



**THE CITY OF NEW YORK  
DEPARTMENT OF FINANCE**

**NOTICE OF RULEMAKING**

Pursuant to the power vested in me as Commissioner of Finance by sections 389(b) and 1043 of the New York City Charter, section 237 of the Vehicle and Traffic Law and section 19-203 of the Administrative Code of the City of New York, I hereby promulgate the within amendment to the Rules Relating to Parking Violations. This amendment was published in proposed form on March 17, 2009. A hearing for public comment was held on April 20, 2009.

Michael Hyman  
Acting Commissioner of Finance

Section 1. Paragraph (3) of subdivision (a) of section 39-09 of the Rules of the Commissioner of Finance Relating to Parking Violations (19 RCNY Chapter 39), requiring that a broker be represented by an attorney when doing business with the PVB, is repealed, and paragraphs (4) through (10) of such subdivision (a) are renumbered paragraphs (3) through (9).

**BASIS AND PURPOSE OF AMENDMENT**

This amendment repeals the provision of the Rules Relating to Parking Violations that requires that if a broker who is not an attorney represents a respondent at a parking violation hearing, the broker must be accompanied at the hearing by an attorney. The Department of Finance no longer believes that such a requirement is appropriate, as the rules of the City's Office of Administrative Trials and Hearings (OATH) permit non-attorney representatives at City administrative hearings. This approach is supported by case law that has held that representation at an administrative hearing by a non-attorney does not constitute an unlawful practice of law.