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**THE COUNCIL OF THE CITY OF NEW YORK**

**COMMITTEE REPORT OF THE INFRASTRUCTURE DIVISION**

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**COMMITTEE ON TRANSPORTATON**

Hon. Ydanis A. Rodriguez, Chair

**November 22, 2021**

**PROPOSED INT. NO. 2253-A:** By the Speaker (Council Member Johnson) and Council Members Powers, Rivera, Menchaca and Kallos

**TITLE:** A Local Law in relation to micro-distribution centers for distributing goods via sustainable modes of transportation

**PROPOSED INT. NO. 2277-A:** By Council Members Powers, Menchaca and Kallos

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to truck loading zones

**ADMINISTRATIVE CODE:** Adds section 19-159.5 to title 19

 Amends paragraph 2 of subdivision f of section 19-162.3

 Amends subdivision a of section 19-170

 Adds section 19-170.1 to subchapter 2 of chapter 1 of title 19

**PROPOSED INT. NO. 2279-A:** By Council Members Reynoso, Menchaca and Kallos

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to expanding loading zones

**ADMINISTRATIVE CODE:** Adds section 19-170.2 to subchapter 2 of chapter 1 of title 19

**PROPOSED INT. NO. 2422-A:** By Council Members Rodriguez, Yeger, Holden, D. Diaz and Kallos (by request of the Mayor)

**TITLE:** A Local Law to amend the administrative code of the city of New York, in relation to parking meters, and to repeal section 19-167 of such code, relating to suspending the activation of parking meters on Sundays; section 19-167.1 of such code, relating to parking at broken or missing meters or muni-meters; section 19-167.2 of such code, relating to transfer of muni-meter time; section 19-167.3 of such code, relating to deactivating muni-meters; section 19-167.4 of such code, relating to new muni-meter installation; section 19-175.3 of such code, relating to notification of changes relating to parking meters; section 19-214 of such code, relating to failure to display a muni-meter receipt; and section 19-215 of such code, relating to cancellation of certain tickets

**ADMINISTRATIVE CODE:** Repeals sections 19-167, 19-167.1, 19-167.2, 19-167.3, 19-167.4, 19-175.3, 19-214 and 19-215; and adds a new section 19-167 and amends section 19-213.

**INTRODUCTION**

 On November 22, 2021, the Committee on Transportation, chaired by Council Member Ydanis A. Rodriguez, will hold a hearing to vote on: Proposed Int. No. 2253-A, sponsored by Council Speaker Corey Johnson, in relation to micro-distribution centers for distributing goods via sustainable modes of transportation; Proposed Int. No. 2277-A, sponsored by Council Member Keith Powers, in relation to truck loading zones; Proposed Int. No. 2279-A, sponsored by Council Member Antonio Reynoso, in relation to expanding loading zones; and Proposed Int. No. 2422-A, sponsored by Council Member Rodriguez, in relation to parking meters. This is the second hearing that the committee has had on these legislative items. The first hearing on Int. No. 2253, Int. No. 2277 and Int. No. 2279 was held on May 5, 2021. At that hearing, the committee heard testimony from the New York City (NYC or the City) Department of Transportation (DOT), the NYC Department of Buildings (DOB), delivery and logistics companies, transportation advocates, business improvement districts and other interested parties. The first hearing on Int. No. 2422 was held on October 26, 2021. At that hearing, the committee heard testimony from DOT, the New York City Police Department, transit advocates, bike advocates, cyclists and other interested parties.

**BACKGROUND**

*Truck & Freight Trends*

Of the 365 million tons of cargo that enter, leave, or pass-through NYC each year, 89 percent is carried by a truck.[[1]](#footnote-1) In 2045, the same proportion is expected to be delivered by truck, but the tonnage is expected to increase by 68 percent to 540 million tons.[[2]](#footnote-2) According to DOT’s 2018 Mobility Study, 41 percent of New Yorkers received a delivery at their home at least a few times per week.[[3]](#footnote-3) Before COVID-19, trucks accounted for roughly 13 percent of NYC’s transportation emissions, 12 percent of vehicle traffic, and at least 12 percent of pedestrian deaths as the result of traffic crashes. COVID-19 has led to significant growth in e-commerce deliveries over the last year, with the New York Times estimating that over 2.4 million packages are delivered every single day in NYC.[[4]](#footnote-4) According to an analysis by José Holguín-Veras and Cara Wang, professors at Rensselaer Polytechnic Institute who work on transportation issues, daily grocery deliveries have more than doubled, restaurant and prepared food deliveries have increased by 12 percent and household goods deliveries have jumped by 24 percent since the onset of COVID-19.[[5]](#footnote-5)

City data shows that 80 percent of deliveries are to residential customers, compared with 40 percent before the pandemic.[[6]](#footnote-6) This higher delivery ratio among residential populations is driven at least in part by the rapid expansion of e-commerce and direct to consumer delivery markets, in which smaller, more frequent deliveries are split across dozens of product-specific companies (e.g. Amazon Prime Now, Amazon Fresh, FreshDirect, Instacart, etc.). According to a McKinsey Report, innovations in business to consumer on-demand urban delivery markets has attracted $5 billion in venture capital investments since 2014 in response to “latent demand” for instant and same-day deliveries.[[7]](#footnote-7) Without a place for trucks to go, they have little choice but to block car traffic, bus lanes, or bike lanes.

*Commercial Loading Zones*

With the increase of e-commerce deliveries as the result of COVID-19, increased demand for rapid and same-day delivery services, and the reallocation of curbside space for bus and bike lanes, as well as the Open Streets and Open Restaurants programs, the likelihood of conflicts along NYC’s curbs continues to rise. A 2016 City-commissioned congestion study asserts that traffic congestion is “significantly affected by how curb space is managed,” noting that “when there is inadequate space at the curb for trucks and delivery vehicles and those vehicles double park, they can remove a full lane or more from traffic service.”[[8]](#footnote-8)

Transportation advocates have been particularly concerned about trucks blocking bus and bicycle lanes while making deliveries.[[9]](#footnote-9) Additional conflicts are created as the result of delivery companies’ practice of sorting and re-ordering packages on the street, in bike lanes, and on sidewalks to plan for more efficient last-mile deliveries (i.e. unloading the truck to place packages in the order in which they will be delivered).

One solution is to create more spaces dedicated for loading and unloading, particularly in dense residential areas with commercial and manufacturing activity. In its 2016 strategic plan, DOT committed to expanding the use of off-hours deliveries and exploring “opportunities for micro freight distribution centers in highly congested commercial areas” using “curb space now dedicated to commercial loading.”[[10]](#footnote-10) It is unclear, however, if DOT has taken any actions to implement that recommendation. Similarly, New York State (NYS) DOT called for “Green Commercial Loading Zones” in a 2014 report produced in partnership with NYSERDA, which proposed the creation of dedicated space for such sorting and re-ordering activities, specifically reserved for companies using more sustainable modes of transportation to deliver goods to their final destination, to encourage the industry’s adoption of smaller electric vehicles, cargo bikes, and the use of hand trucks.[[11]](#footnote-11) Likewise, it is unclear if any efforts have been made to implement the NYS DOT proposal. UPS noted that dedicated space for disgorging modular units off of trucks and onto cargo bikes was “the secret of Seattle’s success” in its cargo bike pilot with UPS and is notably missing from DOT’s cargo bike pilot.[[12]](#footnote-12)

In combination with limited loading space, delivery and logistics industry representatives have also raised the 3-hour time restriction imposed on commercial loading zones as a challenge for delivery companies in NYC. A delivery worker may spend well over 3 hours delivering packages to a handful of buildings on the same block given the height and density of NYC’s building stock. The 3-hour time restriction may result in trucks circling the block to find a new parking spot to avoid tickets, increasing vehicle miles travelled, congestion, and emissions. Where additional parking spots are not available, this commonly results in double-parking and idling, raising additional safety and congestion concerns. In conversations with committee staff, the logistics industry has also raised placard parking as a constraint on available commercial loading zones, especially in Manhattan below 60th street. Finally, industry representatives have noted that construction activity can sometimes result in the displacement of existing loading zones where staging or equipment takes up curbside space.

*The City’s commercial delivery efforts*

 In 2010, in conjunction with partners in the federal government, academia, and private industry, DOT completed a pilot program—which later became the Off-Hours Delivery Program[[13]](#footnote-13)—in which businesses were offered financial incentives to receive deliveries during overnight hours instead of during the business day.[[14]](#footnote-14) According to DOT, trucks making deliveries experienced fewer delays, easier parking, and reduced congestion.[[15]](#footnote-15) Further, many of the delivery companies and receiving businesses experienced cost savings, with some businesses using unassisted delivery systems, which allow delivery companies to make deliveries while minimizing the need for the receiving business’s employees to be present by, for example, providing a key to the delivery company to access a designated area of the business to drop off goods.[[16]](#footnote-16)

The City’s 2016 congestion study noted that “vehicles circulating in a search for parking and engaged in parking maneuvers can also have a significant impact on congestion.”[[17]](#footnote-17) DOT’s 2016 Strategic Plan also committed to exploring ways to “increase the efficient use of curb space in busy commercial areas with smarter curb regulations and innovative pricing strategies.”[[18]](#footnote-18) This includes the ParkSmart program, which employs dynamic parking meter pricing based on demand for parking in selected neighborhoods, with the goal of increasing the number of available metered spaces, thereby reducing the congestion associated with motorists who are cruising for parking.[[19]](#footnote-19) In 2013, the agency also tested parking availability technology in the Arthur Avenue area of the Bronx, which allowed motorists to remotely see available parking spaces, in a similar effort to reduce cruising.[[20]](#footnote-20) DOT has also now fully deployed ParkNYC, which allows motorists to pay for parking meters via a smartphone app, phone, or online.[[21]](#footnote-21) This technology makes it easier to implement various parking management policies, including expanded use of dynamic pricing.

In October of 2017, Mayor de Blasio announced a “Congestion Action Plan.”[[22]](#footnote-22) The aim of this five-point plan was “to ease congestion in busy thoroughfares across the five boroughs.”[[23]](#footnote-23)

The plan includes five initiatives; in brief, these initiatives are:[[24]](#footnote-24)

* Clear Intersections: blocking the box
* Clear Curbs: restrictions on parking and loading
* Clear Lanes: restrictions on parking to create new travel lane
* Clear Zones: studying commercial districts outside of Manhattan
* Clear Highways: work to convene task forces for highways outside City’s jurisdiction

Most relevant to the issue of commercial deliveries are the Clear Curbs and Clear Lanes initiatives, launched in the spring of 2018.[[25]](#footnote-25) Clear Curbs, a pilot program with locations in Midtown Manhattan, Flatbush Avenue in Brooklyn, and Roosevelt Avenue in Queens, aimed to restrict curbside parking and loading on both sides of the street during morning and evening rush hour, and was coupled with increased enforcement. The idea was that restrictions on curbside access would also reduce travel lane blockages.

Clear Lanes, an initiative focused on Midtown Manhattan, imposed curbside restrictions on one side of the street during daytime hours and permits deliveries on the opposite curb, and is coupled with increased enforcement. The Congestion Action Plan as a whole and the Clear Lanes and Clear Curbs programs in particular faced much public criticism. Many argued that the City rushed the plan and did not anticipate how much disruption would be caused to deliveries.[[26]](#footnote-26) DOT ended the Clear Curbs pilot on Roosevelt Avenue early, in August of 2018, after local opposition, particularly from local elected officials and businesses.[[27]](#footnote-27) However, transportation advocates were more supportive.[[28]](#footnote-28) At the time, DOT stated that it would “adjust” the timing for the Queens pilot,[[29]](#footnote-29) but the pilot would remain in place in Manhattan and Brooklyn until its conclusion in late 2018.[[30]](#footnote-30)

 In July 2019, the City rolled out the Neighborhood Loading Zone pilot program in response to the growth of e-commerce deliveries on residential streets and for-hire vehicle trips throughout the City which, according to DOT, “have changed the way New Yorkers use our curbs.”[[31]](#footnote-31) The Neighborhood Loading Zone program aims to reduce double parking on narrow residential streets by providing space at the curb for activities such as package deliveries by commercial vehicles, taxi and car service pick-up and drop-off, and active loading and unloading of personal vehicles.[[32]](#footnote-32) The program provides dedicated curb space for these activities during daytime and evening hours to help reduce double-parking as well as other unwanted standing behaviors, creating a safer and more efficient environment for all road users.[[33]](#footnote-33) The program is specifically designed to reduce conflicts between trucks and cyclists, improve bus travel times, and better serve all of the activities that occur on our City’s streets.[[34]](#footnote-34) To date, the program has been implemented at approximately 130 locations, in neighborhoods across all five boroughs.[[35]](#footnote-35)

The program has faced some pushback, particularly in residential neighborhoods in Brooklyn where some nearby residents have voiced opposition to the removal of free parking for private vehicles, including in neighborhoods in which Community Boards voted to support the program.[[36]](#footnote-36) However, DOT has found these loading zones to be extremely effective, cutting down on double-parking by as much as 73 percent on blocks where it is in effect.[[37]](#footnote-37) As noted by Streetsblog, cutting down on double-parking not only helps to reduce congestion but also has the potential to save lives: Blocked roadways and bike lanes have contributed to multiple accidents, including in 2018, when cyclist Madison Lyden, who was forced out of the Central Park West bike lane by a parked livery car, was killed by a garbage truck.[[38]](#footnote-38)

Transportation advocates support the Neighborhood Loading Zone program, but some have noted that while DOT should be applauded, NYC is still far behind the curve on creating sufficient dedicated space for loading and unloading. Transit advocate Doug Gordon remarked to Streetsblog in March 2019 “the fact that a city as big as New York has so few loading zones and is still piloting something that is standard practice all over the world is not something we should ignore. We have a lot of catching up to do just to make our streets function at a very basic, rational level. We’re way behind where we need to be.”[[39]](#footnote-39)

In December 2019, the City announced a commercial cargo bike program to reduce delivery congestion through the use of cargo bicycles.[[40]](#footnote-40) The program brought an estimated 100 cargo bikes from major delivery companies to the City’s most crowded streets in midtown and downtown Manhattan.[[41]](#footnote-41) However, the program has faced criticism for its small scope and lack of dedicated space for trucks to unload its modular units onto Cargo Bikes.[[42]](#footnote-42) According to delivery companies and transportation advocates, a serious constraint to the increased use and proliferation of cargo bikes in the logistics sector remains in the form of New York State’s prohibition of pedal assist e-bikes over 36 inches in width.[[43]](#footnote-43)

*DOT Parking Regulations and Metered Parking*

 DOT is responsible for installing and maintaining on-street meters and meters at municipal parking facilities, around 14,500 of which are currently operated by DOT throughout all five boroughs.[[44]](#footnote-44) Currently, these meters dispense receipts that are displayed on the dashboard of the parked car after payment, which can be made using credit cards, coins, or a NYC Parking Card.[[45]](#footnote-45) However, as of December 31, 2018, DOT discontinued selling Parking Cards.[[46]](#footnote-46) Instead, drivers can now pay for parking using the free ParkNYC app or ParkMobile app, which does not require a receipt to be displayed on the vehicle.[[47]](#footnote-47)

In late 2018, DOT began implementing parking meter rate increases citywide, the first such increases since 2013.[[48]](#footnote-48) The amount of the increase depends upon location and length of time parking time, with the highest increases coming in high-density areas and commercial districts. Hourly rates for passenger vehicle zones now range from $1.25—up from $1.00—to $7.50—up from $3.50. For commercial zones, the rates were $4.00-6.00, and will now be from $5.00-7.00.

As NYC currently utilizes pay-and-display parking meters which require customers to pay at a meter, take the receipt provided and place it on the parked vehicle, unless payment is through the free apps, some argue a pay-by-plate system at parking meters would add convenience and efficiency. Customers would input vehicle license plate numbers into a meter and not have to place a receipt on their vehicle. The real-time paid/unpaid status of each vehicle would be visible to traffic enforcement agents once checked. Some municipalities, due to the ease and efficiency, have been transitioning their parking meters to a pay-by-plate system, including San Francisco,[[49]](#footnote-49) Portland,[[50]](#footnote-50) and Hoboken.[[51]](#footnote-51)

**ANALYSIS OF PROPOSED INT. NO. 2253-A**

Proposed Int. No. 2253-A, sponsored by Council Speaker Corey Johnson would require DOT to issue a request for expressions of interest (RFEI) from entities interested in facilitating, operating or using micro-distribution centers and to seek feedback on potential challenges and opportunities. Before December 31, 2022, DOT would also be required to report on the RFEI, and the feedback received, and make recommendations to the Council and the Mayor as to how the City can encourage and facilitate micro-distribution centers. Following the release of the report, DOT would be required to establish a micro-distribution center pilot program.

**ANALYSIS OF PROPOSED INT. NO. 2277-A**

Proposed Int. No. 2277, sponsored by Council Member Keith Powers would require that all permits of 180 days or more for a street segment with a truck loading zone carry a stipulation that such zone may not be occupied or obstructed. In the event that permitted work necessitates a loading zone obstruction, DOT may require that the applicant maintain a temporary loading zone, and revoke a permit or refuse to renew a permit for non-compliance. The bill would also amend the Administrative Code to prohibit the use of city-issued parking placards in certain spaces in the central business district of Manhattan, including truck-loading zones. Finally, the bill would also codify new and existing regulations for truck loading zones and commercial parking meter areas, including those related to how such spaces are metered or reserved and the lengths of time that they may be occupied, and would allow DOT to authorize cargo bicycles or other sustainable modes to use loading zones and to create reduced rates for zero emission vehicles.

**ANALYSIS OF PROPOSED INT. NO. 2279-A**

Proposed Int. No. 2279-A, sponsored by Council Member Antonio Reynoso, would require DOT to create a public methodology for determining where loading zones are necessary to enhance safety and reduce traffic congestion. DOT would also be required to create at least five loading zones annually in each neighborhood tabulation area that meets the department’s methodology, provided that no fewer than 500 total new loading zones are created citywide annually for the first three years following the effective date of the local law. Finally, by January 1, 2023, DOT would also be required to report on its progress toward implementing loading zones, and to publicly post the location of all loading zones citywide.

**ANALYSIS OF PROPOSED INT. NO. 2422-A**

 Proposed Int. No. 2422-A, sponsored by Council Member Ydanis A. Rodriguez, would authorize the use of pay-by-plate parking meters in addition to pay-and-display parking meters. Pay-by-plate parking meters would require a person to enter the vehicle’s license plate to register payment for parking, and would be capable of tracking payment by the vehicle’s license plate, rather than by paper receipt. Before DOT makes changes to the parking meter rates or replaces a pay-and-display parking meter with a pay-by-plate parking meter, DOT would provide 30-days written notice to the Council Member and Community Board in whose district such change would occur and post such change on the DOT’s website. Additionally, parking time could only be used on the blockface, or street section, for which it was purchased and could not be transferred between blockfaces. Proposed Int. No. 2422-A would also consolidate existing sections of the Administrative Code related to parking meters into one section.

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Proposed Int. No. 2253-A

By The Speaker (Council Member Johnson) and Council Members Powers, Rivera, Menchaca and Kallos

..Title

A LOCAL LAW

In relation to micro-distribution centers for distributing goods via sustainable modes of transportation

..Body

Be it enacted by the Council as follows:

Section 1. Micro-Distribution Centers. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Bicycle. The term “bicycle” has the same meaning as set forth in section 102 of the vehicle and traffic law or any successor provision.

Bicycle with electric assist. The term “bicycle with electric assist” has the same meaning as set forth in section 102-c of the vehicle and traffic law or any successor provision.

Commercial vehicle. The term “commercial vehicle” has the same meaning as set forth in the rules of the department.

Commercial vehicle operator. The term “commercial vehicle operator” means an individual, corporation, partnership, association, municipality, or other legal entity that either on behalf of itself or others, utilizes a commercial vehicle to deliver packages, parcels, papers, or articles of any type.

Department. The term “department” means the department of transportation.

Micro-distribution center. The term “micro-distribution center” means a space or facility designated by the city for the exclusive transfer of goods or delivery of parcels and packages from commercial vehicles to sustainable transportation modes that deliver such parcels and packages to the final point of delivery.

Sustainable modes of transportation. The term “sustainable modes of transportation” means bicycles, bicycles with electric assist, electric scooters, electric vehicles, hand trucks and any other modes designated as sustainable by the department.

b. The department shall release a public solicitation to learn about opportunities and challenges to using micro-distribution centers for deliveries in the city. Such solicitation shall include:

1. a request for expressions of interest from companies willing to facilitate, operate, or utilize a micro-distribution center in the city;

2. feedback from respondents on limiting factors for operating and utilizing a micro-distribution center in the city, including but not limited to land use and zoning restrictions, and city rules and regulations; and

3. feedback from respondents on ways to make a micro-distribution center efficient, sustainable, and economically feasible, and on ways to ensure micro-distribution centers are not unreasonably occupied by any single commercial vehicle operator.

c. No later than December 31, 2022, the department shall post on its website, and submit to the speaker of the council and the mayor, a report that includes, at a minimum, the following information:

1. a summary of the feedback received from the freight industry;

2. the challenges and opportunities to creating micro-distribution centers, including legal and zoning restrictions affecting the implementation of micro-distribution centers;

3. recommendations on how the city can encourage and facilitate micro-distribution centers, and the funding that may be required; and

4. the means and methods the city plans to pursue to encourage micro-distribution centers and other similar delivery consolidation activities.

d. Following the submission of the report required by subdivision c of this section, but no later than July 1, 2023, the department shall establish a pilot program to support the creation, operation or expansion of micro-distribution centers in order to reduce emissions and alleviate vehicle congestion on city streets.

§ 2. This local law takes effect immediately.

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Proposed Int. No. 2277-A

By Council Members Powers, Menchaca and Kallos

..Title

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to truck loading zones

..Body

Be it enacted by the Council as follows:

Section 1. Title 19 of the administrative code of the city of New York is amended by adding a new section 19-159.5 to read as follows:

§ 19-159.5 Temporary truck loading zones. a. For the purposes of this section, the following terms have the following meanings:

Commercial parking meter area. The term “commercial parking meter area” has the same meaning as set forth in the rules of the department.

Commercial vehicle. The term “commercial vehicle” has the same meaning as set forth in the rules of the department.

Temporary truck loading zone. The term “temporary truck loading zone” has the same meaning as such term is defined in section 19-170.1.

Truck loading zone. The term “truck loading zone” has the same meaning as such term is defined in section 19-170.1.

b. Any permit of more than 180 days issued by the commissioner authorizing work affecting a street segment or intersection that has a truck loading zone shall include a stipulation requiring that the applicant shall not occupy or otherwise obstruct the use of a truck loading zone in the affected street segment or intersection.

c. In the event that a truck loading zone must be occupied or otherwise obstructed for any permit of more than 180 days, the applicant shall be required to maintain a temporary truck loading zone if, in the judgement of the commissioner:

1. maintaining a temporary loading zone is feasible;

2. the occupation or obstruction of the truck loading zone will result in a significant negative impact on traffic flow; and

3. alternative truck loading zones or other loading space is insufficient to accommodate demand for loading space.

The department shall specify the particular manner in which the temporary truck loading zone for such street segment or intersection should be maintained.

d. In the event a permittee violates any stipulation required by subdivision b or subdivision c of this section, the commissioner may revoke or refuse to renew such permit pursuant to subdivision e of section 19-103 or take any other action authorized by law.

§ 2. Paragraph 2 of subdivision f of section 19-162.3 of the administrative code of the city of New York, as added by local law number 9 for the year 2020, is amended to read as follows:

2. Parking with a city-issued parking permit shall not be permitted in the following areas, in addition to any areas designated by rule or specified on or programmed into the permit:

(a) “no standing” areas;

(b) “no stopping” areas;

(c) fire hydrants;

(d) bus stops;

(e) areas where such parking would constitute double parking;

(f) driveways;

(g) bridges and highways; [and]

(h) carsharing parking spaces;

(i) truck loading zones as defined in section 19-170.1 within the area south of and including 60th street in the borough of Manhattan;

(j) no parking anytime areas within the area south of and including 60th street in the borough of Manhattan;

(k) no parking specific hours within the area south of and including 60th street in the borough of Manhattan;

(l) no standing specific hours within the area south of and including 60th street in the borough of Manhattan;

(m) no standing except trucks loading and unloading zones within the area south of and including 60th street in the borough of Manhattan;

(n) truck loading only zones within the area south of and including 60th street in the borough of Manhattan; and

(o) no standing except vehicles with consul-c or diplomat-a&d license plates d/s decals only within the area south of and including 60th street in the borough of Manhattan.

§ 3. Subdivision a of section 19-170 of the administrative code of the city of New York, as added by local law number 25 for the year 1988, is amended to read as follows:

a. When parking is not otherwise restricted, no person shall park a commercial vehicle in excess of three hours, unless otherwise indicated by a posted sign. For purposes of this section, the term commercial vehicle [shall mean a motor vehicle designed, maintained, or used primarily for the transportation of property] has the same meaning as set forth in the rules of the department.

§ 4. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-170.1 to read as follows:

§ 19-170.1 Truck loading zones and commercial parking meter areas. a. Definitions. For purposes of this section, the following terms have the following meanings:

Commercial parking meter area. The term “commercial parking meter area” shall have the same meaning as set forth in the rules of the department.

Commercial vehicle. The term “commercial vehicle” has the same meaning as set forth in the rules of the department.

Parking meter. The term “parking meter” means a device which accepts payment or a credential that authorizes vehicle parking time, including, but not limited to a pay-and-display parking meter or a pay-by-plate parking meter.

1. Pay and display parking meter. The term “pay and display parking meter” means an electronic parking meter that dispenses timed receipts that must be displayed on the dashboard of a motor vehicle or in a visible and secure place on a motorcycle.

2. Pay by plate parking meters. The term “pay by plate parking meter” means an electronic parking meter that requires entry of license plate information for proper registration of payment.

Service vehicle. The term “service vehicle” shall have the same meaning as set forth in the rules of the department.

Temporary truck loading zone. The term “temporary truck loading zone” means a truck loading zone intended to be used for a set period of time during which construction staging prevents or otherwise affects use of a truck loading zone.

Truck loading zone. The term “truck loading zone” means a portion of curb space at which no vehicle except a commercial vehicle may stand or park for the purpose of making pickups or service calls, or loading or unloading goods, tools, materials, or other items pursuant to department rules and regulations.

b. The department shall regulate commercial parking meter areas with a parking meter, mobile payment system, a parking reservation system, or other means as determined by the department. No person shall park a commercial vehicle or a service vehicle, whether attended or not, in a commercial parking meter area:

1. without first purchasing the amount of parking time desired from a parking meter, mobile payment system, parking reservation system, or other means as determined by the department; or

or2. in excess of three hours, unless otherwise indicated by a posted sign.

c. The department may regulate truck loading zones with a parking meter, mobile payment system, a parking reservation system, or other means as determined by the department. No person shall park a commercial vehicle or a service vehicle, whether attended or not, in such truck loading zone:

1. without first purchasing the amount of parking time desired from a parking meter, mobile payment system, parking reservation system, or other means as determined by the department; or

2. in excess of three hours, unless otherwise indicated by a posted sign.

d. The department may authorize electric or human-powered non-vehicular modes of delivery to park or stand in commercial parking meter areas, truck loading zones, and temporary truck loading zones including, but not limited to, cargo bicycles.

e. The department may promulgate rules establishing reduced parking rates for zero emission commercial vehicles, and reduced or eliminated parking rates for any authorized non-vehicular modes of delivery.

f. The department shall evaluate its paid commercial parking rules and determine whether there are locations where time limits of more than three hours are appropriate based on curb access needs and if such changes encourage delivery consolidation or reduction of truck trips.

§ 5. This local law takes effect 180 days after it becomes law, except that the department shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.

AL/IP/EL

LS 8675/10178

11/15/2021 9:55PM

Proposed Int. No. 2279-A

By Council Members Reynoso, Menchaca and Kallos

A LOCAL LAW

..Title

To amend the administrative code of the city of New York, in relation to expanding loading zones

..Body

Be it enacted by the Council as follows:

Section 1. Subchapter 2 of chapter 1 of title 19 of the administrative code of the city of New York is amended by adding a new section 19-170.2 to read as follows:

§ 19-170.2 Loading zones. a. Definitions. For purposes of this section, the following terms have the following meanings:

Loading zone. The term “loading zone” means a portion of curb space at which a vehicle may stand or park for the purpose of making pickups or service calls, or loading or unloading goods, tools, materials, or other items.

Neighborhood tabulation area. The term “neighborhood tabulation area” means a geographical area defined by the department of city planning for the purposes of providing neighborhood-level data.

b. The department shall establish a methodology for determining where loading zones are necessary to enhance safety and reduce traffic congestion, considering factors including, but not limited to, commercial and residential density as well as requests from city elected officials and members of the public, and shall publish such methodology on the department’s website. The department shall install at least five loading zones annually in every neighborhood tabulation area that meets this methodology, provided that, for each of the first three years following the effective date of this local law, the department installs at least 500 total loading zones.

c. No later than January 1, 2023, the department shall submit to the speaker of the council and the mayor, and publish on its website, a report detailing the ongoing implementation of the requirements of subdivision b of this section and any recommendations for further expanding loading zones citywide.

d. No later than January 1, 2023, the department shall provide publicly accessible information, through the open data portal or the department’s website, regarding the location of all loading zones. Such information shall be updated on an annual or more frequent basis.

§ 2. This local law takes effect immediately.

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Proposed Int. No. 2422-A

By Council Members Rodriguez, Yeger, Holden, D. Diaz and Kallos (by request of the Mayor)

A Local Law to amend the administrative code of the city of New York, in relation to parking meters, and to repeal section 19-167 of such code, relating to suspending the activation of parking meters on Sundays; section 19-167.1 of such code, relating to parking at broken or missing meters or muni-meters; section 19-167.2 of such code, relating to transfer of muni-meter time; section 19-167.3 of such code, relating to deactivating muni-meters; section 19-167.4 of such code, relating to new muni-meter installation; section 19-175.3 of such code, relating to notification of changes relating to parking meters; section 19-214 of such code, relating to failure to display a muni-meter receipt; and section 19-215 of such code, relating to cancellation of certain tickets

Be it enacted by the Council as follows:

 Section 1. Sections 19-167, 19-167.1, 19-167.2, 19-167.3, 19-167.4, and 19-175.3 of the administrative code of the city of New York are REPEALED, and a new section 19-167 is added to read as follows:

§ 19-167 Parking meters. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Affected council member(s) and community board(s). The term “affected council member(s) and community board(s)” has the same meaning as set forth in section 19-101.2.

Blockface. The term “blockface” means that portion of the street along the curb on one side of a street which is between the boundaries of the corner area at either end of the block.

Credential. The term “credential” means any explicit approval from the department or other authorized agency to park at a parking meter or other location, including, but not limited to, a record of payment or valid parking permit.

Parking field. The term “parking field” means any parking lot containing parking meters that is owned, operated and controlled by the city or its contractor and is available for public use. The term “parking field” does not include any parking lot operated by a city agency intended for exclusive use by such agency’s employees or by the public to conduct business with such agency.

Parking meter. The term “parking meter” means a device which accepts payment or a credential, including, but not limited to a pay-and-display parking meter or a pay-by-plate parking meter.

 Pay-and-display parking meter. The term “pay-and display parking meter” means an electronic parking meter that dispenses timed receipts that must be displayed on the dashboard of a motor vehicle or in a visible and secure place on a motorcycle.

 Pay-by-plate parking meters. The term “pay-by-plate parking meter” means an electronic parking meter that requires entry of license plate information for proper registration of payment.

 b. Suspension of parking meter activation on Sundays. Notwithstanding any other provision of law, no person parking a vehicle at a parking meter is required to activate such meter on a Sunday and no notice of violation or summons may be issued solely for the failure to activate such parking meter on a Sunday.

 c. Deactivation of parking meters. The department shall program each parking meter to ensure that such parking meter is unable to accept payment:

1. from the last time in a day that parking meter rules are in effect for any parking space within the blockface or parking field of such parking meter, or for any other parking space within 100 feet of such parking meter, until one hour prior to the next time meter rules take effect for any parking space within the blockface or parking field, or for any other parking space within 100 feet of such parking meter; and

      2. when such parking meter is not capable of producing receipts or lacks the functionality to track parking payments.

d. Parking at broken or missing parking meters. If all parking meters in a parking field or on a blockface are missing or broken, a person shall be allowed to park in such parking field or on such blockface up to the maximum amount of time otherwise lawfully permitted by such parking meters in such parking field or blockface.

e. Transferability of parking meter time. Parking time may only be utilized on the blockface for which it was purchased. Transfer of parking time between blockfaces is prohibited.

f. Notification of changes involving parking meters.

 1. New parking meter installation. Prior to the installation of new parking meters covering at least four contiguous blockfaces, the department shall forward notice of such installation to the affected council member(s) and community board(s) by electronic mail.

(a) Within 10 business days after receipt of such notice: (i) the affected council member(s) may submit recommendations, comments or both regarding such notice to the department; and (ii) the affected community board(s) may submit recommendations or comments regarding such notice, or request a presentation regarding such installation, which where practicable shall be made to such community board(s) within 30 days of such request.

(b) Any recommendations or comments received by the department pursuant to this subdivision shall be reviewed prior to the installation of such new parking meters.

2. Existing parking meter alterations. Prior to making changes to parking meter rates or replacing a parking meter with a different type of parking meter, the department shall provide at least 30 days written notice of such changes by regular first-class mail and electronic mail to the community board and council member in whose district the affected parking meters are or will be located and shall post such written notice on the department’s website. Such notice shall at a minimum provide the following information:

(a) Parking rates. The notice shall include the proposed new rate, the location(s) of the meters affected by such rate change and the earliest date such new rate will go into effect.

(b) Change in meter type. The notice shall include the location(s) where meters will be converted and the earliest date on which such converted meters will go into operation.

§ 2. Section 19-213 of title 19 of the administrative code of the city of New York, as added by local law 82 for the year 2009, is amended to read as follows:

§ 19-213 Grace period; failure to purchase parking time and cancellation of certain tickets. a. [For the purposes of this section, the term "munimeter receipt" shall mean the receipt showing the amount of parking time purchased that is dispensed by an electronic parking meter and must be displayed in a conspicuous place on a vehicle's dashboard.] Definitions. For the purposes of this section, the following terms have the following meanings:

       Agent. The term “agent” means any person employed by the city of New York authorized to issue a notice of violation for parking violations.

Parking meter. The term “parking meter” means a device which accepts payment or a credential that authorizes vehicle parking time, including, but not limited to, a pay-and-display parking meter or a pay-by-plate parking meter.

 Pay-and-display parking meter. The term “pay-and-display parking meter” means an electronic parking meter that dispenses timed receipts that must be displayed on the dashboard of a motor vehicle or in a visible and secure place on a motorcycle.

 Pay-by-plate parking meter. The term “pay-by-plate parking meter” means an electronic parking meter that requires entry of license plate information for proper registration of payment.

b. Grace period. No notice of violation shall be issued for allegedly parking in excess of the [allotted] parking time [displayed on a munimeter receipt] purchased or longer than the time period allowed by a sign posted by the department until five minutes after the time that such a violation occurs.

c. Failure to purchase parking time. Notwithstanding any rule or regulation to the contrary, and subject to the provisions of the vehicle and traffic law, where a notice of violation is issued to an owner or operator of a vehicle for the failure to purchase parking time, it shall be an affirmative defense to such violation that such owner or operator purchased parking time for the time such notice of violation was issued or up to five minutes thereafter from a parking meter at the location such notice of violation was issued. Evidence in support of the affirmative defense shall be the presentation, in person or by mail, of a valid payment receipt for the time such notice of violation was issued or for up to five minutes thereafter or other suitable evidence, as determined by the hearing officer, that such parking time was purchased.

d. Cancellation of certain tickets. 1. Any agent who issues a notice of violation by electronic means for failure to pay the parking charge required at a pay-and-display parking meter shall cancel such notice of violation when, not later than five minutes after the issuance of such notice, such agent is shown a valid payment receipt with an official start time indicated and such start time is no later than five minutes after the time of the issuance of such notice. The electronic copy of such canceled notice shall be marked “valid receipt shown; ticket canceled” and shall include the number of such payment receipt shown. The electronic parking meter system shall be programmed to prohibit such notice from being canceled later than five minutes after the issuance of such notice.

2. If an agent has issued a notice of violation by electronic means for failure to pay the parking charge required at a pay-by-plate parking meter, and parking time is purchased for such vehicle for the blockface where the vehicle is located not more than five minutes after the notice of violation was issued, such notice of violation shall be canceled automatically by the electronic parking meter system.

§ 3. Sections 19-214 and 19-215 of the administrative code of the city of New York are REPEALED.

§ 4. This local law takes effect 60 days after it becomes law.

11/12/2021 12:36PM

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7. *See* “How will same-day and on-demand delivery evolve in urban markets?,” McKinsey & Company, July 26, 2017, available at <https://www.mckinsey.com/industries/travel-transport-and-logistics/our-insights/how-will-same-day-and-on-demand-delivery-evolve-in-urban-markets> [↑](#footnote-ref-7)
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11. *See* “New York City Green Loading Zones Study,” Final Report July 2014, NYSERDA Report 14-22, NYS DOT Task C-13-52, available for download at [https://www.dot.ny.gov/divisions/engineering/technical-services/trans-r-and-d-repository/C-13-52%20Final%20Report\_7-2014.pdf](https://mail.council.nyc.gov/owa/redir.aspx?C=KZ8qqzHCc7o8Iioe8Ke5bsyyKoOIIGMdPA5Q-RahwNsoJx-jj8fXCA..&URL=https%3a%2f%2fwww.dot.ny.gov%2fdivisions%2fengineering%2ftechnical-services%2ftrans-r-and-d-repository%2fC-13-52%2520Final%2520Report_7-2014.pdf) [↑](#footnote-ref-11)
12. Dave Colon and Gersh Kuntzman “ANALYSIS: New City Cargo Bike Delivery Program is Absolutely Perfect, Except…” STREETSBLOG NYC, December 5, 2019, available at <https://nyc.streetsblog.org/2019/12/05/analysis-new-city-cargo-bike-delivery-program-is-absolutely-perfect-except/> [↑](#footnote-ref-12)
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