



Legislation Text

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Int. No. 2159

By Council Members Levin, the Speaker (Council Member Johnson), Rosenthal, Constantinides, Rivera and Van Bramer

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 1320 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.

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 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.

d. In any proceeding brought by the department based on a complaint submitted pursuant to subdivision a of this section, the office of administrative trials and hearings shall award the complainant 25 percent of any sums collected as a result of such proceeding.

e. No later than one year 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 number of complaints submitted pursuant to subdivision a of this section and the dispositions of such complaints.

f. 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, except that the commissioner of transportation shall take any actions necessary to implement this law, including the promulgation of rules, prior to such effective date.

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