

**CAPA REGULATORY AGENDA FY 2018
DEPARTMENT OF TRANSPORTATION**

Pursuant to section 1042 of the Charter, the New York City Department of Transportation (DOT) sets forth below its regulatory agenda for the City's fiscal year of 2018:

DIVISION OF TRANSPORTATION PLANNING AND MANAGEMENT

1. **SUBJECT:** Amend Traffic Rules relating to double parking.
 - A. Reason: The current double parking rules allow 30 minutes of inactivity making enforcement difficult.
 - B. Anticipated contents: Amend section 4-08(f)(1) of the Traffic Rules.
 - C. Objectives: To modify the rule on double parking for more effective enforcement.
 - D. Legal basis: Section 2903 (a) of the New York City Charter.
 - E. Types of individuals and entities likely to be affected: All motorists.
 - F. Other relevant laws: None.
 - G. Approximate schedule: First Quarter of FY 2018.

Agency Contact: Eric Beaton
(212) 839-6697

2. **SUBJECT:** Update of various DOT Traffic Rules
 - A. Reason: The current DOT Traffic Rules require some clean-up and re-organization, such as removing obsolete provisions, adding clearer and more concise language and adding a new bicycle section. Some of these updates were identified through the City's Retrospective Rules Review.
 - B. Anticipated contents: Amend various sections of the Traffic Rules, including but not limited to Sections 4-01 (Words and Phrases); 4-02 (Compliance With and Effect of Traffic Rules); 4-05 (Turns); 4-07 (Other Restrictions on Movement); 4-08 (Parking, Stopping, Standing); 4-10 (Buses); 4-11 (Taxis, Commuter Vans, For-Hire and Certain Diplomatic and Consular Vehicles); 4-12 (Miscellaneous); 4-13 (Truck Routes); 4-14 (Parkways and Parks); and 4-15 (Limitations Upon Dimensions and Weights of Vehicles) of the Traffic Rules.

- C. Objectives: As part of a general clean-up of the DOT Traffic Rules, DOT intends to move current provisions applicable to bicyclists to a new bicycle section; clarify certain provisions; and remove obsolete provisions.
- D. Legal basis: Section 2903(a) of the New York City Charter.
- E. Types of individuals and entities likely to be affected: General public.
- F. Other relevant laws: Various sections in the New York State Vehicle and Traffic Law.
- G. Approximate schedule: Second Quarter of FY 2018.

Agency Contact: Eric Beaton
(212) 839-6697

3. SUBJECT: Updating of Traffic Rules related to stopping, standing and parking to reflect simplified signage.

- A. Reason: DOT has implemented simplified signage which needs to be reflected in the Traffic Rules.
- B. Anticipated contents: Amend section 4-08 of the Traffic Rules to include dedicated use signs.
- C. Objectives: To provide rules for simplified category of signs.
- D. Legal basis: Section 2903 (a) of the New York City Charter.
- E. Types of individuals and entities likely to be affected: All motorists.
- F. Other relevant laws: Various sections of the New York State Vehicle and Traffic Law.
- G. Approximate schedule: Fourth Quarter of FY 2018.

Agency Contact: Eric Beaton
(212) 839-6697

4. SUBJECT: Vending on Bridges (Proposed jointly with the Division of Bridges)

- A. Reason: While existing rules imply that there is no vending on bridges, an explicit restriction would help clarify the City's complex vending rules.
- B. Anticipated contents: Clarify that vending on bridges is prohibited.

- C. Objectives: To enhance pedestrian safety and ease overcrowding on bridges.
- D. Legal basis: Section 2903 (a) of the New York City Charter.
- E. Types of individuals and entities likely to be affected: General public, general and food vendors.
- F. Other relevant laws: Various vending regulations.
- G. Approximate schedule: First Quarter of FY 2018.

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5. **SUBJECT**: Shared Streets

- A. Reason: DOT has started implementing a new street use type as an event, but also with interim materials.
- B. Anticipated contents: Amend the Traffic Rules to define shared streets.
- C. Objectives: To define the design, use and regulation of a shared street.
- D. Legal basis for the proposed rule: Section 2903(a) of the New York City Charter.
- E. Types of individuals and entities likely to be affected: General public.
- F. Other relevant law: 34 RCNY Chapter 4, Section 4-12(r) in relation to restricted use and limited use streets.
- G. Approximate schedule: First Quarter of FY 2018.

Agency Contact: Emily Weidenhof
(212) 839-4325

6. **SUBJECT**: Designated Route for Trucks from the Goethals Bridge to a Container Port

- A. Reason: The rule is necessary to meet shipping industry standards, support growth of maritime cargo jobs in the City, while also providing a safe and efficient route for the movement of freight.
- B. Anticipated contents: Amend the Traffic Rules to provide a clearly defined, special designated route for trucks carrying sealed intermodal shipping containers to and from the container port in Staten Island (Howland Hook Marine Terminal).

- C. Objectives: To provide a designated route for the safe and efficient movement of sealed intermodal shipping containers that would otherwise be prohibited due to weight and size restrictions.
- D. Legal basis: Section 2903 of the New York City Charter, and Sections 385 and 1642 of the New York State Vehicle and Traffic Law.
- E. Types of individuals and entities likely to be affected: General public; and land and marine shipping companies that seek to utilize Howland Hook Marine Terminal.
- F. Other relevant laws: Section 2903 of the New York City Charter, and Sections 385 and 1642 of the New York State Vehicle and Traffic Law.
- G. Approximate schedule: Second Quarter of FY 2018.

Agency Contact: Charles Ukegbu
(212) 839-6675

DIVISION OF TRAFFIC OPERATIONS

7. SUBJECT: Authorized Parking Permits

- A. Reason: DOT has updated and streamlined its process for authorized parking permits.
- B. Anticipated contents: Update section 4-08(o) of the Traffic Rules relating to authorized parking permits.
- C. Objective: To clarify and update the rules relating to authorized parking permits to reflect current department practice.
- D. Legal basis: Section 2903 (a) of the New York City Charter.
- E. Types of individuals and entities likely to be affected: General public.
- F. Other relevant law: New York State Vehicle and Traffic Law section 1203-a.
- G. Approximate schedule: First Quarter of FY 2018.

Agency Contact: Michael Marsico
(212) 839-6672

8. SUBJECT: Misuse of Authorized Parking Placards

- H. Reason: There is currently no rule addressing the misuse of authorized parking placards or use of unofficial parking placards.
- I. Anticipated contents: Amend the Traffic Rules to establish criteria for the enforcement of the misuse of authorized parking placards.
- J. Objectives: To eliminate or decrease the fraudulent or misuse of authorized parking placards.
- K. Legal basis: Section 2903(a) of the New York City Charter.
- L. Types of individuals and entities likely to be affected: Individuals who have created fraudulent parking placards or are misusing government-issued placards.
- M. Other relevant laws: 34 RCNY Chapter 4, Section 4-08(o).
- N. Approximate schedule: First Quarter of FY 2018.

Agency Contact: Michael Marsico
(212) 839-6672

DIVISION OF SIDEWALK MANAGEMENT AND INSPECTION—
HIGHWAY INSPECTION QUALITY ASSURANCE UNIT

9. SUBJECT: Update Restoration Requirements.

- A. Reason: Currently the restoration requirements for protected streets as they relate to DOT inspections do not include all phases of restoration.
- B. Anticipated contents: Amend Section 2-11(f)(4)(ii) of the Highway Rules to include all phases of restoration so that it is clear that DOT may inspect any phase of restoration.
- C. Objectives: To assure the proper restoration of protected streets.
- D. Legal basis: Section 2903(b) of the New York City Charter.
- E. Types of individuals and entities likely to be affected: DOT permittees.
- F. Other relevant laws: None
- G. Approximate schedule: Second Quarter of FY 2018.

Agency Contact: Joseph T. Yacca
(212) 839-8856

10. SUBJECT: Clarify Backfill Material Requirements.

- A. Reason: Some DOT permittees are using inappropriate backfill material, such as blocks and sand, which lead to poorly restored street cuts.
- B. Anticipated contents: Amend sections 2-11(e)(8)(i) and (ii), 2-11(e)(16), and 2-11(f)(4)(i) of the Highway Rules to include clarifying language regarding the appropriate backfill material.
- C. Objectives: To provide clear requirements for appropriate backfill material.
- D. Legal basis: Section 2903(b) of the New York City Charter.
- E. Types of individuals and entities likely to be affected: DOT permittees.
- F. Other relevant laws: None
- G. Approximate schedule: Second Quarter of FY 2018.

Agency Contact: Joseph T. Yacca
(212) 839-8856

11. SUBJECT: Skid-Resistant Plates.

- A. Reason: Some DOT permittees are not making the entirety of their plates skid-resistant.
- B. Anticipated contents: Amend section 2-11(e)(10)(vi) of the Highway Rules to include clarifying language requiring skid-resistance on 100% of the plate.
- C. Objectives: To provide clear requirements for skid-resistant plates.
- D. Legal basis: Section 2903(b) of the New York City Charter.
- E. Types of individuals and entities likely to be affected: DOT permittees.
- F. Other relevant laws: None
- G. Approximate schedule: Second Quarter of FY 2018.

Agency Contact: Joseph T. Yacca
(212) 839-8856

12. SUBJECT: Extend Protected Street Requirements.

- A. Reason: Where the protected street status has been in effect for 18 months or less, DOT permittees are currently required to restore a protected street in accordance with permit stipulations. DOT will explore the possibility of extending the 18-month period.
- B. Anticipated contents: Amend section 2-11(f)(4)(vi) of the Highway Rules to extend the 18-month protected street requirements.
- C. Objectives: To increase the usefulness and fitness of newly paved roadways.
- D. Legal basis: Section 2903(b) of the New York City Charter.
- E. Types of individuals and entities likely to be affected: DOT permittees.
- F. Other relevant laws: None
- G. Approximate schedule: Second Quarter of FY 2018.

Agency Contact: Joseph T. Yacca
(212) 839-8856

13. SUBJECT: Clarify Confirmation Number Requirements.

- A. Reason: Currently some DOT permittees are required to notify the department prior to backfilling but DOT wants to broaden this requirement to also include base operations.
- B. Anticipated contents: Amend section 2-11(f)(4)(i) of the Highway Rules to require that a confirmation number is obtained prior to a backfill or a base installation.
- C. Objectives: To monitor permittee compliance regarding recently promulgated requirements for base operations.
- D. Legal basis: Section 2903(b) of the New York City Charter.
- E. Types of individuals and entities likely to be affected: DOT permittees.
- F. Other relevant laws: None
- G. Approximate schedule: Second Quarter of FY 2018.

Agency Contact: Joseph T. Yacca
(212) 839-8856

14. SUBJECT: Highway Rules Update.

- A. Reason: Certain updates were identified through the City’s Retrospective Rules Review.
- B. Anticipated contents: Amend various sections of the Traffic Rules, including but not limited to Sections 2-05 (Construction Activity), 2-07 (Underground Street Access Covers), and 2-20 (Street Light and Power).
- C. Objectives: To use clearer and more concise language in the Highway Rules.
- D. Legal basis: Section 2903(b) of the New York City Charter.
- E. Types of individuals and entities likely to be affected: DOT permittees.
- F. Other relevant laws: None
- G. Approximate schedule: Second Quarter of FY 2018.

Agency Contact: Joseph T. Yacca
(212) 839-8856

15. SUBJECT: Removal of “Raise Plow” or “Steel Plates Ahead” Signage.

- A. Reason: DOT permittees and their subcontractors frequently do not remove their “Raise Plow” or “Steel Plates Ahead” signs.
- B. Anticipated contents: Amend section 2-11(e)(10)(vii) of the Highway Rules to require that in addition to removing all plating and decking when work is complete, the permittee must also remove any “Raised Plow” or “Steel Plates Ahead” signs.
- C. Objectives: To remove unnecessary and obsolete signage.
- D. Legal basis: Section 2903(b) of the New York City Charter.
- E. Types of individuals and entities likely to be affected: DOT permittees.
- F. Other relevant laws: None
- G. Approximate schedule: Third Quarter of FY 2018.

Agency Contact: Joseph T. Yacca
(212) 839-8856

16. SUBJECT: Work Site Safety.

- A. Reason: Some DOT permittees are not sufficiently protecting work sites.
- B. Anticipated contents: Amend sections 2-02(h), 2-05(c)(2), and 2-11(e)(6)(ii) of the Highway Rules to clarify that work site safety includes barricading an obstruction on all four sides.
- C. Objectives: To enhance protection from obstructions relating to street construction work.
- D. Legal basis: Section 2903(b) of the New York City Charter.
- E. Types of individuals and entities likely to be affected: DOT permittees.
- F. Other relevant laws: None
- G. Approximate schedule: Second Quarter of FY 2018.

Agency Contact: Joseph T. Yacca
(212) 839-8856

17. SUBJECT: Pedestrian Safety Enhancements at Street Construction Sites.

- A. Reason: The Highway Rules do not define nor specify the standards for pedestrian safety that should be used at street construction sites.
- B. Anticipated contents: Amend sections 2-01, 2-02(h), 2-05, 2-09, and 2-11 of the Highway Rules to establish a standard at street construction sites as they relate to pedestrian safety and accessibility.
- C. Objectives: To provide accessible paths through and around work zones.
- D. Legal basis: Section 2903(b) of the New York City Charter.
- E. Types of individuals and entities likely to be affected: DOT permittees.
- F. Other relevant laws: 23 CFR Part 655, Subpart F (federal Manual on Uniform Traffic Control Devices) and 17 NYCRR Chapter V.
- G. Approximate schedule: Second Quarter of FY 2018.

Agency Contact: Joseph T. Yacca
(212) 839-8856
Quemuel Arroyo
(212) 839-6426

EXECUTIVE DIVISION

18. SUBJECT: Update Insurance Requirements.

- A. Reason: The insurance requirements regarding the City as an additional insured are not current.
- B. Anticipated contents: Amend section 2-02(a)(3)(i)(F) of the Highway Rules to revise the reference to an ISO Form.
- C. Objectives: To obtain sufficient and accurate insurance coverage from DOT permittees.
- D. Legal basis: Section 2903(b) of the New York City Charter.
- E. Types of individuals and entities likely to be affected: DOT permittees.
- F. Other relevant laws: None.
- G. Approximate schedule: First Quarter of FY 2018.

Agency Contact: John Martin
 (212) 839-9639

19. SUBJECT: Repeal of Chapters 5 and 8 of Title 34 of the Rules of the City of New York.

- O. Reason: As part of the City's Retrospective Rules Review, Chapter 5 (Paratransit Program Access-A-Ride) and Chapter 8 (Employee Commute Options Program) of Title 34 of the Rules of the City of New York were identified as containing obsolete provisions.
- P. Anticipated contents: Amend Title 34 of the Rules of the City of New York by repealing obsolete Chapters 5 and 8.
- Q. Objectives: To update Title 34 of the Rules of the City of New York.
- R. Legal basis: Section 2903 of the New York City Charter.
- S. Types of individuals and entities likely to be affected: General public.
- T. Other relevant laws: None.
- U. Approximate schedule: First Quarter of FY 2018.

Agency Contact: TBD

DIVISION OF LEGAL AFFAIRS--
OFFICE OF CITYSCAPE AND FRANCHISES

20. SUBJECT: Update to Revocable Consent Rules

- A. Reason: The current DOT Revocable Consent Rules require some updating, such as adding clearer and more concise language. Some of these updates were identified through the City's Retrospective Rules Review.
- B. Anticipated contents: Amend various section of Chapter 7 of Title 34 of the Rules of the City of New York relating to revocable consents.
- C. Objectives: To clarify and update the rules on revocable consents.
- D. Legal basis: Section 364 of the New York City Charter.
- E. Types of individuals and entities likely to be affected: Current revocable consent holders and prospective revocable consent holders.
- F. Other relevant laws: None
- G. Approximate schedule: Third Quarter of FY 2018.

Agency Contact: Michelle Craven
(212) 839-4478

21. SUBJECT: Vault Program Rules

- A. Reason: DOT is reviewing its vault licenses and vault inspection process and as part of this initiative, the current vault rules may have to be revised.
- B. Anticipated contents: Amend Section 2-13 of the Highway Rules to update the vault rules.
- C. Objectives: Revise and clarify the rules and requirements for vaults on City property.
- D. Legal basis: Section 2903(b) of the New York City Charter.
- E. Types of individuals and entities likely to be affected: Property owners, current vault owners and prospective vault owners.

- F. Other relevant laws: None
- G. Approximate schedule: Fourth Quarter of FY 2018.

Agency Contact: Michelle Craven
(212) 839-4478

22. SUBJECT: Revocable Consent Renewals

- A. Reason: To clarify and set forth the process for renewing revocable consents including the calculation of the annual fee.
- B. Anticipated contents: Amend Chapter 7 of Title 34 of the Rules of the City of New York to include a provision relating to renewals of revocable consents.
- C. Objectives: Establish the formal procedure for renewing revocable consents.
- D. Legal basis: Section 364 of the New York City Charter.
- E. Types of individuals and entities likely to be affected: Current revocable consent holders and prospective revocable consent holders.
- F. Other relevant laws: None
- G. Approximate schedule: Third Quarter of FY 2018.

Agency Contact: Michelle Craven
(212) 839-4478