



Legislation Text

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Proposed Int. No. 106-A

By Council Members Garodnick, Jackson, Rodriguez, Nelson, Lander, Van Bramer, Mark-Viverito, Koo and Ulrich

A Local Law to amend the administrative code of the city of New York, in relation to requiring certain qualified transportation benefits.

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 chapter 8 and a new section 19-801 to read as follows:

Chapter 8 - Mass Transit Benefits

§19-801 Election of qualified transportation benefits in lieu of taxable dollar compensation for certain non-governmental employees.

a. Except as provided in subdivision c of this section, every individual, corporation or other entity with fifty or more employees in the city of New York shall offer such employees the opportunity to use pre-tax earnings to purchase qualified transportation benefits, other than qualified parking, in accordance with federal law.

b. Except as provided of subdivision d of this section, any individual, corporation or other entity that fails to offer the opportunity required in subdivision a of this section shall be subject to a civil penalty returnable at the environmental control board of one hundred dollars for each day that such failure occurs for each employee that fails to receive the opportunity required by subdivision a of this section.

c. Subdivision a of this section shall not apply where a collective bargaining agreement exists between any group of workers and such individual, corporation or other entity.

d. The provisions of this section may be enforced by the department of finance. Not less than thirty days nor more than ninety days prior to assessing a monetary penalty for violation of subdivision a of this section, the department of finance shall issue a written warning to such individual, corporation or other entity. The department of finance shall promulgate rules setting forth such warning period.

§2. This local law shall take effect one hundred eighty days after it is enacted into law.

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