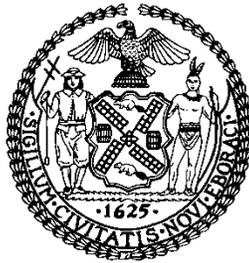


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**THE COUNCIL OF THE CITY OF NEW YORK**

COMMITTEE REPORT OF THE HUMAN SERVICES DIVISION  
Matthew Gewolb, Legislative Director

**COMMITTEE ON TRANSPORTATION**

Hon. Ydanis Rodriguez, Chair

**January 15, 2016**

**Oversight - Upgrading New York City Parking Systems for  
Greater Efficiency, Safety, and Reliability**

**INT. NO. 326:**

By Council Members Garodnick, Cabrera, Chin, Cohen, Constantinides, Koo, Levin, Levine, Mendez, Richards, Rosenthal, Kallos, Menchaca, Van Bramer and Ulrich

**TITLE:**

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.

**CHARTER:**

Amends Section 434 by adding a new subdivision c and amends subdivision a of section 2903 by adding a new paragraph 19.

**INT. NO. 966:**

By Council Members Rodriguez, Kallos, Greenfield, Chin, Constantinides, Deutsch, Gentile, Johnson, Koo, Palma, Richards, Vacca, Cohen, Dickens, Van Bramer and Ulrich

**TITLE:**

A Local Law to amend the administrative code of the city of New York, in relation to allowing purchases of street parking time to be made via mobile application or text message.

**ADMINISTRATIVE CODE:**

Amends subchapter 2 of chapter 1 of title 19 by adding a new section 19-175.5.

**INT. NO. 999:**

By Council Members Rodriguez, Chin, Gentile and Rose

**TITLE:**

A Local Law to amend the administrative code of the city of New York, in relation to an unused muni-meter time mobile application.

**ADMINISTRATIVE CODE:**

Amends section 19-167.2 by amending subdivision a and by adding a new subdivision c.

## **INTRODUCTION**

On January 15, 2016, the Committee on Transportation, chaired by Council Member Ydanis Rodriguez, will hold a hearing on Int. No. 326, a Local Law in relation to requiring parking placards to have a barcode which would allow traffic enforcement agents to confirm their validity; Int. No. 966, a Local Law in relation to allowing purchases of street parking time to be made via mobile application or text message; Int. No. 999, a Local Law in relation to an unused muni-meter time mobile application; and on the oversight topic “Upgrading New York City Parking Systems for Greater Efficiency, Safety, and Reliability.” The Committee expects to hear testimony from the New York City Department of Transportation (“DOT”), the New York City Police Department (“NYPD”), and other interested stakeholders.

## **BACKGROUND**

### **On-Street Parking Technology and Innovations**

DOT is responsible for managing the City’s on-street parking system, encompassing approximately 85,000 metered parking spaces.<sup>1</sup> As of February 2013, all metered spots formerly served by single-space meters have been converted to control by muni-meters.<sup>2</sup> Muni-meters are “pay and display” meters; drivers park in a metered space, pay to use the space at a nearby muni-meter, retrieve a receipt from the muni-meter which indicates the time that has been purchased, and display the receipt on the vehicle’s dashboard.

In May 2012, the Council enacted legislation which allows driver to use the parking time purchased at a muni-meter at any metered parking space in the City, as long as the meter rates are equal to or lower than the rates at the location where the receipt was purchased.<sup>3</sup> In effect,

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<sup>1</sup> Testimony of Ed Pincar, then-DOT Director of Intergovernmental Affairs, at the hearing of the Committee on Transportation on April 23, 2012.

<sup>2</sup> Testimony of Janette Sadik-Khan, then-Commissioner of Transportation, at the joint hearing of the Committees on Finance and Transportation on May 9, 2013.

<sup>3</sup> Local Law 29 of 2012

this means that a motorist can use one muni-meter receipt as proof of payment for parking in multiple metered parking spots at different locations within the time specified on the receipt. Int. No. 999 would require that a mobile app be created to allow motorists to exchange parking time that they have purchased but do not plan to use with other individuals.

In recent years, New York City has been exploring many new ways to manage parking, including the adoption of new parking management technologies. In April 2013, DOT launched a pair of pilot programs in the Arthur Avenue area of the Bronx. The “pay-by-phone” program allowed motorists to pay for metered parking via a smartphone app or by calling a toll-free number.<sup>4</sup> Traffic enforcement agents were able to check that drivers had appropriately paid for parking by entering license plate numbers in handheld scanners. The “parking availability map” program used a web- and app-based map to display real-time availability of on-street parking spaces using sensors embedded in the roadway.<sup>5</sup> In December 2013, the City announced a request-for proposals for a provider to expand pay-by-phone citywide.<sup>6</sup> Other cities, including San Francisco and Miami, have pay-by-phone programs.<sup>7</sup> Int. No. 966 would, in effect, require a citywide pay-by-phone system by April 2016.

Another on-street parking innovation that DOT employs on a relatively small scale is the PARK Smart program. PARK Smart employs dynamic pricing at muni-meters in selected neighborhoods, including Greenwich Village, Park Slope, Jackson Heights, Boerum Hill, Cobble

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<sup>4</sup> Press Release, N.Y.C. Office of the Mayor, *Mayor Bloomberg And Transportation Commissioner Sadik-khan Announce New Pilot Program To Pay Parking Meters Remotely And Launch Real-time Parking Availability Map*, April 9, 2013 available at <http://www1.nyc.gov/office-of-the-mayor/news/129-13/mayor-bloomberg-transportation-commissioner-sadik-khan-new-pilot-program-pay>.

<sup>5</sup> *Id.*

<sup>6</sup> Press Release, N.Y.C. Office of the Mayor, *Mayor Bloomberg, DOT Commissioner Sadik-Khan, Police Commissioner Kelly Announce Bid for Contract to Allow New Yorkers to Pay for Parking by Cell Phone and Online*, Dec. 26, 2013, available at <http://www1.nyc.gov/office-of-the-mayor/news/435-13/mayor-bloomberg-dot-commissioner-sadik-khan-police-commissioner-kelly-bid-contract/>

<sup>7</sup> Office of the Mayor, *supra* note 4.

Hill, and Brooklyn Heights.<sup>8</sup> By charging higher rates when demand for parking is greatest, with lower rates when demand is lower, PARK Smart aims to increase parking turnover by encouraging motorists to park at a location no longer than necessary. Maximizing the availability of parking spaces makes it easier for all to find parking while also reducing the congestion, pollution, and safety risks associated with drivers circling while looking for parking and double-parking.

While motorists must pay for parking on metered blocks, largely located in commercial areas, on-street parking in the vast majority of the city's residential areas is free. Some cities, including San Francisco, Washington, DC, and Hoboken, NJ, restrict parking in some areas to residents with residential parking permits.<sup>9</sup> Residential parking permit programs, like dynamic pricing programs such as PARK Smart, can make it easier for motorists to find a parking spot and reduce cruising, with the resulting congestion-, pollution-, and safety-related benefits. In 2012, DOT studied the possibility of a residential parking permit system near Yankee Stadium in the Bronx and the Barclays Center in Brooklyn before ultimately finding that parking conditions did not warrant it and that the costs of administering and enforcing the program would be prohibitive.<sup>10</sup>

### Fraudulent Parking Placards

Issues related to parking permits, also known as placards, issued to government employees by the City that allow the permit holder to park their vehicle at a restricted location or

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<sup>8</sup> N.Y.C Department of Transportation, *PARK Smart* webpage, available at <http://www.nyc.gov/html/dot/html/motorist/parksmart.shtml>, last accessed Jan. 14, 2016.

<sup>9</sup> Joseph Cutrufo, *5 Reasons Why New York City Needs a Residential Parking Permit Program*, Tri-State Transportation Campaign Mobilizing the Region blog, <http://blog.tstc.org/2013/10/22/5-reasons-why-new-york-city-needs-a-residential-parking-permit-program/>; City of Hoboken, *Parking for Residents* webpage, available at <http://www.hobokennj.org/departments/transportation-parking/residentparking/> last accessed on Jan. 14, 2016.

<sup>10</sup> Noah Kazis, *DOT Study Rejects Residential Parking Permits For Stadium Neighborhoods*, Streetsblog, July 13, 2012, available at <http://www.streetsblog.org/2012/07/13/dot-study-rejects-residential-parking-permits-for-stadium-neighborhoods/>.

at a parking meter without paying have long elicited controversy. In particular, the widespread use of fraudulent placards has caused concerns, with a 2011 Transportation Alternatives survey estimating that nearly a quarter of the permits displayed on City streets are fake.<sup>11</sup> Int. No. 326 would require that parking placards have a barcode which could be used to verify the placards' authenticity. When a previous version of this legislation was heard by the Committee in June 2011, the NYPD opposed it, citing several logistical and cost concerns, including that a barcode could be easily replicated, could become out-of-date, and might not be easily scanned due to the placard's placement on the dashboard well inside the vehicle.<sup>12</sup>

### **ANALYSIS OF INT. NO. 326**

Section one of Int. No. 326 would amend Section 434 of the City Charter by adding a new subdivision c. The new subdivision would require that all parking placards issued by the NYPD have a barcode which would allow traffic enforcement agents to confirm their validity.

Section two of the proposed legislation would amend subdivision a of Section 2903 of the City Charter by adding a new paragraph 19. The new paragraph would require that all parking placards issued by DOT have a barcode which would allow traffic enforcement agents to confirm their validity.

Section three states that the local law would take effect one year after its enactment into law and requires DOT to take any necessary actions to implement the law, including the promulgation of rules, prior to that effective date.

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<sup>11</sup> Transportation Alternatives, *Totally Bogus: A Study of Parking Permit Abuse in NYC* at pg. 3, 2011, available at [http://transalt.org/sites/default/files/news/reports/2011/Totally\\_Bogus.pdf](http://transalt.org/sites/default/files/news/reports/2011/Totally_Bogus.pdf)

<sup>12</sup> Testimony of then-NYPD Assistant Commissioner for Intergovernmental Affairs Susan Petito at the hearing of the Committee on Transportation on June 22, 2011.

### **ANALYSIS OF INT. NO. 966**

Section one of Int. No. 966 would amend Subchapter 2 of Chapter 1 of Title 19 of the Administrative Code by adding a new Section 19-175.5. The new section would require DOT to implement a system that accepts payments for the purchase of street parking time via a mobile application or text message, available for all metered street parking spots, by April 1, 2016.

Section two of the proposed legislation states that the local law would take effect immediately upon its enactment.

### **ANALYSIS OF INT. NO. 999**

Section one of Int. No. 999 would amend Section 19-167.2 of the Administrative Code by amending subdivision a and by adding new subdivision c. Amended subdivision a would define “mobile application” to mean software designed to run on smartphones and other mobile devices. New subdivision c would require DOT to allow or create a mobile application that connects individuals for the purpose of exchanging unused parking time.

Section two states that the local law would take effect 90 days after its enactment.



Int. No. 326

By Council Members Garodnick, Cabrera, Chin, Cohen, Constantinides, Koo, Levin, Levine, Mendez, Richards, Rosenthal, Kallos, Menchaca, Van Bramer and Ulrich

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.

Be it enacted by the Council as follows:

Section 1. Section 434 of the New York city charter is amended by adding a new subdivision c to read as follows:

c. The commissioner shall require that all parking placards issued by the department have a barcode which would allow traffic enforcement agents to confirm their validity.

§2. Subdivision a of section 2903 of the New York city charter is amended by adding a new paragraph 19 to read as follows:

(19) require that all parking placards issued by the department have a barcode which would allow traffic enforcement agents to confirm their validity.

§3. This local law shall take effect one year after its enactment into law; provided, however, that the commissioner of transportation shall take any necessary actions to implement this law, including the promulgation of rules, prior to such effective date.



Int. No. 966

By Council Members Rodriguez, Kallos, Greenfield, Chin, Constantinides, Deutsch, Gentile, Johnson, Koo, Palma, Richards, Vacca, Cohen, Dickens, Van Bramer and Ulrich

A Local Law to amend the administrative code of the city of New York, in relation to allowing purchases of street parking time to be made via mobile application or text message

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 19-175.5 to read as follows:

§ 19-175.5 Electronic payments for street parking. By April 1, 2016, the department shall implement a system that accepts payments for the purchase of street parking time via a mobile application or text message, and payments for street parking time via such system shall be available for all metered street parking spots.

§ 2. This local law takes effect immediately.

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Int. No. 999

By Council Members Rodriguez, Chin, Gentile and Rose

A Local Law to amend the administrative code of the city of New York, in relation to an unused muni-meter time mobile application.

Be it enacted by the Council as follows:

Section 1. Section 19-167.2 of the administrative code of the city of New York is amended by amending subdivision a and by adding new subdivision c to read as follows:

a. For the purposes of this section[,the term]:

“mobile application” shall mean software designed to run on smartphones and other mobile devices.

“muni-meter” shall mean an electronic parking meter that dispenses timed receipts that must be displayed in a conspicuous place on a vehicles dashboard.

c. The department shall allow or create a mobile application that connects individuals for the purpose of exchanging unused parking time.

§2. This local law shall take effect ninety days after its enactment into law.