

New York City Department of Finance

Notice of Public Hearing and Opportunity to Comment on Proposed Rule

What are we proposing? The New York City Department of Finance (“DOF”) is proposing amendments to rules to allow stipulations under the Stipulated Fine Program and the Commercial Abatement Program for time periods preceding the date of the agreement and to clarify policies relating to late payments under such programs.

When and where is the hearing? DOF will hold a public hearing on the proposed rule. The public hearing will take place at 11:00 AM on February 2, 2026. The hearing will be conducted remotely through Microsoft Teams. To participate in the public hearing, enter the URL <https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting>. If prompted to provide the meeting ID, please enter: 254 728 009 358 0; If prompted for a passcode, please enter the following: Pf3y6RS7. You can also participate in the hearing via telephone by calling +1 646-893-7101. The Phone conference ID: 332 187 42#

This location has the following accessibility option(s) available:
Audio-only access

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

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

Is there a deadline to submit written comments? The deadline to submit written comments is February 2, 2026.

What if I need assistance to participate in the hearing? You must contact DOF’s Office of Legal Affairs if you need a reasonable accommodation of a disability at the hearing. You must tell us if you need a sign language interpreter. You may tell us by mail at the address given above, sent to the attention of Joan Best; by telephone, by calling Joan Best at (212) 748-7214; or by e-mail at bestj@finance.nyc.gov. You must tell us by January 28, 2026.

This location has the following accessibility option(s) available: Audio-only access.

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

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

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

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

STATEMENT OF BASIS AND PURPOSE

The New York City Department of Finance (“DOF”) is proposing the following rule change pursuant to the powers set forth in New York City Charter (“Charter”) §§ 1043(a) and 1504, as well as Vehicle and Traffic Law § 237 and New York City Administrative Code (“Administrative Code”) § 19-203.

Chapter 39 of title 19 of the Rules of the City of New York (“RCNY”) establishes regulatory frameworks for the Stipulated Fine Program and the Commercial Abatement Program. The Stipulated Fine Program is available for businesses that make expeditious deliveries, pick-ups or service calls. See 19 RCNY § 39-03.1(a). The Commercial Abatement Program is available for businesses that are otherwise not eligible to be enrolled in the Stipulated Fine Program. See 19 RCNY § 39-03.2(a). In these programs, businesses waive their right to a hearing and pay a fixed rate for certain violations below the face value of the fine. Stipulated Fine Program and Commercial Abatement Program participants are charged a fine for each type of eligible parking violation based on the rate at which businesses enrolled in the Fleet Program are found guilty for contested violations.

Sections one and four of this proposed rule would ensure that the same consequences that apply to violations for failure to pay fines in accordance with agreements entered into pursuant to the existing Stipulated Fine and Commercial Abatement Fine Programs apply to new agreements proposed in sections

Sections two and five of this proposed rule would clarify that an enrollee of the Stipulated Fine Program or Commercial Abatement Program that fails to pay the reduced fine amount prior to the first penalty deadline would be required to pay an unreduced fine. This policy is already set forth in the relevant agreement and document notices provided to enrollees, and this policy has been upheld as valid by the courts in the context of the Stipulated Fine Program. See *NYTDA, Inc. v. City of New York*, 2022 WL 824147 (E.D.N.Y.2022), at 11 & n.13. This rule change would merely provide additional clarity to the public as to existing policy.

Sections three and six of this proposed rule amendment would establish a business' ability to enter into an agreement with DOF under the Stipulated Fine Program and Commercial Abatement Program for the payment of fines that occurred prior to the date of the agreement. The stipulated fine and the commercial abatement fine amount rate would be the rate in effect at the time of the applicable violation, but such reduced rate would not apply to adjudicated violations or violations subject to penalties for failure to pay in accordance with the applicable time schedule. In addition, businesses would be required to stipulate all violations that occurred prior to the effective date of the agreement, which must include more than 1,000 outstanding violations, in order to enter into the agreement. Such an agreement may only be entered into once per calendar year.

The New York City Parking Violations Bureau ("PVB"), organized within DOF, is a tribunal responsible for adjudicating parking and camera violations within the City of New York, and possesses the authority to promulgate rules to resolve such violations efficiently and fairly. See Vehicle and Traffic Law § 237(3) and Administrative Code § 19-203(c). The Stipulated Fine Program has repeatedly been upheld by courts as within the PVB's authority to "adopt rules and regulations that further the purposes of the underlying statutory scheme." *Bolofsky v. City of New York*, 146 A.D.3d 693 (1st Dept. 2017). See also *NYTDA, Inc. v. City of New York*, 2022 WL 824147 (E.D.N.Y. 2022) and *SYSCO Metro New York, LLC v. The City of New York*, 2025 WL 2829369 (N.Y. Sup. 2025). This amendment to the Stipulated Fine Program and Commercial Abatement Program rules would promote the interests of the PVB as a tribunal by allowing the PVB to more effectively administer, expedite and manage its docket. Businesses that make deliveries, pick-ups or service calls may have large volumes of outstanding violations. This proposed rule would relieve these businesses from adjudicating these large volumes of violations, which would strain the resources of the PVB and congest the PVB docket. The parameters regarding scale and time period in these proposed rule amendments strike a careful balance between preventing abuse and ensuring efficiency.

Matter underlined is new. Matter in brackets [] is to be deleted.

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

Amendments to Rule Relating to Parking Violations

Section 1. Subdivision (c) of section 39-03.1 of Title 19 of the Rules of the City of New York is amended to read as follows:

(c) Failure to pay fines. The ~~[agreement]~~agreements described in ~~[subdivision]~~subdivisions (a) and (f) of this section shall further provide that if the owner fails to satisfy summonses that enter judgment status, where such judgment(s) total in the aggregate, including interest, more than \$350: (1) such summonses shall be subject to enforcement action pursuant to the provisions of this title and applicable law, including but not limited to the imposition of all fines and penalties provided for in subdivision (e) of this section; (2) the owner will be removed from the Stipulated Fine Program and Fleet Program; and (3) the agreement will be null and void with respect to all future summonses, and future summonses will be subject to the penalties provided in §39-07 of these rules to the same extent and in the same manner as if such agreement had not been in effect~~].~~,with respect to agreements described in subdivision (f) of this section, summonses that were issued prior to the date of such agreement shall be subject to the penalties provided in §39-07 of these rules to the same extent and in the same manner as if such agreement had not been in effect.

§ 2. Paragraphs (1), (2) and (3) of subdivision (e) of section 39-03.1 of Title 19 of the Rules of the City of New York are amended to read as follows:

(1) The failure to pay the stipulated fine amount within 45 days after the Department of Finance system entry date for the summons will result in a penalty of \$10.00 and imposition of the original unreduced fine amount as provided in 19 RCNY § 39-05.

(2) The continued failure to pay the stipulated fine amount for an additional 45 days beyond the period stated in paragraph (1) of this subdivision will result in a further penalty of \$20.00 in addition to the penalty provided in paragraph (1) of this subdivision and imposition of the original unreduced fine amount as provided in 19 RCNY § 39-05.

(3) The continued failure to pay the stipulated fine amount for an additional 45 days beyond the period stated in paragraph (2) of this subdivision will result in a further penalty of \$30 in addition to the penalties provided in paragraphs (1) and (2) of this subdivision and imposition of the original unreduced fine amount as provided in 19 RCNY § 39-05.

§ 3. Section 39-03.1 of Title 19 of the Rules of the City of New York is amended by adding a new subdivision (f) to read as follows:

(f) Notwithstanding any other provision of this section to the contrary, no more than once per calendar year, the Commissioner of Finance may enter into an agreement with the owners of vehicles with commercial plates enrolled in the Fleet Program that are otherwise eligible for the Stipulated Fine Program established pursuant to subdivision (a) for the payment of stipulated fines in accordance with a reduced fine schedule for parking violations ("stipulated fine amounts") for which summonses were issued prior to the date of such agreement provided that:

(1) the stipulated fine amounts applicable shall be the based on the reduced fine schedule established pursuant to subdivision (a) in effect at the time of the violation;

(2) such owner shall pay the stipulated fine amount for all outstanding violations issued for such owner's enrolled vehicles prior to the time that the agreement is entered into;

(3) such owner stipulates to greater than 1,000 outstanding violations in the agreement;
and

(4) such stipulated fine rates shall not apply to any violations that have been adjudicated or for which a penalty has been imposed due to the failure to pay the applicable fine amount or stipulated fine amount.

§ 4. Subdivision (b) section 39-03.2 of Title 19 of the Rules of the City of New York is amended to read as follows:

(b) Failure to pay fines. The ~~[agreement]~~agreements described in ~~[subdivision]~~subdivisions (a) and (e) of this section shall further provide that if the owner fails to satisfy summonses that enter judgment status, where such judgment(s) total in the aggregate, including interest, more than \$350: (1) such summonses will be subject to enforcement action pursuant to the provisions of this title and applicable law, including but not limited to the imposition of all fines and penalties provided for in subdivision (d) of this section; (2) the owner will be removed from the Commercial Abatement Program and Fleet Program; and (3) the agreement will be null and void with respect to all future summonses, and future summonses will be subject to the penalties provided in §39-07 of these rules to the same extent and in the same manner as if such agreement had not been in effect~~[.]~~,with respect to agreements described in subdivision (e) of this section, summonses that were issued prior to the date of such agreement shall be subject to the penalties provided in §39-07 of these rules to the same extent and in the same manner as if such agreement had not been in effect.

§ 5. Paragraphs (1), (2) and (3) of subdivision (d) of section 39-03.2 of Title 19 of the Rules of the City of New York are amended to read as follows:

(1) The failure to pay the commercial abatement fine amount within 45 days after the Department of Finance system entry date for the summons will result in a penalty of \$10.00 and imposition of the original unreduced fine amount as provided in 19 RCNY § 39-05.

(2) The continued failure to pay the commercial abatement fine amount for an additional 45 days beyond the period stated in paragraph (1) of this subdivision will result in a further penalty of \$20.00 in addition to the penalty provided in paragraph (1) of this subdivision and imposition of the original unreduced fine amount as provided in 19 RCNY § 39-05.

(3) The continued failure to pay the commercial abatement fine amount for an additional 45 days beyond the period stated in paragraph (2) of this subdivision will result in a further penalty of \$30 in addition to the penalties provided in paragraphs (1) and (2) of this subdivision and imposition of the original unreduced fine amount as provided in 19 RCNY § 39-05.

§ 6. Section 39-03.2 of Title 19 of the Rules of the City of New York is amended by adding a new subdivision (e) to read as follows:

(e) Notwithstanding any other provision of this section to the contrary, no more than once per calendar year, the Commissioner of Finance may enter into an agreement with the owners of vehicles with commercial plates enrolled in the Fleet Program that are otherwise eligible for the

Commercial Abatement Fine Program established pursuant to subdivision (a) for the payment of commercial abatement fine amounts in accordance with a reduced fine schedule for parking violations ("commercial abatement fine amounts") for which summonses were issued prior to the date of such agreement provided that:

(1) the commercial abatement fine amounts applicable shall be based on the reduced fine schedule established pursuant to subdivision (a) in effect at the time of the violation;

(2) such owner shall pay the commercial abatement fine amount for all outstanding violations issued for such owner's enrolled vehicles prior to the time that the agreement is entered into;

(3) such owner stipulates to greater than 1,000 outstanding violations in the agreement;
and

(4) such stipulated fine rates shall not apply to any violations that have been adjudicated or for which a penalty has been imposed due to the failure to pay the applicable fine amount or stipulated fine amount.

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

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

RULE TITLE: Amendment of Rules Relating to Stipulated Fine and Commercial Abatement Programs

REFERENCE NUMBER: 2025 RG 103

RULEMAKING AGENCY: Department of Finance

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

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

/s/ STEVEN GOULDEN
Senior Counsel

Date: December 29, 2025

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

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

RULE TITLE: Amendment of Stipulated Fine Program and Commercial Abatement Fine Program Rules

REFERENCE NUMBER: DOF-78

RULEMAKING AGENCY: Department of Finance

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

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

/s/ Francisco X. Navarro
Mayor's Office of Operations

December 29, 2025
Date