

## **New York City Department of Transportation**

### **Notice of Adoption**

**NOTICE OF ADOPTION** relating to double parking provisions.

**NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN** the Commissioner of the New York City Department of Transportation (DOT) by Sections 1043 and 2903 of the New York City Charter and in accordance with the requirements of Section 1043 of the New York City Charter, that DOT hereby amends Section 4-08 of Chapter 4 of Title 34 of the Rules of the City of New York.

This rule was first published on March 27, 2019 and a public hearing was held on May 1, 2019. DOT received written and oral comments.

### **Statement of Basis and Purpose of Final Rule**

The Commissioner of the New York City Department of Transportation (DOT) is authorized to promulgate rules regarding parking and traffic operations in the City by Section 2903(a) of the City Charter. The rules that DOT amends are contained within Chapter 4 of Title 34 of the Rules of the City of New York, relating to the “Traffic Rules and Regulations.”

The purpose of these rule amendments is to help reduce traffic congestion in the City of New York. Specifically, the amendments to Chapter 4 of Title 34 are the following:

- Section 4-08(f)(1) is amended to clarify double parking restrictions.
- Section 4-08(l)(1) is REPEALED in its entirety.
- Sections 4-08(l)(2) and 4-08(l)(3)(i) are amended to expand the area where double parking is prohibited from 8<sup>th</sup> Avenue to 12<sup>th</sup> Avenue.

The Department of Transportation’s authority for these rules is found in section 2903(a) of the City Charter.

Based on DOT’s final review of the rule and comments received from the public, references to commercial vehicles were updated throughout and examples of what the term “actively engaged” means were added.

New material is underlined.

[Deleted material is in brackets.]

**Section 1. Paragraph (1) of subdivision (f) of section 4-08 of Chapter 4 of Title 34 of the Rules of the City of New York is amended to read as follows:**

**(1) Double parking.** On the roadway side of a vehicle stopped, standing, or parked at the curb, except a person may stand a commercial vehicle alongside a vehicle parked at the curb at such locations and during such hours that stopping, standing, or parking is not prohibited, for no more than 20 minutes, while [expeditiously] actively engaged in loading or unloading goods, tools, materials, or other items for the purpose of making pickups, deliveries or service calls, provided that there is no unoccupied parking space or designated loading zone on [either] the same side of the street within [100 feet] the same block that can be used for such standing, and provided further that such standing is in compliance with the provisions of §1102 of the State Vehicle and Traffic Law. A person may stand a commercial vehicle along the roadway side of a bicycle lane provided all other conditions of this paragraph are met. No person shall double park a commercial vehicle when it blocks the only lane of travel in the same direction. No person shall stand, stop or park a vehicle on a street at any time in such a manner or under such conditions as to leave fewer than 10 feet of roadway width available for the free movement of vehicular traffic. No person may stand a commercial vehicle in or along the roadway side of a bus lane, unless otherwise indicated by posted signs, markings or other traffic control devices, or at the direction of a law enforcement officer or other person authorized to enforce this rule. [For the purposes of this paragraph (f)(1), "expeditiously making pick-ups, deliveries or service calls" shall mean that any period of inactivity at the pick-up, delivery or service-call location does not exceed 30 minutes. However, such definition shall in no way limit the discretion of the Department of Finance Adjudication Tribunal to determine whether a violation of this paragraph has occurred.]

**§2. Paragraph (1) of subdivision (l) of section 4-08 of Chapter 4 of Title 34 of the Rules of the City of New York, relating to parking in the area designated as the Blue Zone, is REPEALED, and the title of subdivision (l) is amended, to read as follows:**

**(l) [Blue zone, m]Midtown[, ] and other special zones.**

**§3. Paragraphs (2) and subparagraph (i) of paragraph (3) of subdivision (l) of section 4-08 of Chapter 4 of Title 34 of the Rules of the City of New York are amended to read as follows:**

**(2) Special midtown rule: method of parking.** Except where otherwise restricted, between the hours of 7 a.m. and 7 p.m. daily, except Sundays, from 14th to 60th Streets, 1st to [8th] 12th Avenues, all inclusive, in the Borough of Manhattan, no operator of a commercial vehicle [or combination of vehicles used for transportation of merchandise] shall stop, stand, or park in any of the streets herein designated, other than parallel and [close to] no more than 12 inches from the curb, and in a way that such vehicle will not occupy [no] more than [ten] 10 feet of roadway space from the nearest curb, and in no case shall any such vehicle be backed in at an angle to the curb.

**(3) Special midtown rule: standing time limit.**

**(i)** Between the hours of 7 a.m. and 7 p.m., daily except Sundays, from 14th to 60th Streets, 1st to [8th] 12th Avenues, all inclusive, in the Borough of Manhattan no operator shall stand a commercial vehicle [or combination of vehicles for the purpose of making pickups, deliveries or

service calls] in any one block of streets herein designated for a period of more than three hours unless otherwise posted. A commercial vehicle [or combination of vehicles] not actively engaged in loading or unloading goods, tools, materials, or other items for the purpose of [being used for expeditious] pickups, deliveries or service calls is deemed to constitute a parked vehicle subject to parking rules applicable to that particular location.