Series: Committee Files
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Folder# 28
TRANSFER PARKING CONTROL SPECIALISTS FROM THE DEPARTMENT OF TRANSPORTATION (DOT) TO THE NEW YORK POLICE DEPARTMENT (NYPD)

1997
THE COUNCIL
The City of New York

Int. No. 923 March 13, 1997

Introduced by Council Member Dear; also Council Members DeMarco and Perez—read
and referred to the Committee on Transportation.

A LOCAL LAW

To amend the administrative code of the City of New York and to REPEAL subdivision b of section three of local law number 58 for the year 1996, in relation to the transfer of parking control specialists from the department of transportation to the police department.

Be it enacted by the Council as follows:

Section one. Subdivision b of section 14-118.2 of the administrative code of the

   city of New York is realtered as subdivision c and a new subdivision b is added to read

   as follows:

   b. Notwithstanding any other provision of law, the commissioner may employ person

   who shall not be police officers to engage in the performance of such duties relating

   to the enforcement of laws and regulations relating to parking and preparing and

   issuing summons violations, repairing missing or inoperative meters and traffic devices

   requiring immediate attention, operating motor vehicles and related equipment such as

   portable and vehicle radar, testifying at hearing offices and courts, testing parking

   meters for timing defects performing minor repairs and maintenance on parking meters

   and other parking control devices, removing traffic encumbrances, conducting surveys

   to collect data on meter parking characteristics, recording and preparing field reports

   including information such as location and number of meters, condition of meters and

   signs, descriptions of parked vehicles at on-street facilities, inspecting parking devices


and traffic signs for evidence of tampering and vandalism and issuing desk appearance
tickets for criminal court with respect to observations of tampering with and vandalizing
parking devices and traffic signs.

§ 2. Section 435 of the New York city charter is amended by relettering subdivi-
sions b and c as subdivisions c and d, respectively, and by adding thereto a new section
b to read as follows:

b. Notwithstanding any other law, the commissioner may employ persons who shall
not be police officers to engage in the performance of such duties relating to the
enforcement of laws and regulations relating to parking and preparing and issuing sum-
mons violations, repairing missing or inoperative meters and traffic devices requiring
immediate attention, operating motor vehicles and related equipment such as portable
and vehicle radar, testifying at hearing offices and courts, testing parking meters for
timing defects, performing minor repairs and maintenance on parking meters and other
parking control devices, removing traffic encumbrances, conducting surveys to collect
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ets for criminal court with respect to observations of tampering with and vandalizing
parking devices and traffic signs.

§ 3. Subdivision b of section three of local law number 58 for the year 1996 is
REPEALED.

§ 4. In order to effectuate the provisions of subdivision b of section four hundred
thirty-five of the New York city charter, as enacted by section one of this local law, offi-
cers and employees in the classified city civil service who are engaged in the perfor-
mance of the functions, powers or duties described in such section shall be transferred to
the police department without further examination or qualification, and shall retain their
respective civil service classification and civil service status.
§ 5. No existing right or remedy of any character accruing to the city shall be lost
or impaired or affected by reason of the enactment of this local law.
§ 6. No civil, criminal or administrative action or proceeding pending at the time
when this local law shall take effect, brought by or against the city or any agency or
officer of the city, shall be affected or abated by the enactment of this local law or by
anything contained herein; but all such actions and proceedings may be continued
notwithstanding that functions, powers and duties of any agency or officer party thereto
may by or pursuant to this local law be assigned or transferred to the police department,
but in that event the same may be prosecuted or defended by the police commissioner.
§ 7. This local law shall take effect immediately.

Note: Matter in italics is new; matter in brackets [ ] to be omitted.
THE COUNCIL
The City of New York

Int. No. 923
March 13, 1997

Introduced by Council Member Dear; also Council Members DeMarco and Perez—read and referred to the Committee on Transportation.

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Be it enacted by the Council as follows:

Section one. Subdivision b of section 14-118.2 of the administrative code of the city of New York is relettered as subdivision c and a new subdivision b is added to read as follows:

b. Notwithstanding any other provision of law, the commissioner may employ persons who shall not be police officers to engage in the performance of such duties relating to the enforcement of laws and regulations relating to parking and preparing and issuing summons violations, repairing missing or inoperative meters and traffic devices requiring immediate attention, operating motor vehicles and related equipment such as portable and vehicle radar, testifying at hearing offices and courts, testing parking meters for timing defects performing minor repairs and maintenance on parking meters and other parking control devices, removing traffic encumbrances, conducting surveys to collect data on meter parking characteristics, recording and preparing field reports including information such as location and number of meters, condition of meters and signs, descriptions of parked vehicles at on-street facilities, inspecting parking devices.
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parking devices and traffic signs.

§ 3. Subdivision b of section three of local law number 58 for the year 1996 is
REPEALED.

§ 4. In order to effectuate the provisions of subdivision b of section four hundred
thirty-five of the New York city charter, as enacted by section one of this local law, offi-
cers and employees in the classified city civil service who are engaged in the perfor-
mance of the functions, powers or duties described in such section shall be transferred to
the police department without further examination or qualification, and shall retain their
respective civil service classification and civil service status.

§ 5. No existing right or remedy of any character accruing to the city shall be lost
or impaired or affected by reason of the enactment of this local law.

§ 6. No civil, criminal or administrative action or proceeding pending at the time
when this local law shall take effect, brought by or against the city or any agency or
officer of the city, shall be affected or abated by the enactment of this local law or by
anything contained herein; but all such actions and proceedings may be continued
notwithstanding that functions, powers and duties of any agency or officer party thereto
may by or pursuant to this local law be assigned or transferred to the police department,
but in that event the same may be prosecuted or defended by the police commissioner.

§ 7. This local law shall take effect immediately.

Note: Matter in italics is new; matter in brackets [ ] to be omitted.
March 26, 1997

Honorable Council Speaker Vallone
City Council
City Hall
New York, NY 10007

Dear Speaker Vallone:

I write to you on behalf of Teamsters Local 237, to express our opposition to Intro. 923. Our primary concern is derived from a pattern of behavior we have observed when other functions were transferred to the Police Department, that is, the jobs performed by civilians like our members are eventually assumed by uniformed Police Officers.

Parking Control Specialists perform distinct duties which do not fit into the operations of the Police Department The focus of the Police Department is, and should remain, on law enforcement. The enforcement of parking regulations is carried out, efficiently and effectively, by civilian Parking Control Specialists. Repairing meters and traffic devices, testing meters for defects, removing traffic encumbrances, and preparing field reports on the location and number of meters are some of the duties performed by Parking Control Specialists. Intro. 923, as it is presently worded, does not require the Police Department to hire civilians to perform these duties. It would clearly be a waste of tax-payer dollars to pay Police Officers to do this.

More specialized training is required for a PCS than for Traffic Enforcement Agents who were recently transferred to the Police Department. Parking Control Specialists must have two years of full-time satisfactory experience in traffic related duties. Within six months after their appointment, a PCS must complete a course in summons writing, and they must maintain Special Patrolman status throughout their tenure.

We ask that you consider these facts, support Teamsters Local 237, and allow Parking Control Specialists to remain in the Department of Transportation by opposing, Intro. 923, when it comes before you.

Thank you.

Sincerely,

Carl Haynes
President
Int. No. 923

By Council Member Dear

A LOCAL LAW

To amend the administrative code of the City of New York and to REPEAL subdivision b of section three of local law number 58 for the year 1996, in relation to the transfer of parking control specialists from the department of transportation to the police department.

Be it enacted by the Council as follows:

Section one. Subdivision b of section 14-118.2 of the administrative code of the city of New York is relettered as subdivision c and a new subdivision b is added to read as follows:

b. Notwithstanding any other provision of law, the commissioner may employ persons who shall not be police officers to engage in the performance of such duties relating to the enforcement of laws and regulations relating to parking and preparing and issuing summons violations, repairing missing or inoperative meters and traffic devices requiring immediate attention, operating motor vehicles and related equipment such as portable and vehicle radar, testifying at hearing offices and courts, testing parking meters for timing defects, performing minor repairs and maintenance on parking meters and other parking control devices, removing traffic encumbrances, conducting surveys to collect data on meter parking characteristics, recording and preparing field reports including information such as location and number of meters, condition of meters and signs, descriptions of parked vehicles at on-street facilities, inspecting parking devices
and traffic signs for evidence of tampering and vandalism and issuing desk appearance tickets for criminal court with respect to observations of tampering with and vandalizing parking devices and traffic signs.

§2. Section 435 of the New York city charter is amended by relettering subdivisions b and c as subdivisions c and d, respectively, and by adding thereto a new section b to read as follows:

b. Notwithstanding any other provision of law, the commissioner may employ persons who shall not be police officers to engage in the performance of such duties relating to the enforcement of laws and regulations relating to parking and preparing and issuing summons violations, repairing missing or inoperative meters and traffic devices requiring immediate attention, operating motor vehicles and related equipment such as portable and vehicle radar, testifying at hearing offices and courts, testing parking meters for timing defects, performing minor repairs and maintenance on parking meters and other parking control devices, removing traffic encumbrances, conducting surveys to collect data on meter parking characteristics, recording and preparing field reports including information such as location and number of meters, condition of meters and signs, descriptions of parked vehicles at on-street facilities, inspecting parking devices and traffic signs for evidence of tampering and vandalism and issuing desk appearance tickets for criminal court with respect to observations of tampering with and vandalizing parking devices and
traffic signs.

§3. Subdivision b of section three of local law number 58 for the year 1996 is REPEALED.

§4. In order to effectuate the provisions of subdivision b of section four hundred thirty-five of the New York city charter, as enacted by section one of this local law, officers and employees in the classified city civil service who are engaged in the performance of the functions, powers or duties described in such section shall be transferred to the police department without further examination or qualification, and shall retain their respective civil service classification and civil service status.

§5. No existing right or remedy of any character accruing to the city shall be lost or impaired or affected by reason of the enactment of this local law.

§6. No civil, criminal or administrative action or proceeding pending at the time when this local law shall take effect, brought by or against the city or any agency or officer of the city, shall be affected or abated by the enactment of this local law or by anything contained herein; but all such actions and proceedings may be continued notwithstanding that functions, powers and duties of any agency or officer party thereto may by or pursuant to this local law be assigned or transferred to the police department, but in that event the same may be prosecuted or defended by the police commissioner.

§7. This local law shall take effect immediately.
March 7, 1997

TO: Council Member Dear

FROM: Infrastructure Division

RE: To amend the administrative code of the City of New York and to REPEAL subdivision b of section three of local law number 58 for the year 1996, in relation to the transfer of parking control specialists from the department of transportation to the police department.

The attached material was prepared at your request. If this material is to be introduced, please indicate below that you have received and approved the draft and please then forward six copies to Peter F. Vallone, Speaker, City Hall.

If you want to amend or alter the draft, please contact Jenifer Joyce 212-788-9106. In the event that you revise the attached and submit it in revised form, please send us a copy as soon as possible.

A copy of the above resolution or local law has been sent to Council Member

JEFFREY HABERMAN
COUNSEL TO THE DIVISION

LS#4429

Jenifer Joyce
Legislative Attorney

Peter F. Vallone:

Please introduce this legislation. My approval is/is not (please circle where appropriate) needed for co-sponsorship.

Council Member's Signature
March 7, 1997

TO: Council Member Dear

FROM: Infrastructure Division

RE: To amend the administrative code of the City of New York and to REPEAL subdivision b of section three of local law number 58 for the year 1996, in relation to the transfer of parking control specialists from the department of transportation to the police department.

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A copy of the above resolution or local law has been sent to Council Member for introduction.

_____________________
JEFFREY HABERMAN
COUNSEL TO THE DIVISION

LS#4429

_____________________
Jenifer Joyce,
Legislative Attorney

Peter F. Vallone:

Please introduce this legislation. My approval is/is not (please circle where appropriate) needed for co-sponsorship.

_____________________
Council Member’s Signature
March 7, 1997

TITLE:
A Local Law to amend the administrative code of the city of New York and to REPEAL subdivision b of section three of local law number 58 for the year 1996, in relation to the transfer of parking control specialists from the department of transportation to the police department.

TYPE OF LEGISLATION:
Local Law

SUBMITTED BY:
Councilman Noach Dear

REASONS FOR SUPPORT:
The task of traffic control and enforcement was transferred to the Police Department a number of months ago. Consolidation of the task of enforcement would result in a more efficient administration of the law. This local law provides for that consolidation by transferring the Parking Control Unit of the Department of Transportation to the Police Department.

Noach Dear
Int. No. 923

By Council Member Dear; also Council Members DeMarco and Perez

A LOCAL LAW

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vandalism and issuing desk appearance tickets for criminal court with respect to observations 
of tampering with and vandalizing parking devices and traffic signs.

§2. Section 435 of the charter of the city of New York is amended by adding thereto a new section d to read as follows:

   d. Notwithstanding any other provision of law, the commissioner may employ persons who shall not be police officers to engage in the performance of such duties relating to the enforcement of laws and regulations relating to parking and preparing and issuing summons violations, repairing missing or inoperative meters and traffic devices requiring immediate attention, operating motor vehicles and related equipment such as portable and vehicle radar, testifying at hearing offices and courts, testing parking meters for timing defects, performing minor repairs and maintenance on parking meters and other parking control devices, removing traffic encumbrances, conducting surveys to collect data on meter parking characteristics, recording and preparing field reports including information such as location and number of meters, condition of meters and signs, descriptions of parked vehicles at on-street facilities, inspecting parking devices and traffic signs for evidence of tampering and vandalism and issuing desk appearance tickets for criminal court with respect to observations of tampering with and vandalizing parking devices and traffic signs.

§3. Subdivision b of section three of local law number 15 for the year 1995 is REPEALED.

§4. In order to effectuate the provisions of subdivision b of section four hundred thirty-five of the New York city charter, as enacted by section one of this local law, officers and employees in the classified city civil service who are engaged in the performance of the
functions, powers or duties described in such section shall be transferred to the police department without further examination or qualification, and shall retain their respective civil service classification and civil service status.

§5. No existing right or remedy of any character accruing to the city shall be lost or impaired or affected by reason of the enactment of this local law.

§6. No civil, criminal or administrative action or proceeding pending at the time when this local law shall take effect, brought by or against the city or any agency or officer of the city, shall be affected or abated by the enactment of this local law or by anything contained herein; but all such actions and proceedings may be continued notwithstanding that functions, powers and duties of any agency or officer party thereto may by or pursuant to this local law be assigned or transferred to the police department, but in that event the same may be prosecuted or defended by the police commissioner.

§7. This local law shall take effect immediately.

LS #4429
03/07/97
March 20, 1997

Hon. Christopher Lynn, Commissioner
Department of Transportation
40 Worth Street
New York, New York 10013

Dear Commissioner Lynn:

RE: Int. No. 923 - In relation to the transfer of parking control specialists from the department of transportation to the police department

Please be advised that the Committee on Transportation will hold a hearing on Tuesday, April 1, 1997 at 10:00 AM in the Council Chambers, City Hall, 2nd Floor, New York, NY regarding the above referred topic.

You are hereby invited to attend this hearing and testify therein. Please feel free to bring with you such members of your staff you deem appropriate to the subject matter.

If you plan to participate, it would be greatly appreciated if you could bring (30) copies of your written testimony to the hearing.

I would appreciate receiving a response from you as to whether or not you will be able to attend. Thank you for your cooperation.

Sincerely,

Gary Altman
Legislative Counsel

GA:ig
c: Jake Menges
March 20, 1997

Hon. Howard Safir, Commissioner  
New York Police Department  
One Police Plaza  
New York, New York 10038

Dear Commissioner Safir:

   RE: Int. No. 923 - In relation to the transfer of parking control specialists from the department of transportation to the police department

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Sincerely,

Gary Altman  
Legislative Counsel

GA:ig  
c: Jake Menges
March 20, 1997

Dennis Crossley
Automobile Club of New York
1415 Kellum Place
Garden City, New York 11530

Dear Mr. Crossley:

RE: Int. No. 923 - In relation to the transfer of parking control specialists from the department of transportation to the police department

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Sincerely,

Gary Altman
Legislative Counsel
March 20, 1997

Robert Cassar, President
Communications Workers of America Local 1182
108-18 Queens Boulevard
Forest Hills, New York 11375

Dear Mr. Cassar:

RE: Int. No. 923 - In relation to the transfer of parking control specialists from the department of transportation to the police department

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Sincerely,

Gary Altman
Legislative Counsel

GA:ig
March 20, 1997

Norman Teitler, Executive Director
Metropolitan New York Towing and Auto Body Association
2175 70th Street
Brooklyn, New York 11204

Dear Mr. Teitler:

RE: Int. No. 923 - In relation to the transfer of parking control specialists from the department of transportation to the police department

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I would appreciate receiving a response from you as to whether or not you will be able to attend. Thank you for your cooperation.

Sincerely,

Gary Altman
Legislative Counsel

GA:ig
March 20, 1997

Nick Mancuso, Director of Negotiation and Research
Local 237, Teamsters Union
216 West 14th Street
New York, New York 10011

Dear Mr. Mancuso:

RE: Int. No. 923 - In relation to the transfer of parking control specialists from the department of transportation to the police department

Please be advised that the Committee on Transportation will hold a hearing on Tuesday, April 1, 1997 at 10:00 AM in the Council Chambers, City Hall, 2nd Floor, New York, NY regarding the above referred topic.

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I would appreciate receiving a response from you as to whether or not you will be able to attend. Thank you for your cooperation.

Sincerely,

Gary Altman
Legislative Counsel

GA:ig
March 20, 1997

Mr. Vincent Montalbano  
Montalbano Initiatives, Inc.  
47 Ann Street  
New York, New York  10038

Vinny  
Dear Mr. Montalbano:

RE:  Int. No. 923 - In relation to the transfer of parking control specialists from the department of transportation to the police department

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Sincerely,

Gary Altman  
Legislative Counsel

GA:ig
March 20, 1997

John Kaehny
Transportation Alternatives
92 St. Marks Place
New York, New York 10009

Dear Mr. Kaehny:

RE: Int. No. 923 - In relation to the transfer of parking control specialists from the department of transportation to the police department

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If you plan to participate, it would be greatly appreciated if you could bring (30) copies of your written testimony to the hearing.

I would appreciate receiving a response from you as to whether or not you will be able to attend. Thank you for your cooperation.

Sincerely,

[Signature]

Gary Altman
Legislative Counsel

GA:ig
Date: March 18, 1997

To: Gary Altman
Speaker’s Office

From: Jenifer Joyce
Infrastructure Division

Subject: Transportation Committee Hearing on March 26, 1997

April 1, 1997

On March 26, 1997, at 10 a.m., the Committee on Transportation will conduct a hearing on Int. No. 923 with respect to the transfer of parking control specialists to the Police Department and Int. No. 924 with respect to the issuance of parking permits to volunteer emergency medical technicians.

Please invite the following people to testify with respect to Int. No. 923:

1. Commissioner Christopher Lynn
   New York City Department of Transportation
   40 Worth Street
   New York, New York 10013

2. Commissioner Howard Safir
   New York Police Department
   One Police Plaza
   New York, New York 10038

3. Dennis Crossley
   1415 Kellum Place
   Automobile Club of New York
   Garden City, New York 11530

4. Robert Cassar
   President
   Communications Workers of America Local 1182
   108-18 Queens Boulevard
   Forest Hills, New York 11375

5. Norman Teitler
   Executive Director
   Metropolitan New York Towing and Auto Body Association
   2175 70th Street
   Brooklyn, New York 11204
6. Nick Mancuso  
   Director of Negotiation and Research  
   Local 237  
   Teamsters Union  
   216 West 14th Street  
   New York, New York 10011

7. John Kaehny  
   Transportation Alternatives  
   92 St. Marks Place  
   New York, New York 10009

Please invite the following people to testify with regard to Int. No. 924:

1. Commissioner Christopher Lynn  
   New York City Department of Transportation  
   40 Worth Street  
   New York, New York 10013

2. Commissioner Howard Safir  
   New York Police Department  
   One Police Plaza  
   New York, New York 10038

3. Dennis Crossley  
   1415 Kellum Place  
   Automobile Club of New York  
   Garden City, New York 11530

4. Rabbi Mechel Handler  
   Executive Director  
   Chevra Hatzalah  
   4821 16th Avenue  
   Brooklyn, New York 11204-1109

5. Daniel A. Nigro  
   Chief in Charge  
   Emergency Medical Service  
   250 Livingston Street  
   Brooklyn, New York 11201