

New York City Department of Transportation

Notice of Adoption

NOTICE OF ADOPTION relating to the update of the New York City Department of Transportation's (DOT) "Traffic Rules" contained in Chapter 4 of Title 34 of the Rules of the City of New York.

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(b) 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 4-08 of Chapter 4 of Title 34 of the Rules of the City of New York.

This rule was first published in the City Record on January 5, 2023 and a public hearing was held on February 7, 2023. DOT received verbal and written comments from the public.

Statement of Basis and Purpose of Adopted Rule

The Commissioner of the New York City Department of Transportation (DOT) is authorized to issue rules regarding parking and traffic operations in the City pursuant to Section 2903(a) of the New York City Charter. The rule that DOT is amending is contained within Chapter 4 of Title 34 of the Rules of the City of New York, relating to its "Traffic Rules."

The growth of e-commerce deliveries and for-hire vehicle trips throughout the city has changed the way New Yorkers use curbs. Nearly 90% of goods in New York City are delivered by trucks and, with the growth of e-commerce and demand for frequent home deliveries, the amount of goods that move through NYC is estimated to grow by 68% in the next 20 years. As demand for the City's limited curb space continues to grow, trucks, delivery vehicles, cargo bikes, and personal vehicles need safe ways to access the curbs without blocking traffic, including bus routes and bike lanes. This adopted rule would provide dedicated curb space for loading and unloading activities during daytime and evening hours, which would help to reduce double parking as well as other unwanted standing behaviors, creating a safer and more efficient environment for all road users. For example, Neighborhood Loading Zones (NLZ), a program that provides curb space for commercial deliveries, active loading and unloading, and pick-up and drop-off activity, reduces double parking by up to 70% while creating a safer and more efficient environment.

The purpose of the adopted rule is to update section 4-08 of the Traffic Rules to for the purpose of establishing "Loading Only" dedicated use signage. The signage would make clear to the public that the purpose of a "Loading Only" zone is for the expeditious pick-up and drop-off of goods and passengers from commercial vehicles, for-hire vehicles, and personal vehicles. The signage would also include a set time limit for the vehicle to utilize the space. Vehicles displaying agency-authorized or single use permits would also be prohibited from utilizing the dedicated space.

Specifically, the adopted amendments are as follows:

- Section 4-08(a)(3)(i) is amended to include “Loading Only” as a dedicated use sign.
- Section 4-08(c) is amended to define “Loading Only” zones with a detailed description of the intended use of the regulation.
- Section 4-08(o)(3)(ii) is amended to include “Loading Only” as a prohibited area for agency-authorized parking.
- Section 4-08(o)(4)(iii) is amended to include “Loading Only” as a prohibited area for single-use permits.

After reviewing the verbal and written comments, DOT made no changes to the proposed rule after the public hearing.

New material is underlined.

[Deleted material is in brackets.]

Section 1. Subparagraph (i) of 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 to read as follows:

(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, Electric Vehicle Charging Only, Loading Only, or Parking Permitted.

§ 2. Subdivision (c) 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 paragraph (10) to read as follows:

(10) *Loading only zone.* During the time specified on the posted authorized sign, no person shall stand or park a vehicle in such zone, except for the purpose of expeditiously receiving or discharging passengers or actively engaging in loading or unloading goods for the purpose of making pickups or deliveries to or from the curb.

§ 3. Subparagraph (ii) of 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:

(ii) *Parking not permitted.* Parking with and display of agency-authorized permits in the windshield of a vehicle or, where applicable, a permit affixed to the vehicle by the department or any agency authorized by the department is not permitted at:

- (A) "No Standing" areas.
- (B) "No Stopping" areas.
- (C) Fire hydrants.
- (D) Bus stops.
- (E) Areas on the roadway side of a vehicle stopped, standing, or parked at the curb (i.e., Double parking).
- (F) Driveways.
- (G) Bridges and highways.
- (H) Areas where a traffic hazard would be created.
- (I) Carshare parking space(s).
- (J) Loading Only zones.

§ 4. Subparagraph (iii) of 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:

(iii) *Parking not permitted.* Parking with single issue permits is not permitted at:

- (A) "No Standing" areas,
- (B) "No Stopping" areas,
- (C) Fire hydrants,
- (D) Bus stops,
- (E) Double parking,
- (F) Driveways,
- (G) On bridges and highways,
- (H) In carshare parking space(s), [and]
- (I) Areas where a traffic hazard would be created, and
- (J) Loading Only zones.