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## **DOI FINDS FLAWS AND MAKES RECOMMENDATIONS FOR IMPROVEMENT IN THE ISSUANCE AND REVOCATION OF CITY-ISSUED PARKING PLACARDS AND ENFORCEMENT OF PARKING LAWS RELATED TO PARKING PLACARDS**

Jocelyn E. Strauber, Commissioner of the New York City Department of Investigation (“DOI”), issued a Report today finding a range of deficiencies with the issuance and revocation of parking permits and the enforcement of laws relating to these permits, making 11 recommendations that include developing a uniform parking permit so that genuine and fake permits can be more readily identified by enforcement authorities; conducting annual audits of actively-issued permits to determine if any are subject to revocation and eliminating so-called “self-enforcement” zones. A copy of the Report is attached to this release and can also be found at the following link: <https://www.nyc.gov/site/doi/newsroom/public-reports.page>

DOI Commissioner Jocelyn E. Strauber said, “The issuance and revocation of City-issued parking placards, and consistent, equitable enforcement of parking laws, is a quality-of-life issue for all New Yorkers. Parking permit abuse obstructs streets and sidewalks, creating potentially dangerous conditions for pedestrians and motorists alike. And a lack of enforcement of parking laws with respect to permit-holders sends a message of special treatment that weakens public confidence in City government. This Report describes the problems DOI identified during its investigation with respect to parking placard abuse and makes recommendations for improvement.”

The Report issued today was mandated by Local Law 6 of 2020, which required the New York City Police Department (“NYPD”) to produce weekly evaluations for a six-month period of at least 25 blocks or intersections that experienced a prevalence of improper use of parking permits and at least 25 blocks that experienced parking that obstructed street infrastructure such as bicycle or bus lanes or fire hydrants. The NYPD was required to submit a monthly report to DOI, the Speaker of the City Council, and the Mayor, which identified the blocks or intersections evaluated, the results of those evaluations, and the NYPD’s response. DOI was then required to issue a report that analyzed NYPD’s monthly reports, documented any patterns relating to the enforcement of parking laws and the use of the permits, and issued related recommendations. Both NYPD’s evaluations and DOI’s analysis were stalled due in part to the COVID-19 pandemic and, as a result, NYPD conducted evaluations for only three months. To fill the gaps in NYPD’s evaluations and reporting, and in an effort to fully comply with Local Law 6, DOI undertook its own investigation into Citywide parking permit misuse, including a collection of relevant data.

Every year, the New York City Department of Transportation (“DOT”), NYPD, and New York City Department of Education (“DOE”) issue tens of thousands of parking permits that allow the holders to park in locations around the City not available to those without permits. In 2022, for instance, more than 95,000 permits were issued. The vast majority of parking permits are issued to City employees for use while conducting City business. Some permits are issued to non-City employees, including employees of other government agencies, people with disabilities and certain nonprofit organizations. Permit abuse is a long-standing concern in the City and includes illegal parking while displaying a valid permit, the use of permit “stand-ins” such as business cards or work vests by individuals who may not have a valid permit, and the proliferation of fraudulent permits. Illegal parking by permitted vehicles, seemingly without sanction, is widely documented on social media.

DOI's investigation and analysis of the data resulted in the following findings:

### **Findings Related to the City's Issuance and Revocation of Parking Permits**

- The City lacks a uniform process for the creation and issuance of parking permits.
- The City's enforcement of laws and policies regarding parking permit revocation and use is lax.

### **Findings Related to Enforcement of Parking Permit Misuse**

#### *Inadequate Enforcement of Laws Prohibiting Parking Permit Misuse:*

- Based on DOI's investigation, the NYPD's enforcement of parking permit misuse at the street level has been uneven and inadequate in that Traffic Enforcement Agents ("TEAs") and NYPD officers frequently choose not to issue summonses to illegally parked vehicles displaying parking permits.
- The NYPD is not consistently issuing summonses for parking permit misuse or fraudulent use of a parking permit allowing permit holders to evade permit revocation under the so-called "three strikes rule." Under this rule, codified at [Title 34 of the Rules of the City of New York §4-08\(o\)\(3\)\(v\)\(A\)\(1\)](#), parking permits are subject to revocation if the permit holder received three or more violations related to misusing their City-issued parking permit.

#### *Lack of Enforcement in "Self-Enforcement Zones," which are areas around police and other government facilities designated by NYPD as parking for employees of those facilities:*

- NYPD has no written policies or procedures regarding self-enforcement zones, and the rate of enforcement of parking laws within those zones was significantly lower than outside of those zones.

#### *Insufficient Responses to 311 Complaints:*

- 311 complaints alleging illegal parking or parking permit misuse are handled by uniformed members of the service, not TEAs.
- The majority of NYPD's responses to 311 complaints for illegal parking and parking permit misuse do not result in summonses and/or enforcement actions, and NYPD closes 311 complaints for parking permit misuse as unfounded at a higher rate than 311 complaints for illegal parking.
- NYPD closed nearly a quarter of 311 service requests for both parking permit misuse and illegal parking generally in 20 minutes or less.
- DOI's 311 integrity tests demonstrated that NYPD took no enforcement action in any of the instances of parking permit misuse reported by DOI; in half of the reported instances NYPD personnel did not respond to the complaints at all.

### **Findings Related to NYPD's Compliance with Local Law 6**

- The street evaluations conducted by the NYPD pursuant to Local Law 6 were deficient.
- NYPD's street evaluation data was incomplete and did not appear to accurately reflect the likely state of the streets considering the number of complaints about illegal parking and permit misuse reported by NYPD.
- DOI's own street evaluations found significantly more parking permit misuse than NYPD found in its evaluations of the same sites, albeit at different time periods.

### **Best Practices in Other Jurisdictions to Address Permit Abuse**

- Technological solutions are used in some other municipalities that would address many of the enforcement issues identified in DOI's Report. Technology such as license plate readers and other automated enforcement tools can be used to further enhance parking enforcement and ensure that permit holders who abuse their permits are held accountable.

In addition to the three recommendations mentioned in the first paragraph of this release, DOI issued eight other recommendations:

1. NYPD training should reiterate that in exercising discretion with respect to issuing a summons for illegal parking preference should not be given to vehicles displaying government-issued permits and all illegally parked vehicles should be summonsed to an equitable manner.
2. NYPD training should clearly review the difference between the summons for parking permit misuse and fraudulent use of a permit, and direct personnel to issue one of those summons codes in addition to the underlying parking violation whenever the vehicle displays a parking permit or an item in lieu of a parking permit.
3. NYPD training should reinforce the difference between legitimate and fraudulent permits so NYPD personnel can accurately identify fraudulent permits.
4. NYPD should assign TEAs to respond to 311 service requests regarding illegal parking instead of uniformed members of service.
5. NYPD should be required to provide specific information before closing out a 311 service request related to illegal parking, including but not limited to the badge or other identification number of the employee who resolved the service request, a photo or other visual confirmation that the employee physically responded and appropriately addressed the service request, and a more detailed narrative justifying the action taken or not taken. To the extent revisions need to be made to the 311 system in order to include this information, NYPD should work with the Office of Technology and Innovation to make the necessary changes.
6. DOT and NYPD should jointly conduct a study about the feasibility and cost of automated parking enforcement, including but not limited to license plate reader technology currently used by other cities.
7. The three permit-issuing agencies should collaborate, with coordination and guidance provided by the Mayor's Office, should create and implement a transition plan to phase out the use of physical permits, initially expanding the use of permit stickers with a bar code compatible with handheld enforcement devices, and eventually fully adopting a digital parking management system, including the use of an integrated parking management system to link parking permits, parking meters, a mobile application, handheld enforcement devices, license plate readers and license plates.
8. The City should hire an outside consultant to assist in the development and implementation of the aforementioned digital parking management.

DOI Commissioner Strauber thanks NYPD Commissioner Edward A. Caban, DOT Commissioner Ydanis Rodriguez, and DOE Chancellor David C. Banks, and their staffs, for assistance provided in connection with DOI's investigation and the preparation of this Report.

This investigation was conducted by DOI's Office of the Inspector General for DOT, and was led by Senior Investigative Attorney Robert Liu, with assistance from Director of Intergovernmental Affairs and Special Counsel Rebecca Chasan and Assistant Commissioner for Law Enforcement Technology Services Noah Mohny, and Special Investigators John Bourke, Paola Contreras, John Eleftheriades, Katherine O'Toole, and Omar Sarach, under the supervision of Deputy Inspector General William Cheung, Inspector General Juve Hippolyte, Deputy Commissioner for Strategic Initiatives Christopher Ryan and Deputy Commissioner/ Chief of Investigations Dominick Zarrella.

*DOI is one of the oldest law-enforcement agencies in the country and New York City's corruption watchdog. Investigations may involve any agency, officer, elected official or employee of the City, as well as those who do business with or receive benefits from the City. DOI's strategy attacks corruption comprehensively through systemic investigations that lead to high-impact arrests, preventive internal controls and operational reforms that improve the way the City runs.*

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New York City  
Department of Investigation



The Department of Investigation's Report  
Pursuant to Local Law 6 of 2020

Jocelyn E. Strauber  
Commissioner

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Inspector General

April 2024

## Table of Contents

Executive Summary .....	3
Background.....	10
Authorized Use of a City-Issued Parking Permit.....	10
Types of City-Issued Parking Permits and the Issuance Processes .....	11
DOT .....	11
NYPD.....	14
DOE.....	16
Relevant NYPD Training Guidelines .....	17
Analysis of NYPD Monthly Reports.....	19
NYPD’s Street Evaluations.....	19
DOI’s Street Evaluations .....	21
NYPD Summons Data .....	24
Patterns and Trends in Parking Enforcement.....	27
Agency Parking Permit Removal and Revocation .....	27
NYPD Self-Enforcement Zones .....	29
311 Service Requests .....	31
311 Service Request Data Analysis.....	32
311 Integrity Tests .....	34
New Technology and Innovation .....	39
Policy and Procedure Recommendations.....	40

## Executive Summary

Each year, New York City issues tens of thousands of parking permits that allow the holders to park in locations around the City not available to those without permits.<sup>1</sup> Permits are issued by the New York City Department of Transportation (“DOT”), the New York Police Department (“NYPD”), and the New York City Department of Education (“DOE”). In 2022, more than 95,000 permits were issued – over 26,000 by DOT, approximately 40,000 by NYPD, and over 30,000 by DOE.

The vast majority of the City’s parking permits are issued to City employees for use while conducting City business. Some permits are issued to non-City employees, including employees of other government agencies, people with disabilities, and certain not-for-profit organizations. DOT, NYPD, and DOE issue parking permits to their own employees. DOT also issues permits to several dozen other agencies and members of the public; NYPD also issues permits to other law enforcement agencies.

DOT’s permits issued to City agencies and staff, including DOT staff, allow parking in specified areas not available to the general public for limited periods of time while conducting City business. NYPD issues similar parking permits. DOT, NYPD, and DOE also issue parking permits for parking in certain on-street spaces that have been specifically designated for use by agency parking permit holders, typically near City office buildings, precincts, and schools.

Permit abuse is a subject of long-standing concern in the City. Such abuse includes illegal parking while displaying a valid permit,<sup>2</sup> use of permit “stand-ins” such as business cards or work vests, by individuals who may not have a valid permit,<sup>3</sup> and the proliferation of fraudulent permits.<sup>4</sup> There are limited designated spaces for City employees to park and the number of parking permits issued to City employees far exceeds such spaces. Illegal parking while displaying a valid permit is therefore common and can cause dangerous conditions and contribute to traffic congestion in already crowded streets.<sup>5</sup> Illegal parking by permitted vehicles, seemingly without sanction, is widely documented on social media,<sup>6</sup> drawing attention to a form of corruption that erodes the public trust in municipal government.

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<sup>1</sup> The parking permit is also commonly referred to as a parking placard.

<sup>2</sup> See, “Scaling Back Free Parking Privileges, *Gotham Gazette*, available at: <https://www.gothamgazette.com/commentary/117.anderson.shtml>

<sup>3</sup> See, Kilgannon, Corey, “Don’t Ticket Me. I’m One of You.,” *The New York Times*, May 4, 2011, available at:

<https://archive.nytimes.com/cityroom.blogs.nytimes.com/2011/05/04/dont-ticket-me-im-one-of-you/>; see also, Appendix A, for photographs taken by DOI investigators during DOI’s street evaluations of items utilized in lieu of a valid parking permit to park illegally.

<sup>4</sup> See, Department of Investigation Press Release, “Thirty Individuals Indicted for Using Forged Parking Placards to Park Illegally in Manhattan,” District Attorney New York County, October 3, 2017, available at:

[https://www.nyc.gov/assets/doi/press-releases/2017/oct/DANY\\_Release\\_and\\_Placard\\_Summary.pdf](https://www.nyc.gov/assets/doi/press-releases/2017/oct/DANY_Release_and_Placard_Summary.pdf)

<sup>5</sup> See, Fix NYC Advisory Panel Report, January 2018, available at:

<https://www.hntb.com/fix-nyc-report/>

<sup>6</sup> See, e.g., @placardabuse on X, available at: <https://twitter.com/placardabuse>

## DOI's Report Pursuant to Local Law 6 of 2020

Past administrations have sought to address these problems, generally without success. In 2008, Mayor Michael Bloomberg reduced the number of parking permits issued to City employees, cutting by 20 percent the approximately 70,000 permits that the City estimated it had issued.<sup>7</sup> While Mayor Bill de Blasio was required to issue 50,000 new permits to DOE employees as a result of an arbitration ruling, in 2017 he announced the implementation of new controls; stricter enforcement, including the creation of a dedicated NYPD enforcement unit; and harsher penalties in an effort to combat parking permit fraud and abuse.<sup>8</sup> In 2019, he announced a plan to eliminate fake permits, involving the phase-out of physical placards and creation of an Integrated Parking Management System, including Pay-By-Plate parking meters.<sup>9,10</sup> He announced a three strike policy to permanently revoke permits after three instances of misuse and a dedicated DOT placard abuse enforcement team.<sup>11</sup> Many of these reforms did not materialize or have since been abandoned. The DOT enforcement unit was never created, and the NYPD unit was disbanded due to COVID-19 related budget cuts.<sup>12</sup> Components of the Integrated Parking Management System were implemented and the deployment of Pay-By-Plate Meters was delayed and is slated to begin in April 2024.<sup>13</sup>

In December 2019, the New York City Council passed a package of legislation intended “to crack down on the improper use of City-issued parking permits, known as placards” and “to rein in misuse of placards.”<sup>14</sup>

Local Law 6 of 2020 was a part of that package and required that NYPD evaluate weekly, for a six-month period, at least 25 blocks or intersections that experienced a prevalence of improper use of parking permits and at least 25 blocks that experienced parking that obstructed street infrastructure, such as bicycle or bus lanes or fire hydrants. The law required NYPD to submit a monthly report to the New York City Department of Investigation

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<sup>7</sup> See, Neuman, William, “Bloomberg Will Limit Parking,” January 4, 2008, *The New York Times*, available at: <https://www.nytimes.com/2008/01/04/nyregion/04parking.html>

<sup>8</sup> See, Press Release, “City Hall in Your Borough: Mayor de Blasio Announces New Plan to Crack Down on Parking Placard Fraud and Abuse,” City of New York, May 24, 2017, available at: <https://www.nyc.gov/office-of-the-mayor/news/342-17/city-hall-your-borough-mayor-de-blasio-new-plan-crack-down-parking-placard>

<sup>9</sup> The Pay-By-Plate system announced by Mayor de Blasio contemplated an integrated parking management system linking parking meters, hand-held enforcement devices, and license plates. To further automate parking enforcement, the system would be able to determine if a car was in violation of parking and permit rules. Instead of physical permits for government employees, parking authorizations would be electronically incorporated into license plates, and the system would automatically reflect whether the car with those plates was parked legally or illegally.

<sup>10</sup> See, Press Release, “Mayor Puts City on Path to Replacing Broken Placard System,” City of New York, February 21, 2019, available at: <https://www.nyc.gov/office-of-the-mayor/news/106-19/mayor-puts-city-path-replacing-broken-placard-system#/0>

<sup>11</sup> Id.

<sup>12</sup> See, Cuba, Julianne, “De Blasio Cuts Two Placard Abuse Units That Did Nothing, Saying, ‘But Wait ‘til Next Year!’,” *Streetsblog NYC*, July 10, 2020, available at: <https://old.nyc.streetsblog.org/2020/07/10/de-blasio-cuts-two-placard-abuse-units-that-did-nothing-saying-but-wait-til-next-year/>

<sup>13</sup> A limited deployment of 11 fully functional Pay-By-Plate Meters was deployed in July 2023, on Queens Boulevard between 32<sup>nd</sup> Place and 39<sup>th</sup> Street as a field test of the software in advance of the April 2024 rollout.

<sup>14</sup> Press Release, “Council Votes to Crack Down on Placard Abuse,” New York City Council, November 26, 2019, available at: <https://council.nyc.gov/press/2019/11/26/1842/>

## DOI's Report Pursuant to Local Law 6 of 2020

("DOI"), the Speaker of the Council, and the Mayor, which identified the blocks or intersections evaluated, the results of those evaluations, and NYPD's response. Thereafter, DOI was required to issue a public report, including:

- an analysis of NYPD's monthly reports,
- any patterns or trends relating to the enforcement of parking laws and the use of parking permits, and
- recommendations related to the enforcement of parking laws, the use of parking permits, and the issuance of parking permits.<sup>15</sup>

Both NYPD's evaluations and DOI's investigative efforts were stalled due in part to the COVID-19 pandemic. NYPD ultimately gathered only three months of data. To fill the gaps in NYPD's evaluations and reporting, and in an effort to comply with Local Law 6 to the fullest extent possible, DOI undertook its own investigation into citywide parking permit misuse, including a collection of relevant data.

As part of its investigation, DOI reviewed DOT, NYPD, and DOE's processes for creating and issuing permits and data concerning the number of permits issued by each agency. DOI analyzed the data reported by NYPD for the three months of evaluations that NYPD conducted pursuant to Local Law 6 and additional summons data. DOI conducted its own street evaluations in the same areas for comparison purposes. DOI assessed enforcement trends and data, including summonses issued for parking permit misuse and fraudulent use of a parking permit,<sup>16</sup> 311 complaints concerning illegal parking and parking permit misuse, and the revocation of parking permits by City agencies for misuse of parking permits. Finally, DOI conducted integrity tests on NYPD's response to 311 complaints by making controlled 311 complaints alleging permit misuse and reviewing NYPD's response.

As detailed herein, DOI's investigation found a range of deficiencies with respect to the issuance, enforcement, and revocation of parking permits.

### **Findings Related to the City's Issuance and Revocation of Parking Permits**

- *The City lacks a uniform process for the creation and issuance of parking permits.* The three permitting agencies have inconsistent eligibility criteria and issue permits that look different, making identification of fraudulent permits unnecessarily difficult.
- *The City's enforcement of laws and policies regarding parking permit revocation and use is lax.* DOI's investigation uncovered at least 136 City employee permit holders eligible for permit revocation pursuant to the three strikes rule that was implemented

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<sup>15</sup> This investigation did not assess, and this report does not analyze the enforcement of parking laws with respect to vehicles displaying New York State-issued parking permits or those with City government license plates.

<sup>16</sup> The "misuse and fraudulent use of parking permits" is a violation of Title 34 of the Rules of the City of New York §4-08(o)(3)(iv). Title 34 states that such a violation "will be issued in addition to any other violation issued for parking in contravention of posted signs or written regulations." Parking permit misuse is deemed a "Code 33 violation" and fraudulent use of a permit is deemed a "Code 87 violation," as detailed in subparagraphs (A) and (B) of Title 34, §4-08(o)(3)(iv), respectively; *see also* Appendix B, for the relevant sections of the Rules of the City of New York.

## DOI's Report Pursuant to Local Law 6 of 2020

by Mayor de Blasio in 2019 and codified as Local Law 4 of 2020, based on summonses received in the first half of 2022. However, as of September 9, 2022, NYPD and DOE, which are authorized to revoke parking permits under the three strikes rule, have not done so.

### **Findings Related to Enforcement of Parking Permit Misuse**

#### *Inadequate Enforcement of Laws Prohibiting Parking Permit Misuse:*

- *Based on DOI's investigation, NYPD's enforcement of parking permit misuse at the street level has been uneven and inadequate.* According to NYPD, across its 677 street evaluations conducted pursuant to Local Law 6, it identified only 156 illegally parked vehicles; 24 of those displayed a parking permit. Moreover, NYPD summons data for the first half of 2022 shows that vehicles displaying government agency-affiliated permits received approximately 32 percent of summonses issued for parking permit misuse, while accounting for approximately 86.6 percent of parking permits issued. In addition, DOI's street evaluations uncovered a higher rate of parking permit misuse than NYPD's evaluations conducted in the same locations.
- *NYPD is not consistently issuing summonses for parking permit misuse or fraudulent use of a parking permit, allowing permit holders to evade permit revocation under the three strikes rule.* Under the law, parking permits are subject to revocation if the permit holder received three or more violations related to misusing their City-issued parking permit. When a vehicle displaying a parking permit (legitimate or fraudulent) is summonsed for a parking violation, NYPD should also issue a violation for either parking permit misuse or fraudulent use of a parking permit. However, according to summons data provided by NYPD, NYPD only did so in approximately 30 percent of cases.
- *TEAs and NYPD officers frequently choose to not issue summonses to illegally parked vehicles displaying parking permits.* In interviews with DOI, NYPD TEAs and police officers stated that they frequently exercised discretion by not issuing summonses to illegally parked vehicles displaying a parking permit. On at least one occasion, DOI observed a TEA summons an illegally parked vehicle without a permit, while ignoring illegally parked vehicles displaying NYPD-issued parking permits in the same parking zone.

#### *Lack of Enforcement in Self-Enforcement Zones:*

- *NYPD has no written policies or procedures regarding self-enforcement zones and the rate of enforcement of illegal parking within those zones was significantly lower than outside of those zones.* Self-enforcement zones are areas around police and other government facilities designated by NYPD as parking for employees of those facilities. According to NYPD, the geography and rules for the self-enforcement zones around police facilities are determined by each command's commanding officer and can vary by command.<sup>17</sup> In general, Traffic Enforcement Agents ("TEAs") are not permitted to

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<sup>17</sup> It is unclear precisely how enforcement functions in self-enforcement zones other than those surrounding NYPD facilities.

## DOI's Report Pursuant to Local Law 6 of 2020

enforce parking rules within self-enforcement zones. Instead, each command's Integrity Control Officer and designated supervisors are responsible for enforcing the rules in self-enforcement zones. NYPD data reviewed by DOI demonstrated that NYPD's enforcement activity in its self-enforcement zones was significantly lower than areas outside of those zones.

### *Insufficient Responses to 311 Complaints:*

- *311 complaints alleging illegal parking or parking permit misuse are handled by uniformed members of the service ("UMOS"), not TEAs.<sup>18</sup>*
- *The majority of NYPD's responses to 311 complaints for illegal parking and parking permit misuse do not result in summonses and/or enforcement actions, and NYPD closes 311 complaints for parking permit misuse as unfounded at a higher rate than 311 complaints for illegal parking.* DOI found that 91 percent of the 311 complaints for parking permit misuse did not result in a summons, whereas 82 percent of illegal parking complaints did not result in a summons. For both categories, more than 50 percent of the 311 complaints resulted in no action.
- *NYPD closed nearly a quarter of 311 service requests for both parking permit misuse and illegal parking generally in 20 minutes or less.* According to NYPD, the average closing time for a 311 complaint for illegal parking was one hour 45 minutes and 34 seconds. Based on the procedures for 311 service request intake and assignment at NYPD, the fact that 911 and other emergency calls are prioritized over 311 responses, and the time it could take a UMOS to travel to the reported location, a 20-minute timeframe is so tight as to raise questions about whether NYPD took sufficient steps to address the complaint.
- *DOI's 311 integrity tests demonstrated that NYPD took no enforcement action in any of the instances of parking permit misuse reported by DOI; in half of the reported instances NYPD personnel did not respond to the complaints at all.* DOI reported six instances of misuse of a parking permit to 311 and then surveilled the location until the complaints were resolved in the 311 system. No summonses were issued for any of the six complaints. Four of the six complaints were closed out in 20 minutes or less. For three of the complaints, including two which were closed out in 20 minutes or less, NYPD did not respond to the scene of the complaint, despite the fact that NYPD is required to do so prior to closing a complaint.

### **Findings Related to NYPD's Compliance with Local Law 6**

- *The street evaluations conducted by NYPD pursuant to Local Law 6 were deficient.* NYPD understandably conducted evaluations for only three of the required six months as a result of the COVID-19 pandemic. However, the data provided for those three months suggests that NYPD did not follow the required criteria for selecting the times and places of the evaluations as set forth in the law.

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<sup>18</sup> NYPD has introduced a pilot program in 2023 which routes illegal parking 311 service requests to TEAs rather than UMOS which is discussed in more detail below.

## DOI's Report Pursuant to Local Law 6 of 2020

- *NYPD's street evaluation data was incomplete and did not appear to accurately reflect the likely state of the streets considering the number of complaints about illegal parking and permit misuse reported by NYPD.* For example, the monthly reports that NYPD was directed to provide DOI pursuant to Local Law 6 about its evaluations were required to include the number of vehicles observed during the evaluation that were parked legally and illegally. For 277 of the 677 evaluations, NYPD included no information about the number of vehicles parked legally and illegally – that is, the fields for that information in the report were left blank. For an additional 123 evaluations, NYPD indicated that zero vehicles were observed during NYPD's evaluation of the particular location.
- *DOI's own street evaluations found significantly more parking permit misuse than NYPD found in its evaluations of the same sites, albeit at different time periods.* DOI evaluated 44 locations for permit misuse in December 2022, including 38 that NYPD had evaluated between January and March 2020. Per evaluation, on average, DOI observed 9.90 illegally parked vehicles and 7.95 illegally parked vehicles displaying a permit or item in lieu of a permit, compared to NYPD's per evaluation averages of 0.51 illegally parked vehicles and 0.06 illegally parked vehicles displaying a permit.

### **Best practices in other Jurisdictions to Address Permit Abuse**

- *Technological solutions are used in some other municipalities that would address many of the enforcement issues identified in this report.* Technology, such as license plate readers, geofencing, and other automated enforcement tools, can be used to further enhance parking enforcement and ensure that permit holders who abuse their permits are held accountable.

As a result of these findings, and in order to limit parking permit abuse and to restore public trust in fair and uniform parking enforcement, DOI makes the following key recommendations:

- 1) Unless and until a fully paperless permit system is implemented, the three permit-issuing agencies should collaborate, with coordination and guidance provided by the Mayor's Office, to develop a uniform parking permit so that fake permits can be more readily identified by enforcement authorities.
- 2) The three permit-issuing agencies should conduct an audit of all actively issued parking permits to determine whether any should be revoked as a result of the three strikes law and should revoke any permits found eligible to be revoked. The results of that audit should be publicly reported. Such audit and public reporting should be conducted annually.<sup>19</sup>

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<sup>19</sup> In mid-2023, DOT, with the NYC Department of Finance, began a review of City-issued permits to identify all agencies and organizations that have permits subject to revocation under the three strikes rule. That review is ongoing.

## DOI's Report Pursuant to Local Law 6 of 2020

- 3) NYPD should eliminate self-enforcement zones.<sup>20</sup>
- 4) NYPD training should reiterate that in exercising discretion with respect to issuing a summons for illegal parking, preference should not be given to vehicles displaying government-issued permits and all illegally parked vehicles should be summonsed in an equitable manner.
- 5) NYPD training should clearly review the difference between the summons for parking permit misuse and fraudulent use of a permit, and direct personnel to issue one of those summons codes in addition to the underlying parking violation whenever the vehicle displays a parking permit or an item in lieu of a parking permit.
- 6) NYPD training should address the difference between legitimate and fraudulent permits, so that NYPD personnel can accurately identify fraudulent permits.
- 7) NYPD should assign TEAs to respond to 311 service requests regarding illegal parking instead of UMOS.
- 8) NYPD should be required to provide specific information before closing out a 311 service request related to illegal parking, including, but not limited to, the badge or other identification number of the employee who resolved the service request, a photograph or other visual confirmation that the employee physically responded and appropriately addressed the service request, and a more detailed narrative justifying the action taken or not taken. To the extent revisions need to be made to the 311 system in order to include this information, NYPD should work with the Office of Technology and Innovation (“OTI”) to make the necessary changes.
- 9) DOT and NYPD should jointly conduct a study about the feasibility and cost of automated parking enforcement, including but not limited to license plate reader technology currently used by other cities.
- 10) The three permit-issuing agencies should collaborate, with coordination and guidance provided by the Mayor’s Office, to create and implement a transition plan to phase out the use of physical permits, initially expanding the use of permit stickers with a bar code compatible with handheld enforcement devices, and eventually fully adopting a digital parking management system, including the use of an integrated parking management system to link parking permits, parking meters, a mobile application, handheld enforcement devices, license plate readers, and license plates.
- 11) The City should hire an outside consultant to assist in the development and implementation of the aforementioned digital parking management system.

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<sup>20</sup> In January 2024, DOI received a self-enforcement zone from NYPD, located in the immediate vicinity of DOI’s headquarters in lower Manhattan. Consistent with DOI’s findings and recommendations in this report, on March 7, 2024, DOI requested that this self-enforcement zone be removed.

## Background

### Authorized Use of a City-Issued Parking Permit

Possession of a City-issued parking permit does not authorize the permit holder to park in any location at any time. Permit holders are required to adhere to the laws, rules, and regulations that govern the use of the particular permit issued to them. While each type of permit has its own specific conditions that allow permit holders to park in certain locations at certain times that would otherwise be unavailable to non-permit holders, there are several universal rules that apply to all City-issued permits. Pursuant to City law,<sup>21</sup> City-issued permits may allow the permit holder to park in some or all of the following areas:

- at parking meters,
- in truck loading and unloading zones,
- in “no standing/parking” areas except “authorized vehicles” or “authorized vehicle only” areas, and
- in “no parking” areas.”

Permit holders are not allowed to park:

- in “no standing”;
- in “no stopping” areas;
- at fire hydrants;
- at bus stops;
- in areas where such parking would constitute double parking;
- driveways;
- on bridges or highways;
- in carsharing parking spaces;
- in a bike lane or bus lane;
- in a crosswalk;
- in taxi stands; or
- in ambulance parking zones.

For NYPD permits, the Police Commissioner may expand the list of unauthorized parking locations.<sup>22</sup>

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<sup>21</sup> See, Local Law 9 of 2020; N.Y.C. Admin. Code §19-162.3.

<sup>22</sup> DOI asked NYPD whether the Commissioner has utilized this authority to expand the list of unauthorized parking locations. NYPD responded that “Patrol Guide Procedure Section 219-29, Distribution and Use of NYPD Restricted Parking Permits, provides additional areas and conditions where members of service are not permitted to park, including, but not limited to, sidewalks and bicycle lanes. There are no other expansions by the Police Commissioner as to the provisions of Local Law 9 of 2020.”

## Types of City-Issued Parking Permits and the Issuance Processes

In December 2019, the City Council passed legislation mandating the creation of a centralized, standardized application process for parking permits.<sup>23</sup> Under the law, only three agencies – DOT, NYPD, and DOE – are authorized to issue City-issued parking permits, upon application. All applications must include, at a minimum, the following information:

- the name of the applicant and, if applying on behalf of a City agency, the name of the City agency and the employee's relationship to the agency,
- the license plate number of the vehicle(s) to be associated with such permit (a City-owned vehicle or a personal vehicle depending on the permit applied for and the issuing agency's rules), and
- the justification for the permit.

City-issued parking permits are valid for one year, unless suspended or revoked, and are permitted to be used only with the vehicle(s) identified on the application. They are not transferrable to other people or vehicles.

By law, parking permits may be in the form of a physical permit or a programmable electronic feature associated with the license plate number. The permit must contain the name of the sponsoring City agency, the expiration date, a unique identifier or other technology intended to establish that the permit is valid, and the areas in which the permit holder is allowed to park.

While described in more detail in the upcoming sections, the below table details the total number of permits issued by DOT, NYPD, and DOE between 2019 and 2022.

**Table 1.**

	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
DOT	30,284	18,978	24,992	26,256
NYPD	48,268	45,760	42,187	39,220
DOE	33,657	30,136	30,019	35,338

### DOT

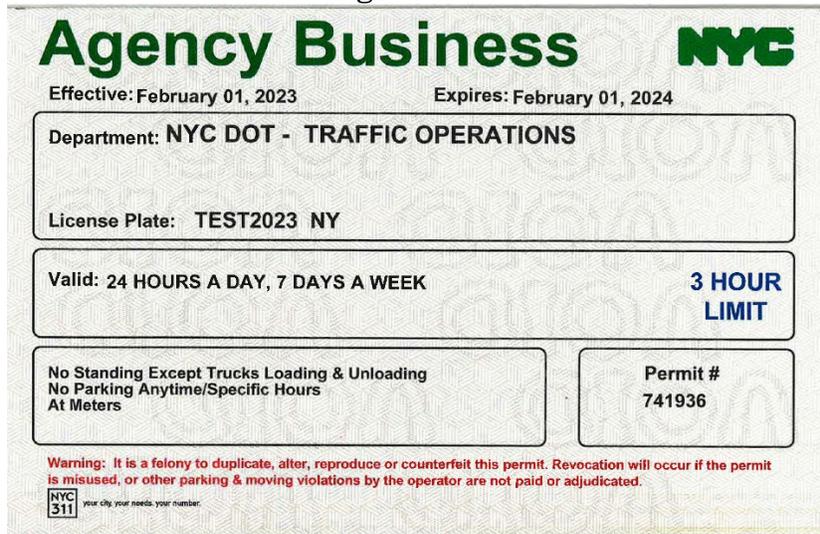
DOT principally issues four types of parking permits including: (1) Agency Business Parking Permits ("ABPP"), (2) Citywide Agency Parking Permits ("CAPP"), (3) Annual On-Street Parking Permits ("AOSPP"), and (4) Parking Permits for People with Disabilities ("PPPD").

The ABPP is issued to City, State, and federal government personnel to park throughout the City for up to three hours for the purpose of conducting official business on behalf of the agency. The authorized hours are regular business hours — Monday through Friday from 8:00 AM to 6:00 PM — but the permit can be customized to irregular hours if requested in writing. ABPP permits expire annually.

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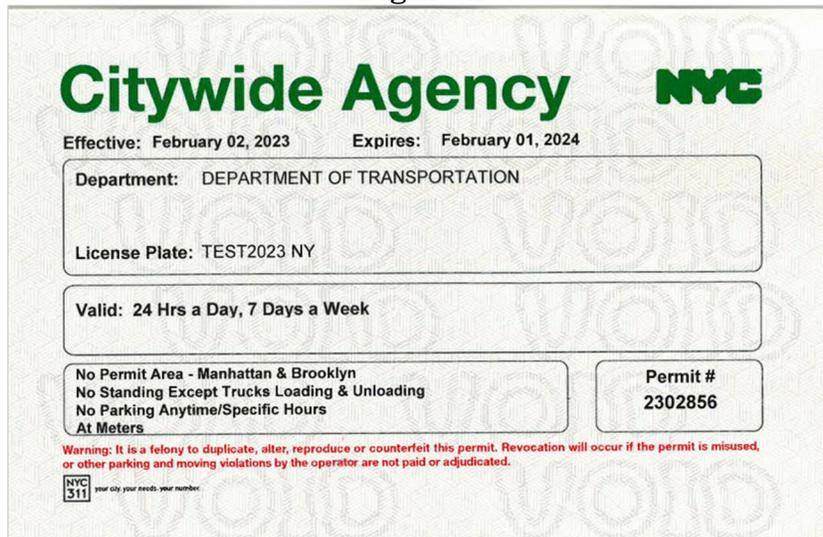
<sup>23</sup> See, Local Law 9 of 2020; N.Y.C. Admin. Code §19-162.3.

Figure 1.



The CAPP is issued to City agency heads, agency seconds-in-command, elected officials serving New York City, and select others, to park while conducting official business. The permits are valid at any time during the day and expire annually.<sup>24</sup>

Figure 2.



Prior to issuing an ABPP or CAPP, DOT procedures provide that the agency should determine whether the vehicle to be associated with the permit has any outstanding summonses.<sup>25</sup> If so, DOT does not issue the parking permit until proof of payment of the summons has been provided. DOT procedures do not require that the vehicle or City employee's history of parking violations be checked prior to permit issuance.

<sup>24</sup> See, New York City Department of Transportation Standard Operating Procedures, Special Permits – Citywide Agency Parking Permits, Section 3, Page 6. On file with DOI.

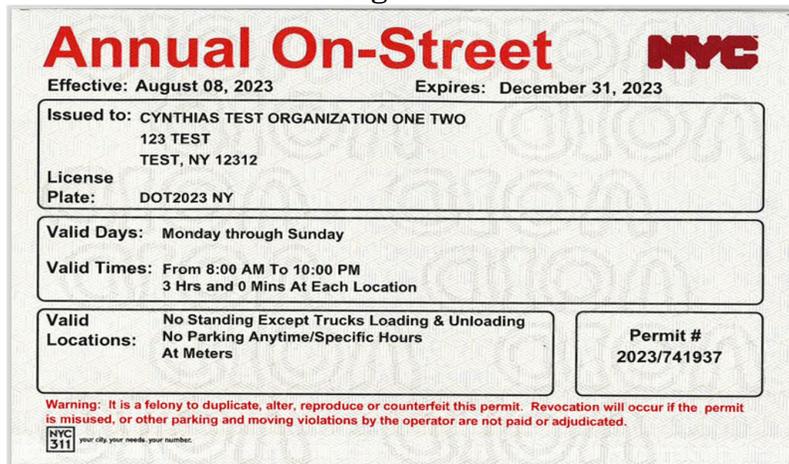
<sup>25</sup> Id at 12.

## DOI's Report Pursuant to Local Law 6 of 2020

For both the ABPP and the CAPP, City Hall sets a limit or cap on the number of parking permits allowed to be issued to each agency.<sup>26</sup>

The AOSPP provides not-for-profit vehicles limited standing and parking privileges in loading zones and at parking meters for business purposes. The permit is valid for up to three hours per location and specifies the days and hours of use, time per location, specific parking zones, and sometimes a specific area where the permit is valid. The permit expires annually.<sup>27</sup>

Figure 3.



The PPPD grants enhanced, citywide, on-street parking privileges to people with severe, permanent disabilities that impair mobility.<sup>28</sup> These permits may be valid for one, two or three years, a determination made by the Department of Health and Mental Hygiene.<sup>29</sup>

Figure 4.



<sup>26</sup> Id at 7 (“An agency permit cap is determined by Cityhall [sic]”).

<sup>27</sup> See, New York City Department of Transportation Standard Operating Procedures, Special Permits – Annual On-Street Parking Permits, Section 3, Page 6. On file with DOI.

<sup>28</sup> The PPPD permitting process is a multi-step process involving both DOT and the Department of Health and Mental Hygiene.

<sup>29</sup> See, New York City Department of Transportation Standard Operating Procedures Parking Permit for People with Disabilities (PPPD) – City, Section 4.2, Page 14. On file with DOI.

## DOI's Report Pursuant to Local Law 6 of 2020

The table below<sup>30</sup> reflects the total number of parking permits issued by DOT for calendar years 2019 through 2022, by year and permit type:

**Table 2.**

<b>Permit Type</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>
ABPP	6,458	6,458	5,813	5,826
CAPP	791	737	781	677
AOSPP	7,984	7,707	8,005	6,974
PPPD	15,051	4,076	10,393	12,779
<b>Total</b>	<b>30,284</b>	<b>18,978</b>	<b>24,992</b>	<b>26,256</b>

### NYPD

NYPD creates and issues permits to its own employees, as well as to other City, State, and federal law enforcement agencies operating within the City, such as the Federal Bureau of Investigation, the Secret Service, the Department of Homeland Security, the Internal Revenue Service, the United States Attorney's Offices, the New York City Department of Probation, the New York State Court Police, and the District Attorney's Offices.<sup>31</sup>

For NYPD employees and vehicles, NYPD issues two types of parking permits: Restricted Parking Permits and Non-Restricted Parking Permits. Restricted Parking Permits are issued to both Civilian Members of the Service ("CMOS") and UMOS. These permits are issued to an NYPD employee's personal vehicle to allow employees to park within a designated self-enforcement zone<sup>32</sup> while on duty<sup>33</sup> and are not to be displayed or used in any other circumstances. Non-Restricted Parking Permits are issued solely to NYPD unmarked vehicles, not to personal vehicles. Parking in the following areas is never permitted with any type of NYPD issued parking permit:

- Double Parking;
- Fire Hydrant or Fire Zone;
- Bus Stop or Bus Lane;
- Sidewalk;
- Crosswalks and Driveways;
- Obstruct Traffic;
- No Standing Zones (except No Standing Except Truck Loading and Unloading);
- Snow Emergency;
- No Parking – Taxi Stand;

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<sup>30</sup> DOT Document Production to DOI Email dated: September 6, 2022; Attachment: "Special Permits Count."

<sup>31</sup> See, Issuance of Parking Permits, available at: <https://www.nyc.gov/site/nypd/stats/reports-analysis/issuance-parking-permits.page>

<sup>32</sup> Self-enforcement zones are areas around police and other government facilities designated by NYPD for employee parking. Parking enforcement in self-enforcement zones around police facilities is a supervisory function and is conducted exclusively by UMOS from the precinct that includes that zone, whereas all UMOS or TEAs enforce parking regulations throughout the rest of the City. It is unclear precisely how enforcement functions in self-enforcement zones other than those surrounding NYPD facilities.

<sup>33</sup> See, NYPD Patrol Guide Procedure No. 219-29.

## DOI's Report Pursuant to Local Law 6 of 2020

- Bicycle Lane; or
- Within No Permit Zone.<sup>34</sup>

Restricted Parking Permits are subject to additional limitations:

- The permit can be used only by the member of service to which it is assigned,
- The permit is issued to a specific vehicle, and the license plate number on the permit must match the vehicle registration plate number for the permit to be valid,
- The permit must be properly displayed within the vehicle (i.e., face up with entire serial number and license plate visible),
- The permit may not be displayed outside of a self-enforcement zone, and
- Parking permits may not be photocopied or reproduced in any manner.<sup>35</sup>

NYPD will not issue a permit for use in a vehicle that has had five or more red light camera violations or fifteen or more school speed camera violations incurred within a twelve-month period.<sup>36</sup>

In 2022, NYPD issued 39,233 parking permits, 31,325 of which were issued to NYPD employees and to vehicles.<sup>37</sup> Approximately 91.6 percent of the parking permits issued to NYPD employees and to vehicles in 2022 were for employees' personal vehicles. NYPD issues parking permits to its employees at a higher rate than other agencies. Using data provided by NYPD and DOT, DOI determined that while NYPD has one third of the combined headcount for City agencies that are issued parking permits by DOT, NYPD issued 2.3 times the number of parking permits than DOT issued for all other agencies combined.

The table below<sup>38</sup> details the total number of parking permits issued by NYPD for calendar years 2019 through 2022, by permit type and receiving agency:

**Table 3.**

	2019	2020	2021	2022
NYPD Restricted Permits	34,579	33,152	30,392	27,686
NYPD Headquarters Garage Permits*	998	979	939	914
NYPD Department Fleet Vehicle Permits**	4,983	3,721	2,948	2,912
Federal Permits***	4,696	4,896	4,896	4,696
MTA Permits	325	325	325	325
DA's Office Permits	668	668	668	668
NYS Court Official Business	1,650	1,650	1,650	1,650
NYS Court Police	300	300	300	300
NYC Probation	69	69	69	69

<sup>34</sup> Id; See also, N.Y.C. Admin. Code §§ 14-183.

<sup>35</sup> Id.

<sup>36</sup> Id.

<sup>37</sup> NYPD Document Production to DOI Letter dated: September 15, 2022.

<sup>38</sup> Id.

**DOI's Report Pursuant to Local Law 6 of 2020**

<b>TOTAL</b>	<b>48,268</b>	<b>45,760</b>	<b>42,187</b>	<b>39,220</b>
<p>*Headquarters Garage Permits are for use in Police Headquarters garages only and are not intended for street use.  **Issued for 1 year from May 1, 2021 - April 30, 2022 (includes active permits, returned permits, lost/stolen permits for all unmarked vehicles)  ***Federal Permits includes FBI, Secret Service, ATF, DEA, Homeland Security, IRS, Postal Inspectors, Southern and Eastern Districts, Department of Justice, Capitol Police, Air Marshalls, US Marshall Service, Environmental Protection Agency, and Federal Reserve Police</p>				

**DOE**

DOE creates and issues parking permits for its own employees, as well as charter school employees. Permit holders are authorized to park in on-street parking spaces designated by DOT for school employees at the permit holder's work location. However, while there are only approximately 10,000 parking spaces allocated for DOE-employee parking on City streets,<sup>39</sup> DOE has issued more than 30,000 parking permits for its employees to park in those spaces.

**Figure 5.**



According to DOE, the agency does not check for outstanding parking summonses or determine whether the permit holder's vehicle has a valid registration or is registered to the employee's address on file with DOE before issuing the permit. Rather, in order to be eligible for a parking permit, a DOE employee must simply be affiliated with one of four unions, be a full-time employee, and work at a school building with DOT-designated parking spaces (though DOE does not consider the number of allocated parking spaces at each facility when issuing parking permits).<sup>40</sup> The number of permits issued to charter school employees is based on the enrollment at each charter school.<sup>41</sup>

<sup>39</sup> DOT Document Production to DOI Email dated: December 30, 2022; Attachment: "Citywide Authorized Parking per Agency 12.14.2022."

<sup>40</sup> DOE Document Production to DOI dated: August 22, 2022 and titled, "DOE process for obtaining a DOE Parking Permit."

<sup>41</sup> Id.

## DOI's Report Pursuant to Local Law 6 of 2020

The table below<sup>42</sup> indicates the total number of parking permits issued by the DOE from fiscal year 2019 through 2022, broken down by year:

**Table 4.**

2019	2020	2021	2022
33,657	30,136	30,019	35,338

In fiscal year 2020, 24,343 of the DOE parking permits, or approximately 80.7 percent, were issued to employees' personal vehicles.

### Relevant NYPD Training Guidelines

Traffic enforcement by NYPD is handled by NYPD UMOS, and TEAs, who are CMOS employed by NYPD. TEAs' duties include directing traffic and enforcing parking rules and regulations, including issuance of summonses for violations. In an interview, the NYPD Deputy Chief of the Transportation Bureau informed DOI that TEAs go through a 55-day training academy when they are first appointed to their positions. The training includes instruction on enforcement of all traffic regulations and use of handheld computers utilized for issuing summonses, and concludes with the Traffic Enforcement Recruit Final Exam. Notably, the Final Exam does not test TEAs on evaluating the legitimacy of parking permits and does not test TEAs on any material related to treatment of vehicles with City-issued parking permits. TEAs also receive "in-service" trainings – that is, training that occurs periodically during their work as enforcements agents – and DOI was informed that parking summons enforcement is "likely" one of the topics on which they receive additional in-service training. DOI's interviews with several TEAs confirmed that new TEAs enroll in a three month-long program at the training academy, which includes education on topics such as uniform regulations, professionalism, parking permits, writing summonses, and directing traffic.

The training materials provided to DOI by NYPD include the Parking Permit Enforcement Guide 2022-2023, a presentation titled "Introduction to Permits," another presentation titled "New York City Department of Transportation Parking Operations, Planning and Analysis Parking Permit Validity," the Police Student's Guide to Police Science, Chapter on Summonses which accompanies a six-hour long lecture titled "Summonses, and ", and the Traffic Enforcement Recruit Final Exam Version B.<sup>43</sup>

The Parking Permit Enforcement Guide provides visual examples of all legitimate parking permits, details the locations at which they are valid, and provides a map of "No Permit Areas." This guide provides a clear visual aid which should allow TEAs to determine the validity of all but the most convincing forgeries.

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<sup>42</sup> See DOE Document Production to DOI Email dated: August 8, 2023.

<sup>43</sup> Parking Permit Enforcement Guide 2022-2023; "Introduction to Permits"; "New York City Department of Transportation Parking Operations, Planning and Analysis Parking Permit Validity"; the Police Student's Guide to Police Science, Chapter on Summonses, Traffic Enforcement Recruit Final Exam Version B.

## DOI's Report Pursuant to Local Law 6 of 2020

The “Introduction to Permits” presentation details rules regarding areas where permit parking is “NEVER ALLOWED” including in crosswalks, bus stops, driveways, at fire hydrants, at curbs regulated “No Standing/Stopping Anytime” and “No Standing/Stopping” within specified hours, or on cross streets in the Garment District in Manhattan. TEAs are also taught that a car parked in an agency-authorized parking space must have a permit that bears that agency's name.

The “New York City Department of Transportation Parking Operations, Planning and Analysis Parking Permit Validity” presentation provides a visual guide to all types of valid parking permits and the specific circumstances for which they are valid. The presentation also provides examples of common fraudulent permit, and guidance for on using holograms and identifying information present on a permit to determine its legitimacy.

The Police Student's Guide and its accompanying lecture cover the procedures used to issue summonses as a general matter, including the issuance of parking summonses. This includes, but is not limited to, the listed goals of traffic enforcement, the procedure to be followed when issuing summonses, and actual rules of traffic enforcement, including parking permit enforcement.

TEA training materials also convey that officers have discretion not to issue a summons and to warn or admonish a violator in the alternative. The Police Student's Guide states that because “[n]othing in the Civil Summons procedure, or any other summons procedure... precludes officers from judiciously warning and admonishing individuals for violations of the New York City Administrative Code, the Rules of the City of New York, or New York City Park rules”, officers have the “discretion to warn and admonish violators or take enforcement action[.]” However, the guide also notes that “[i]n cases when warning and admonishing the violator is not possible, the issuance of a summons or even a possible arrest may be your only valid option.” The training materials do not provide further guidance on how a violator can be warned and admonished, but where the violation relates to parking, or parking permit misuse, and the violator is not in the vehicle, it is unclear how a violator could be effectively warned or admonished.<sup>44</sup>

Based on DOI's investigation, including interviews of TEAs and members of the service with whom DOI spoke, TEAs and members of the service have a practice of not issuing summonses for parking violations to vehicles displaying a City-issued parking permit. After inquiring of NYPD, DOI was informed that there is no written policy, practice or procedure to this effect, nor is there any policy that summonses must be issued equitably for parking violations with respect to permit holders and non-permit holders alike.<sup>45</sup>

According to the NYPD Patrol Guide,<sup>46</sup> 311 service requests, including requests relating to illegal parking, are handled by UMOs. In particular, the Patrol Guide notes that service requests related to improper parking permit use “will be handled by the command concerned

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<sup>44</sup> The front of a City-issued parking permit generally does not identify the individual permit holder's name or contact information, but rather it identifies the organization or agency to which the permit is issued. Contact information is listed on the back of DOT-issued parking permits, but that information generally is not visible when a permit is displayed in a vehicle.

<sup>45</sup> NYPD Document Production to DOI Letter dated March 18, 2024.

<sup>46</sup> See, Patrol Guide Section 214-35.

## DOI's Report Pursuant to Local Law 6 of 2020

for disposition (e.g., summons, tow, etc.), as appropriate.” In an interview, the NYPD Deputy Chief of the Transportation Bureau informed DOI that NYPD was piloting a program in one precinct in Queens wherein TEAs would respond to 311 service requests about illegal parking. NYPD provided DOI with documentation indicating that the pilot was expanded to include three precincts – the 46<sup>th</sup>, 104<sup>th</sup> and 109<sup>th</sup> Precincts, as well as additional data regarding the timing of the pilot and the number of 311 complaints received and summonses issued.<sup>47</sup>

With respect to self-enforcement zones, in several interviews with TEAs, DOI was told that TEAs are trained that they are not permitted to write summonses for vehicles in self-enforcement zones unless their supervisors or the local precinct command direct them to do so. According to an interview with the NYPD Deputy Chief of the Transportation Bureau, TEAs are ultimately supervised by UMOS. The TEAs stated that if they were to write a summons for a vehicle in a self-enforcement zone, they would receive a command discipline. One TEA even stated that the fear of receiving a command discipline makes TEAs hesitant to issue summonses in areas immediately outside of self-enforcement zones, but near NYPD precincts.

Several TEAs mentioned that they regularly extend courtesy to marked City vehicles and vehicles displaying parking permits by not writing summonses even when they are illegally parked. One TEA stated that in his experience, TEAs will not write summonses for vehicles displaying NYPD permits, regardless of where they are located. One TEA described extending a courtesy to vehicles parked within the vicinity of firehouses displaying illegitimate parking permits by not writing summonses and instead asking the vehicle owners, if nearby, to move their vehicles to a valid parking space. Yet another TEA reported that even outside of self-enforcement zones, TEAs do not issue summonses to illegally parked vehicles displaying NYPD permits if the vehicle is close to a precinct. Several TEAs stated that if they see a permit they believe to be fraudulent, they will contact their supervisors for assistance in determining the validity of the permit prior to writing any summons.

## Analysis of NYPD Monthly Reports

### NYPD's Street Evaluations

As outlined above, Local Law 6 required NYPD to spend six months evaluating at least 25 blocks or intersections each week where parking permits frequently were used improperly and at least 25 blocks each week where parking obstructed street infrastructure, such as bicycle or bus lanes or fire hydrants.<sup>48</sup> During those six months, NYPD was required to submit

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<sup>47</sup> According to NYPD, this pilot program is expected to be expanded to sixteen precincts, two per borough command.

<sup>48</sup> For each evaluation, Local Law 6 required NYPD to document “a description of each such block or intersection and why it was selected for evaluation; the number of complaints, summonses, traffic crashes, and moving violations associated with such block or intersection; the times at which such violations historically occur; photographs of all vehicles parked in such location demonstrating vehicles parked both legally and illegally; and for any vehicle parked illegally, a photograph of any city-issued parking permit or other parking permit displayed in each such vehicle, a photograph of the license plate of each such vehicle, and a summary of enforcement actions taken regarding each such vehicle and, if an enforcement action is not taken regarding each such vehicle, the reasons why.”

## DOI's Report Pursuant to Local Law 6 of 2020

monthly reports to DOI for analysis.<sup>49</sup> NYPD collected and evaluated data for January, February, and March 2020 — three out of the six months required by Local Law 6 — but informed DOI that it was unable to complete the remaining three months of mandated evaluations due to the COVID-19 pandemic. In the spring of 2022, in lieu of conducting the additional street evaluations as required by law, NYPD provided DOI with summons data related to vehicles displaying parking permits.

The inspections that NYPD undertook occurred between January 6 and April 3, 2020. According to NYPD's reports, NYPD conducted 677 block or intersection evaluations during that three-month period and issued 550 summonses to illegally parked vehicles during the evaluations. Of the 550 summonses, 123 were issued to vehicles displaying City-issued parking permits. In January 2020, NYPD evaluated 227 blocks and intersections and issued approximately 373 summonses, 93 of which were issued to vehicles displaying a permit. In February 2020, NYPD evaluated 200 blocks and intersections and issued approximately 129 summonses, ten of which were issued to vehicles displaying a permit. In March 2020, NYPD evaluated 227 blocks and intersections and issued 48 total summonses, ten of which were issued to vehicles displaying a parking permit.<sup>50</sup>

As required by Local Law 6, DOI analyzed NYPD's monthly reports and makes the following observations. First, as referenced above, DOI notes that due to the challenges posed by the COVID-19 pandemic, NYPD was, understandably, able to complete only three of the six months of evaluations. However, for the three months of evaluations that NYPD conducted, the data that was provided to DOI was incomplete and/or did not appear to plausibly reflect the actual state of the blocks or intersections at issue in light of the number of complaints about illegal parking and permit misuse reported by NYPD to DOI in the monthly reports. For example, Local Law 6 directed NYPD to make the monthly reports to DOI that included information about the number of vehicles observed during the evaluation that were parked legally and illegally. For 277 of the 677 evaluations that NYPD conducted, that information was simply not included in the monthly reports — that is, no number was mentioned. For an additional 123 evaluations, NYPD represented that zero vehicles were observed during its evaluation of the particular location. In total, for the 277 evaluations where NYPD did include data on the number of vehicles observed parked both legally and illegally, NYPD reported seeing only 156 illegally parked vehicles of which 24 had a parking permit. While DOI cannot determine whether in fact the number of illegally parked vehicles exceeded the number that NYPD reported, NYPD received almost 12,000 complaints of illegal parking and permit misuse for all 677 evaluation locations during the same three-month period. Thus, the number of complaints far exceeded the number of vehicles that NYPD determined were parked illegally. In addition, NYPD's data did not contain consistent location names, cross streets, or site descriptions, even with respect to sites that were the subject of multiple evaluations.

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<sup>49</sup> Local Law 6 required that NYPD provide DOI monthly reports “identifying the blocks or intersections evaluated, the analyses and determinations made pursuant to [the documentation described in fn. 48, supra], the department's response to such evaluation, including actions taken, if any.”

<sup>50</sup> DOI notes that also of March 13, 2020, many members of the City's workforce began working remotely due to the COVID-19 pandemic, circumstances which may well have reduced the number of vehicles parked illegally in the City during that month.

## DOI's Report Pursuant to Local Law 6 of 2020

Second, DOI notes that NYPD conducted more than ten percent of the reported evaluations<sup>51</sup> outside of normal business hours.<sup>52</sup> Local Law 6 required NYPD to select evaluation times and locations based on past complaints received and summons issued at those times and in those locations. However, DOI's analysis of NYPD's data shows that in fact, the majority of complaints concerning those locations had not been made outside of normal business hours in the past. Of the 77 evaluations conducted between 6:00 PM and 8:00 AM, 69 percent of the locations had not previously had complaints or summonses issued during that timeframe. Even the evaluations conducted during normal business hours were not conducted during exact windows of time that corresponded to prior complaints received and summons issued; 22 percent of the daytime evaluations occurred at times that did not correspond to those events. Therefore, it is possible that the timing of NYPD's evaluations resulted in NYPD's observation of fewer illegally parked vehicles because the evaluations did not consistently take place at the times when complaints of illegally parking, or summons, had previously occurred.

Third, NYPD's evaluations were more or less evenly distributed between Brooklyn, Queens and Manhattan, although the majority of the City's government offices and facilities are in Manhattan.<sup>53</sup> The table below breaks down NYPD's street evaluations by borough:

**Table 5.**

<b>Borough</b>	<b># of Evaluations</b>	<b>% of Overall Evaluations</b>
Bronx	123	18.2
Brooklyn	166	24.5
Manhattan	186	27.5
Queens	161	23.8
Staten Island	41	6.1
<b>Total</b>	<b>677</b>	<b>100.0</b>

### DOI's Street Evaluations

As a point of comparison to NYPD's street evaluations, DOI conducted its own street evaluations at locations evaluated by NYPD in the first three months of 2020. On December 14, 19, and 21, 2022, DOI evaluated 44 locations, including 38 previously evaluated by NYPD. DOI chose sites in close proximity to government offices/facilities and in otherwise congested areas. DOI conducted these evaluations on weekdays between 8:00 AM and 6:00 PM and photographed any vehicles found to be improperly using a parking permit.<sup>54</sup>

<sup>51</sup> Specifically, 77 of NYPD's 677 evaluations, or 11.4 percent, were conducted outside of normal business hours.

<sup>52</sup> As used in this report, "normal business hours" are the hours of 8:00 AM to 6:00 PM.

<sup>53</sup> Local Law 6 did not specify the boroughs in which the evaluations needed to be conducted, specifying only that NYPD "evaluate no fewer than 25 blocks or intersections that are experiencing a prevalence of improper use of parking permits, and no fewer than 25 blocks or intersections that are experiencing obstruction of bicycle lanes, bus lanes, sidewalks, crosswalks, and fire hydrants by vehicles," and that NYPD consider complaint, summons, and traffic crash data in selecting the locations.

<sup>54</sup> As a result of the data inconsistency issues referenced above, DOI's site evaluations may not perfectly reflect the exact locations of or geographic scope of the comparable NYPD evaluations.

## DOI's Report Pursuant to Local Law 6 of 2020

During the three days of evaluations at the 44 locations, in total, DOI identified 453 illegally parked vehicles of which 394 displayed a parking permit or item seemingly intended to convey that the user was authorized to park at the location on the vehicle's dashboard or windshield.<sup>55</sup> In comparison, during the three month period in which NYPD conducted 677 site evaluations, in total, NYPD reported issuing 550 summonses for illegally parked vehicles, of which 123 were issued to vehicles displaying City-issued parking permits. When looking at just the 38 locations evaluated by both DOI and NYPD, DOI found significantly more illegal parking over a shorter time period in fewer locations than NYPD found. In the 38 locations, DOI identified 371 illegally parked vehicles of which 324 displayed a parking permit or item in lieu of a permit, compared to NYPD's 166 evaluations of those same locations in which they identified 73 illegally parked vehicles of which 14 displayed a parking permit.

While DOI recognizes that its evaluations and NYPD's evaluations took place several years apart and that a small portion of NYPD's evaluations took place after the COVID-19 pandemic began, the difference in the results is still striking. In order to better compare the results of the NYPD and DOI evaluations,<sup>56</sup> DOI broke the evaluations down by precinct and calculated how many illegally parked vehicles and illegally parked vehicles displaying a permit were observed per evaluation in each precinct by DOI and NYPD.<sup>57</sup> Finally, DOI calculated NYPD's observations as a percentage of DOI's observations:

**Table 6(a).**

<b>Precinct</b>	<b>DOI Illegally Parked Vehicles per Evaluation</b>	<b>NYPD Illegally Parked Vehicles per Evaluation</b>	<b>NYPD Observations as a Percent of DOI Observations</b>
1	17.86	0.30	1.68%
5	7.67	0.15	1.96%
26	36.00	2.60	7.22%
34	21.00	0.00	0.00%
44	6.50	0.36	5.59%
45	5.50	0.00	0.00%
46	6.00	0.33	5.56%
48	5.00	0.00	0.00%
52	2.50	0.90	36.00%
84	7.10	0.30	4.25%

<sup>55</sup> The items observed seemingly in the place of a parking permit included, but were not limited to: high visibility vests, hard hats, Police Benevolent Association cards, various NYPD manuals, expired COVID-19 Medical Health Parking Permits, EMT paraphernalia, police equipment, Metropolitan Transportation Authority equipment and paraphernalia, construction cones on windshields, and clothing items with city agency logos. See Appendix A.

<sup>56</sup> While not a perfect comparison for various reasons (i.e. differences in timespan, time of year, etc.), this type of comparison offers a general perspective on the difference in outcomes of NYPD's and DOI's respective evaluations.

<sup>57</sup> For purposes of this analysis, DOI used only its evaluations in the 38 locations that directly corresponded with a location also evaluated by NYPD.

DOI's Report Pursuant to Local Law 6 of 2020

90	5.00	2.50	50.00%
102	5.00	0.17	3.33%
108	9.33	0.00	0.00%
112	12.00	0.00	0.00%
114	2.00	0.00	0.00%
Average	9.90	0.51	7.71%

**Table 6(b).**

Precinct	DOI Observed Illegally Parked Vehicles with a Permit or Item in Lieu of a Permit per Evaluation	NYPD Observed Illegally Parked Vehicles with a Permit Per Evaluation	NYPD Observations as a Percent of DOI Observations
1	16.86	0.00	0.00%
5	7.33	0.10	1.36%
26	21.00	0.00	0.00%
34	20.00	0.00	0.00%
44	4.00	0.27	6.82%
45	5.50	0.00	0.00%
46	2.00	0.17	8.33%
48	3.00	0.00	0.00%
52	2.50	0.30	12.00%
84	6.20	0.04	0.61%
90	2.50	0.00	0.00%
102	5.00	0.00	0.00%
108	9.33	0.00	0.00%
112	12.00	0.00	0.00%
114	2.00	0.00	0.00%
Average	7.95	0.06	1.94%

This analysis reflects that DOI observed many more violations than NYPD observed at the same locations, raising questions as to the efficacy of NYPD's evaluations. While limitations in both NYPD and DOI's sampling processes prevent a more in-depth statistical analysis, the data indicates an under-identification of parking violations by NYPD. Across all precincts, DOI's per evaluation average was 9.90 illegally parked vehicles and 7.95 illegally parked vehicles displaying a permit or item in lieu of a permit, compared to NYPD's per evaluation averages of 0.51 illegally parked vehicles and 0.06 illegally parked vehicles displaying a permit. Assuming a relatively constant rate of violations in the same locations in 2020 prior to the onset of the COVID-19 pandemic and 2022, these figures indicate that across the sampled precincts NYPD is potentially only identifying 7.71 percent of all illegally parked vehicles and only 1.94 percent of illegally parked vehicles displaying a parking permit or item in lieu of a permit.

## NYPD Summons Data

As referenced above, NYPD was unable to complete the required six months of evaluations required by Local Law 6 due to the onset of the COVID-19 pandemic. In lieu of conducting the three additional months of evaluations, NYPD provided DOI with data related to vehicles that were issued a summons while displaying a parking permit, or some other object in lieu of a parking permit, at the time of the summons.<sup>58</sup> Some of those summonses were issued for the specific violation of “misuse and fraudulent use of parking permits,”<sup>59</sup> while others were issued for other parking violations, such as parking in front of a hydrant. Below are the numbers of summonses issued to vehicles displaying a parking permit or some other object in lieu of a permit between calendar years 2017 through 2022:<sup>60</sup>

**Table 7.**

2017 = 41,931
2018 = 54,508
2019 = 54,920
2020 = 35,735
2021 = 44,775
2022 = 30,875 (as of 7/31/22)

DOI asked NYPD to provide a breakdown of the above summons data by the type of parking permit that was displayed. NYPD was not able to provide that breakdown for the entire six-year period, but did provide such breakdown for the summonses issued between January 1 and May 22, 2022:<sup>61</sup>

**Table 8.**

Agency	Number of Vehicles Summonsed	Number of Summonses Issued
DOE	1,545	1,881
FDNY	1,552	2,093
Gov. Other	215	302
Motion Picture	3	4
AOSPP	1,172	1,561
Other	4,234	5,382
Police	2,388	2,589
Press	18	20
Disability	5,613	7,235
ID other than permit	327	349
<b>Total</b>	<b>17,067</b>	<b>21,416</b>

<sup>58</sup> This data reflects only that a summons was issued to a vehicle displaying what purported to be an official City parking permit or other object in lieu of a permit, not whether or not the permit (where displayed) was in fact authentic.

<sup>59</sup> 34 R.C.N.Y. § 4-08(o)(3)(iv).

<sup>60</sup> NYPD Document Production to DOI Letter dated: September 15, 2022.

<sup>61</sup> NYPD Document Production to DOI Letter dated: May 25, 2022.

## DOI's Report Pursuant to Local Law 6 of 2020

DOI's review of this data shows that of the 21,416 summonses issued, 12 percent were issued to vehicles displaying "Police" permits,<sup>62</sup> nine percent were issued to vehicles displaying DOE permits,<sup>63</sup> and 34 percent were issued to vehicles displaying PPPD.<sup>64</sup> In total, vehicles displaying government agency and not-for-profit affiliated permits received approximately 32 percent of the summonses issued while accounting for approximately 86.6 percent of parking permits issued.

DOI also analyzed the frequency with which the summonses were issued for parking permit misuse (Code 33) or fraudulent permit use (Code 87) in addition to a violation for the underlying parking violation.<sup>65</sup> Because use of a permit to park in an unauthorized space is both an underlying parking violation and a permit misuse violation, all 12,110 vehicles displaying a permit or item in lieu of a permit when they received a summons for the underlying violation should have also received a summons for parking permit misuse or fraudulent permit use.<sup>66</sup> However, only 3,615 summonses were issued for parking permit misuse or fraudulent permit use.

The issuance of a summons for parking permit misuse or fraudulent permit use is necessary for the City to enforce the three strikes rule for permit revocation. In February 2019, the de Blasio administration implemented a "three strikes" rule for "parking permit misuse."<sup>67</sup> Under the rule, parking permits were subject to revocation if the permit holder received three or more violations related to misusing their City-issued parking permit. This policy was codified by Local Law 4 of 2020 which also added two additional grounds for permit revocation. Specifically, Local Law 4 mandates the revocation of City-issued parking permits for individuals found guilty of:

1. three or more violations of a rule or law relating to the misuse of a City-issued parking permit,
2. any violation of related to the making, possession, or use of fake parking permits, or
3. unpaid parking or traffic violations associated with the license plate or individual permit holder in excess of \$350.

DOI further analyzed the data related to the 3,615 summonses issued for parking permit misuse or fraudulent permit use between January 1, 2022 and May 22, 2022, and identified

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<sup>62</sup> NYPD-issued "Police" permits account for approximately 41 percent of all parking permits issued by the City in 2022.

<sup>63</sup> DOE-issued permits account for approximately 31 percent of all parking permits issued by the City in 2022.

<sup>64</sup> PPPD permits account for approximately 13 percent of all parking permits issued by the City in 2022.

<sup>65</sup> For example, a vehicle with a City-issued permit parked in front of a hydrant should receive both a summons for the underlying violation of parking in front of a hydrant as well as a summons for parking permit misuse for displaying a permit while parked in a space not authorized by such permit. See, 34 R.C.N.Y. §4-08(o)(3)(iv).

<sup>66</sup> It should be noted that when a summons is issued for illegal parking, the issuance of a violation for parking permit misuse or fraudulent permit use is not discretionary pursuant to the rules, which state that a misuse or fraudulent use violation "will be issued in addition to any other violation issued for parking in contravention of posted signs or written regulations." 34 RCNY §4.08(o)(3)(iv).

<sup>67</sup> See, supra, fn. 10.

## DOI's Report Pursuant to Local Law 6 of 2020

136 permit holders that had received three or more violations. Accordingly, in order for the first prong of the three strikes rule (as set forth above) to be enforced, the relevant violations for or relating to misuse of a City parking permit must be issued, in addition to any other violation of City parking rules. The failure to issue violations for parking permit misuse or fraudulent permit use when they are warranted reduces the pool of permit holders who are eligible to have their permits revoked under the law, allowing permit holders to retain permits contrary to Local Law 4's purpose.

The data also revealed that NYPD may have difficulty identifying fraudulent permits. As stated above, a Code 33 violation should be used for the misuse of a valid permit, whereas a Code 87 should be used for the use of a fraudulent permit. Yet, for at least 88 vehicles in the dataset, NYPD issued both Code 33 and Code 87 violations to those same vehicles on different days, suggesting that NYPD deemed the same permit both valid (but misused) and fraudulent for at least 88 vehicles. This reveals that certain fraudulent permits are misidentified as legitimate (and certain legitimate permits identified as fraudulent) and/or there is confusion as to whether Code 33 or 87 is the correct violation.

DOI also analyzed the data to determine how many of the summonses were issued to vehicles registered to active City employees.<sup>68</sup> DOI found that 2,728 of the 21,416 summonses were issued to 1,971 active City employees. The ten employee job titles most commonly issued summonses were as follows:

**Table 9.**

<b>Title</b>	<b>Count of Summonses</b>	<b>Percent of Total Summonses</b>
POLICE OFFICER	642	23.53%
ELECTION WORKER	519	19.05%
FIREFIGHTER	200	7.31%
SCHOOL SAFETY AGENT	102	3.73%
CORRECTION OFFICER	99	3.61%
P.O. DA DET GR3	92	3.37%
SERGEANT- MEDICAL	78	2.86%
SPECIALIST-EMT	67	2.46%
SANITATION WORKER	66	2.42%
TRAFFIC ENFORCEMENT AGENT	58	2.12%

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<sup>68</sup> As of July 2022.

## Patterns and Trends in Parking Enforcement

DOI's investigation revealed that the City's enforcement of parking permit misuse is deficient. The data provided by the permit-issuing agencies suggests that the three strikes rule is not being implemented or enforced, because there are fewer than five documented cases of permit revocation where the permit holder is a City employee, between January 2019 and August 2022. This finding correlates with the additional findings that NYPD is not meaningfully enforcing parking permit misuse in its self-enforcement zones surrounding police facilities, nor is it effectively responding to 311 complaints related to parking permit misuse.

### Agency Parking Permit Removal and Revocation

As stated above, Local Law 4 codified and expanded the three strikes rule, a policy first issued by Mayor de Blasio in February 2019, to require permit revocation where a permit holder has been found guilty of three or more violations related to misusing their City-issued parking permit; has unpaid parking or traffic violations in excess of \$350; or any violation related to the creation, possession, or use of a fake parking permit. Under the three strikes rule, parking permits issued by NYPD shall be revoked in accordance with NYPD disciplinary procedures, and all other City-issued permits shall be revoked in accordance with procedures established by DOT.<sup>69</sup> In an interview with several members of DOT management, DOI was informed that since 2018, DOT has delegated to DOE the authority to issue and revoke its own parking permits.<sup>70</sup>

In September 2020, it was reported that only two parking permits had been revoked under the de Blasio era policy and that both of the revoked permits had been issued to non-governmental organizations, meaning that no City employees had their permits revoked as a result of the three strikes rule.<sup>71</sup> DOI requested updated information from all three permit-issuing agencies during the course of its investigation.

DOI requested from DOT a list of parking permits that had been removed and/or revoked by the agency since January 2019. DOT responded that between January 1, 2019 and September 9, 2022, DOT revoked 20 PPPDs and six AOSPP from non-profit organizations under the Local Law 4 rules.<sup>72</sup> DOT did not revoke any permits issued to government employees during this period.

Based on information obtained from NYPD, NYPD does not maintain a list or otherwise track parking permits that it has removed or revoked.<sup>73</sup> NYPD did provide DOI with a list of individuals who had been subject to discipline for violating NYPD rules pertaining to issued parking permits, in the form of an Internal Affairs Bureau ("IAB") log showing the list of substantiated

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<sup>69</sup> See, N.Y.C. Admin. Code §19-166.1; see also, NYPD Administrative Guide No. 318.30.

<sup>70</sup> See, N.Y.C. Admin. Code §19-162.3.

<sup>71</sup> See, Meyer, David, "De Blasio's three-strikes policy nails just two parking placard abusers in 19 months," *New York Post*, September 14, 2020, available at: <https://nypost.com/2020/09/14/de-blasios-three-strikes-policy-nails-two-parking-placard-abusers/>

<sup>72</sup> DOT Document Production to DOI Email dated: September 9, 2022; Attachment: "Permit Revoke list for DOI 9-9-22."

<sup>73</sup> NYPD Document Production to DOI Letter dated: September 15, 2022.

## DOI's Report Pursuant to Local Law 6 of 2020

cases from January 2019 through December 2022.<sup>74</sup> In that timeframe, IAB substantiated 178 cases pertaining to the violation of NYPD parking permit rules. One hundred and sixty-seven of those involved the “unauthorized use” of a Restricted Parking Permit.<sup>75</sup> The log did not indicate what disciplinary action, if any, resulted from the substantiated cases and NYPD stated that at least some information about disciplinary action would only be available at the command level but would not be centralized.<sup>76</sup> DOI requested and received information about ten of the substantiated cases in the IAB log,<sup>77</sup> and DOI's review revealed that discipline included the following:

- four Schedule “A” Command Disciplines, with no other penalty;
- one Schedule “C” Command Discipline, with a penalty of five vacation days;
- one Schedule “C” Command Discipline, with a penalty of ten vacation days;
- one potential termination of a probationary police officer who duplicated a previously issued NYPD-issued parking permit prior to surrendering it;<sup>78</sup>
- one verbal instruction to not use NYPD-issued parking permits for personal use;
- one verbal instruction not to display an NYPD-issued permit when not parking near an NYPD facility as well as a summons for illegal parking, and;
- one case was partially substantiated with no action taken.

DOI notes that the two individual who received Schedule “C” Command Discipline with vacation day penalties were both CMOS.

DOI also sought information from DOE concerning any parking permits removed and/or revoked by DOE. DOE responded that between January 2019 and August 2022, three employees had their parking privileges “suspended” for “parking permit misuse,” all in 2021.<sup>79</sup> In at least one of the cases, DOE's response indicated that the employee's parking permit was suspended only for the remainder of the 2021 school year and it was not clear whether the employee would be eligible to receive a new parking permit at the beginning of the next school year.<sup>80</sup>

As discussed above, eligibility for the three strikes rules is diminished because NYPD is not issuing violations for parking permit misuse or fraudulent permit use in all cases when that violation is applicable and should be issued. Nevertheless, the data suggests that even those clearly eligible for permit revocation are not having their permits revoked. While DOI cannot conclusively state that the absence of permit revocation is the result of lax enforcement of the three strikes rule, it is a reasonable inference based on the data and information provided to DOI by the three permit-issuing agencies.

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<sup>74</sup> NYPD Document Production to DOI Letter dated: December 15, 2022; Attachment: “sendout.”

<sup>75</sup> Id.

<sup>76</sup> NYPD Email Production to DOI dated: December 16, 2022.

<sup>77</sup> DOI Email Request to NYPD dated: January 5, 2023.

<sup>78</sup> It is unclear based on the records DOI reviewed how this matter was resolved.

<sup>79</sup> DOE Document Production to DOI Email dated: August 22, 2022; Attachment: “Employees with DOE Parking Permits that have been suspended for Misuse.”

<sup>80</sup> Id.

### NYPD Self-Enforcement Zones

NYPD informed DOI that “a self-enforcement zone is an area near a police facility designated for employee parking.”<sup>81</sup> NYPD further stated that, “the command at the facility designates a group of supervisors, including integrity control officers, which inspect this area to ensure compliance with regular parking guidelines. Because inspection of this area is a supervisory function, traffic agents do not patrol this area.”<sup>82</sup> In an interview, the NYPD Deputy Chief of the Transportation Bureau informed DOI that there are no uniform or written rules regarding traffic enforcement within self-enforcement zones, rather areas around individual precincts are managed by the precinct commander with input from the community.

NYPD provided DOI with a list of all designated self-enforcement zones within the five boroughs,<sup>83</sup> which revealed that self-enforcement zones comprise, at a minimum, two to three blocks around a police or other government facility, and in some cases are larger or are located a short distance from the actual facility. In total, there are approximately 150 of these self-enforced parking areas in the five boroughs.<sup>84</sup>

While DOI cannot state with certainty that parking violations that took place in self-enforcement zones did not result in summonses, the available data suggests that parking laws are not consistently enforced in self-enforcement zones. This inference is based on a review of the summons data provided by NYPD, DOI's own observations and evaluations in the self-enforcement zones, and DOI's review of parking conditions around precincts as documented by members of the public on social media and elsewhere, suggesting that NYPD has under-enforced parking violations in self-enforcement zones, particularly violations of NYPD personnel.

DOI analyzed the summons data provided by NYPD as described above<sup>85</sup> pertaining to self-enforcement zones, to determine how many summonses were issued in each self-enforcement zone across the City between January 1, 2022 through May 22, 2022. DOI's analysis showed that out of the 21,416 summonses issued during the relevant time period for parking permit misuse, only 876, or 4.1 percent, were issued in self-enforcement zones. Of those, the majority were issued to non-government employee permit holders and only 76, or 0.3 percent, were issued to vehicles displaying an NYPD parking permit. The below chart breaks down the 876 summonses issued in “self-enforcement zones” by geographic area and type of permit that was displayed when the summons was issued.

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<sup>81</sup> NYPD Document Production to DOI Letter dated: January 10, 2022. DOI notes that self-enforcement zones are not limited to NYPD facilities and may include other government facilities. It is unclear precisely how enforcement functions in self-enforcement zones other than those surrounding NYPD facilities.

<sup>82</sup> *Id.* This statement is consistent with information provided in interviews by TEA's to DOI. Specifically, TEA's stated that issuing summonses in “self-enforcement zones” could lead to official administrative action being taken against the TEA.

<sup>83</sup> NYPD Document Production to DOI Letter dated: November 21, 2022 and Attachment: “Self enforced area.”

<sup>84</sup> In January 2024, DOI received a self-enforcement zone from NYPD, located in the immediate vicinity of DOI's headquarters in lower Manhattan. Consistent with DOI's findings and recommendations in this report, on March 7, 2024, DOI requested that this self-enforcement zone be removed.

<sup>85</sup> NYPD Document Production to DOI Letter dated: September 15, 2022.

Table 10.

<i>Summonses within Self-Enforced Districts</i>									
	Government Employee Permits					Non-Government or Unknown Permits			Grand Total
	DOE	FDNY	Gov. Other	Police	SPI - Disability	ID Other Than Permit	On-Street Permit	Other	
<b>Manhattan Central Traffic Enforcement</b>	6	87	7	8	63	1	19	117	308
<b>Manhattan South</b>	4	26	4	23	70	2	18	101	248
<b>Manhattan North</b>	55	21	3	7	27	7	7	51	178
<b>Brooklyn North</b>	4	2	0	14	15	0	5	16	56
<b>Queens South</b>	6	3	0	10	19	1	2	10	51
<b>Queens North</b>	0	1	0	5	3	0	4	3	16
<b>Brooklyn South</b>	0	0	1	3	5	0	0	0	9
<b>Bronx Traffic Enforcement</b>	0	0	0	5	0	0	1	1	7
<b>Staten Island</b>	0	0	0	1	0	0	0	2	3
<b>Grand Total</b>	<b>75</b>	<b>140</b>	<b>15</b>	<b>76</b>	<b>202</b>	<b>11</b>	<b>56</b>	<b>301</b>	<b>876</b>

DOI's analysis further revealed that between January 1, 2022 through May 22, 2022, not a single summons was issued in 70 out of the 150 individual self-enforcement zones, only one summons was issued in each of 24 additional self-enforcement zones, and only two to five were issued in another 24 self-enforcement zones. In total, five or fewer summonses were issued in 79 percent of all self-enforcement zones during the period examined.

In regards to summonses issued vehicles displaying "Police" designated parking permits in self-enforcement zones, DOI found that no summonses were issued in 107 out of 150 self-enforcement zones, or a total of 71 percent of the zones. Additionally, DOI found that only one summons was issued in another 29 self-enforcement zones. Combined, one or fewer summonses were issued in nearly 91 percent of all self-enforcement zones and seven or fewer were issued in all 150 zones, to vehicles displaying "Police" parking permits.

The low number of summonses issued by NYPD in self-enforcement zones does not appear to reflect the actual number of violations that occurred in those zones, when viewed in light of DOI's own observations and evaluations in such zones. For example, according to the data provided by NYPD, only two summonses were issued within the self-enforcement zone surrounding NYPD headquarters at 1 Police Plaza for the designated 2022 time period.<sup>86</sup>

<sup>86</sup> Neither of these two summonses were issued to vehicles displaying "Police" designated parking permits.

## DOI's Report Pursuant to Local Law 6 of 2020

However, during DOI's street evaluations, DOI found numerous vehicles illegally parked within the zone including many displaying NYPD issued parking permits. For example:

- On Friday, April 14, 2023, DOI found 42 vehicles illegally parked on Robert Wagner Sr. Place between South Street and Pearl Street. Of the 42 vehicles observed, 23 of the vehicles were displaying NYPD-issued parking permits and ten vehicles displayed nothing. The remaining nine vehicles displayed other types of parking permits, Police Benevolent Association ("PBA") cards, an NYPD patch, and vests without specific insignia.
- On Wednesday, December 21, 2022, in and around<sup>87</sup> NYPD headquarters self-enforcement zone, DOI found 35 vehicles illegally parked. Of the 35 vehicles observed, 25 were displaying NYPD-issued parking permits. The remaining ten vehicles displayed some other type of parking permit, a PBA card, an NYPD identification card, or nothing.

DOI also evaluated parking within NYPD's Health Services self-enforcement zone located at 59-17 Junction Boulevard in Queens. According to NYPD's data, NYPD issued no summonses in the zone within the 2022 timeframe. However, during DOI's street evaluations, DOI found numerous vehicles illegally parked in and around the zone including numerous vehicles displaying NYPD issued parking permits. For example:

- On Monday, December 19, 2022, on Horace Harding Expressway between Junction Boulevard and 108<sup>th</sup> Street, DOI found 24 vehicles illegally parked. Of the 24 vehicles observed, 19 were displaying NYPD-issued parking permits.

There has also been public documentation of parking abuse outside of precincts that calls into question the rigor of NYPD's enforcement of parking regulations within self-enforcement zones. For example, a single X/Twitter account identified over 150 instances of vehicles parking on sidewalks outside of precincts – that is, in self-enforcement zones – between March 18, 2022 and May 22, 2022 alone.<sup>88</sup>

### 311 Service Requests

Through the City's 311 Customer Service Center, City residents are able to receive information, register complaints and access non-emergency services. Residents can submit such complaints with 311 either online or by phone. When 311 service requests, including for traffic or parking-related complaints, are routed to NYPD for a response, a UMOS is assigned by the precinct to respond.<sup>89</sup> To further evaluate the efficiency of parking enforcement by NYPD, DOI analyzed 311 service request data for all illegal parking complaint categories,<sup>90</sup>

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<sup>87</sup> DOI evaluated the following: Dover Street between South Street and Front Street; South Street between Dover Street and Robert Wagner Sr. Place; Robert Wagner Sr. Place between South Street and Pearl Street; South Street between Robert Wagner Sr. Place and Catherine Slip; South Street between Peck Slip and Beekman Street.

<sup>88</sup> See, [https://twitter.com/search?q=\(from%3ANYPD\\_Parking\)%20until%3A2022-05-22since%3A2022-01-01&src=typed\\_query&f=live](https://twitter.com/search?q=(from%3ANYPD_Parking)%20until%3A2022-05-22since%3A2022-01-01&src=typed_query&f=live)

<sup>89</sup> See Patrol Guide 214-35.

<sup>90</sup> 311 illegal parking categories include but are not limited to: 1) Parking Permit Misuse; 2) Blocked Hydrant; 3) Double Parked; 4) Posted Parking Sign Violation; 5) Blocked Sidewalk; 6) Commercial

## DOI's Report Pursuant to Local Law 6 of 2020

and conducted an in-depth analysis of complaints of “Parking Permit Misuse.”<sup>91</sup> DOI found that the majority of 311 service requests for illegal parking resulted in no summons issued or no action by NYPD. DOI also found approximately 23 percent of all parking permit misuse 311 service requests were closed by NYPD in 20 minutes or less, a timeframe which appears questionably short for a meaningful response. DOI conducted its own 311 integrity tests by making 311 complaints about vehicles that had obvious parking permit misuse violations to observe NYPD’s response to those types of complaints. Of DOI’s six complaints, none resulted in a summons being issued to the offending vehicle, four were closed out in under 20 minutes, and three were closed out without an observable response to the site of the vehicle by NYPD, including two of the four complaints that were closed out in under 20 minutes.

### 311 Service Request Data Analysis

NYPD UMOS can resolve the complaints in 311’s system in one of several ways, including finding that the complaint was unfounded, unnecessary, non-crime corrected,<sup>92</sup> gone on arrival, summons served, or referred to another agency. DOI analyzed 311 data to determine how frequently the different resolution categories were utilized for illegal parking complaints generally and for parking permit misuse complaints in particular.

According to data provided by 311, between June 16, 2019 through August 30, 2022,<sup>93</sup> there were approximately 774,631 service requests received via 311 for illegal parking and that they were marked as resolved in the 311 system as follows:

**Table 11.**

FREQUENCY OF THIS RESOLUTION ACTION - ALL YEARS		PERCENTAGE OF THIS RESOLUTION ACTION OUT OF TOTAL - ALL YEAR	
Row Labels	Count of Resolution Action	Row Labels	Count of Resolution Action
10-90U - Unable to Enter	250	10-90U - Unable to Enter	0.03%
10-90X - Unfounded	148,778	10-90X - Unfounded	19.21%
10-90Y - Unnecessary	133,165	10-90Y - Unnecessary	17.19%
10-90Z - Gone on Arrival	114,647	10-90Z - Gone on Arrival	14.80%
10-91 - Non-Crime Corrected	193,655	10-91 - Non-Crime Corrected	25.00%
10-92 - Arrest	38	10-92 - Arrest	0.00%
10-93C - Report Prepared	90	10-93C - Report Prepared	0.01%
10-93F - Report/Domestic	1	10-93F - Report/Domestic	0.00%
10-93Q - Report/Other	728	10-93Q - Report/Other	0.09%
10-95 - Refer to Another Agency	12,593	10-95 - Refer to Another Agency	1.63%
10-96 - Summons Served	137,061	10-96 - Summons Served	17.69%
10-99 - Other (Notes Required)	28,443	10-99 - Other (Notes Required)	3.67%
Referred to SOL	2	Referred to SOL	0.00%
Unit Assigned	51	Unit Assigned	0.01%
Web - Insufficient Contact Information	5,129	Web - Insufficient Contact Information	0.66%
(blank)		(blank)	0.00%
<b>Grand Total</b>	<b>774,631</b>	<b>Grand Total</b>	<b>100.00%</b>

Overnight Parking; 7) Unauthorized Bus Layover; 8) Blocked Bike Lane.

<sup>91</sup> DOI evaluated 311 complaint data, specific to “Parking Permit Misuse” for the time period of January 1, 2019 through August 14, 2022, and evaluated data for illegal parking, generally, for the time period of June 16, 2019 through August 30, 2022.

<sup>92</sup> Through interviews with NYPD personnel, DOI learned that one action taken by UMOS for this particular disposition includes reaching out to the vehicle owner to move the illegally parked vehicle. However, DOI learned that UMOS do not follow-up to see if the vehicle was actually moved, after reaching out.

<sup>93</sup> See, 311 Parking Permit Misuse June 16, 2019 to August 14, 2022.

## DOI's Report Pursuant to Local Law 6 of 2020

As indicated in the above table, in total, approximately 82 percent of all 311 complaints for illegal parking did not result in a summons being issued. Based on data provided by NYPD, between January 1, 2019 through August 14, 2022, there were 25,633 311 service requests routed to NYPD alleging parking permit misuse and approximately 91 percent of them did not result in a summons being issued by NYPD.<sup>94</sup>

DOI also determined that nearly a quarter of all illegal parking 311 service requests generally and parking permit misuse 311 service requests specifically were closed by NYPD in 20 minutes or less. According to NYPD, the average closing time for a 311 service request for illegal parking was one hour 45 minutes and 34 seconds. Taking into consideration the time required for NYPD's procedures for 311 service request intake and assignment, prioritizing 911 and other emergency calls over 311 responses, and the time it could take a UMOS to travel to the reported location, the 20-minute timeframe prior to closing these 311 complaints calls into question whether NYPD is actually responding to all parking permit misuse 311 complaints. Coupled with the low rate of summons issuance in response to such requests, this brief "closure time" creates doubt as to whether the current system results in an actual and adequate response from NYPD to the public's complaints of parking permit misuse. DOI undertook this review of closure times as a result of observations made on social media<sup>95</sup> and an investigation undertaken by the City Council.<sup>96</sup> Both the social media accounts and the City Council investigation alleged that 311 complaints were made pertaining to parking permit misuse, and that the complaints were closed out quickly with no action even though the complainants stayed at the scene of the alleged violation and did not observe NYPD respond to the scene before closing out the complaint. Based on the data,<sup>97</sup> DOI found the following:

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<sup>94</sup> Only 9.4 percent of "Parking Permit Misuse" complaints resulted in a summons being issued.

<sup>95</sup> See, supra, fn. 6.

<sup>96</sup> In 2021, the New York City Council's Oversight and Investigations Division conducted a field investigation where they filed 50 service requests through 311 regarding parking permit misuse and subsequently waited at the scene for NYPD's response. All service requests were marked as closed after an NYPD response. The Council investigators found that for 72 percent (36) of these service requests, NYPD did not properly respond, either driving past the location without any investigative action, or stopping briefly without taking any remedial action. For 28 percent (14) of the service requests NYPD did not respond at all, despite NYPD indicating in the 311 system that "the Police Department responded to the complaint and determined that no action was necessary" or "the Police Department responded and upon arrival those responsible for the condition were gone." See, New York City Committee Report, available at: <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=5183226&GUID=32DB2529-1883-432C-8448-210EBEFFF321&Options=&Search=>

<sup>97</sup> See, 311 Parking Permit Misuse June 16, 2019 to August 14, 2022..

**Table 12.**  
**Illegal Parking Complaints Generally**

Duration to Complaint Closure	# of Complaints	Percentage of Total Complaints
5 minutes or less	16,412	2.1%
10 minutes or less	43,410	5.6%
20 minutes or less	118,795	15.3%

**Table 13.**  
**Parking Permit Misuse Complaints**

Duration of Complaint Closure	# of Complaints	Percentage of Total Complaints
5 minutes or less	636	2.5%
10 minutes or Less	1,484	5.8%
20 minutes or less	3,597	14%

Based on an interview with the NYPD Deputy Chief of the Transportation Bureau and documents produced by NYPD, NYPD implemented a pilot program in the 46<sup>th</sup>, 104<sup>th</sup> and 109<sup>th</sup> Precincts in which TEAs were tasked with responding to parking-related 311 complaints. For the three precincts taking part in the pilot program as of February 13, 2024, the 311 service requests and summonses issued and percent of service requests resulting in a summons were as follows:

**Table 14.**

Precinct	Number of 311 Service Requests	Number of Summonses Issued	Percent of 311 Services Requests Resulting in a Summons
46th	527	285	54.08%
104th	4,143	1,537	37.10%
109th	571	158	27.67%

While the pilot program only began on October 26, 2023, the percentage of 311 service requests resulting in a summons under the pilot program is substantially higher in all participating precincts as compared to the approximately 18 percent of 311 service requests resulting in a summons under the current system of NYPD UMOS response. As noted above, NYPD expects to expand the program to sixteen precincts, two per borough command.

### 311 Integrity Tests

DOI filed six controlled 311 complaints for vehicles with parking permits or objects used in lieu of a parking permit that were parked illegally via the online 311 complaint portal.<sup>98</sup> DOI then surveilled the scenes of the violations until NYPD responded and/or closed out the complaints in 311's system.

While DOI's sample size of six controlled 311 complaints is small, the results of the controlled 311 complaints are consistent with the broader 311 complaint resolution statistics concerning illegal parking complaints generally and "Parking Permit Misuse" specifically. As stated

<sup>98</sup> DOI made the complaints at <https://portal.311.nyc.gov/report-problems/>. Subsequent to filing the complaints, DOI surveilled the scene of the violations until NYPD responded and/or closed out the complaints in 311's system.

## DOI's Report Pursuant to Local Law 6 of 2020

previously, none of DOI's complaints resulted in a summons being issued to the offending vehicle. Three of the complaints did not result in an in-person NYPD response before the complaint was closed out and four were closed out in under 20 minutes.

A description of each controlled complaints is as follows:

- On August 23, 2022, DOI made a controlled 311 complaint in the vicinity of 231 Pearl Street in Manhattan.<sup>99</sup> The complaint was made after DOI observed four vehicles illegally parked in a "No Standing" zone at the location. Three of the four vehicles were displaying official NYPD parking permits.<sup>100</sup> The fourth vehicle was not displaying a parking permit; however, it was displaying a parking summons that had been issued in February 2022.

Unrelated to and while awaiting on NYPD's 311 response, DOI observed a TEA walk by the illegally parked vehicles, and look at the permits displayed on the vehicles' dashes. The TEA did not issue any summonses to the vehicles displaying permits, however, the TEA did issue a new summons to the vehicle that was not displaying a parking permit.<sup>101</sup>

Approximately 52 minutes after submitting the 311 complaint, DOI observed NYPD UMOS arrive at the scene. DOI observed one of the officers look at the parking permits, as well as make a phone call. The complaint is eventually resolved in 311's system as, "The Police Department responded to the complaint and took action to fix the condition."

During an interview with DOI, one of the responding officers stated he had reached out to the illegally parked NYPD employees' commands to have them move the vehicles. However, the officer admitted that they did not follow-up to see if the vehicles were actually moved.

- On August 31, 2022, DOI made two controlled 311 complaints – one in the vicinity of 259 Flatbush Avenue and one in the vicinity of 78 St. Marks Avenue in Brooklyn.<sup>102</sup> The complaints were made after DOI observed two vehicles illegally parked in the vicinity of 259 Flatbush Avenue and three vehicles illegally parked in the vicinity of 78 St. Marks Avenue.<sup>103</sup> Four of the five vehicles were displaying official NYPD

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<sup>99</sup> The complaint was made via 311's online web portal. The complaint was given a "Service Request Number" of 311-11498284. This number is used to track the complaint and corresponding resolution.

<sup>100</sup> Two of the vehicles were displaying NYPD Restricted Parking Permits, and the third vehicle was displaying a NYPD Non-Restricted Parking Permit.

<sup>101</sup> DOI later interviewed this specific TEA. When asked why they did not issue a summons to the vehicles displaying permits, the TEA stated that he was extending a courtesy.

<sup>102</sup> The complaint was made via 311's online web portal. The complaint, in the vicinity of 259 Flatbush Avenue, was given a "Service Request Number" of 311-11594494, and the complaint, in the vicinity of 78 St. Marks Avenue, was given a "Service Request Number" of 311-11594655.

<sup>103</sup> Two of the three vehicles illegally parked on St. Marks Avenue were displaying official NYPD Restricted Parking Permits. The other vehicle was not displaying any permit. The two vehicles on Flatbush Avenue were displaying official NYPD parking permits. One of the permits was a Restricted Parking Permit and the other a Non-Restricted Parking Permit.

parking permits. The vehicles on St. Marks Avenue were parked in a “No Standing” zone and the vehicles illegally parked on Flatbush Avenue were in a bus stop.

Approximately 17 minutes after submitting the 311 complaint for Flatbush Avenue, DOI observed NYPD UMOS arrive at 259 Flatbush Avenue. Two officers exited their patrol vehicle, approached one of the illegally parked vehicles, looked at its displayed parking permit, and returned to their vehicle. Around the same time, the complaint was closed in 311's system with the following description of the resolution: “The Police Department responded to the complaint and took action to fix the condition.”<sup>104</sup> The officers then left the location.

Approximately 13 minutes after making the St. Marks complaint and six minutes after the officers left the Flatbush location, DOI observed the same officers drive by the illegally parked vehicles on St. Marks Avenue. The officers did not stop or get out of their vehicle. Shortly thereafter, the St. Marks complaint was also closed in 311's system as follows: “The Police Department responded to the complaint and took action to fix the condition.” DOI continued to surveil the location for approximately 40 minutes after the Flatbush Avenue complaint's closure and 18 minutes after the St. Marks Avenue complaint's closure and did not observe anyone move the illegally parked vehicles.

During an interview with DOI, one of the responding officers stated that they do sometimes respond to 311 complaints for “Parking Permit Misuse,” and when they do, they generally try to reach out to the permit holder and ask that person to move the vehicle. The responding officer did not recall doing so with respect to either of these complaints.<sup>105</sup> The officer stated that it is within the member of service's discretion to decline to issue a summons to the vehicle. The officer said that they did not recall ever issuing a summons to a vehicle displaying a parking permit and that they were not familiar with the locations in which permit holders, including NYPD permit holders, can park legally and where they cannot park. The second responding officer explained that the officers exercised discretion not to issue permits in response to these 311 complaints because permit holders “need to get to work.”

- On November 1, 2022, DOI made a controlled 311 complaint in the vicinity of 460 Cross Bronx Expressway.<sup>106</sup> The complaint was made after DOI observed three vehicles illegally parked on the sidewalk displaying NYPD Restricted Parking Permits.

Approximately ten minutes after submitting the complaint, the complaint was closed in 311's system as follows: “The Police Department responded to the complaint and determined that police action was not necessary.” DOI did not observe anyone from NYPD respond to the complaint at any time during the surveillance. DOI departed from the location approximately 21 minutes after the complaint's closure.

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<sup>104</sup> DOI did not observe the officers issue a summons at any point.

<sup>105</sup> The officer stated doing this would be considered resolving the complaint as “Non-Crime Corrected.”

<sup>106</sup> The complaint was made via 311's online web portal. The complaint was given a “Service Request Number” of 311-12322187.

## DOI's Report Pursuant to Local Law 6 of 2020

During an interview with DOI, the officer that dispositioned the complaint stated that they did remember receiving and dispositioning this specific 311 complaint. On the date of the complaint, the officer was working as the telephone switchboard (“TS”) operator and was responsible for intaking 311 complaints and routing the complaints to response units. The officer stated that since the illegally parked vehicles were located adjacent to the precinct, they decided not to route to a response unit and instead handled it themselves by contacting the owners of the vehicles.<sup>107</sup> The officer stated that the owners of the illegally parked vehicles were officers assigned to the 48<sup>th</sup> Precinct<sup>108</sup> and would have moved the vehicles when their shift ended. Additionally, the officer stated that parking was hard to find around the precinct but did admit that NYPD employees are not allowed to park on sidewalks, even permit holders parking adjacent to the precinct.

- On November 3, 2022, DOI made a controlled 311 complaint in the vicinity of 801 Amsterdam Avenue in Manhattan.<sup>109</sup> The complaint was made after DOI observed a vehicle illegally parked at a fire hydrant. The vehicle had official City of New York plates and a decal which indicated that the vehicle was assigned to DOHMH.

Approximately 12 minutes after submitting the complaint, the complaint was closed in 311's system as follows: “The Police Department reviewed your complaint and provided additional information below.”<sup>110</sup> Additional information later received by DOI indicated that the complaint was assigned to the TS operator and that this conduct was “normal” by “Board of Health” vehicles during business hours.

During an interview with DOI, the TS operator<sup>111</sup> stated that they did not recall receiving and/or dispositioning the 311 complaint in question. However, the officer indicated that for “Parking Permit Misuse” they would seek to contact the owner of the vehicle. The officer stated that they may also reach out to the precinct. Additionally, the officer indicated that issuing a summons is not required, and that officers have discretion with respect to how to address parking permit misuse. Although NYPD documentation indicated that the 311 complaint was assigned to the TS, the officer stated that they understood from their supervisors that someone is supposed to be dispatched to the location of the complaint to finalize the disposition.

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<sup>107</sup> The officer stated, from their own experience as a Police Officer, they may receive 20 to 30 911 calls in a shift. The officer stated that these calls are prioritized over 311 complaints, and therefore, a regular patrol shift may only get to 3 to 5 311 complaints in a shift.

<sup>108</sup> The NYPD 311 complaint and disposition form indicated that the complaint was closed under the “Resolution Action” code of “Unnecessary,” and the “Disposition Description” indicated, “ALL VEHICLES LISTED BELONG TO NYPD OFFICERS WORKING IN THE PCT.”

<sup>109</sup> The complaint was made via 311's online web portal. The complaint was given a “Service Request Number” of 311-12342042.

<sup>110</sup> The NYPD 311 complaint and disposition form, received from NYPD, indicated that the complaint was closed under the “Resolution Action” of “Other (Notes Required),” and the notes indicated, “BOARD OF HEALTH VEHICLE PICKING UP FROM BOARD OF HEALTH LOCATED AT 160 WEST 100 STREET. NORMAL OCCURRENCE DURING BUSINESS HOURS.”

<sup>111</sup> During DOI's interview with the TS operator, they stated that the only confirmation they would receive confirming that the assigned officer has responded to a request is a message from that officer over the radio, or a responding officer's memo book.

## DOI's Report Pursuant to Local Law 6 of 2020

- On November 10, 2022, DOI made a controlled 311 complaint in the vicinity of 97-05 Horace Harding Expressway in Queens.<sup>112</sup> The complaint was made after DOI observed numerous vehicles illegally parked in a “No Standing” zone at the location.<sup>113</sup>

Approximately 50 minutes after submitting the complaint, the complaint was closed in 311's system. The complaint's final disposition was, “The Police Department responded to the complaint and took action to fix the condition.”<sup>114</sup> DOI did not observe anyone from NYPD respond to the complaint at any time during the surveillance or any vehicles being moved. DOI departed from the location approximately 24 minutes after the complaint's closure.

In an interview with DOI, the responding officer identified by NYPD stated that they did not recall responding to the controlled 311 complaint, however, the officer did indicate that in order to close out a 311 complaint for illegal parking, an officer must respond to the scene.<sup>115</sup> Additionally, for “Parking Permit Misuse” complaints, the officer stated that they would reach out to the owner of the illegally parked vehicle by phone, if possible, and would also reach out to the vehicle owner's supervisor. The officer said their supervisor had instructed them to always try to get in touch with the parking permit holder for a “Parking Permit Misuse” complaint, and furthermore, the officer could not recall a time where they had ever issued a summons to someone for misusing a parking permit.

Three key points emerged from these controlled complaints and subsequent interviews. First, the officers interviewed admitted, almost without exception, that they routinely exercised discretion in not issuing summonses to illegally parked vehicles that display parking permits and could not remember ever issuing a parking summons to a vehicle displaying a parking permit. In a majority of cases, the officers also stated that their practice when encountering a vehicle with a parking permit in violation of parking rules, is to try to contact the permit holder to have them move the vehicle, but that the officers are not required to follow-up to ensure that the vehicles are actually moved. In at least one instance, the officer stated that their supervisors required them to contact a permit holder as the first step in responding to a 311 complaint for “Parking Permit Misuse.”

Second, the officers interviewed were all aware that responding in person to a 311 for illegal parking was required to finalize a complaint's disposition. Third, the officers lacked training regarding how to identify parking permits, and with respect to the legal and permissible uses for parking permits.

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<sup>112</sup> The complaint was made via 311's online web portal. The complaint was given a “Service Request Number” of 311-12422235.

<sup>113</sup> In the 311 complaint, DOI identified the plate numbers for six vehicles specifically. Four of the six vehicles were displaying NYPD Restricted Parking Permits. The remaining two vehicles were displaying a sign that said “United States Postal Service” and a NYC Department of Environmental Protection hard hat/vest.

<sup>114</sup> The NYPD 311 complaint and disposition form, received from NYPD, indicated that the complaint was closed under the “Non-Crime Corrected” category.

<sup>115</sup> The officer indicated, in a shift, they may receive between ten and 50 911 calls and one and 20 311 calls, for response. The officer said that 911 calls take priority over 311 calls, but they try to respond to all 311 calls.

## DOI's Report Pursuant to Local Law 6 of 2020

These observations reflect that there is a need for more transparency and accountability in the 311-response process on the part of NYPD, additional training for UMOS regarding the appropriate response to 311 complaints concerning illegal parking, and for greater consistency in enforcement of the laws and rules concerning illegally parked vehicles that display parking permits.

### New Technology and Innovation

In the past, the City has attempted to implement new technology to combat parking permit abuse. For example, in 2019, the City considered ceasing the use of parking permits and instead utilizing “digital stickers” that would be scannable through a barcode. Such technology would make the creation of fraudulent permits more difficult and also thwart the sharing of a single permit among individuals. However, the program was never implemented on a large scale. According to DOT, the parking stickers are in use only for ABPPs and there were 1,289 sticker permits issued for the 2023- 2024 permit year with 1,232 currently active.<sup>116</sup>

Additionally, the City considered implementing a full-scale, digital Pay-By-Plate parking system which would automatically register cars as legally or illegally parked. This system would require individuals parking at meters to enter their license plates into the meter and/or associated parking mobile application, prior to paying for parking. This program was stalled in 2021, due to the pandemic, and because it would have required the overhaul of all 14,500 of the City’s parking meters. The implementation of this system is now scheduled to begin in April 2024.

Should NYPD choose to eliminate or reduce the discretion currently afforded to officers with respect to issuing summonses to vehicles displaying parking permits, the City could consider using license plate reader (“LPR”) technology to augment parking enforcement and to automatically issue summonses where appropriate. LPR technology is already owned and accessible by the City and other U.S. cities, including Hartford, Connecticut and Pittsburgh, Pennsylvania, have already implemented this technology to handle parking enforcement.

To further explore this area, DOI spoke with Armindo Gomes, the Chief Executive Officer of the Hartford Parking Authority. Gomes indicated that, the City of Hartford issued parking permits, however, they had issues with individuals sharing permits and swapping them from car to car. Subsequently, in 2016 through 2017, the City of Hartford eliminated physical parking permits altogether and implemented an LPR parking permit/enforcement system.

Gomes stated that a City database now contains the information of all government employees and other persons who have parking privileges, including their license plate and registration information. That database is linked to both pay stations and the LPR enforcement technology.<sup>117</sup> Relatedly, Gomes explained that the City of Hartford also decreased the number

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<sup>116</sup> The current DOT sticker permits are not compatible with NYPD’s technology, because their barcodes cannot be scanned by NYPD. The sticker permits still display the permit type, valid hours, restrictions, permit number, assigned vehicle’s license plate number, and expiration date.

<sup>117</sup> According to Gomes, the pay stations and LPR technology are connected through Wi-Fi and can “geofence” areas where parking is, or is not, permitted and LPR technology can be used to identify vehicles that are illegally parked. The City of Hartford uses an LPR technology system/platform called “VATS,” which stands for “Violation and Ticket System.” A parking enforcement agent utilizes the LPR

## DOI's Report Pursuant to Local Law 6 of 2020

of people with parking privileges by approximately 93 percent. Additionally, every year, the City of Hartford determines whether the individuals receiving parking privileges have any outstanding parking summonses and/or an active license and registration. If the individual has outstanding summonses, or lacks an active license and registration, they are not given parking privileges until such matters are resolved.

To even further automate parking enforcement, this technology can be mounted to vehicles driven by TEAs to automatically take photos of illegally parked vehicles, as the parking enforcement agent drives by. A handheld manual scanner is also an available option. This automated system allows further oversight by allowing agencies to audit vehicles that were deemed illegally parked and determine whether summonses were in fact issued by parking enforcement agents. It also allows parking enforcement agents the option to review photographs of illegally parked vehicles and issue summonses when they review the photographs, as opposed to when they encounter the vehicle in the street. This is especially helpful when an agency is experiencing staffing issues. Gomes pointed out that among other efficiencies, employees need not exit their own cars to verify the legitimacy or validity of parking permits.

## Policy and Procedure Recommendations

Based on the findings above, DOI recommends the following policy and procedure recommendations:

- 1) Unless and until a fully paperless permit system is implemented, the three permit-issuing agencies should collaborate, with coordination and guidance provided by the Mayor's Office, to develop a uniform parking permit so that fake permits can be more readily identified by enforcement authorities.
- 2) The three permit-issuing agencies should conduct an audit of all actively issued parking permits to determine whether any should be revoked as a result of the three strikes law and should revoke any permits found eligible to be revoked. The results of that audit should be publicly reported. Such audit and public reporting should be conducted annually.<sup>118</sup>
- 3) NYPD should eliminate self-enforcement zones.<sup>119</sup>

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technology to identify vehicles that are illegally parked, and then generates the summons and attaches the physical summons to the vehicle. The system therefore allows discretion by enforcement agents regarding the issuance of a summons, but also tracks illegal parking, and whether a summons was issued, allowing for identification of problematic trends or a need for further training.

<sup>118</sup> In mid-2023, DOT, with the NYC Department of Finance began a review of City-issued permits to identify all agencies and organizations that have permits subject to revocation under the three strikes rule. That review is ongoing.

<sup>119</sup> In January 2024, DOI received a self-enforcement zone from NYPD, located in the immediate vicinity of DOI's headquarters in lower Manhattan. Consistent with DOI's findings and recommendations in this report, on March 7, 2024, DOI requested that this self-enforcement zone be removed.

## DOI's Report Pursuant to Local Law 6 of 2020

- 4) NYPD training should reiterate that in exercising discretion with respect to issuing a summons for illegal parking, preference should not be given to vehicles displaying government-issued permits and all illegally parked vehicles should be summonsed in an equitable manner.
- 5) NYPD training should clearly review the difference between the summons for parking permit misuse and fraudulent use of a permit, and direct personnel to issue one of those summons codes in addition to the underlying parking violation whenever the vehicle displays a parking permit or an item in lieu of a parking permit.
- 6) NYPD training should address the difference between legitimate and fraudulent permits, so that NYPD personnel can accurately identify fraudulent permits.
- 7) NYPD should assign TEAs to respond to 311 service requests regarding illegal parking instead of UMOS.
- 8) NYPD should be required to provide specific information before closing out a 311 service request related to illegal parking, including, but not limited to, the badge or other identification number of the employee who resolved the service request, a photograph or other visual confirmation that the employee physically responded and appropriately addressed the service request, and a more detailed narrative justifying the action taken or not taken. To the extent revisions need to be made to the 311 system in order to include this information, NYPD should work with the Office of Technology and Innovation (“OTI”) to make the necessary changes.
- 9) DOT and NYPD should jointly conduct a study about the feasibility and cost of automated parking enforcement, including but not limited to license plate reader technology currently used by other cities.
- 10) The three permit-issuing agencies should collaborate, with coordination and guidance provided by the Mayor’s Office, to create and implement a transition plan to phase out the use of physical permits, initially expanding the use of permit stickers with a bar code compatible with handheld enforcement devices, and eventually fully adopting a digital parking management system, including the use of an integrated parking management system to link parking permits, parking meters, a mobile application, handheld enforcement devices, license plate readers, and license plates.
- 11) The City should hire an outside consultant to assist in the development and implementation of the aforementioned digital parking management system.

**Appendix A**

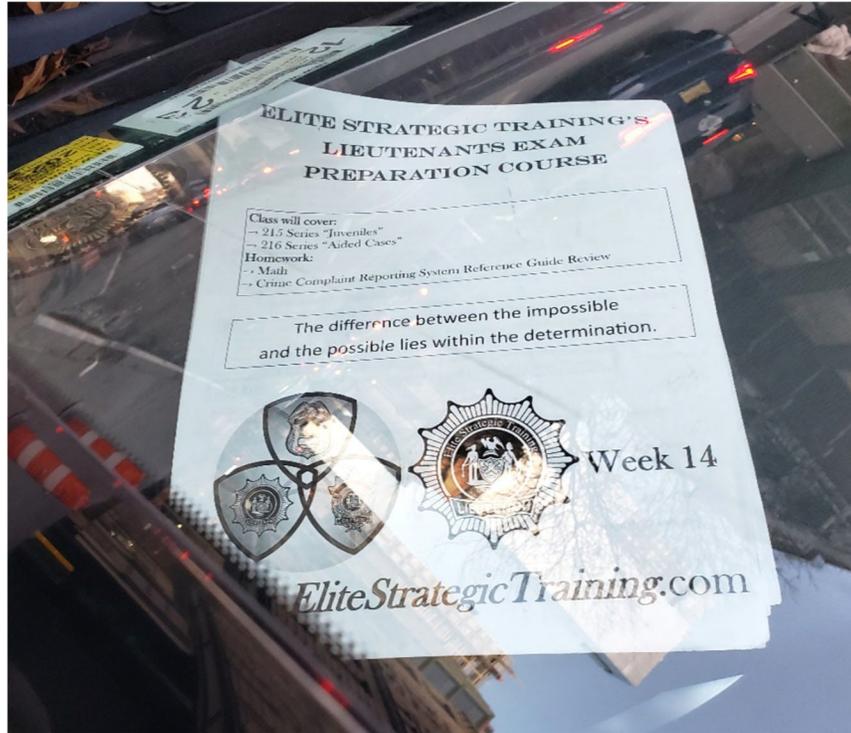
Items Placed in Vehicles in Lieu of Valid Parking Permits



Department of Correction Uniform



Detective's Endowment Association Sticker



Lieutenant's Examination Preparation Materials



NYPD Vest

**Appendix B**

Title 34 of the Rules of the City of New York §4-08(o)(3)(iv)

(iv) *Misuse and fraudulent use of parking permits.* A violation of this subparagraph (iv) will be issued in addition to any other violation issued for parking in contravention of posted signs or written regulations. It shall be unlawful:

(A) to display an agency-authorized permit in the windshield of a vehicle or, where applicable, a permit affixed to the vehicle by the department or any agency authorized by the department and park with the intent to avoid compliance with posted signs or written regulations. In any proceeding relating to the violation of this provision such intent shall be implied where:

1. the permit displayed in the windshield of the vehicle or, where applicable, the permit affixed to the vehicle by the department or any agency authorized by the department does not authorize parking in such space in contravention of posted signs or written regulation.

2. the permit is displayed on a vehicle other than the one described in the permit.

3. the permit displayed in the windshield of the vehicle is copied, altered, or displayed in a manner that obscures the locations to which it applies.

4. the permit displayed in the windshield of the vehicle or where applicable the permit affixed to the vehicle by the department or any agency authorized by the department is expired, suspended or revoked.

(B) to display a fraudulent parking permit in the windshield of a vehicle and park in contravention of posted signs or written regulations. For the purposes of this section, a fraudulent parking permit may be a counterfeit of a Department-issued permit, resemble an official Department permit or contain language falsely purporting to authorize parking in areas restricted by posted signs or written regulations.