



Legislation Details (With Text)

File #: Int 0501-2022 **Version:** A **Name:** Hazardous obstruction by vehicles and civilian complaints to the department of transportation for hazardous obstruction violations.

Type: Introduction **Status:** Committee

In control: Committee on Transportation and Infrastructure

On agenda: 6/2/2022

Enactment date: **Enactment #:**

Title: A Local Law to amend the administrative code of the city of New York, in relation to hazardous obstruction by vehicles and civilian complaints to the department of transportation for hazardous obstruction violations

Sponsors: Lincoln Restler, Carlina Rivera, Christopher Marte, Shahana K. Hanif, Sandy Nurse, Alexa Avilés, Rita C. Joseph, Erik D. Bottcher, Julie Won, Chi A. Ossé, Robert F. Holden, Kristin Richardson Jordan, Gale A. Brewer, Ari Kagan, Jennifer Gutiérrez, Justin L. Brannan, Shekar Krishnan, Amanda Fariás, James F. Gennaro, Lynn C. Schulman, Marjorie Velázquez, Carmen N. De La Rosa, Shaun Abreu, Julie Menin, Diana I. Ayala, Pierina Ana Sanchez, Oswald Feliz, Farah N. Louis, Crystal Hudson, (in conjunction with the Brooklyn Borough Presiden

Indexes: Agency Rule-making Required, Report Required

Attachments: 1. Summary of Int. No. 501-A, 2. Summary of Int. No. 501, 3. Int. No. 501, 4. June 2, 2022 - Stated Meeting Agenda, 5. Hearing Transcript - Stated Meeting 6-2-22, 6. Minutes of the Stated Meeting - June 2, 2022, 7. Proposed Int. No. 501-A - 3/3/23

| Date | Ver. | Action By | Action | Result |
|----------|------|--------------|-----------------------------|--------|
| 6/2/2022 | * | City Council | Introduced by Council | |
| 6/2/2022 | * | City Council | Referred to Comm by Council | |

Proposed Int. No. 501-A

By Council Members Restler, Rivera, Marte, Hanif, Nurse, Avilés, Joseph, Bottcher, Won, Ossé, Holden, Richardson Jordan, Brewer, Kagan, Gutiérrez, Brannan, Krishnan, Fariás, Gennaro, Schulman, Velázquez, De La Rosa, Abreu, Menin, Ayala, Sanchez, Feliz, Louis and Hudson (in conjunction with the Brooklyn Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to hazardous obstruction by vehicles and civilian complaints to the department of transportation for hazardous obstruction violations

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 new sections 19-175.8 and 19-175.9 to read as follows:

§ 19-175.8 Hazardous obstruction. a. Except as otherwise permitted by law, no person shall park, stop or stand a vehicle within a radial distance of 2640 feet of a school building, entrance or exit in a manner that

obstructs a bicycle lane, bus lane when bus lane restrictions are in effect, sidewalk, crosswalk or fire hydrant.

b. As an alternative to any other means of enforcement authorized by law, a violation of subdivision a of this section shall be punishable by a civil penalty of \$175. Such civil penalties shall be recoverable in a proceeding before the office of administrative trials and hearings.

§ 19-175.9 Civilian complaint of hazardous obstruction. a. Any natural person, excluding personnel of the department and other employees of the city authorized to serve summonses for violations of section 19-175.8, may serve upon the department a complaint, in a form prescribed by the commissioner, alleging that a person has violated section 19-175.8, provided that the vehicle causing the hazardous obstruction was unoccupied.

b. The department shall publish on its website information on filing civilian complaints pursuant to this section. Such information shall include but need not be limited to instructions for filing such complaints and for gathering supporting documentation.

c. The department shall provide a mobile application for filing civilian complaints pursuant to this section.

d. The department shall publish on its website, and in the mobile application required pursuant to subdivision c, a digital training course to be completed by persons seeking to file a civilian complaint before they are eligible to file such a complaint. Any such person must have a New York state driver's license, a New York state non-driver identification card, or a New York city identity card, pursuant to section 3-115, and may be asked to provide certain demographic and income level data to be determined by the department for reporting purposes under subdivision f of this section, in order to qualify for the training course and file civilian complaints.

e. The department shall provide a tracking number to each person who submits a civilian complaint pursuant to subdivision a of this section which shall allow such person to track the status of such complaint from initiation to disposition. The department shall provide an initial status update for any such civilian

complaint within three days of the submission of such complaint.

f. No later than nine months after the effective date of the local law that added this section the commissioner shall submit to the speaker of the council and post on the department's website a report including the number of complaints submitted pursuant to subdivision a of this section, the dispositions of such complaints, the self-reported demographic and income-level data of complainants, and the geographic locations of the complaints, in addition to any other data which the department deems significant. No later than twenty-one months after the effective date of the local law that added this section, and annually thereafter, the commissioner shall submit to the speaker of the council and post on the department's website a report including the same categories of data required in the report to be filed no later than nine months after the effective date of the local law that added this section, in addition to any other data which the department deems significant.

g. In the first year of implementation of the civilian complaint process described in this section, civilian complaints pursuant to subdivision a may only be filed if the hazardous obstruction occurs within Manhattan community district 1 or Brooklyn community district 2. The department shall conduct outreach within these community districts to disseminate information about the civilian complaint process.

h. In the second year of implementation of the civilian complaint process described in this section, civilian complaints pursuant to subdivision a may only be filed if the hazardous obstruction occurs within any Manhattan community district, Brooklyn community district 1, Brooklyn community district 2, Brooklyn community district 3, Brooklyn community district 4, Brooklyn community district 6, Brooklyn community district 7, Brooklyn community district 8, Brooklyn community district 9, Queens community district 1, Queens community district 2, Queens community district 3, or Bronx community district 1. The department shall conduct outreach in each community district for which outreach was not previously undertaken pursuant to section g of this section.

i. In the third year of implementation of the civilian complaint process described in this section, civilian complaints pursuant to subdivision a may be filed within any community district. The department shall conduct

outreach in each community district for which outreach was not previously undertaken pursuant to sections g or h of this section.

j. The department shall install signage in any area where civilian complaints pursuant to subdivision a of this section may be filed indicating that civilian enforcement is permissible in that area.

k. The commissioner shall promulgate such rules as are necessary to implement the provisions of this section.

§ 2. This local law takes effect 120 days after becoming law.

Session 12:
BJR/SRB
LS 8654
1/23/23

Session 11:
NAB/CP
LS #15421
11/17/20