

DEPARTMENT OF FINANCE

Notice of Adoption of Rules Pursuant to the Emergency Procedures of Section 1043(i)(1) of the New York City Charter

Pursuant to the emergency procedures set forth in section 1043(i) of the New York City Charter (“Charter”) and pursuant to the rulemaking authority granted to the Department of Finance (“DOF”) by Vehicle and Traffic Law (“VTL”) section 237, Administrative Code section 19-203, and Charter sections 1043 and 1504, DOF adopts the following emergency rule relating to the monetary penalty for violations of the New York City Bus Lane Restriction Program as established by VTL section 1111-c. This rule will take effect immediately.

Statement of Basis and Purpose of Emergency Rule

On June 24, 2019 the Governor signed into law Chapter 39 of the Laws of 2019. This act amends VTL section 1111-c(e) relating to the monetary penalty imposed upon an owner of a motor vehicle for a violation of a bus lane restriction within a bus rapid transit program, from an amount not to exceed \$115.00 to an amount not to exceed \$50.00. Section 3 of Chapter 39 provides that it shall take effect immediately and that “[e]ffective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.”

VTL section 1111-c(e) provides that an owner liable for a violation of a bus lane restriction imposed on any route within a bus rapid transit program shall be liable for monetary penalties in accordance with a schedule of fines and penalties promulgated by the New York City Parking Violations Bureau, which is authorized by Administrative Code section 19-203.

In order to comply with this act, this emergency rule amends the monetary penalty for each violation of VTL 1111-c from \$115.00 to \$50.00 as set forth in subdivision (a) of section 39-18 of Title 19 of the Rules of the City of New York.

This rule is authorized by VTL section 237, Administrative Code section 19-203, and Charter sections 1043 and 1504. Pursuant to Charter section 1043(d)(4), this rule does not require analysis by the Office of Operations.

New material is underlined.

[Deleted material is in brackets.]

Subdivision (a) of section 39-18 of Title 19 of the Rules of the City of New York is amended to read as follows:

Liability. The liability of an owner pursuant to § 1111-c of the vehicle and traffic law shall be [\$115.00] \$50.00.

Finding Pursuant to New York City Charter Section 1043(i)

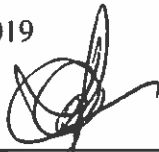
On June 24, 2019, the Governor signed into law Chapter 39 of the Laws of 2019. This act amends VTL section 1111-c(e) relating to the monetary penalty imposed upon an owner of a motor vehicle for a violation of a bus lane restriction within a bus rapid transit program from an amount not to exceed \$115.00 to an amount not to exceed \$50.00. Section 3 of the act provides that it shall take effect immediately and that “[e]ffective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.”

VTL section 1111-c(e) provides that an owner liable for a violation of a bus lane restriction imposed on any route within a bus rapid transit program shall be liable for monetary penalties in accordance with a schedule of fines and penalties promulgated by the parking violations bureau of the city of New York, which is authorized by Administrative Code section 19-203.

In order to comply with this act, this emergency rule amends the monetary penalty for violations of VTL 1111-c from \$115.00 to \$50.00 as set forth in subdivision (a) of section 39-18 of Title 19 of the Rules of the City of New York.

Therefore, pursuant to subdivision (i) of Charter section 1043, I find that the adoption of this rule on an emergency basis is necessary to comply with an act passed by the Legislature and signed into law by the Governor. This emergency rule will take effect immediately upon its adoption and will remain in effect for not more than 120 days while DOF commences rulemaking for the purpose of promulgating a permanent rule. During that time, DOF will continue to engage in discussions with other affected City agencies about the permanent rulemaking.

June 26, 2019



Jacques Jiha, Ph.D.
Commissioner
Department of Finance

APPROVED:



Bill de Blasio
Mayor