



FINANCE  
NEW YORK  
MARTHA E. STARK  
COMMISSIONER

**FINDING OF SUBSTANTIAL NEED FOR EARLIER IMPLEMENTATION**

Chapter 241 of the Laws of 2008 added a new subdivision 2-a to section 236 of the Vehicle and Traffic Law, which provides that in the City of New York, a violation of section 1175 of the Vehicle and Traffic Law ("VTL") is to be considered a parking violation in addition to being a moving violation. VTL §1175 prohibits a driver from driving a vehicle into an intersection when traffic is stopped on the opposite side of the intersection and there is not adequate space on the opposite side of the intersection to accommodate the vehicle ("blocking the box"), unless the driver is making a turn. Pursuant to the VTL and the New York City Charter, fines for parking violations are set by rule of the Department of Finance. This amendment to the Rules Relating to Parking Violations establishes a fine of \$115 for the "blocking the box" violation.

As traffic congestion continues to be a significant problem in New York City, immediate implementation of this rule amendment is necessary to establish the fine as soon as possible, enabling the Department of Finance to promptly enforce the new violation.

Therefore, pursuant to section 1043(e)1(c) of the New York City Charter, the Department of Finance hereby finds that there is a substantial need for the earlier implementation of the amendment to the Rules Relating to Parking Violations. Consequently, the attached amendment to the Rules Relating to Parking Violations shall be effective upon the final publication of the amendment in the City Record, and the requirement that thirty days first elapse after such publication shall not apply.

Martha E. Stark  
Commissioner of Finance

Approved:

Michael R. Bloomberg, Mayor

Dated:



**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. These rules were published in proposed form on July 21, 2008. A hearing for public comment was held on August 21, 2008.

/s/Martha E. Stark  
Commissioner of Finance

NOTE: New Matter is underlined; matter to be deleted is in [brackets]

Section 1. A new subdivision (n) is added to section 39-05 of Title 19 of the Rules of the City of New York to read as follows:

**§39-05 Amount of Fines.** Scheduled fines. Except as otherwise provided for the specific violations within the Restricted Area, the following schedule of fines shall apply to violations listed below:

**VIOLATION**

\* \* \*

(n) <u>Obstructing traffic at an intersection in violation of 34 RCNY §4-08(e)(12)</u>	<u>\$115.00</u>
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**BASIS AND PURPOSE OF AMENDMENT**

Chapter 241 of the Laws of 2008 added a new subdivision 2-a to section 236 of the Vehicle and Traffic Law to provide that in New York City, a violation of section 1175 of the Vehicle and Traffic Law is to be considered a parking violation. Section 1175 prohibits a driver from driving a vehicle into an intersection when traffic is stopped on the opposite side of the intersection and there is not adequate space on the opposite side of the intersection to accommodate the vehicle, unless the driver is making a turn.

This amendment to the Rules Relating to Parking Violations establishes a fine of \$115 for such a violation.