



Legislation Text

File #: Int 0886-2008, **Version:** A

Proposed Int. No. 886-A

By Council Members Vacca, Felder, Gentile, Avella, Mark-Viverito, Nelson, Palma, Seabrook, Stewart, James, White Jr., Gerson and Liu.

A Local Law to amend the administrative code of the city of New York, in relation to requiring photographs to be included with certain notices of violation for parking violations.

Be it enacted by the Council as follows:

Section 1. Chapter one of title 14 of the administrative code of the city of New York is amended by adding a new section 14-118.3 to read as follows:

§14-118.3 Handheld computers. Handheld computers used by the department to enforce laws, rules and regulations relating to parking violations put into service after the effective date of the local law that added this section shall be capable of taking photographs.

§2. Subdivision a of section 19-204 of the administrative code of the city of New York is amended to read as follows:

a. The notice of violation shall contain information advising the person charged of the manner and the time in which he or she may plead either guilty or not guilty to the charge alleged in the notice. Such notice of violation shall also contain a warning to advise the person charged that failure to plead in the manner and time provided shall be deemed, for all purposes, an admission of liability and that default judgment may be rendered. Notices of violations alleging stopping, standing or parking in bus stops, in handicapped zones, in bicycle lanes, in crosswalks, on sidewalks, closer than fifteen feet to a fire hydrant, on the roadway side of a vehicle stopped, standing or parked at the curb, or alleging failure to display a required document or license plate, shall also contain a photograph evidencing the alleged violation, where the person issuing such violation is equipped with

a handheld computer used to enforce laws, rules and regulations relating to parking violations capable of taking photographs and where practicable. The form and wording of the notice of violation shall be prescribed by the director. A copy of each notice of violation served shall be filed and retained by the bureau, and shall be deemed a record kept in the ordinary course of business, and shall be prima facie evidence of the facts contained therein.

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

LS 6339
PH/MD
6.9.09 - 3 pm