

New York City Department of Transportation

Notice of Adoption

NOTICE OF ADOPTION relating to parking provisions that reflect current parking signage as well as general clean-up amendments.

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 Sections 4-01, 4-08, 4-11, and 4-12 of Chapter 4 of Title 34 of the Rules of the City of New York.

This rule was first published on January 5, 2018 and a public hearing was held on February 5, 2018. Written comments were received.

Statement of Basis and Purpose of Adopted 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 New York City Charter. The rules that DOT is amending 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 reflect simplified parking signage that DOT has implemented over the last few years as well as to make general clean-up amendments. Specifically, the amendments to Chapter 4 of Title 34 are the following:

- Section 4-01(b) is amended to add a new definition for “dedicated use signs”, and update the definition of “taxi” to include green taxis.
- Section 4-08(a)(1) is amended to clarify that standing is prohibited when a dedicated use sign is posted.
- Section 4-08(a)(6) is amended to delete obsolete references to parking meters.
- Sections 4-08(c), 4-08(d), and 4-08(k), 4-08(l), and 4-08(o) are amended to clarify and delete certain references to specific dedicated use signs.
- Sections 4-08(d), 4-08(l)(1), and 4-08(o) are amended to update certain references to “handicapped permits”; delete a reference to a painted blue line in the Blue Zone; and delete certain obsolete portions of the rules relating to IVPS system.
- Section 4-11(a)(3) is being repealed in its entirety as it is no longer applicable.
- Section 4-12(m) is amended to reflect bus lane restrictions as contemplated by Local Law 113 of 2013.

In response to comments received by DOT, the following changes have been made to the proposed rule, which are reflected in the adopted rules:

- Remove proposed language regarding parking at a taxi stand so as not to conflict with 35 RCNY §80-19(c)(3).
- Clarify that an authorized bus cannot park even in an assigned bus stop.
- Consistently use the term “for-hire vehicle stand” instead of “for-hire vehicle stop”.

New material is underlined.

[Deleted material is in brackets.]

Section 1. Subdivision (b) of Section 4-01 of Chapter 4 of Title 34 of the Rules of the City of New York is amended by adding a new definition of “dedicated use sign”, in alphabetical order, and amending the definition of “taxi”, to read as follows:

Dedicated use sign. The term “dedicated use sign” shall mean a curb regulation sign that allows a designated vehicle to use the regulated block face. Other vehicles may not stand or park at these locations.

Taxi. A "taxi" shall mean a motor vehicle used for the carriage of passengers for compensation, equipped with a taxi meter, painted yellow or green and displaying a current medallion or other license issued by the New York City Taxi and Limousine Commission.

§2. Paragraph (3) of Subdivision (a) of Section 4-08 of Chapter 4 of Title 34 of the Rules of the City of New York is amended by adding a new subparagraph (i) to read as follows:

(3) Standing prohibited. When standing is prohibited by signs or rules, no person shall stop a vehicle, attended or unattended, except temporarily for the purpose of and while actually engaged in expeditiously receiving or discharging passengers.

(i) Dedicated use signs. Standing is prohibited when a dedicated use is specified by a sign, including but not limited to the following curb regulations: Commercial Vehicles Only, Truck Loading Only, Taxi Stand, Taxi Relief Stand, Authorized Vehicles Only, NYP License Plates Only, Doctor License Plates Only, For-Hire Vehicles Only, Ambulance Only, Ambulette Only, Medical Facility Only, Bus Layover Only, NYS Road Test Only, Flea Market Loading Only, Farmers Market Only, Waiting Line, Carshare Parking Only, or Parking Permitted.

§3. Paragraph (6) of Subdivision (a) 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:

(6) Paper or other temporary signs. Any paper or other temporary signs posted by authorized [law enforcement] agencies shall supersede all existing posted rules for the days and times specified. [Regulations placed inside parking meters by the Department of Transportation so as to cover rate plate and the inside dome of the meter shall supersede all existing posted rules for the time the insert remains in the parking meter.]

§4. Subdivision (c) 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:

(c) Violation of posted no standing rules prohibited. When official signs, markings or traffic-control devices have been posted prohibiting, restricting or limiting the standing of vehicles, no person shall stand or park any vehicle in violation of the restrictions posted on such signs, markings or traffic-control devices, except as otherwise provided herein:

(1) [No standing (snow emergency)]. When the Commissioner declares a state of snow emergency, no person shall stand or park a vehicle upon a street designated by signs as a snow street, or upon any other area referred to in §4-12(k)(1) of these rules and except as otherwise provided therein.]

[(2) No standing-taxi] Taxi stand. No person shall stand or park a vehicle other than a taxi in a taxi stand when any such stand has been officially designated and appropriately posted except that the operator of a vehicle may only temporarily stand therein for the purpose of expeditiously receiving and discharging passengers provided such standing does not interfere with any taxi about to enter or leave such [zone] stand.

(2) Taxi and/or for hire vehicle relief stand. No person shall stand or park a vehicle other than a taxi or for hire vehicle in a relief stand when any such stand has been officially designated and appropriately posted. The operator of a taxi or for hire vehicle may park at such stand for no more than one hour.

(3) [No standing-bus] Bus stop. No person shall stand or park a vehicle other than an authorized bus in its assigned bus stop when any such stop has been officially designated and appropriately posted except that the operator of a vehicle may temporarily stand therein for the purpose of expeditiously receiving and discharging passengers provided such standing does not interfere with any bus about to enter or leave such [zone] stop. Notwithstanding the aforementioned, an authorized bus shall not park in an assigned bus stop when such stop has been officially designated and appropriately posted.

(4) [No standing except authorized] Authorized vehicles. Except as provided in paragraph (8) of this subdivision, where a posted sign reads "No Standing Except Authorized Vehicles[.]" or "Authorized Vehicles Only", no vehicles, except those designated by [a rider attached to] such sign, may stand or park in that area.

(5) [No standing-hotel] Hotel loading zone. No person shall stand or park a vehicle in such zone except temporarily for the purpose of and while actually engaged in receiving or discharging passengers and their personal baggage at hotels.

(6) [No standing-commuter] Commuter van stop. No person shall stand or park a vehicle other than a commuter van in a commuter van stop when such a stop has been officially designated and appropriately posted, except that an operator of such other vehicle may temporarily stand therein for the purpose of expeditiously receiving or discharging passengers provided such standing does not interfere with any commuter van about to enter or leave such [zone] stop.

(7) [No standing-for-hire] For-hire vehicle [stop] stand. No person shall stand or park a vehicle other than a for-hire vehicle in a for-hire vehicle [stop] stand when such a [stop] stand has been officially designated and appropriately posted, except that an operator of such other vehicle may temporarily stand therein for the purpose of expeditiously receiving or discharging passengers provided such standing does not interfere with any for-hire vehicle about to enter or leave such [zone] stand.

(8) [No standing except certain diplomatic] Diplomatic and consular vehicles.

(i) Where a posted sign reads "No Standing Except Vehicles with Consul-C or Diplomat-A&D License Plates D/S Decals Only" or "Authorized Vehicles Only Consul-C Diplomat-A & D License Plates D/S Decals Only", no person may stand or park a vehicle in such area except as follows:

(A) a person may stand or park a vehicle in such area if such vehicle bears "A", "C" or "D" series license plates issued by the U.S. Department of State, such vehicle displays a valid non-transferable service vehicle decal issued by the City of New York that is affixed to the inside of the operator's side of the windshield, and such person is authorized to park or stand in a space in such area by the foreign mission or consulate that has been allocated such space by the Department; or

(B) a person may stand a vehicle temporarily (no more than thirty (30) minutes) in such area for the purpose of and while actually engaged in delivering, loading or unloading for official business if such vehicle bears "A", "C" or "D" series license plates issued by the U.S. Department of State, such vehicle displays a valid non-transferable delivery vehicle decal issued by the City of New York that is affixed to the inside of the operator's side of the windshield, such person is authorized to stand in a space in such area by the foreign mission or consulate that has been allocated such space by the Department, and a delivery is being made to such foreign mission or consulate.

(ii) Where a posted sign reads "No Standing Except Vehicles with Consul-C or Diplomat-A&D License Plates Delivery Decal Required 30 Minute Limit" or "Authorized Vehicles Only Consul & Diplomat License Plates Delivery Decal Required", no person may stand or park a vehicle in such area except a person may stand a vehicle temporarily [(no more than thirty (30) minutes)] in such area for the purpose of and while actually engaged in delivering, loading or unloading for official business if such vehicle bears "A", "C" or "D" series license plates issued by the U.S. Department of State and displays a valid non-transferable delivery vehicle decal issued by the City of New York that is affixed to the inside of the operator's side of the windshield.

(9) Parking Permitted. No person shall stand or park a vehicle other than on those day(s) and hour(s) specified on the posted sign, except temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

§5. Subdivision (d) 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:

(d) Violation of posted no parking rules prohibited. When official signs, markings or traffic control devices have been posted prohibiting, restricting or limiting the parking of vehicles, no person shall park any vehicle in violation of the restrictions posted on such signs, markings or traffic control devices, except as otherwise provided herein:

(1) [No parking-street] Street cleaning. No person shall park a vehicle in violation of officially posted street cleaning rules, as defined in subsection (a)(7)(ii) of these rules, unless such rules have been suspended by the Commissioner or his/her designee pursuant to subsection (a)(7) of these rules.

(2) [No parking-taxi stand. No person shall park a vehicle other than a taxi in a taxi stand when any such stand has been officially designated and appropriately posted except that the

operator of a passenger or commercial vehicle may temporarily stop or stand therein provided such stopping or standing does not interfere with any taxi about to enter or leave such zone.] **Reserved.**

(3) No parking except [handicapped] parking permits for people with disabilities (off-street).

(i) No person shall park a vehicle in any off-street parking space designated for use by [the handicapped] a parking permit for people with disabilities pursuant to §1203-c of the Vehicle and Traffic Law, or designated by blue painted lines or markings displaying the international symbol of access unless:

(A) Such person is, or is transporting, a [handicapped] disabled permittee and displays a state special vehicle identification permit issued by the NYS

Commissioner of Motor Vehicles, or

(B) Such vehicle is registered in accordance with §404-a of the Vehicle and Traffic Law and is being used for the transportation of [handicapped] disabled persons, or

(C) Such vehicle displays a special license plate or parking permit issued by any governmental entity subject to the laws of the United States, or a foreign country for the purpose of granting special parking privileges to people with disabilities.

(ii) [Handicapped] License plates or parking permits issued to people with disabilities by New York State or by any other state, district, territory or other governmental entity or foreign country shall be valid only in designated off-street parking areas. They are not valid in on-street parking areas.

(4) Official markings. When markings upon [the curb or] the pavement of a [street] roadway designate a parking space, no person shall stand or park a vehicle in such designated parking space so that any part of the vehicle occupies more than one space or protrudes beyond the markings designating such a space, except that a vehicle which is of a size too large to be parked within a single designated parking space shall be parked with the front bumper at the front of the space with the rear of the vehicle extending as little as possible into the adjoining space to the rear, or vice-versa. Notwithstanding the above, no vehicle that is too long and/or too wide to be parked within a single designated parking space shall be parked in such a space which is designated for angle parking.

[(5) No parking except authorized vehicles. Where a posted sign reads "No Parking Except Authorized Vehicles," no vehicles, except those designated by a rider attached to such sign, may park in that area.

(6) No parking-hotel loading zone. No person shall park a vehicle in such zone except temporarily for the purpose of and while actually engaged in receiving or discharging passengers and their personal baggage at hotels.]

§6. Paragraph (2) of Subdivision (k) 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:

(k) Special rules for commercial vehicles.

(2) No standing except trucks loading and unloading. Where a posted sign reads "No Standing Except Trucks Loading and Unloading[.]" or "Truck Loading Only", no vehicle except a commercial vehicle or a service vehicle as defined in §4-01(b) of these rules, may stand or park in that area, for the purpose of expeditiously making pickups, deliveries or service calls, and except that in the area from 35th St. to 41st St., Avenue of the Americas to

8th Avenue, inclusive, in the Borough of Manhattan, between the hours of 7 a.m. and 7 p.m., no vehicle except a truck as defined in §4-13(a)(1) of these rules may stand or park for the purpose of expeditiously making pickups, deliveries, or service calls.

§7. Paragraph (1) of Subdivision (l) 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) Blue zone. No person shall park a vehicle upon any of the streets within the area designated as the "Blue Zone," Monday through Friday from 7 a.m. to 7 p.m., except as otherwise posted along the perimeter of and inside the designated area, or when necessary to avoid conflict with other traffic or in compliance with law or upon the direction of any law enforcement officer authorized to enforce these rules. Said area is [indicated by a blue line painted parallel to the curb and is] bounded by the northern property line of Frankfort Street, the northern property line of Dover Street, the eastern property line of South Street, the western property line of State Street, the centerline of Broadway, and the centerline of Park Row.

§8. Paragraph (6) of Subdivision (l) 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:

(6) Special Lower Manhattan Area Rule: standing time limit.

Between the hours of 7 a.m. and 7 p.m., daily, on any street south of Houston Street, from the East River to the Hudson River, in the Borough of Manhattan:

(i) An operator must not stand or park a bus on any one block of streets, including where a space on that block is regulated by a parking meter, for more than three hours unless otherwise posted.

(ii) Where a space is regulated by a parking meter and signs are posted restricting the use of the curb to buses, it is unlawful to stand or park any vehicle at that regulated space unless the vehicle is a bus. The provisions of subdivision (h) of this section shall apply to buses parked at such a parking meter.

(iii) Where a parking sign designates a regulated space as "No Standing/Parking Except Authorized Buses" or "Buses With Permit Only":

(A) It is unlawful to stand or park any vehicle at that regulated space unless the vehicle is a bus and the operator has first obtained a permit from the Department according to paragraph (4) of subdivision (o) of this section.

(B) Where that space is also regulated by a parking meter, the provisions of subdivision (h) of this section shall apply to permitted buses parked at such a parking meter.

(iv) A bus not being used for the expeditious pickup and drop off of passengers is deemed to constitute a parked vehicle subject to parking rules applicable to that particular location.

§9. The introductory paragraph of subdivision (o) 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:

(o) Permits. For purposes of this section, a "permit" is the authorization granted by the Department to qualified individuals for special parking privileges as set forth in this subdivision. At the discretion of the Department, a permit may be represented by a permit card inscribed with

information that describes the specific parking privileges it authorizes [or by an IVPS programmed to contain the same information. Where this rule states that a permit must be displayed in the vehicle, a permittee using a permit card must place it in the appropriate place in a vehicle; a permittee using an IVPS must activate the system before so displaying it, in order to authorize parking pursuant to the permit. The registration numbers of the electronic component, the electronic debit card, and all related windshield stickers comprising an IVPS must match in order for such system to be considered properly activated].

§10. Subparagraphs (i) and (ii) of Paragraph (1) of Subdivision (o) 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:

(1) Permits for people with disabilities.

(i) Authorized parking areas. An operator of a vehicle bearing a valid New York City Special Parking Identification permit may park:

(A) in any "No Parking" zone, [including those marked "except authorized vehicles,"]

(B) in any "No Standing Except Authorized Vehicles" or "Authorized Vehicles Only" zone,

(C) at parking meters without using an authorized payment method, and

(D) in "No Standing Except Trucks Loading and Unloading" or "Truck Loading Only" zones.

Such special parking permit shall be displayed so that it is visible through the windshield. [An IVPS must be activated to authorize parking.]

(ii) Prohibited parking areas. Such special parking identification permits do not authorize parking:

(A) in a bus stop,

(B) in a taxi-stand,

(C) within 15 feet of a fire hydrant,

(D) in a fire zone,

(E) in a driveway,

(F) in a crosswalk,

(G) in a no stopping zone,

(H) in a no standing zone,

(I) double parking, [or]

(J) in carshare parking space(s)[.],

(K) in any "Ambulette", "Ambulance", "Access-A-Ride", "Medical Facility" zone or combination thereof, or

(L) in a For-Hire-Vehicle stand.

§11. Subparagraph (i) of Paragraph (2) of Subdivision (o) 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:

(2) Municipal parking permit. A municipal parking permit licenses the permittee to park one automobile at the permittee's risk in the area designated by signs. Fees charged are for the use of a parking space in the designated facility only. Only a license to park is granted by this permit and no bailment is created. The Department of Transportation assumes no responsibility for loss due to fire, theft, collision or otherwise to the car or its contents.

(i) A municipal parking permit must be displayed when parked in authorized spaces, and in such a manner that the permit is visible through the left side of the windshield. [An IVPS must be activated to authorize parking.]

§12. Paragraph (3) of Subdivision (o) 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:

(3) Yearly permits for parking in contradiction to rules on city streets. Yearly permits are issued on dates determined by the Department of Transportation or any other agency authorized by the Department to non-profit organizations needing to park in contradiction to parking rules when the vehicle is essential to the performance of their organizational functions. These organizations generally are medical, blood, government and human service programs. Such permits shall be displayed so that they are visible through the windshield. [An IVPS must be activated to authorize parking.]

(i) Parking permitted. Parking with yearly permits is permitted in areas specified on or programmed into the permit and may include some or all of the following:

- (A) [Meters] Parking meters.
- (B) Truck loading and unloading zones.
- (C) No Standing/Parking Except Authorized Vehicles or Authorized Vehicle Only, when the permit matches the signs, and
- (D) "No Parking" areas.

§13. Paragraph (4) of Subdivision (o) 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:

(4) Single issue permits for parking in contradiction to rules on city streets. Single issue permits are issued by the Department of Transportation or any other agency authorized by the Department to for-profit and not-for-profit medical, blood and human service programs; press events; bus operators parking pursuant to paragraph (6) of subdivision (l) of this section; and concerts, film production companies, special events and emergencies. Such permits shall be displayed so that they are visible through the windshield. [An IVPS must be activated to authorize parking.]

(i) Information required. The request for such a single issue permit shall be made in writing to the Department of Transportation and must include:

- (A) Date(s) of the event,
- (B) Hours,
- (C) Location,
- (D) Number and size of vehicles, and
- (E) License plates or identifying markings of the vehicles.

(ii) Parking permitted. Parking with single issue permits is permitted in areas specified on or programmed into the permit and may include some or all of the following:

- (A) [Meters] Parking meters,
- (B) Truck loading and unloading zones,
- (C) No Standing/Parking Except Authorized Vehicles or Authorized Vehicle Only,
- (D) "No Parking" areas, and
- (E) No Standing/Parking Except Authorized Buses or Buses with Permit Only.

§14. Paragraph (3) of Subdivision (a) of Section 4-11 of Chapter 4 of Title 34 of the Rules of the City of New York relating to a certain area of Manhattan where standing by taxis is permitted, is hereby repealed.

§15. Subdivision (m) of Section 4-12 of Title 34 of the Rules of the City of New York is amended to read as follows:

(m) Bus lane restrictions on city streets.

(1) When signs are erected giving notice of bus lane restrictions, no person shall drive a vehicle other than a bus within a designated bus lane during the restricted hours, except:

[(1)](i) to use such bus lane in a safe manner in order to make a right hand turn where permitted [into a street, private road, private drive, or an entrance to private property in a safe manner] into a public or private street or driveway provided that the vehicle does not drive through an intersection; or

(ii) to use the bus lane in a safe manner to make a right hand turn where permitted, within two hundred feet of entry into such bus lane, into a public or private street or driveway even if such activity requires driving through an intersection; or

[(2)](iii) to approach to or leave the curbside space, unless standing or stopping at the curb is prohibited by sign or rule; or

[(3)](iv) temporarily to enter or leave the bus lane for the purpose of and while actually engaged in expeditiously receiving or discharging passengers, except when such activity is prohibited by signs or rules; or

[(4)](v) to avoid an obstacle which obstructs the roadway and leaves fewer than ten feet of roadway width available for the free movement of vehicular traffic (except for temporary situations such as slow moving traffic and vehicles loading refuse); or

[(5)](vi) to comply with the direction of any law enforcement officer or other person authorized to enforce this rule.

[With respect to the exceptions in paragraphs one through four of this subdivision, a vehicle may not be operated in the bus lane during restricted hours for more than two hundred feet. The preceding sentence does not apply where posted signs, markings or other traffic control devices indicate otherwise.]

(2) With respect to the exceptions in [paragraphs two through five] subparagraphs (iii) through (vi) of paragraph (1) of this subdivision, a vehicle must exit the bus lane at the nearest opportunity where it is safe and legal to do so.

(3) Notwithstanding any other provision of these rules, no person may drive a vehicle within a designated bus lane in a manner that interferes with the safety and passage of buses operating thereon.

(4) The same rights and restrictions that apply to vehicles pursuant to this subdivision also apply to horse-drawn vehicles and devices moved by human power.