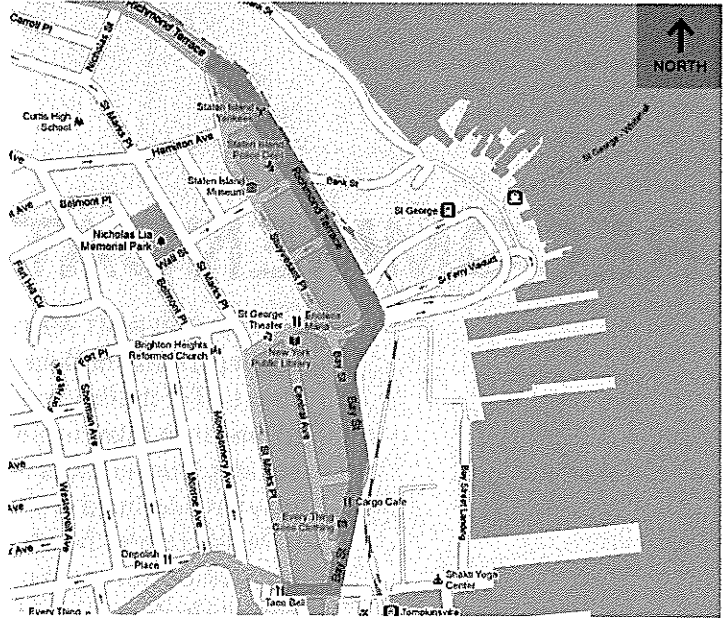


Types of Bogus Permits **71**



*Personal effects including but not limited to transit vests, patrol manuals and even a sheet of paper scrawled with the letters "NYPD"

COMMUNITY PROFILE OF PERMIT ABUSE	
172	Total permits used legally and illegally
52% (89)	Permits used legally of total permits
48% (83)	Permits used illegally of total permits
26% (45)	Bogus permits of total permits



SAINT GEORGE, STATEN ISLAND

CENSUS TRACTS

3

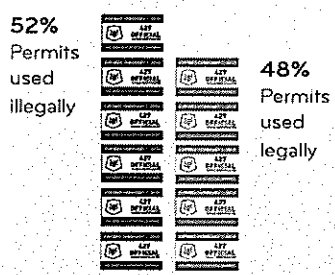
STREETS SURVEYED

Hyatt, Bay, Hamilton Streets; Central Avenue; Stuyvesant and St. Mark's Places; Richmond Terrace

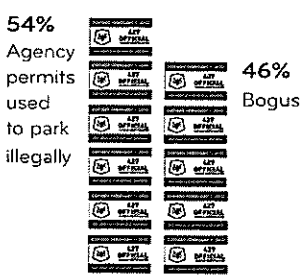
FACILITIES IN THE AREA

- St. George Ferry and Bus Terminal: 1 Bay Street
- Staten Island Borough Hall: 10 Richmond Terrace
- Staten Island County Courthouse: 18 Richmond Terrace
- Borough President's Office: 120 Borough Hall
- 120th Precinct: 78 Richmond Terrace
- The Staten Island Museum: 75 Stuyvesant Place
- The Richmond County Bank Ballpark: 2025 Richmond Avenue
- The United States Coast Guard Station: 1 Bay Street
- New York Public Library, St. George Branch: 5 Central Avenue
- St. George Station Post Office: 45 Bay Street

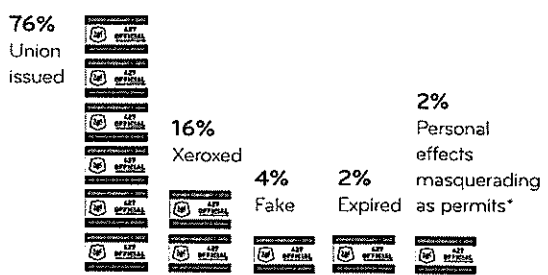
Total Legal and Illegal **172**



Agency Permits used to park illegally & Bogus Permits **83**



Types of Bogus Permits **45**



*Personal effects including but not limited to transit vests, patrol manuals and even a sheet of paper scrawled with the letters "NYPD."

RECOMMENDATIONS

PARKING PERMIT ABUSE CONTINUES TO BE A CITYWIDE PROBLEM. There are fewer permits out there, but still not enough spaces to go around. As a result, more than half of the drivers in our study used their permits to park illegally. Leaving cars in bus lanes, bike lanes and on sidewalks jeopardizes public safety and sets a double standard that erodes the public's confidence in government. While this problem may have declined in some neighborhoods since our last study, illegal parking in Manhattan's Civic Center actually increased. Also troubling is the apparent proliferation of bogus permits. Our researchers counted twice as many phony permits in this study than in 2007.

To reduce parking abuse, New York needs to modernize its parking permit system. The current permits are little more than laminated strips of paper. Any union or association can easily mint their own official-looking parking pass. Putting bar codes on permits can stop this abuse. With one quick swipe of the scanner, traffic agents would be able to weed out bonafide permits from the bogus.

Transportation Alternatives has three recommendations to the City to further reduce parking permit abuse: bar codes on permits, added parking enforcement and an annual permit tracking system. By modernizing its system, the City can crack down on the worst offenders—those passing off phony permits. And by redoubling its parking enforcement efforts, the City can free up added parking for shoppers, collect more revenue from meters and send a strong message that parking rules apply to everyone. Finally, a tracking system will provide New York City's parking permit system with a sense of order and accountability.

RECOMMENDATIONS



1. Bar codes on permits
2. Enforce the law
3. Annual inventory and permit tracking report

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- xi. "Above the Law: Government Parking Permit Abuse in New York City," Transportation Alternatives (September 28, 2006): <http://www.transalt.org/newsroom/releases/134>.
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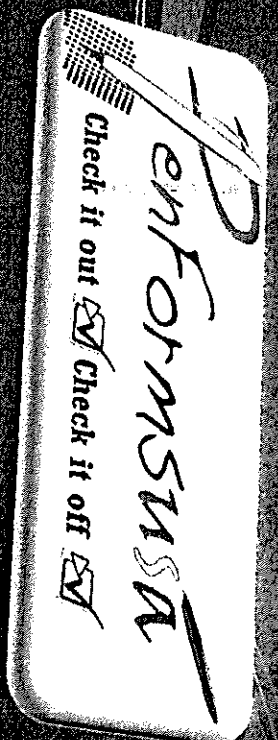
For the Record

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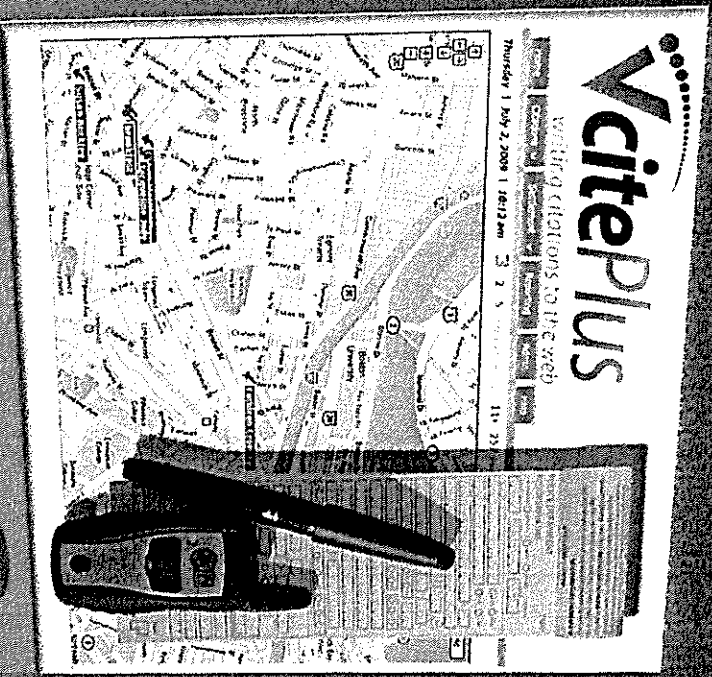


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Parking Enforcement Solution



The Overview

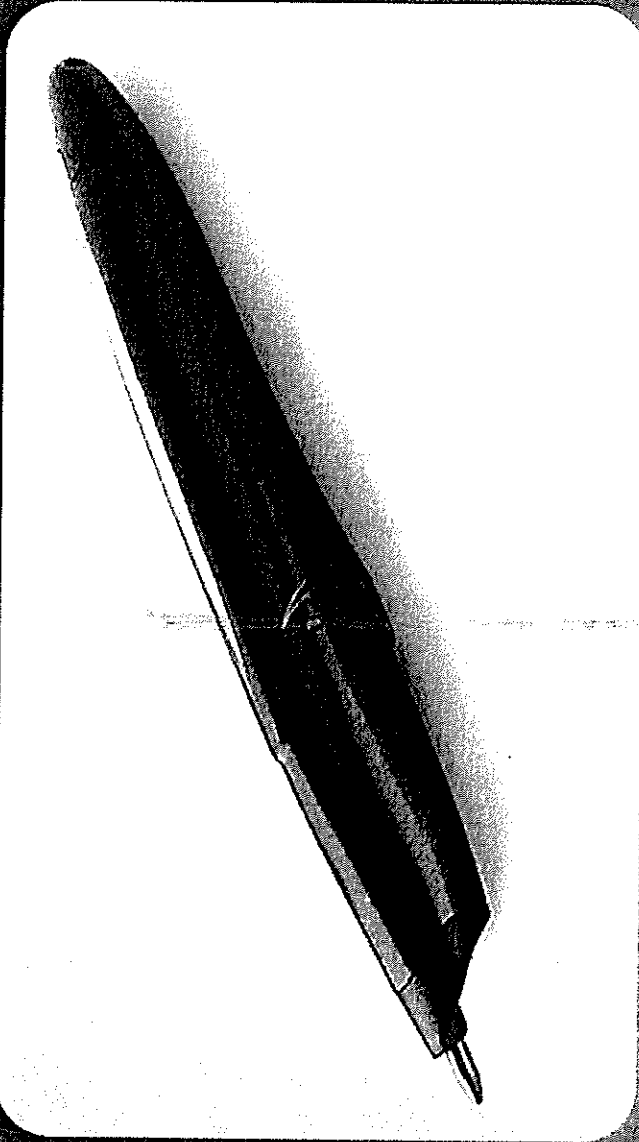


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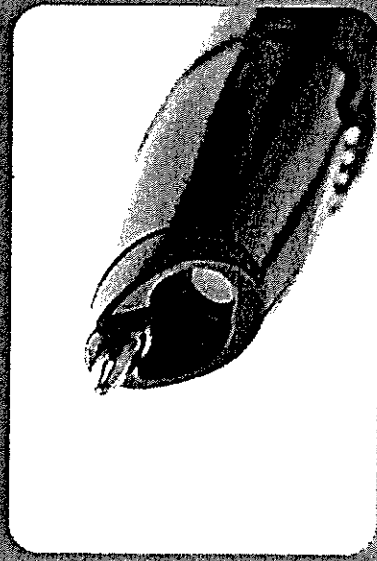
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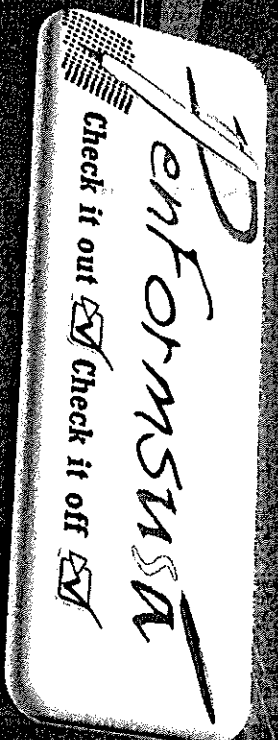
**A Pen,
a
Digital
Pen**

**Everyone Can Use
a Pen...**

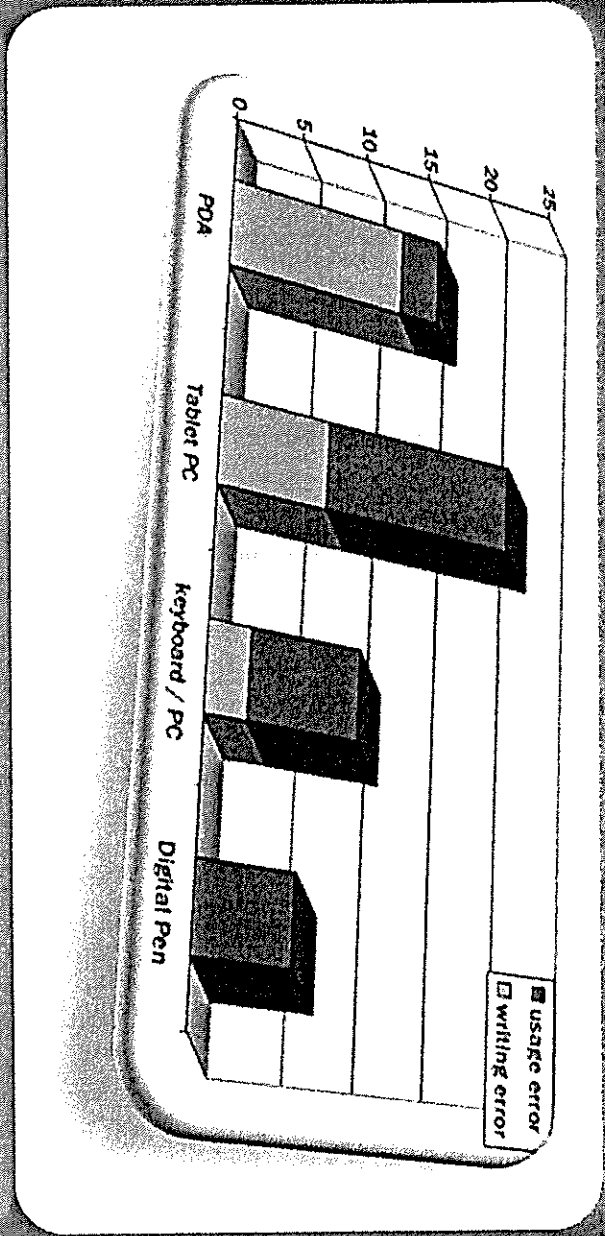


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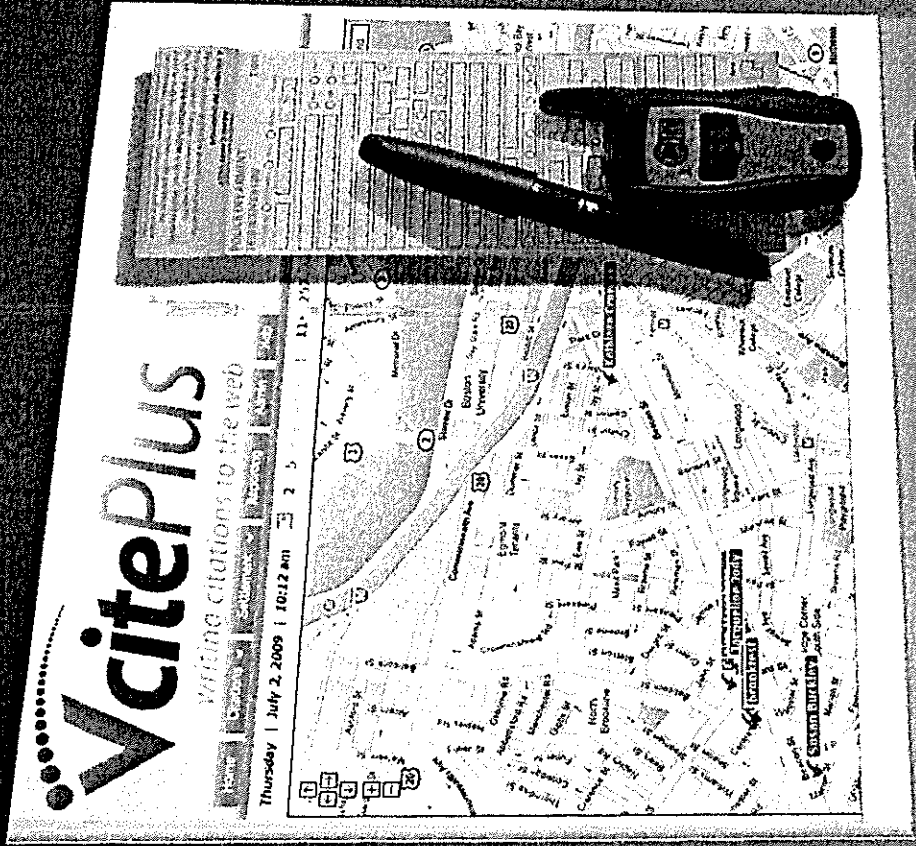
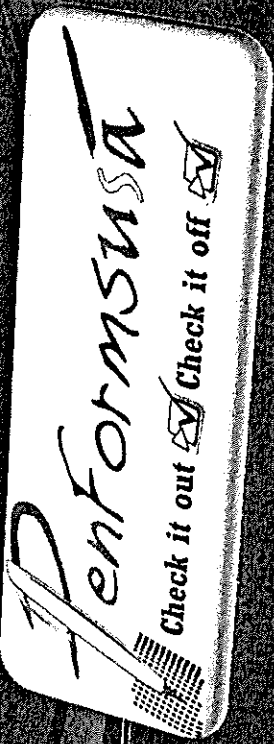
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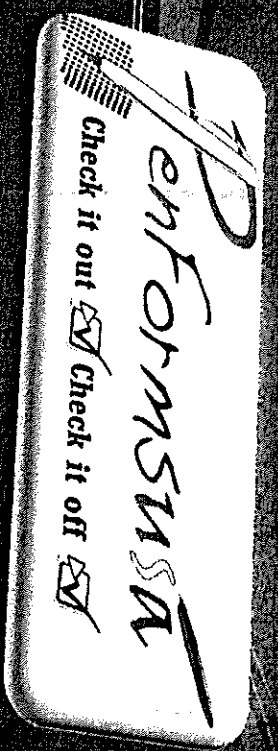
Professors Ronald Boldt and Jörg Raasch performed an analysis of mobile capturing devices at the usability lab at the department of computer sciences at the University of Applied Sciences, Hamburg.



The digital pen was also the most accurate form of mobile data entry. This graph shows the complete summary of accuracy for both usage and writing errors.



Add a Citation Book, a Cell Phone (with integrated camera) and a Back-end Database, You have the vCitePlus Parking Enforcement Management Solution



The answer is "write" at your fingertips...



- Handwritten
- GPS Location
- Photographic Evidence
- Sent via Cell Phone to Back-end Database
- Viewable Online

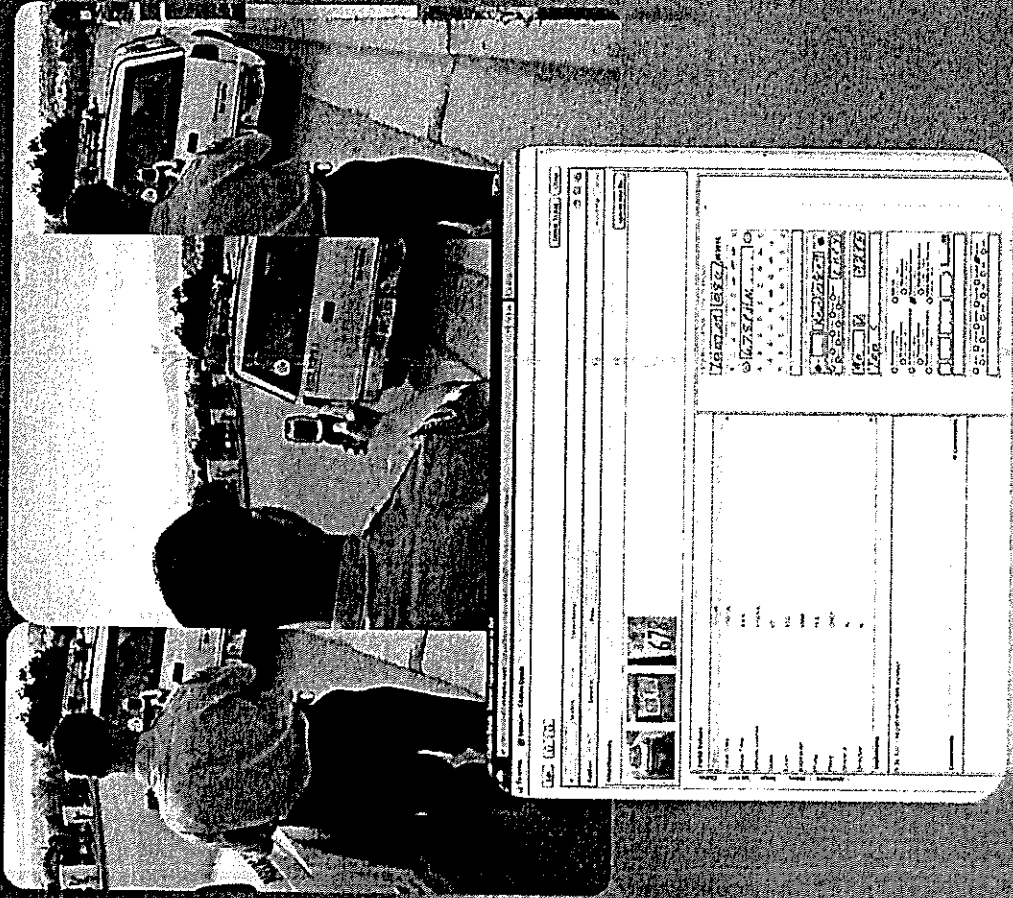


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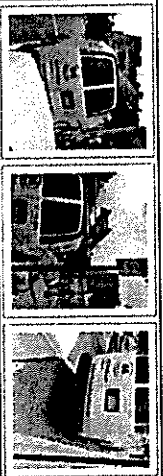
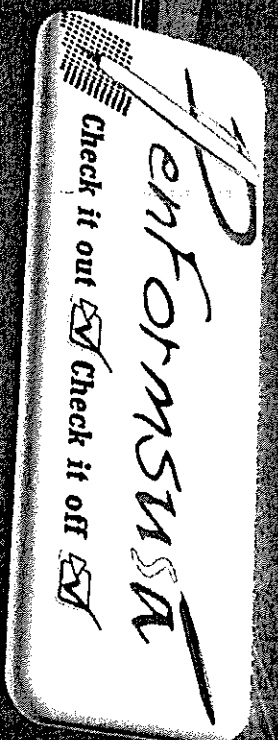


Do you have direct connection to your citations of photographic evidence?

- Are more than 10% of your citations dismissed or reduced?
- Do unsupported citations result in excessive appeals and lost revenue?
- Is staff burdened by adjudicating citations unnecessarily?
- Do parking officers spend more time defending citations than issuing new ones?

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Hearing Officer Information
Photographic Support Offers Irrefutable Proof!

FIELD	VALUE
Issue Time	1718
Vehicle License	M55765
State Type	MA
Plate Type	CON
Plate Color	RED
Vehicle Color	WHI
Vehicle Make	CHEV
Street Number	14125
Photo	PHOTO
Street Name	BEACON ST
Street Name 2	
ID Number	435

BROOKLINE PARKING 4251542

1718 1718

M55765

MA

CON

RED

WHI

CHEV

14125

PHOTO

BEACON ST

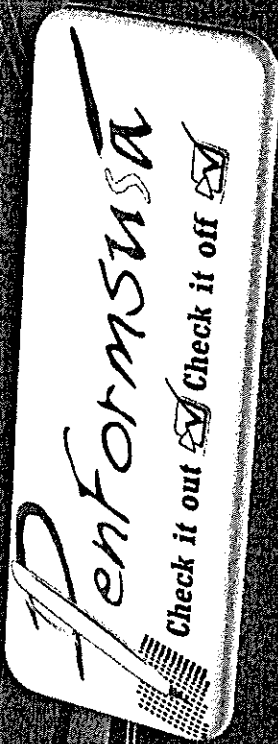
435

The preponderance of evidence, photographic evidence paints the picture clearly and without prejudice.

Judge for Yourself... Case Closed!

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IMPORTANTLY PRODUCTIVITY AND REVENUES

Provo Utah's officers were quick to adopt the system and are more efficient, writing on average 29% more citations per officer using VCitePlus.

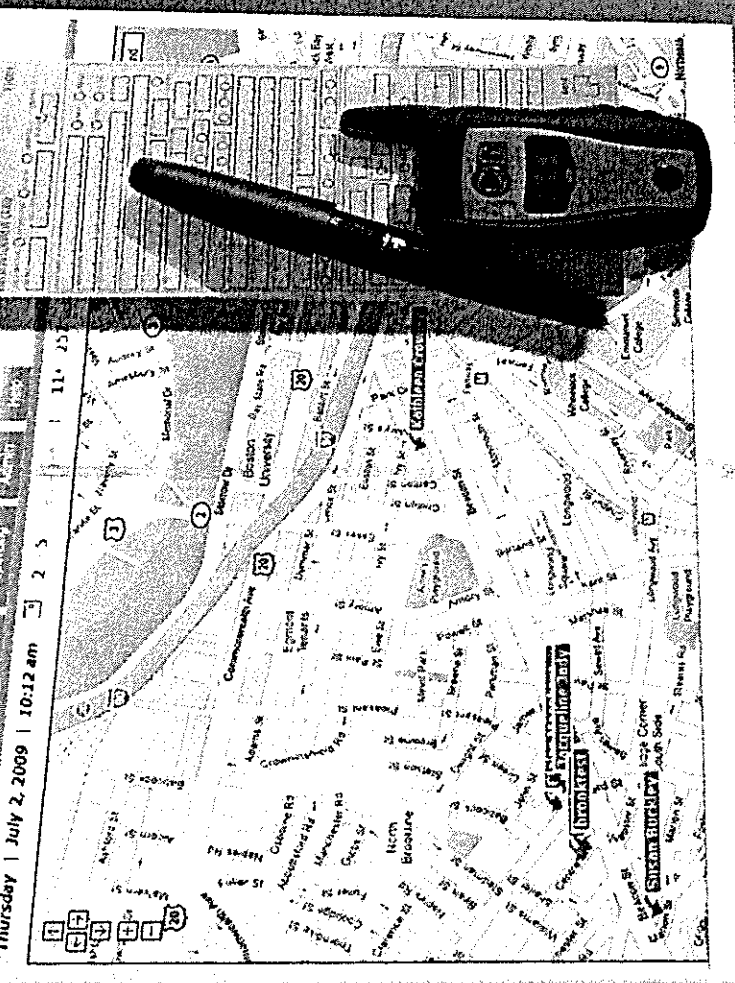
Immediately after the citation is issued, the Justice Court has the citation and it's attached photographic and GPS evidence online. This evidence has dramatically decreased appeals to less than 10% of all issued citations. Today, Provo dismisses less than 1% and reduces less than 3% of all citations.

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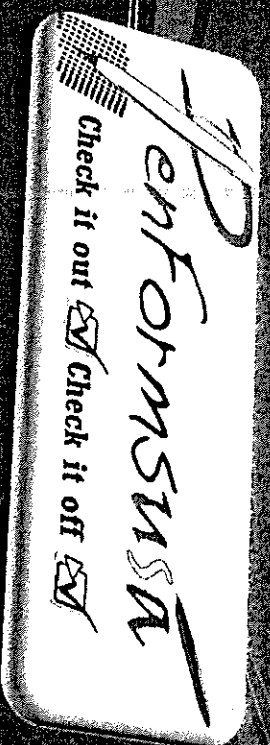


VCitePlus

Writing citations to the web

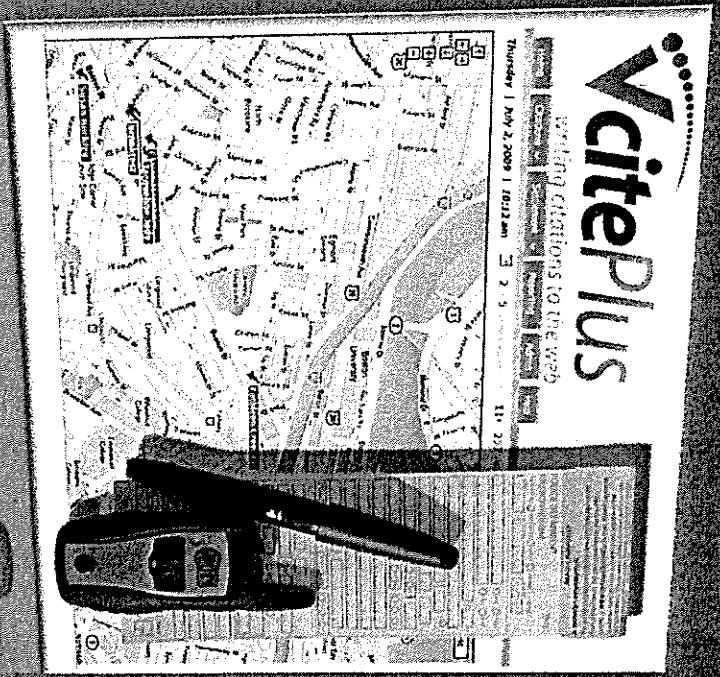


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

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BROADWAY STAGES SUPPORTS GREENPOINT BUSINESS

Providing premier services
to the film and television
industry since 1983

-  BROADWAY STAGES STUDIOS
-  SUPPORTED BUSINESSES

BROADWAY
STAGES

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Brooklyn, New York 11222
Phone: 718 349 9146



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to the film and television
industry since 1983



203 Meserole Avenue
Brooklyn, New York 11222
Phone: 718 349 9146

BROADWAY STAGES STUDIOS

S1	Stage 1	Brooklyn	259 Green Street, Brooklyn, NY
S3	Stage 3	Brooklyn	50 Moultrie Street, Brooklyn, NY
S4	Stage 4	Brooklyn	145 Jewel Street, Brooklyn, NY
S5	Stage 5	Brooklyn	131 Jewel Street, Brooklyn, NY
S6	Stage 6	Brooklyn	182 Diamond Street, Brooklyn, NY
S7	Stage 7	Brooklyn	172 Diamond Street, Brooklyn, NY
S8	Stage 8	Brooklyn	280 Calyer Street, Brooklyn, NY
S10	Stage 10	Brooklyn	287 N. Henry Street, Brooklyn, NY
S11	Stage 11	Brooklyn	370 Greenpoint Ave., Brooklyn, NY
S12	Stage 12	Brooklyn	370 Greenpoint Ave., Brooklyn, NY
S13	Stage 13	Brooklyn	287 N. Henry Street, Brooklyn, NY
S14A	Stage 14A	Brooklyn	370 Greenpoint Ave., Brooklyn, NY
S15	Stage 15	Brooklyn	287 N. Henry Street, Brooklyn, NY
S16	Stage 16	Brooklyn	287 N. Henry Street, Brooklyn, NY
S17	Support Space	Brooklyn	796 Humboldt Street, Brooklyn, NY
S18	Production Offices	Brooklyn	268 Norman Ave., Brooklyn, NY
S19	Loft Stages	Brooklyn	44 Eagle Street, Brooklyn, NY
S20	Stage 20 / Photo Studio	Brooklyn	211 Meserole Ave., Brooklyn, NY
S21	Support Space	Brooklyn	252 Green Street, Brooklyn, NY
S22	Editing Suites	Brooklyn	100 Jewel Street, Brooklyn, NY
S23	Support Space	Brooklyn	313 North Henry Street, Brooklyn, NY
S24	Support Space	Brooklyn	128 Wythe Ave., Brooklyn, NY
S25	Support Space / Parking	Brooklyn	203 Diamond Street, Brooklyn, NY
SD	Stage D	Brooklyn	259 Green Street, Brooklyn, NY
-	Future Stages and Support Spaces	Brooklyn	359 Kingsland Ave., Brooklyn, NY

SUPPORTED BUSINESSES

17	Brooklyn Ready Mix	Brooklyn	470 Scott Avenue, Brooklyn, NY
18	Casanova Restaurant	Brooklyn	338 Mcguinness Blvd, Brooklyn, NY
19	Eagle Street Rooftop Farm	Brooklyn	Eagle Street, Brooklyn, NY
20	Grumpy's Café	Brooklyn	193 Meserole Avenue, Brooklyn, NY
21	Key Food	Brooklyn	224 Mcguinness Boulevard, Brooklyn, NY
22	METRO Fuel Oil Corp.	Brooklyn	500 Kingsland Avenue, Brooklyn, NY
23	Point Deli	Brooklyn	-
24	RK Windows	Brooklyn	215 Norman Avenue, Brooklyn, NY
25	SonoMax Gas Station	Brooklyn	278 Greenpoint Avenue, Brooklyn, NY
26	Mutual Hardware	Long Island City	3627 Vernon Boulevard, Long Island City, NY
27	Maspeth Steel	Maspeth	5910 57th Street, Maspeth, NY
28	Kidz House Entertainment	Brooklyn	259 Green Street, Brooklyn, NY
29	Bridge Furniture & Props	Brooklyn	126 Lombardy Street, Brooklyn, NY
30	A & C Heating Services	Brooklyn	111 Clay Street, Brooklyn, NY
31	A1 Foam Insulation	Brooklyn	35 Williamsburg Street West, Brooklyn, NY
32	Adamex Construction	Brooklyn	644 Humboldt Street, Brooklyn, NY
33	Advance Fleet Maintenance	Brooklyn	75 Frost Street, Brooklyn, NY
34	Allocco Recycling	Brooklyn	540 Kingsland Avenue, Brooklyn, NY
35	Antek	Brooklyn	105 Norman Avenue, Brooklyn, NY
36	Approved Oil Co.	Brooklyn	6741 5th Avenue, Brooklyn, NY
37	Associated Supermarket	Brooklyn	802 Manhattan Avenue, Brooklyn, NY
38	Auster Rubber Co.	Brooklyn	238 North 9th Street, Brooklyn, NY
39	B & H Equipment Rental	Brooklyn	330 North Henry Street, Brooklyn, NY
40	Baker's Dozen Bagels	Brooklyn	788 Manhattan Avenue, Brooklyn, NY
41	BANY	Brooklyn	10-57 Jackson Ave, Long Island City, NY
42	Big Orange Expediting	Brooklyn	231 Norman Street, Brooklyn, NY
43	Billy's Locksmith	Brooklyn	8 Bedford Avenue, Brooklyn, NY
44	Boro Recycling	Brooklyn	269 Green Street, Brooklyn, NY
45	Bruno Truck Sales	Brooklyn	435 Hamilton Avenue, Brooklyn, NY
46	Café Rivera	Brooklyn	830 Manhattan Avenue, Brooklyn, NY
47	Capital One	Brooklyn	807 Manhattan Avenue, Brooklyn, NY
48	Casanova	Brooklyn	338 Mcguinness Blvd, Brooklyn, NY

49	Cinema World Studios	Brooklyn	220 Dupont Street, Brooklyn, NY
50	Costco	Brooklyn	976 3rd Avenue, Brooklyn, NY
51	DISH Network	Brooklyn	40 Willoughby Street, Brooklyn, NY
52	Dumont Burger	Brooklyn	314 Bedford Avenue, Brooklyn, NY
53	Director's Caterers	Brooklyn	284 Meserole Street, Brooklyn, NY
54	E Stone	Brooklyn	508 Morgan Avenue, Brooklyn, NY
55	Eastern Metal Plumbing Supply	Brooklyn	156 Broadway, Brooklyn, NY
56	Egg	Brooklyn	135 North 5th Street, Brooklyn, NY
57	El Encanto Mexican	Brooklyn	1005 Manhattan Avenue, Brooklyn, NY
58	Enids	Brooklyn	560 Manhattan Avenue, Brooklyn, NY
59	Expendables Plus	Brooklyn	91 Moultrie Street, Brooklyn, NY
60	East Coast Lighting	Brooklyn	48 Eagle Street, Brooklyn, NY
61	Fedex Kinkos	Brooklyn	16 Court Street, Brooklyn, NY
62	Forest Natural	Brooklyn	120 Norman Avenue, Brooklyn, NY
63	Fornino	Brooklyn	187 Bedford Avenue, Brooklyn, NY
64	GCM Steel	Brooklyn	454 Troutman Street, Brooklyn, NY
65	Tracking Shot	Brooklyn	211 Meserole Avenue, Brooklyn, NY
66	Greenpoint Home Center	Brooklyn	153 Newell St, Brooklyn, NY
67	Greenpoint Toy Store	Brooklyn	738 Manhattan Avenue, Brooklyn, NY
68	Greenpoint Truck Center	Brooklyn	360 Kingsland Avenue, Brooklyn, NY
69	Home Depot	Brooklyn	585 Dekalb Avenue, Brooklyn, NY
70	IKEA	Brooklyn	1 Beard Street, Brooklyn, NY
71	Imagic Studio	Brooklyn	732 Manhattan Avenue, Brooklyn, NY
72	Kestane	Brooklyn	110-B Nassau Avenue, Brooklyn, NY
73	Luna Lighting	Brooklyn	203 Meserole Street, Brooklyn, NY
74	Liberty Valance & Blinds	Brooklyn	470 Driggs Avenue, Brooklyn, NY
75	Lite Bites	Brooklyn	700 Manhattan Avenue, Brooklyn, NY
76	Lokal Mediterranean Bistro	Brooklyn	905 Lorimer Street, Brooklyn, NY
77	McGuinness Truck & Auto	Brooklyn	201 Mcguinness Blvd, Brooklyn, NY
78	National Grid	Brooklyn	119 Green Street, Brooklyn, NY
79	Optical Warehouse	Brooklyn	764 Manhattan Avenue, Brooklyn, NY
80	Pepe's Tire Shop	Brooklyn	171 Mcguinness Blvd, Brooklyn, NY
81	Petroleum Tank Centers	Brooklyn	236 Butler Street, Brooklyn, NY
82	Pheonix Inc.	Brooklyn	132 Sutton Street, Brooklyn, NY
83	Rite Aid	Brooklyn	723 Manhattan Avenue, Brooklyn, NY
84	Russ Pizza	Brooklyn	745 Manhattan Avenue, Brooklyn, NY
85	Sahara	Brooklyn	837 Manhattan Ave, Brooklyn, NY
86	Sea Thai Bistro	Brooklyn	114 North 6th Street, Brooklyn, NY
87	SMC Stone	Brooklyn	640 Morgan Avenue, Brooklyn, NY
88	SPA Steel	Brooklyn	32 Eagle Street, Brooklyn, NY
89	Sprint	Brooklyn	814 Manhattan Avenue, Brooklyn, NY
90	Standard Architects	Brooklyn	97 North 10th Street, Brooklyn, NY
91	Staples	Brooklyn	652 Meeker Avenue, Brooklyn, NY
92	Stone Supply inc.	Brooklyn	66 Cherry Street, Brooklyn, NY
93	Steel Deck NY	Brooklyn	143 Banker Street, Brooklyn, NY
94	Superior Location Vans	Brooklyn	83 Wythe Avenue, Brooklyn, NY
95	T-Mobile	Brooklyn	771 Manhattan Avenue, Brooklyn, NY
96	Tri State Lumber	Brooklyn	11 West Street, Brooklyn, NY
97	Triple Decker Restaurant	Brooklyn	695 Manhattan Avenue, Brooklyn, NY
98	Urban Rustic	Brooklyn	236 North 12th Street, Brooklyn, NY
99	Vertuccio's	Brooklyn	232 North 12th Street, Brooklyn, NY
100	Vinnies Pizzeria	Brooklyn	148 Bedford Avenue, Brooklyn, NY
101	W.R. Hardware	Brooklyn	720 Manhattan Avenue, Brooklyn, NY
102	Warren Elevator	Brooklyn	227 Eagle Street, Brooklyn, NY
103	Waste Management (BQE)	Brooklyn	75 Thomas Street, Brooklyn, NY
104	Williamsburg Realty	Brooklyn	199 North 7th Street, Brooklyn, NY
105	Martin Greenfield Clothiers	Brooklyn	239 Varet Street, Brooklyn, NY

Testimony from Broadway Stages

My name is Gina Argento and I am the president of Broadway Stages, which is one of New York City's fastest growing full-service Film & Television and Music Video production facilities, comprising of over 16 sound stages and support spaces. The majority of the stages are located in Greenpoint Brooklyn with additional facilities in Long Island City, Queens. As of now, Broadway Stages is host to the following television productions: "The Good Wife" and "Bluebloods" on CBS, "Royal Pains" on the USA Network, "Smash" and "Pants", both on the NBC Network.

As of summer 2011, Broadway Stages has over 1,250 people working on its stages as each television production employs over 250 people (all skilled, union labor) who are earning prevailing wages. The following is a list of the skilled labor that a film and television production employs: actors, directors, set designers, grips, electricians, location scouts, drivers, carpenters, hair & make-up artists, wardrobe stylists, post-production digital artists, casting directors, accountants, art directors, production assistants, stage managers, caterers, camera operators, sound mixers, prop masters, costume designers, tailors, set decorators, and photographers.)

Broadway Stages is keeping with their mission of creating job opportunities and particularly at this time when economic growth for New York City is at a critical point. The parking limitations jeopardize the flow of millions of dollars into New York City. As one of the premier sound stage facilities, Broadway Stages and our clients have to contend with the parking limitations issue on a weekly, if not daily basis. These parking limitations are having an adverse impact on our production clients who are pouring substantial amounts of money into the local Brooklyn economy. Not being able to accommodate these paying clients is tantamount to turning their million-dollar business away, and allowing other areas to capitalize on the opportunity of working with the film and television productions.

Currently, each and every production at Broadway Stages is being affected by the parking limitations and these restrictions have a far-reaching impact on the local economy. At last count, Broadway Stages supports over 110 local Brooklyn businesses, and that is not counting the dozens of vendors in Manhattan, Queens and the Bronx that we do business with on a monthly basis.

Approximately \$10 million dollars per year is circulated by Broadway Stages and its clients just in support of the local small business communities of Greenpoint and Williamsburg. Ancillary services include, lumber, hardware, steel, scaffolding, restaurants and cafés, car service, dry cleaning, office supplies, groceries and fuel.

Broadway Stages has developed an ongoing, good working relationship with the community at large. I sit on the board of the local YMCA and EWVIDCO. My brother Tony Argento is a founding member of the Greenpoint Business Association and we belong to the Brooklyn Chamber of Commerce. Broadway Stages is deeply committed to the neighborhood of Greenpoint Brooklyn. We have built the first-ever fully operational

organic rooftop garden in New York City. Rooftop Farms, located on top of a soundstage in Greenpoint is an energy-efficient roof that grows organic vegetables and provides food to local restaurants as well as supporting a community-supported agriculture program and a farmer's market. Rooftop Farms also hosts a range of farm-based educational programs for neighborhood schoolchildren where they learn about planting, nutrition and composting.

Our neighbors have rented their houses, garages and yards to the location companies to be used for filming. Broadway Stages has supported the Boy Scouts of America as well as the local schools in Greenpoint (PS 100 Monitor and PS132) and has nurtured a strong relationship with Community Board 1 as well. We have also supported initiatives to assist the homeless in Greenpoint and have sponsored yearly block parties for Memorial Day, Fourth of July and other holidays.

We support having the alternate-side parking limitations removed while television shows or movies are being filmed. By allowing alternate side parking regulations to be dismissed during a filmshoot it would create a lot more parking spots for the neighbors to park in. We fully support this solution since it would be good for the film industry and the neighborhoods as well. More film productions shooting in New York City means more jobs being created and more money flowing into the neighborhoods. I thank you for your time. We're looking to work out a compromise and are thankful for your assistance in helping us create a dialogue that will benefit both the City of New York and its neighborhoods as well as Broadway Stages.

Episode #121 "Payback"

BLUE BLOODS

DAILY CALL SHEET

Shoot Day: 2 of 8

Day: Thursday

Apr. 7, 2011

Director: Fred Keller

Crew Call: 12:00P

#	PRODUCTION	Channel	IN	#	MAKE-UP/HAIR	IN	#	TRANSPORTATION	Channel	IN	
1	Director	Channel 1	12:00P	1	Dept. Head Make-Up	11:12A	1	Trans. Captain	Channel 16	O/C	
1	U.P.M.	Thomas J. Whelan	O/C	1	Key Make-Up	11:12A	1	Trans. Co-Captain	Jack Buckman	O/C	
1	1st AD	John Gallagher	12:00P	1	Add'l MU	12:12P	1	15-Passenger Van	James Harkness		
1	2nd AD	Marc Garland	10:15A	1	Add'l MU	2:00P	1	15-Passenger Van	Jim Sweeney		
1	2nd 2nd AD	Joe Aspromonti	11:30A	1	DVD Add'l MU	12:30P	1	15-Passenger Van	Kevin Smith		
1	Add'l 2nd AD	Regina Heckman	10:15A	1	Dept. Head Hair Stylist	10:12A	1	15-Passenger Van	John Cremin	P	
1	Key Prod. Asst.	Angela Cutrone	11:30A	1	Key Hair Stylist	10:24A	1	Escalade Driver	Francis Nugent	E	
1	Prod. Asst. (1st team)	James Feldman	10:15A	1	Add'l Hair Stylist	12:12P	1	Town Car Driver	John Giordano	R	
1	Prod. Asst. (BG)	Lisa Simon	11:30A	1	DVD Add'l Hair Stylist	12:30P	1	Grip Truck	Brett Michel		
1	Prod. Asst. (walkies)	Jon Shaw	11:30A	1	COSTUME DEPT	Channel 1	1	Electric Truck	Steve Meriasian	T	
1	Prod. Asst. (paper)	Nicole Feder	11:30A	1	Costume Designer	Wallace G. Lane, Jr.	O/C	1	Prop Truck	Jim Mahr	R
1	Add'l PA	Marc Graiser	11:30A	1	Asst. Cost. Designer	James Hammer	O/C	1	Camera Truck	John Bess	A
1	DVD PA	Jessica Johnson	12:00P	1	Shopper	Jessica J. Trejos	O/C	1	Set Dress Truck	Billy Gore	N
				1	Costume Coord.	Candice Knox	O/C	1	Set Dress Truck	Tim Cassella	S
				1	Wardrobe Supervisor	Michael Woll	11:30A	1	Grip Rigging Truck	John Laduca	P
				1	Set Costumer	Bega Metzner	11:30A	1	Elec. Rigging Truck	Jim Carnivale	O
				1	Set Costumer	Rene Irwin	11:30A	1	Set Dec Van	Dennis O'Grady	
				1	Add'l Wardrobe	Brenda Rousseaux	2:00P	1	MU/Hair Trailer	Paul Harvey	
				1				1	Wardrobe Trailer	John Hartwig	
				1	Tailor	Anaslacia Julia	O/C		Star Camper		
				1	Costume Dept. PA	Dan Church	O/C		2-Bangers	John Ross/Dusan Zachar	
									2-Bangers	Gary Genneti/Larry Goldstein	
									3-Bangers		
									Honeywagon	John Batista	
									LOCATIONS	Channel 1	
								1	Locations Manager	Collin Smith	O/C
								1	Asst. Locations Mgr	Justin Rosini	O/C
								1	Asst. Locations Mgr	Dennis Voskov	O/C
								1	Location Coord.	Jon Caro	O/C
								1	Location Asst.	Frank Dairo	O/C
								1	Location Asst.	Jess Magee	O/C
								1	Location Asst.	Vernon Rodriguez	O/C
								1	Location Asst.	Jay Abbondanza	O/C
								1	Location Scout	Sarah Crofts	O/C
								1	Location Prod. Asst.	Tom Dunn	O/C
								1	Parking Coordinator	Francisco Marcial	O/C
									SECURITY	Channel 1	
								1	Director of Security	Charles Khalid Yates II	10:50A
									Asst. Dir. of Security		
									Security		
									SECURITY		
									Security		
									MISC. EQUIPMENT		
								1	Steadicam®		
									CONSTRUCTION	Channel 15	
								1	Construction Coord.	Ray Stenzel	O/C
								1	Key Construction Grip	Francis Catalano	O/C
								1	Best Boy Const. Grip	Tom Johnson	O/C
								1	Construction Grip	Richard Galante, Jr.	O/C
								1	Foreman	Mark Nichols	O/C
								1	Key Carpenter	Rudy Pelikan	O/C
								1	Carpenter	William Stenzel	O/C
								1	Carpenter	Bruno Panacciulli	O/C
								1	Stand-by Construction	Charlie Casillo	12:00P
								1	Stand-by Construction	Klaus Schreiber	12:00P
								1	Shop PA	Dave Shupp	O/C
								1	Stage PA	Sal Alaimo	O/C
									PRODUCTION OFFICE		
								1	Prod. Coordinator	Hilary Kehoe	O/C
								1	Asst. Prod. Coord.	Kim Justice	O/C
								1	Asst. Prod. Coord.	Kelsi Russell	O/C
								1	Script Coord.	John Moskowitz	O/C
								1	Office P.A.	Jessie Goldenberg	O/C
								1	Office P.A.	Frank Zwick	O/C
								1	Office P.A.	Richard Haggerty	O/C
								1	Asst. to L. Goldberg	Lucky Teiller	O/C
								1	Burgess/Green Asst.	Ishai Goldstein	O/C
								1	Asst. to J. Raab	Adam Carr	O/C
								1	Writer's Asst.	Andrew Raab	O/C
								1	Writer's PA	Jacqueline Rivera	O/C
									ACCOUNTING		
								1	Prod. Accountant	Jen Cox	O/C
								1	1st Asst. Accountant	Elizabeth Huizinga	O/C
								1	2nd Asst. Accountant	Jenny Gates	O/C
								1	2nd Asst. Accountant	Dan Altieri	O/C
								1	Payroll Accountant	Laura Fearon	O/C
								1	Accounting Clerk	Shawn Tracy	O/C
								1	Accounting Clerk	Julie Solomon	O/C
								1	Accounting PA	Eran Carmelli	O/C
									CASTING		
								1	Casting Director	Beth Bowling	O/C
								1	Casting Director	Kim Miscia	O/C
								1	Casting Associate	Melissa Moss	O/C
								1	Extras Casting Dir.	Jeni Thornell	O/C
								1	Extras Casting Asst.	Robb Fitzgerald	O/C
									POST-PRODUCTION		
								1	Assoc. Prod.	Robyn Feldman	O/C
								1	Post Supervisor	Bari Pearlman	O/C
								1	Post Coordinator	Dan Erickson	O/C
								1	Editor	Charles McClellan	O/C
								1	Editor	Peter Frank	O/C
								1	Editor	Tom Moore	O/C
								1	Asst. Editor	Brice Pullan	O/C
								1	Asst. Editor	Jackeline Tejada	O/C
								1	Asst. Editor	Noah Amos	O/C
								1	Music Supervisor	Brian Jones	O/C
								1	Music Supervisor	Chris Peterson	O/C
								1	Music Editor	Jamie Lowry	O/C
								1	Post PA	Kevin Brown	O/C

TRANSPORTATION		
CP/U S. Mauri @		10:20A
CP/U D. Wahlberg @		10:35A
CP/U Fred Keller @		11:20A
CP/U T. Selleck @		11:30A
CP/U W. Estes @		2:30P
CP/U J. Esposito @		W/N @ 5:00P
Car Service CP/U L. Cariou @		10:30A
Car Service CP/U N. Knepp @		1:30P



BROOKLYN
HEIGHTS
ASSOCIATION

55 Pierrepont Street, Box 17D Brooklyn, NY 11201 (718) 858 9193 info@thebha.org www.thebha.org

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**STATEMENT BY THE BROOKLYN HEIGHTS
ASSOCIATION, NYC CITY COUNCIL COMMITTEE ON
TRANSPORTATION, PUBLIC HEARING, JUNE 22, 2011**

**Int. No. 301 - In relation to requiring the Department of Finance
to dismiss parking violations issued for the failure to display a
muni-meter receipt if the driver provides a valid receipt from
the time the ticket was issued.**

We do not support this bill because we believe that drivers should be responsible for putting the muni-meter receipt in their windshield, which is part and parcel of paying for street parking at a muni-meter. We also see that the bill (all be it unintended by the bill's sponsors) could provide an opening for scammers who could create look-alike receipts to those who are summonsed for failure to display their tickets.

**Int. No. 465 - In relation to requiring parking placards to have a
barcode which would allow traffic enforcement agents to
confirm their validity.**

We strongly support this bill. It is consistent with our long held position against the abuse of parking placards. We have joined Transportation Alternatives in their campaign to clean up permit parking abuses which is a pervasive problem throughout downtown Brooklyn, and which creeps into adjoining streets of Brooklyn Heights, despite the fact that our area was designated some years ago as a No Authorized Parking Zone.

Enforcement has always been a problem, more so after it was taken out of the NYCDOT's jurisdiction and placed under the jurisdiction of the NYPD Traffic Division. It's unrealistic to rely on cops to enforce law enforcement permits, whether they're bogus or valid. If traffic enforcement personnel carry bar code scanners, we might live to see the bogus placards becoming a thing of the past.

It would be even more effective if the bar code technology were advanced to check the validity of a particular placard for a given space in the street. This would provide a much greater degree of enforcement.

The Brooklyn Heights Association applauds your committee for taking up this cause and we urge you to adopt this legislation. We believe that this bill is a very valuable step in the right direction, and we sincerely hope that State and Federal Agencies, particularly the State Department of Justice placard carriers and Federal Law Enforcement placard carriers cooperate by also adopting the bar code.

Proposed Int. No. 231-A - In relation to requiring photographs to be included with certain notices of violation for parking violations.

We support this bill as a pilot, as proposed. We favor it as a means to move the Traffic Division towards electronic record keeping. Jpegs or the like could easily be part of the electronic record of the types of violations listed in the bill. Photographs could reduce the number of ticket protests by creating direct evidence of violations.

Proposed Int. No. 372-A - In relation to the suspension of alternate side of the street parking rules on blocks adjacent to filming.

There is much to be in favor of this legislation, if it can provide relief to neighborhoods where the Alternate Side Parking regulations predominate and where filming occurs with regularity. The ASP regulation is intended to provide windows of time in which the City's Sanitation Department can clean the streets and we are pleased to see that this legislation has a limit of 7 days so that streets do not become filthy as a consequence of relaxing the regulation during film shoots.

In Brooklyn Heights, nothing angers residents more than being forced to circle the neighborhood for an hour or more in search of street parking when everywhere they turn they find a movie shoot either in production or pending arrival. The Mayor's Office of Filming issues permits a few days before a film shoot actually takes place but IN ADVANCE of the shoot, location scouts will arrive and post signage to restrict parking in order to give the public adequate notice. That is the nature of this business.

Our neighborhood is always a popular film location due to the popularity of the Brooklyn Heights Promenade. A shot taken from any street with views of the Manhattan skyline sets the film in New York City. But we have also, and often, doubled for Boston and Washington, DC's Georgetown neighborhood. So we know all about filming and its effect on residential quality of life. That said, we also recognize that the city reaps benefits from it.

It is not uncommon for us to be "hosting" more than one movie, or TV commercial or show at a time in our small neighborhood, and my office will spend hours doing what can only be described as damage control, fielding complaint calls and advising the Mayor's Film Office about mitigations. We know our neighborhood better than they do.

But this bill will not address the film parking takeovers in the Brooklyn Heights Historic District because our streets are not regulated by the ASP rules to which this legislation applies. Instead, our streets, which are extremely narrow, are, and MUST continue to be, regulated by the No Parking From 8 AM to 6 PM rules. The No Parking from 8 AM to 6 PM rule is a SAFETY regulation, which permits parking only on one side of the street at a time. When you park your car on most blocks of Brooklyn Heights, it can remain in place for 6 out of 7 days a week. This regulation also allows greater flexibility for Sanitation Department service but it is in place for safety purposes, and enforcement of it is a top priority for the Brooklyn Heights Association. Emergency vehicle access must come first before a parking space.

Our concern about this proposed Intro 372 is that it could have the unintended consequence of adding to confusion that already exists in the minds of both drivers and enforcement personnel as well as film production employees who do not know the difference between an ASP regulation and the No Parking from 8 to 6 PM regulation. And, we are using this platform to emphasize the safety provisions implicit in our signage and to call your attention to the hazards created when cars are parked on both sides of our very narrow streets, which were laid out in the 19th century for carriages not cars. We are rightfully concerned that this bill, if not understood by film personnel and others responsible for its enforcement, could cause a problem by impeding emergency access when drivers park on both sides of the street and someone double parks only for a few moments.

It makes us uncomfortable that it will be film personnel who are responsible for posting the signs that open up parking where it would otherwise not be permitted. While it may be outside this bill's purview to provide for it, license plate scanning of film vehicles would be a welcome provision to prevent parking of personal vehicles by production people. We would also recommend that there be police or traffic control oversight of any postings, after the actual permit approval, knowing that the actual permit sometimes reduces the amount of parking originally requested by the production companies.

In closing, we therefore urge this bill's sponsors and most especially the Mayor's Film Office to ensure that film personnel understand and abide by the no parking from 8 AM to 6 PM regulations wherever they exist in order for our streets to remain open and safe.

Preconsidered Int. No. 609 - In relation to allowing for an electronic signature for persons who contest a parking ticket online.

We support this bill. Electronic signatures are an acceptable standard and should be accepted by the City.

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NY City Council Committee on Transportation

Subject: Hearings

Re: Testimony by Ken Thorpe, Chairman of the NY Trucking & Delivery Association

Dated: June 22, 2011, scheduled 10:00AM

Good morning/afternoon,

My name is Ken Thorpe and I am the Chairman of the New York Trucking & Delivery Association, representing over 450 delivery, trucking, and service companies that operate in the City of New York. These are the people who bring us everything upon which our lives, businesses, and even this local government depend upon. Together our members represent tens of thousands of workers and the vehicles that bring us goods and services; our economy depends on it.

I want to thank the Council for the invitation to attend again and testify at this hearing.

First, let me begin by stating that I support the legislations proposed that are on the table today. My members alone have received about a half a million parking tickets in the last few years, despite our rigorous "Best Parking Practices" seminars, so I know a little something about this. I want to briefly go over each proposed bill with you for the record, and where I have comments or suggestions I will state those, also briefly. Once completed, I will be happy to answer any questions you may have.

Quickly, I want to recognize the members of this Council for the efforts they are making to bring back a semblance of fair play and accountability to parking ticket issuance and the policies that surround them. The need for revenue must be based on income producing policies, never on summons issuance. Finance cannot drive legal process or its outcomes.

Int. No. 231-A (Local law; requiring photographs)

Comments:

I agree with the bill with the following being added to the existing legislation language: The use of cameras to photograph alleged violations should always be in addition to a written (hand or PTD) summons and never stand on its own as notice of violation as is the case with camera violations for Red Light or Bus Lane violations.

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Such photographic evidence does not unto itself constitute a violation where other rules and/or regulations may apply, particularly commercial vehicle exceptions under 4-08 of the Traffic Rules and regulations that were enacted to facilitate commerce.

Within the spirit of this proposed bill, I respectfully ask the drafters of this bill to consider adding the following amendment to this bill: a local law to abolish Special Midtown rule under Traffic Rules: Title 34, Chapter 4, Section 4-08 (I) (Midtown Double Parking). This rule would abolish Section 4-08 (I) from the regulations and allow Double Parking rules sect_4-08 (f) (1) stand in its place, and thus the latter would be in force in midtown as it is in all other areas of the City of New York. It is understood that midtown is crowded but many other areas of Manhattan and the other boroughs have similar problems. Deliveries must be made, including to midtown. The Midtown Double Parking rule is effectively a forced penalty for businesses serving the needs of this community and an antiquated and unfair practice that impedes commerce. NYC needs to support income and job-creating businesses so that it will depend less on fines as revenue.

Int. No. 301 (Local law; dismissal of violations for Failure to Display Muni-Meter Receipts)

Comments:

I fully agree that the receipt should be acceptable evidence and require dismissal. In addition, I would add the following: Traffic agents' PTD must be synced at each machine prior to writing the summonses for vehicles that have expired meters. Too often we see the time stamp on the purchased receipt not matching the time on the ticket, causing a violation to appear where it did not exist. Please see the attached exhibit at the end of this document.

Int. No. 465 (Local law; parking placard barcode)

Comments:

I wholly agree; this is needed to effectively stop the abuse of placards which is rampant. I have nothing to add.

Int. No. 44-A (Local law; one day parking permits)

Comments:

I have no issue with the pilot program and look forward to the data that result from these tests.

Int. No. 372.A (Local law; suspension of alternate side parking rules – filming)

Comments:

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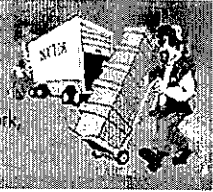
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I agree that we need to encourage all forms of income-producing business and shore up our economy with such income-producing activity instead of relying of the issuance of fines. This includes encouraging commerce in the form of the film industry. That being said, the resultant loss of parking spaces to the community must be addressed as it is in this bill.

Preconsidered Int. No. *not assigned* (late fees on parking fines)

Comments:

I agree and add that an accurate method of determining "the time a person has been informed" must be ascertained, as often the department generates forms with a date that has no relation to the actual mailing date.

Preconsidered Int. No. *not assigned* (Elec. Sign.)

Comments:

I assume that this proposal has been submitted by the Department of Finance relative to its internet-based adjudication system. It is my opinion that no internet-based adjudication system can operate legally without this provision. I am unable to comment further at this time on anything related to this system as NYTDA has related issues that may be heard in the future by another body.

In closing, our industry has a prime objective, very similar to that of this council, to serve the public and the businesses that operate in New York City and to enact solutions for the betterment of our city. I want to thank the Council and those in attendance today for the opportunity to testify to this end.

I would be happy to answer questions at this time.

Thank you.

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The City of New York
 Notice of Parking Violation

THE NYC DEPARTMENT OF TRANSPORTATION MUST RECEIVE YOUR RESPONSE TO THIS NOTICE WITHIN THIRTY (30) DAYS FROM THE DATE OF OFFENSE OR PENALTY WILL BE SUBJECT TO AN ADDITIONAL \$100 PENALTY. YOU MAY REQUEST BY MAIL TO CORRECT THE VIOLATION FROM IN PERSON FAILURE TO ANSWER AS REQUESTED WILL BE DEEMED AS ADMISSION OF GUILTY. ADDITIONAL PENALTIES WILL BE CHARGED AND A DEFAULT JUDGMENT MAY BE ENTERED AGAINST YOU VEHICLES OWNED BY PERSONS WITH OUTSTANDING DEFAULT JUDGMENTS MAY BE TOWED.

Permit Displayed	Permit Number	Type
N/S	N/A	N/A
Name of the Operator, if present. If not present: OWNER OF THE VEHICLE BEARING LICENSE		

Plate	COI Exp. Date	State	Plate Type
26232UJ	7/06/12	NY	COM
Make	Color	Year	Body Type
FORD	WHT	2006	VAN
VIN #			

THE OPERATOR AND OWNER OF THE ABOVE VEHICLE ARE CHARGED AS FOLLOWS
 In Violation of Sect. 4-09 (Subsect. Below) of NYC Traffic Rules
 Exp Multi-Mtr Com Mtr Zn (h) (10)
 DAYS/HRS: MON-FRI/7A-7P
 Place of Occurrence
 Front Of 387 Park Ave South

VC /	Factor #	Operational	Limit	County	Pct
42	144-6899	Y	3 Hr	NY	017
Date/Time of Offense		Date/Time 1st Observed			
06/07/11 05:56PM				N/A	

Complainant's Comments:
 receipt expired at 5:42 pm

FINE AMOUNT: \$65.00

Agency	Command	Fax Reg #
TRAFFIC	T-102	355593
Complainant's Name		
KELLY E		
Signature of Complainant		

Notice after receipt of notice: Please read this notice carefully. If you are charged with a violation, you must respond to this notice within 30 days of the date of the violation. If you do not respond, a default judgment may be entered against you. If you do respond, you must provide the information requested. If you do not provide the information requested, a default judgment may be entered against you. If you do provide the information requested, a default judgment may not be entered against you. If you do not provide the information requested, a default judgment may be entered against you. If you do provide the information requested, a default judgment may not be entered against you.

X *JK*

SEE REVERSE SIDE FOR IMPORTANT INFORMATION

NYC DEPARTMENT OF TRANSPORTATION
 NEW YORK CITY
 MACHINES NOT PAID
 START TIME
 06/07/11 05:56 PM
 EXPIRATION TIME
 06/07/11 07:00 PM
 EXPIRATION DATE



0-1-1598850582

**TESTIMONY OF THOMAS J. HILLGARDNER
EXECUTIVE DIRECTOR
NEW YORK CITY PARKING JUSTICE LEAGUE**

I am the Executive Director of the New York City Parking Justice League (NYCPJL), a nonprofit civic league advocating for the interests of persons who own motor vehicles that are operated in the City of New York. Thank you for holding these hearings and providing us this opportunity for you to hear our views with respect to the seven proposed pieces of legislation.

Getting a parking ticket is the most common way that most New Yorkers come into contact with the justice system. The reputation for fairness in parking ticket hearings held before the Parking Violations Bureau (PVB) is at an all-time low. It is fair at this point to characterize the PVB as a rogue agency because it disregards the requirements of state law in operating a PVB. While Section 236 of the Vehicle and Traffic Law provides for the senior and supervising hearing examiners (who sit as the Appeals Board) to be responsible for the management of the adjudications side of the PVB and the Director to be responsible for the administrative side, there has not been a Director of the PVB in more than ten years and the Appeals Board has been consolidated into the title "Chief" Administrative Law Judge (ALJ), a title not mentioned in the Vehicle and Traffic Law. By eliminating the powers of the Appeals Board, the Department of Finance is able to more readily exercise its influence over the adjudications side of the PVB through its power to hire and fire the Chief ALJ, who does not enjoy civil service protections and makes more than \$150,000 annually. They get a very loyal employee in the bargain. Then, the Department of Finance (DOF) gets the Chief ALJ to train all ALJ using adjudications guidelines adopted by DOF's Office of Legal Affairs. Thus, the lawyers for the agency responsible for city revenue collection are able to impose their interpretation of the parking rules and Vehicle and Traffic Law on the PVB ALJs, and the PVB ALJs are unable to exercise their independent judgment. Moreover, the Appeals Board is stripped of its power to judge the law and the facts based on their own legal training and their independent judgment, and their decisions do not make binding precedent. The concept of precedent is nonexistent in the PVB. There is just the DOF adjudications guidelines and the only question in any appeal is whether the appeals panel agrees that the ALJ who originally determined the case properly decided the case in accordance with the DOF uniform guidelines for adjudications.

The problem with this approach to adjudication of parking tickets is that the majority of these guidelines disregard court precedent, court orders, and the state Vehicle and Traffic Law. Corporation Counsel protects this system by ingeniously scuttling inconvenient Article 78 proceedings to avoid judicial scrutiny of its illegal conduct. *See, e.g., Matter of Ko v. City of New York, Dept. of Finance, Parking Violations Bur.*, 28 Misc.3d 603, 607-608 (Sup. Ct., N.Y. Co., 2010). In this manner the City is able to keep its unlawful guidelines in place. Indeed, even when they lose Article 78 proceedings that should colaterally estop them from continuing to enforce certain interpretations of the parking rules and the Vehicle and Traffic Law, they just disregard them. *See, e.g., Memorandum of Beth Goldman & Ellen Young to Chief ALJ Mary Gotsopoulis* (June 22,

2010). The best example of this, though there are many and this is only one, is a rule of law that is applied in every single case where the ALJ reaches the merits of the parking ticket (which is the vast majority of the approximately 1,000,000 parking ticket adjudications held annually). That rule of law concerns the burden of proof. The PVB ALJs are trained to apply a presumption of truth to the facts contained in a parking ticket. Thus, at a hearing motorists are required to "persuade" the ALJ that the facts are other than those set forth in the parking ticket. This is improper. The proper balancing of the burden of proof is as follows:

In a hearing before a parking violations bureau established in substantial conformity with Article 2-B of the Vehicle and Traffic Law, "[n]o charge may be established except upon proof by substantial evidence." 62A *McKinney's Veh. & Tr. L.* § 240(2)(b) (Supp. 2011); *compare* 19 RCNY § 39-08(e) (2008). This requires that the charge be established by a fair preponderance of the credible evidence. *Matter of Silverman v. Appeals Board of the Parking Violations Bur.*, 100 A.D.2d 778, 779 (1st Dept. 1984). "[T]he jurisdictional validity of the initiating accusatory instrument must appear before any burden of responsive pleading or proof shifts to the alleged violator." *Matter of Wheels, Inc. v. Parking Violations Bur. of the Dept. of Transp. of the City of New York*, 185 A.D.2d 110, 111-112 (1st Dept.) *aff'd* 80 N.Y.2d 1014 (1992). And while the parking ticket itself constitutes prima facie evidence of the facts contained therein, *see*, 62A *McKinney's Veh. & Tr. L.* § 238(1) (Supp. 2011); 19 RCNY § 39-08(f)(4) (2008), "it does not create a presumption of guilt; it merely shifts to the defendant the burden of going forward with evidence." *Matter of Gruen v. Parking Violations Bur. of the City of New York*, 58 A.D.2d 48, 50 (1st Dept. 1977) quoting *Matter of Heisler v. Atlas*, 69 Misc.2d 911, 913-914 (Sup. Ct., N.Y. Co., 1972). If the petitioner submits testimony refuting the charges that is "not patently incredible," then the summons must be dismissed absent the submission of additional evidence by the City to meet its ultimate burden. *Matter of Young v. City of New York, Dept. of Finance, Parking Violations Adjudications*, 18 Misc.3d 1114(A), NY Slip Op 51460(U) (Sup. Ct., N.Y. Co.); *see, Gruen, supra; Heisler, supra.*

This standard has not been applied at any PVB hearing in decades, assuming that it ever was. Last October, the Hon. Emily Jane Goodman, J.S.C., wrote an article in the *Gothamist* expressing her observation that notwithstanding the above-controlling case law, the PVB ALJs completely disregard it and require parking ticket respondents to "persuade" the ALJ that the facts contained in the parking ticket are not true.

Shifting the burden of proof on to the shoulders of the motorist is perhaps the most profound impropriety because it happens in almost every PVB hearing. But there are many other more illegal case-specific rules of decision that are inconsistent with precedent. The City makes tens or hundreds of millions of dollars annually because they disregard the law. And then there is the 800-lb. gorilla in the room: the requirement enunciated by the Appellate Division, First Department in *Matter of Wheels, Inc., v. Parking Violations Bur. of the Dept. of Transp.*, 185 A.D.2d 110, 111-112 (1st Dept.) *aff'd* 80 N.Y.2d 1014 (1992), that a prima facie case must first appear before any burden of pleading or proof shifts to the owner of the motor vehicle. Thus, the vast majority of default judgments entered on parking tickets are entered in violation of controlling case law where no prima facie inspection ever is performed on a parking ticket that remains unanswered after 100 days prior to entry of judgment. Of course, the City does not want to do this because it is time consuming, it would cut into the City's profit margin, and reduce its revenues. And perhaps the City would choose to seek legislation in Albany to change the controlling law. But it has not done so and chooses merely to violate the present law by entering those default judgments without making the prima facie case inspection.

Add to these issues that the City for forty years illegally required motorists to pay their parking ticket as a condition precedent to the right to appeal, *see, Matter of Meyers Van Lines, Inc. v. City of New York, Dept. of Finance, Parking Violations Bur.*, (unreported decision, 3001067832008004SCIV.pdf) (Sup. Ct., N.Y. Co., 2009) (Tolub., J.), has extant a policy permitting sewer service of parking tickets, *see Matter of Ko v. City of New York, Dept. of Finance, Parking Violations Bur.*, 28 Misc.3d 603, 607-608 (Sup. Ct., N.Y. Co., 2010); *Memorandum of Beth Goldman & Ellen Young to Chief ALJ Mary Gotsopoulos* (June 22, 2010); has not issued a subpoena in more than twenty years; and never provides motorists requesting a transcript of their parking ticket hearing with a transcript. Each one of these motorists rights is a statutory requirement found in Article 2-B of the Vehicle and Traffic Law, which essentially is the PVB's constitution. PVB simply ignores these legal requirements.

Add to this these issues the problems on the issuance side including the enforcement of productivity goals and you have a perfect storm that explains the level and quantity of hatred directed at this agency but the media and the public generally.

So with these kinds of issues facing motorists, the New York City Parking Justice League thinks that most of the proposed legislation is missing what the big problems are with parking tickets. What really needs to happen is that the City Council has to declare war on the corruption at the PVB and the blatant fixing by the DOF of the parking ticket adjudications through its destruction of the statutory powers of the Appeals Board, and consolidation of power in the hands of the Chief Administrative Law Judge. The NYCPJL believes that legislation abolishing the job titles of Chief ALJ and Deputy Chief ALJ and requiring the senior and supervising ALJs to collectively manage the adjudications side of the PVB could go a very long way to restoring the independence of PVB ALJs.

With that said, we address our comments to the specific legislation presently proposed.

Proposed Intro 44-A: creating one-day parking permits. This is a good idea, although we are concerned that more parking permits are hitting the streets when the number of permits already is problematic. The NYCPJL would like to see legislation addressing parking permit abuse, much of it rampant right here in the civic core under our very noses.

Proposed Intro 231-A: requiring photographs to be included with certain notices of violation for parking violations. The NYCPJL is strongly opposed to this legislation. When DOF finishes its uniform training of its ALJs on this new legislation, we believe this provision will end up being twisted so that it is used against motorists. With the prevalence of cell phones, most motorists finding a parking ticket on their windshield when they return to their car are capable of taking their own pictures. And while we understand that there might be some merits to the proposal, we believe that on balance this photograph requirement will be detrimental to drivers.

Intro 301: requires dismissal of parking ticket issued for failure to display Muni-Meter receipt when motorists produces a Muni-Meter receipt showing that parking was purchased for time shown on NOPV. The NYCPJL wholeheartedly supports this sensible and reasonable legislation.

Intro 372: suspends ASP regulations on blocks "adjacent to" where film crews are shooting. This is a well-intentioned piece of legislation that will have a very minor, yet positive impact on a few motorists. Since the legislation relies on the film crews for posting the suspension notices, expect litigation over where the film activity is taking place and whether a particular parking space is covered by the exemption. Because we feel this legislation might not work very well despite its intentions, the NYCPJL is neutral on this legislation.

Intro 465: requiring parking placards to have a barcode so that traffic enforcement agents can confirm their validity. We have doubts as to the feasibility of this law. The handheld scanners already fail when it rains due to light bending. We see problems scanning permits laying on dashboards through slanted windshields and see this law as inventing a new way to ticket people with legitimate permits. Already the City trains its ALJs (again, in violation of state law) to sustain parking tickets that omit the mandatory element of the registration expiration date, *see, Matter of Ryder Truck v. Parking Violations Bur. of the Dept. of Transp.*, 62 N.Y.2d 667 (1984), and allow them just to enter "N/S - Rain" in lieu of the registration expiration date. The DOF already makes it more burdensome for disability permit holders to obtain adjudications on parking tickets when they present their parking permit as a defense by denying them the right to a walk-in hearing and compelling them to illegally photocopy the permit. We are afraid that this legislation will create another new excuse to sustain parking tickets against legitimate permit holders. We have better ideas than this to crack down on parking permit abuse, such as towing the vehicles of all persons who display photocopies of permits, increasing

traffic agent training as to what permits are valid, and making all permits uniform in design.

Intro. 609: allows for an electronic signature for persons who contest a parking ticket online. In *Young v. City of New York, Dept. of Finance, Parking Violations Bur.*, 16 Misc.3d 1117[A], 2007 NY Slip Op 51460[U] (Sup. Ct., N.Y. Co.), Judge Goodman wrote:

"respondent affirmatively invited written testimony to be submitted through its website. All such statements are of necessity unsworn, and under the standard respondent proposes the sworn summons would always prevail. Under this standard, compliance with respondent's online procedures would be rendered an exercise in futility, a result which would constitute a gross violation of the driving public's due process rights and would be an illusory alternative to a paper or in-person response."

2007 NY Slip Op 51460[U] *3

Thus, it already is the law that a signature is not required. The Council perceives this not to be the case because the reality is that the PVB disregards that it is colaterally estopped by Judge Goodman's decision from training its ALJs to uphold summonses when the persuasiveness of the testimony contained in an online submission is discounted as unsworn. Thus, the NYCPJL opposes this legislation as it is unnecessary. What is necessary is oversight to make sure that the PVB ALJs are trained in accordance with the law - not in accordance with the views of the City's revenue agency.

Intro 610: providing that additional penalties would not accumulate on an adjudicated parking ticket until 30 days after the decision upholding the parking ticket. Given the problems that we are aware of over at the Appeals Board, we would propose to widen this language as follows: "and provided further that if the owner or operator files a timely notice of appeal from the decision of the hearing officer, that no penalties shall accumulate until the appeal is decided." Moreover, while regulations may differ, it already is the case in practice that PVB does not impose penalties until 30 days after an ALJ determination. Every decision and order contains such a notice.

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///

CONCLUSION

The NYCPJL urges the City Council to conduct more scrupulous oversight over the PVB and to pass legislation to end the reign of the Chief ALJ, a position that exists in derogation of the organization of the PVB set forth in the Vehicle and Traffic Law. This is not an issue of whether we should make the City more car-friendly, bicycle-friendly, or pedestrian-friendly. The only issue here is whether having decided to allow people to park on city streets, we will treat the owners of motor vehicles fairly in adjudication of their parking tickets. Thank you for considering our views.

Sincerely,

Thomas J. Hillgardner
Executive Director
New York City Parking Justice League

**STATEMENT OF AAA NEW YORK, INC.,
BEFORE THE NEW YORK CITY COUNCIL
COMMITTEE ON TRANSPORTATION
NEW YORK, NY
June 22, 2011**

My name is Jeffrey A. Frediani, I am a legislative analyst with AAA New York. AAA New York serves more than 1.6 million members residing in the City of New York and adjacent counties of New York State.

As proposed in Intro 301, drivers would have the opportunity to have a violation dismissed should they be able to provide proof that a valid muni-meter receipt was purchased. Allowing drivers to submit proof both in person and by mail would help drivers avoid unnecessary trips to Department of Finance offices to adjudicate tickets. With the city expecting nearly \$700 million in revenue from parking tickets and meters in this fiscal year, implementing such a small change will allow drivers to prove their innocence without having to sacrifice additional time and money to contest tickets in person.

Intro 465, requiring all parking placards issued by the Department of Transportation have a barcode to validate identity, is another commonsense step towards addressing the widespread public abuses by individuals misusing placards to park on the city's streets. According to an April article in the *Daily News*, in a three-year crackdown on placards, the NYPD towed 6,000 vehicles and wrote 28,000 tickets. Giving traffic enforcement agents the ability to confirm the identity of a parking placard instantly will assist enforcement staff in identifying valid parking permits, and will continue to aid in the enforcement of phony placards.

We also support proposed Intro 372-A, suspension of parking regulations during periods of filming. With city drivers having to navigate streets with a plethora of parking rules and regulations, this proposed bill would ease parking worries for those who have normal parking regulations interrupted by filming. As with some of the other proposed legislation, it would help prevent drivers from having to make trips to adjudication offices to fight tickets.

While discussing parking tickets, it is important to note another piece of legislation, Intro 610, which would prevent late payment fees from being added to a contested violation that has been upheld unless thirty days have elapsed. This is only fair to drivers, since currently fines can start accumulating just seven days after a violation is upheld.

We also support Intro 231-A, authorizing a pilot program to include photographs with certain violations. We believe that adding photographic evidence to an alleged violation would show the context of the violation and would therefore eliminate any question of guilt.

As previously mentioned, the city is expecting nearly \$700 million in revenue from parking meters and violations this fiscal year. Drivers continue to be a top revenue source for the city, and implementing small, commonsense measures to make parking easier is a simple gesture to make for drivers.

Thank you for the opportunity to comment.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

44A

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Negous Shawn Clark

Address: 636 Brooklyn Avenue

I represent: Community board 9

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

372A

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Rolf Carle

Address: 103 MILTON ST

I represent: my self

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 372 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Judy Stanton

Address: 52 Garden Place

I represent: Brooklyn Height Association

Address: 55 Pierrepont Street

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 372A Res. No. _____

in favor in opposition

Date: June 22, 2011

Name: Gina Allegretto (PLEASE PRINT)

Address: 203 Merside Ave.

I represent: Broadway Stages

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 231A Res. No. _____

in favor in opposition

Date: _____

Name: SUSAN Petito (PLEASE PRINT) Asst. C. Insp. In the Department of

Address: 1 Police Plaza AFFAIRS

I represent: NYPD

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. All Res. No. _____

in favor in opposition

Date: 6/22/11

Name: KEN THORPE (PLEASE PRINT)

Address: 1706 Sheepshead Bay Rd Bklyn

I represent: The NY Trucking + Delivery Assoc

Address: 1706 Sheepshead Bay Rd Bklyn

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 465 Res. No. _____

in favor in opposition

Date: June 22, 2011

(PLEASE PRINT)

Name: Peter Krashes

Address: 638 DEAN ST, BKLYN, NY

I represent: Dean St. Block Assn 11238

Address: 638 Dean St. BKLYN, NY 11238

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0044 Res. No. 2010

in favor in opposition

Date: 6/22/2011

(PLEASE PRINT)

Name: Allev Golaw

Address: 310 Walton Ave Bronx, NY

I represent: Schleppers Moving & Storage

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0044 Res. No. 2010

in favor in opposition

Date: 6/22/2011

(PLEASE PRINT)

Name: Dan Meixchiwi

Address: 239 5th Street Brooklyn NY

I represent: A-Santwi Inc

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 465 Res. No. _____

in favor in opposition

Date: 6/22/11

Name: KEN DIRCKS (PLEASE PRINT)
Address: 9 NASSAU RD, LARCHMONT NY
I represent: NEW YORK ONSHORE
Address: 9 NASSAU RD, LARCHMONT NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 301, 465 ^{5721610, 231} Res. No. _____

in favor in opposition

Date: 6/22/11

Name: Jeffrey Friedman (PLEASE PRINT)
Address: 1415 Kellum Place, Garden City, NY 11530
I represent: AAA NY
Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 44-A et al Res. No. _____

in favor in opposition

Date: _____

Name: Thomas Hillgardner (PLEASE PRINT)
Address: 82-63 V170 Street Jamaica NY 11432
I represent: New York City Parking Violations Justice League
Address: " All

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 465 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Jonathan Kalkin

Address: 405 main St Apt 8F NY, NY 10014

I represent: ~~West~~

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 415 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Peter Kravitz

Address: Dean St Civic Association

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

44A 272
231 610

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

with recommendation of _____ Date: 6/22/10

(PLEASE PRINT)

Name: JAMES CANNINGS

Address: 400 2nd Ave NYC

I represent: Self and other Tenants @ address

Address: Same as above

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 465 Res. No. 1

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Paul Stealy White

Address: 127 W 26 St #10002 NYC 10001

I represent: T.A.

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. all Res. No. _____

in favor in opposition

Date: 6/22/11

(PLEASE PRINT)

Name: David Woloch

Address: 55 W 4th St

I represent: NYC DOT

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 301, 370, 609, 610 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Mary Gotsopoulos Chief ACT

Address: 66 John St

I represent: DOF

Address: 1 Centre St

▶ Please complete this card and return to the Sergeant-at-Arms ◀

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0044 Res. No. 2010

in favor in opposition

Date: June 22 2011

(PLEASE PRINT)

Name: John Tarko

Address: 101 Fifth Ave Garden City Park

I represent: Moving Ahead Moving & Storage NY

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 044 Res. No. 2010

in favor in opposition

Date: 6/22/2011

(PLEASE PRINT)

Name: Robert Koncelik Jr

Address: 114-02 15th Ave College Park NY

I represent: Universal Moving & Storage

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 044 Res. No. 2010

in favor in opposition

Date: 6/22/2011

(PLEASE PRINT)

Name: Mark Matter

Address: 122 Springhurst Dr E. Greenbush NY

I represent: _____

Address: New York State Movers & Warehouse Association

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 6/22/11

(PLEASE PRINT)

Name: JAMES HUNTLEY

Address: 108-18 QUEENS BLVD

I represent: UNIFORM TRAFFIC / SOUTHWEST ENFORCEMENT

Address: CWA Local 1182

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 0044-2010 Res. No. _____

in favor in opposition

Date: 6/22/11

(PLEASE PRINT)

Name: DAVE BACKMAN

Address: 4 MYRTLE ST BOSTON MA 02114

I represent: PERMIT PULLER, INC

Address: 328 B TREMONT ST BOSTON MA 02114

Please complete this card and return to the Sergeant-at-Arms