

## **New York City Department of Finance**

### **Notice of Public Hearing and Opportunity to Comment on Proposed Rule**

**What are we proposing?** The New York City Department of Finance (“DOF”) is proposing to amend its rules to authorize 34<sup>th</sup> Street Partnership/Bryant Park Corporation Special Patrolmen, Spring Creek Towers Public Safety Department Special Patrolmen, and State University of New York Downstate Health Sciences University Police Officers to issue parking violations in New York City. Additionally, DOF is proposing to amend its rules to reflect the new name of the New York State Office for People With Developmental Disabilities.

**When and where is the hearing?** NYC Department of Finance will hold a public hearing on the proposed rule. The public hearing will take place at 11:00 AM on Friday, January 10, 2025. The hearing will be conducted remotely through Webex Event Center. To participate in the public hearing, enter the Webex URL <https://nycdof.webex.com>. If prompted to provide the meeting number, please enter: 2349 579 4267; If prompted for a password, please enter the following: PARKING2025. You can also participate in the hearing via telephone by calling 1-646-992-2010 (New York City); or 1-408-418-9388. The meeting access code is 2349 579 4267.

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**How do I comment on the proposed rule?** Anyone can comment on the proposed rule by:

- **Website.** You can submit comments to the Department through the NYC rules website: <http://rules.cityofnewyork.us>.
- **Email.** You can email written comments to [DOFRules@finance.nyc.gov](mailto:DOFRules@finance.nyc.gov).
- **Mail.** You can mail written comments to NYC Department of Finance, Legal Affairs Division, 375 Pearl Street, 30th Floor, New York, NY 10038, Attn: Garret Rubin.
- **Fax.** You can fax written comments to NYC Department of Finance, Attn: Garret Rubin at (212) 748-6981.
- **Hearing.** You can speak at the public hearing. Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling Joan Best at (212) 748-7214. You can speak for up to three minutes. Please note that the hearing is for accepting oral testimony only and is not held in a “Question and Answer” format.

**Is there a deadline to submit written comments?** The deadline to submit written comments is Friday, January 10, 2025.

**What if I need assistance to participate in the hearing?** You must tell the Office of Legal Affairs if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You may tell us by mail at the address given above, sent to the attention of Joan Best; by telephone, by calling Joan Best at (212) 748-7214; or by e-mail at [bestj@finance.nyc.gov](mailto:bestj@finance.nyc.gov). You must tell us by Tuesday, January 7, 2025.

This location has the following accessibility option(s) available: Simultaneous transcription for people who are deaf or hard of hearing and audio-only access.

**Can I review the comments made on the proposed rule?** You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. A few days after the hearing, copies of all comments submitted online, copies of all written comments, and a video recording of oral comments concerning the proposed rule will be available on the DOF website. Copies of these documents may also be reviewed at NYC Department of Finance, Legal Affairs Division, 375 Pearl Street, 30th Floor, New York, N.Y. 10038.

**What authorizes Department of Finance to adopt this rule?** New York State Vehicle and Traffic Law section 237, section 19-203 of the Administrative Code of the City of New York, and New York City Charter (“Charter”) sections 1043(a) and 1504 authorize the Department to adopt this proposed rule. This proposed rule was not included in the Department’s most recent regulatory agenda as it was not contemplated at the time the agenda was prepared.

**Where can I find the Department of Finance’s rules?** The Department’s rules can be found in Title 19 of the Rules of the City of New York at <http://rules.cityofnewyork.us>.

**What laws govern the rulemaking process?** The Department must meet the requirements of section 1043 of the Charter when creating or amending rules. This notice is made according to the requirements of section 1043 of the Charter.

### **STATEMENT OF BASIS AND PURPOSE**

DOF is proposing to amend the definition of “notice of violations (summons)” in Section 39-01 of Title 19 of the Rules of the City of New York (“RCNY”) to authorize 34<sup>th</sup> Street Partnership/Bryant Park Corporation Special Patrolmen, Spring Creek Towers Public Safety Department Special Patrolmen, and State University of New York Downstate Health Sciences University Police Officers to issue parking violations in New York City. Additionally, DOF is proposing to amend such definition to revise the name of the New York State Office of Mental Retardation and Developmental Disabilities, which has authority to issue parking violations in New York City, to the New York State Office for People with Developmental Disabilities to reflect that agency’s change in name.

DOF wishes to expand the list of entities whose agents may issue parking violations, for the following reasons:

#### ***34<sup>th</sup> Street Partnership/Bryant Park Corporation:***

Within the area managed by the 34th Street Partnership/Bryant Park Corporation, there are yellow taxi stands where vehicles not licensed by the New York City Taxi and Limousine Commission (“TLC”) periodically attempt to pick up fares in violation of TLC rules or park in violation of parking regulations. There are also three parks (Bryant Park, Greeley Square Park, and Herald Square Park) where vehicles periodically park in violation of parking regulations. Some security officers of the 34th Street Partnership/Bryant Park Corporation have been designated as Special Patrolmen by the New York City Police Department. Currently, these Special Patrolmen do not

have the authority to issue parking violations. This proposed rule seeks to enhance public safety in and around the taxi stands and parks in the area managed by the 34th Street Partnership/Bryant Park Corporation by giving these Special Patrolmen the authority to issue parking violations.

*Spring Creek Towers:*

Spring Creek Towers is a community in the East New York section of Brooklyn, comprising 46 high-rise towers and home to over 12,000 residents, and recognized as a naturally occurring retirement community by the New York City Department for the Aging. This community has parking and access issues from vehicles parked in violation of parking regulations, preventing seniors in the community with mobility issues from easily accessing transportation. Currently, Spring Creek Towers Public Safety Department Officers that are designated as Special Patrolmen by the New York Police Department do not have the authority to issue parking violations to these vehicles. This proposed rule seeks to enhance public safety and access in and around the Spring Creek Towers community by giving these Special Patrolmen the authority to issue parking violations.

*State University of New York Downstate Health Sciences University:*

State University of New York Downstate Health Sciences University is a major medical provider serving East Flatbush in Brooklyn, as well as a college of medicine, nursing and other health related professions. The university medical center has an active emergency room and vehicles parked in violation of parking regulations impede the flow of traffic around the hospital, blocking ambulance entrances and numerous driveways, and preventing Access-a-Ride vans and buses from unloading patients in a safe manner. Currently, State University of New York Downstate Health Sciences University Police Officers do not have the authority to issue parking violations to these vehicles. This proposed rule seeks to enhance public safety and access in and around the State University of New York Downstate Health Services University by giving these Police Officers the authority to issue parking violations.

The underlined matter is new. The matter in brackets [] is to be deleted.

“Will” and “must” denote mandatory requirements and may be used interchangeably in the rules of this department unless otherwise specified or unless the context clearly indicates otherwise.

### **Amendment to Rule Relating to Parking Violations**

Section 1. Paragraph (2) of the definition of “Notice of violation (summons)” in section 39-01 of chapter 39 of Title 19 of the Rules of the City of New York is amended to read as follows:

(2) For purposes of this definition, authorized issuing agents shall be members of the Police Department, Fire Department, Department of Transportation, Traffic Enforcement Agents, Department of Sanitation, the Sheriff, Under Sheriff and Deputy Sheriffs of the

Department of Finance's Office of the City Sheriff, Fraud and Associate Fraud Investigators of the Department of Finance, Department of Business Services, Business Integrity Commission, New York City Housing Authority Police, Port Authority of New York and New Jersey Police, Police of the Metropolitan Transportation Authority and its subsidiary authorities, United States Park Police, Department of Buildings Special Patrolmen, State Regional Park Police, Taxi and Limousine Commission, Waterfront Commission of New York Harbor, Department of Parks and Recreation, Department of Correction, Roosevelt Island Security Organization, Sea Gate Association Police, Snug Harbor Rangers with peace officer status, officers of the Co-op City Department of Public Safety, Amtrak Police Officers, Office of Court Administration Court Officers, Department of Health Police Officers, Health and Hospitals Corporation Police Officers, New York State Office of Mental Health Safety Officers, New York State Office [of Mental Retardation and] for People with Developmental Disabilities Police Officers, Triborough Bridge and Tunnel Authority Police Officers, State University Maritime College Public Safety Officers, Department of Environmental Protection Police Officers, and managers of the New York City Transit Authority, [and] Officers of the Federal Protective Service of the United States Department of Homeland Security, 34th Street Partnership/Bryant Park Corporation Special Patrolmen, Spring Creek Towers Public Safety Department Special Patrolmen, and State University of New York Downstate Health Sciences University Police Officers.

**NEW YORK CITY LAW DEPARTMENT  
DIVISION OF LEGAL COUNSEL  
100 CHURCH STREET  
NEW YORK, NY 10007  
212-356-4028**

**CERTIFICATION PURSUANT TO  
CHARTER §1043(d)**

**RULE TITLE:** Amendment of Rules Relating to Parking Violations

**REFERENCE NUMBER:** 24 RG 123

**RULEMAKING AGENCY:** Department of Finance

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN  
Senior Counsel

Date: November 22, 2024

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS  
253 BROADWAY, 10<sup>th</sup> FLOOR  
NEW YORK, NY 10007  
212-788-1400**

**CERTIFICATION / ANALYSIS  
PURSUANT TO CHARTER SECTION 1043(d)**

**RULE TITLE: Amendment of Rules Relating to Parking Violations**

**REFERENCE NUMBER: DOF-72**

**RULEMAKING AGENCY: Department of Finance**

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Lisa Taapken

Mayor's Office of Operations

November 25, 2024

Date