Legislation Details (With Text)

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Int. No. 637

By Council Member Eugene

A Local Law to amend the administrative code of the city of New York, in relation to regulating key kiosks

Be it enacted by the Council as follows:

Section 1. Title 20 of the administrative code of the city of New York is amended by adding a new subchapter 36 to read as follows:

SUBCHAPTER 36

KEY KIOSKS

§ 20-563 a. Definitions. For purposes of this subchapter, the following terms have the following meanings:

Electronically-stored key. The term "electronically-stored key" means any graphic image of a key that is stored as data to be accessed at a key kiosk for the purpose of recreating a physical key.

Key. The term "key" means any instrument, including any visual or electronic representations thereof, that is intended to be used on a specific lock.

Key kiosk. The term "key kiosk" means any automated machine that duplicates physical or electronically-stored keys on demand in exchange for a fee.

Master key. The term "master key" means any key that will open two or more different locks.

b. License required. 1. Any person or organization that provides the services of a key kiosk shall obtain a license for each such key kiosk.

2. Each key kiosk shall display such license in a conspicuous place where anyone using the kiosk can see the license.

3. The commissioner shall set a fee for such license.

c. Unauthorized uses; penalties. 1. No person other than a key owner or the key owner's authorized agent may use the services of a key kiosk to create or make duplicates of that key.

2. No person may use the services of a key kiosk to create or make duplicates of a master key or of any key that is marked "do not duplicate."

3. Any person who violates the provisions of this section shall be guilty of a misdemeanor punishable by a fine of not more than $1,000, imprisonment for not more than three months, or both. In addition to or as an alternative to such penalty, any person who is found to have violated the provisions of this section shall be subject to a civil penalty of not more than $1,000 which may be recovered in a proceeding before the department.

d. Operational requirements. The commissioner shall only license key kiosks that do the following:

1. Require a fingerprint scan to access electronically-stored keys;

2. Record all transactions in a manner similar to ATMs;

3. Require both sides of any electronically-stored keys to be scanned against a white background from a maximum distance of four inches;

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4. Provide real-time notification to key kiosk account holders whenever new activity occurs on an account;

5. Store only necessary personal information of account holders and customers and maintain it in a manner, such as with encryption, that prevents any unauthorized party from linking any key to a particular person, location or lock; and

6. Stamp all physical keys that it provides with the license number that the commissioner issues for that key kiosk.

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

PLS-PLS
LS 6518/Int. 1127-2016
LS 706
12/26/17