Legislation Details (With Text)

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				In control:	Committee on Civil Service and Labor
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Title: A Local Law to amend the New York city charter, the administrative code of the city of New York and local law number 58 for the year 1996, relating to performance by the police department of certain functions previously performed by the department of transportation, in relation to authorizing employees of the police department to perform parking enforcement functions.

Sponsors: Joseph P. Addabbo, Jr., Lewis A. Fidler, Larry B. Seabrook, Kendall Stewart, Thomas White, Jr., Michael C. Nelson, Helen Sears, (by request of the Mayor)

Indexes:

Attachments: 1. Int. No. 350 - 5/24/06, 2. Proposed Int. No. 350-A - 6/22/06, 3. Committee Report 6/22/06, 4. Hearing Transcript 6/22/06, 5. Committee Report 6/29/06, 6. Hearing Transcript 6/29/06, 7. Local Law, 8. Fiscal Impact Statement, 9. Hearing Transcript - Stated Meeting 6/29/06

Date	Ver.	Action By	Action	Result
5/24/2006	*	City Council	Introduced by Council	
5/24/2006	*	City Council	Referred to Comm by Council	
6/22/2006	*	Committee on Civil Service and Labor	Hearing Held by Committee	
6/22/2006	*	Committee on Civil Service and Labor	Amendment Proposed by Comm	
6/22/2006	A	Committee on Civil Service and Labor	Laid Over by Committee	
6/29/2006	A	Committee on Civil Service and Labor	Hearing Held by Committee	
6/29/2006	A	Committee on Civil Service and Labor	Amendment Proposed by Comm	
6/29/2006	A	Committee on Civil Service and Labor	Amended by Committee	
6/29/2006	A	Committee on Civil Service and Labor	Approved by Committee	Pass
6/29/2006	A	City Council	Approved by Council	Pass
6/29/2006	A	City Council	Sent to Mayor by Council	
7/11/2006	A	Mayor	Hearing Held by Mayor	
7/11/2006	A	Mayor	Signed Into Law by Mayor	
7/11/2006	A	City Council	Recved from Mayor by Council	

Int. No. 350-A

By Council Members Addabbo Jr., Fidler, Seabrook, Stewart, White Jr., Nelson and Sears (by request of the Mayor)

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A Local Law to amend the New York city charter, the administrative code of the city of New York and local law number 58 for the year 1996, relating to performance by the police department of certain functions previously performed by the department of transportation, in relation to authorizing employees of the police department to perform parking enforcement functions.

Be it enacted by the Council as follows:

Section 1. Subdivision b of section 435 of the New York city charter, as added by local law number 58 for the year 1996, is amended to read as follows:

b. The provisions of law and the rules and regulations of the commissioner of transportation relating to regulating, directing, controlling and restricting the parking of vehicles and the movement and conduct of vehicular and pedestrian traffic for the facilitation of traffic and the convenience of the public as well as the proper protection of human life and health may also be enforced by an employee of the police department [who is in a title with the classified city civil service pursuant to which such activities may be performed and which title was within the department of transportation on the effective date of this paragraph or any successor title thereto].

§2. The heading and subdivision a of section 14-118.2 of the administrative code of the city of New York, as added by local law number 58 for the year 1996, are amended to read as follows:

§14-118.2 Traffic and parking enforcement by employees not police officers.

a. Notwithstanding any other provision of law, the commissioner may employ persons who shall not be police officers to engage in the performance of [such] duties [relating to] involving the enforcement of laws and regulations relating to (1) the parking of vehicles and (2) the regulating, directing, controlling and restricting of the movement of vehicular and pedestrian traffic, [for] both such duties in furtherance of the facilitation of traffic, [and] the convenience of the public [as well as] and the proper protection of human life and health [may also be enforced by an employee of the police department who is in a title within the classified city civil service pursuant to which such activities may be performed and which title was within the department of transportation on the effective date of this section or any successor title thereto].

§3. Section 3 of local law number 58 for the year 1996 is amended to read as follows:

§3. [(a)] In order to effectuate the provisions of subdivision b of section four hundred thirty-five of the New York city charter, as enacted by section one of this local law, officers and employees in the classified city civil service who are engaged in the performance of the functions, powers or duties described in such section shall be transferred to the police department without further examination or qualification, and shall retain their respective civil service classifications and civil service status.

[(b) Notwithstanding subdivision a of this section, officers and employees of the department of transportation classified in the parking control specialist series shall not be transferred pursuant to this local law.]

§4. In order to effectuate the provisions of subdivision a of section 14-118.2 of the administrative code of the city of New York, as amended by section 2 of this local law, officers and employees in the classified city civil service who are engaged in the performance of the functions, powers or duties described in such section shall be transferred to the police department without further examination or qualification, and shall retain their respective civil service classifications and civil service status; provided, however, that employees who are subject to pending disciplinary charges on the date of the functional transfer, or against whom a disciplinary penalty has been assessed but not yet served or paid on or prior to such date, may be retained in the employment of the department of transportation until the resolution of the adjudicative or administrative proceedings and until any outstanding disciplinary penalty has been served or paid.

§5. No existing right or remedy of any character to the city shall be lost or impaired or affected by reason of the enactment of this local law.

§6. No civil, criminal or administrative action or proceeding pending at the time when this local law shall take effect, brought by or against the city or any agency or officer of the city, shall be affected or abated by the enactment of this local law or by anything contained herein; but any or all such actions and proceedings may be assigned or transferred to the police department, but in that event the same may be prosecuted or

defended by the police commissioner.

§7. This local law shall take effect July 2, 2006, or as soon as practicable thereafter as a transfer of functions may be effectuated pursuant to this local law and subdivision 2 of section 70 of the civil service law; provided, however, that any or all actions necessary to effectuate such transfer may be taken prior to such effective date.

LP

6/16/06 5:30p.m.