

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 1994**

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**No. 25**

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Introduced by Council Members Berman, Pagan, Fisher and Abel (by the request of the Mayor); also Council Member Rivera. Passed under a Message of Necessity by the Mayor.

**A LOCAL LAW**

**To amend the New York City charter and the administrative code of the city of New York, in relation to the consolidation of the parking violations bureau into the department of finance, and to repeal paragraph 16 of subdivision a of section 2903 of such charter in relation thereto**

*Be it enacted by the Council as follows:*

Section 1. Section 1502 of the New York city charter, as added by local law number 30 for the year 1977, is amended to read as follows:

§1502. Deputies. The mayor may appoint three deputy commissioners. The commissioner and deputy commissioners shall provide a bond. *The first deputy commissioner shall supervise and be responsible for the operations of the parking violations bureau.*

§2. Section 1504 of the New York city charter is amended by adding a new subdivision 4 to read as follows:

4. *Parking violations bureau. The department shall operate and control the parking violations bureau. The commissioner shall appoint the director of the bureau, deputy director and all other officers and employees of the bureau, and hearing examiners.*

§3. Section 2902 of the New York city charter, as amended by vote of the electors at the general election held on November 8, 1988, is amended to read as follows:

§2902. Deputies. The commissioner may appoint [four] *three* deputies, one of whom shall be in charge of highway operations and be a licensed professional engineer in good standing under the education law. [The first deputy commissioner shall supervise and be responsible for the operations of the parking violations bureau.]

§4. Paragraph 16 of subdivision a of section 2903 of the New York City Charter is **REPEALED**.

§5. Chapter 2 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-200 to read as follows:

*19-200 Definitions. Whenever used in this chapter, the following terms shall have the following meanings:*

a. *"Commissioner" means the commissioner of finance.*

b. "Department" means the department of finance.

§6. Subdivision (a) of section 19-210 of the administrative code of the city of New York, as added by local law number 46 for the year 1989, is amended to read as follows:

(a) Notwithstanding any other provision of law, the parking violations bureau is hereby authorized and empowered to establish a demonstration program imposing monetary liability on the owner of a vehicle for failure of an operator thereof to comply with traffic-control indications in accordance with the provisions of this section. The department of transportation, for purposes of implementation of such program, shall be authorized to install and operate traffic-control signal violation-monitoring devices at no more than twenty-five intersections at any one time.

§7. Subdivision (n) of section 19-210 of the administrative code of the city of New York, as added by local law number 46 for the year 1989, is amended to read as follows:

(n) On or before September 1, 1989, and every four months thereafter, until such time as the demonstration program authorized in subdivision (a) hereof shall be fully operational, the commissioner of transportation shall submit a written report to the council on the status of said demonstration program. Such report shall include, but not be limited to, the locations selected for inclusion in the demonstration program and the cost to the city, both individually and collectively, of each location included in such demonstration project.

§8. The introductory paragraph of subdivision (o) of section 19-210 of the administrative code of the city of New York, as amended by local law number 14 for the year 1992, is amended to read as follows:

The commissioner of transportation shall submit to the governor, the temporary president of the senate, the speaker of the assembly and the council a report on the results of the use of a traffic-control signal violation-monitoring system on or before March first, nineteen hundred ninety-three. Such report shall include, but not be limited to:

§9. Any agency or officer to which is assigned by this local law any functions, powers and duties shall exercise such functions, powers and duties in continuation of their exercise by the agency or officer by which the same were heretofore exercised and shall have power to continue any business, proceeding or other matter commenced by the agency or officer by which such functions, powers and duties were heretofore exercised. Any provision in any law, rule, regulation, contract, grant or other document relating to the subject matter of such functions, powers or duties, and applicable to the agency or officer formerly exercising the same shall, so far as not inconsistent with the provisions of this local law, apply to the agency or officer to which such functions, powers and duties are assigned by this local law.

§10. Any rule in force on the effective date of this local law, and promulgated by an agency or officer whose power to promulgate such type of rule is assigned by this local law to some other agency or officer shall continue in force as the rule of the agency or officer, to whom such power is assigned, as such agency or officer may hereafter duly amend, supersede, or repeal such rule.

§11. All records, property and equipment whatsoever of any agency or part thereof, all the functions, powers and duties of which are assigned to any other agency by this local law, shall be transferred and delivered to the agency to which such functions, powers and duties are so assigned. If part of the functions, powers and duties of any agency or part thereof is by this local law assigned to another agency, all records, property and

equipment relating thereto shall be transferred and delivered to the agency to which such functions powers and duties are so assigned.

§12. No existing right or remedy of any character shall be lost or impaired or affected by reason of the adoption of this local law.

§13. No action or proceeding, civil or criminal, pending at the time when this local law shall take effect, brought by or against the city or any agency or officer, shall be affected or abated by the adoption of this local law or by anything herein contained; but all such actions or proceedings may be continued notwithstanding that functions, powers and duties of any agency or officer party thereto may by this local law be assigned or transferred to another agency or officer, but in that event the same may be prosecuted or defended by the head of the agency or the officer to which such functions, powers and duties have been assigned or transferred by this local law.

§14. Whenever by any provision of this local law functions, powers or duties are assigned to any agency or officer which have been heretofore exercised by any other agency or officer, all officers and employees in the classified city civil service who at the time that this local law shall take effect are engaged in the performance of such functions, powers or duties shall be transferred to the agency to which such functions, powers or duties are assigned by this local law, without examination and without affecting existing compensation or pension or retirement rights, privileges or obligations of such officers and employees.

§15. Nothing contained in this local law shall affect or impair the rights or privileges of officers or employees of the city or of any agency existing at the time when this local law shall take effect, or any provision of law in force at the time when this local law shall take effect and not inconsistent with the provisions of this local law in relation to the personnel, appointment, ranks, grades, tenure of office, promotion, removal, pension and retirement rights, civil rights or any other rights or privileges of officers or employees of the city generally or officers of any agency.

§16. This local law shall take effect on July 1, 1994.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of the City of New York, passed by the Council on June 22, 1994, and approved by the Mayor on July 5, 1994.

CARLOS CUEVAS, City Clerk, Clerk of the Council

#### CERTIFICATION PURSUANT TO MUNICIPAL HOME RULE LAW §27

Pursuant to the provisions of Municipal Home Rule Law §27, I hereby certify that the enclosed Local Law (Local Law 25 of 1994, Council Int. No. 378-A) contains the correct text and:

Received the following vote at the meeting of the New York City Council on June 22, 1994: 51 for, 0 against.

Was approved by the Mayor on July 5, 1994.

Was returned to the City Clerk on July 6, 1994.

JEFFREY D. FRIEDLANDER, Acting Corporation Counsel