

New York City Department of Transportation

Notice of Public Hearing and Opportunity to Comment on Proposed Rules

What are we proposing? This proposed rule would amend section 4-08 of Chapter 4 of Title 34 of the Rules of the City of New York (“34 RCNY”) to update provisions relating to license plate display requirements to align with the New York State Vehicle and Traffic Law.

When and where is the hearing? The New York City Department of Transportation (“DOT”) will hold a public hearing on the proposed rule online. The public hearing will take place on Thursday, February 6, 2025 at 10am.

Join through Internet:

- To join the hearing via your browser, either click on the following URL link or copy and paste it into your browser’s address bar.

Join Zoom Meeting

<https://zoom.us/j/93307890596?pwd=zC8fFRBBBarxRELTaW16x4aULmuNOFb.1>

Meeting ID: 933 0789 0596

Passcode: 544662

- Then follow the prompts.
- If you have low bandwidth or inconsistent Internet connection, we suggest you use the “Call-in” option for the hearing.

Join via phone only:

- To join the meeting only by phone, use the following information to connect:

Phone: 1-929-205-6099

Access code: 933 0789 0596

Password: 544662

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- **Website.** You can submit comments to DOT through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email comments to rules@dot.nyc.gov.
- **Mail.** You can mail comments to Erin LaFarge, Director of Safety Policy, New York City Department of Transportation, 55 Water Street, New York, NY 10041.
- **Fax.** You can fax comments to Erin LaFarge at (212) 839-7188.

- **By speaking at the hearing.** Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by emailing rules@dot.nyc.gov by February 5, 2025 and including your name and affiliation. While you will be given an opportunity during the hearing to indicate that you would like to provide comments, we prefer that you sign up in advance. You can speak for up to three minutes. Please note that the hearing is for accepting oral testimony only and is not held in a “Question and Answer” format.

Is there a deadline to submit written comments? The deadline for written comments is 5 p.m. on February 6, 2025.

Do you need assistance to participate in the hearing? You must tell the DOT Office of the General Counsel if you need a reasonable accommodation of a disability during the hearing. You must tell us if you need a sign language interpreter. You can tell us by e-mailing at rules@dot.nyc.gov. If you wish to receive a reasonable accommodation, you must do so by Thursday, January 30, 2025.

Can I review the comments made on the proposed rules? You can review the comments made online on the proposed rules by going to the website at <http://rules.cityofnewyork.us/>. Copies of all comments submitted online, copies of all written comments, and a recording of the hearing may be requested by emailing rules@dot.nyc.gov.

What authorizes DOT to make this rule? Section 2903(a) of the New York City Charter (City Charter) authorizes DOT to make this proposed rule. This proposed rule was included in DOT’s regulatory agenda.

Where can I find DOT’s rules? DOT’s rules are in Title 34 of the Rules of the City of New York.

What rules govern the rulemaking process? DOT must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043(b) of the City Charter.

Statement of Basis and Purpose of Proposed 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 pursuant to Section 2903(a) of the New York City Charter. The rule that DOT is seeking to amend is contained within Chapter 4 of Title 34 of the Rules of the City of New York (“Traffic Rules”).

The proposed rule amends section 4-08(j) of the Rules of the City of New York to align with the new provisions of section 402(1)(b) of the New York State Vehicle and Traffic Law (VTL), which became effective on September 1, 2024, and addresses the issue of vehicle owners using obscured, concealed, or distorted license plates to avoid enforcement mechanisms. To that end, VTL section 402(1)(b) sets forth visibility requirements for all license plates by prohibiting anything—including dirt, rust, glass or plastic coverings, substances or

materials—that causes a license plate to be unreadable, obscured, concealed, or distorted. The proposed rule makes conforming changes to section 4-08(j) of the Department’s rules.

Specifically, the proposed amendments would be as follows:

- Section 4-08(j)(2) is amended by deleting most of the existing provisions addressing license plate display requirements, which will be incorporated into a new paragraph (10);
- Section 4-08(j)(2) is further amended to clarify the display requirements for New York motorcycle license plates and out-of-state license plates;
- Section 4-08(j)(8) is amended by removing the term “license plates” from the list of identifying vehicle information that may not be concealed by a vehicle covering, which instead will be reflected in the new paragraph (10).
- Section 4-08(j) is amended by adding a new paragraph (10) prohibiting obscuring, concealing, or distorting license plate(s) in accordance with VTL § 402(1)(b).

New material is underlined.

[Deleted material is in brackets.]

Section 1. Paragraph 2 of subdivision (j) 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) *Valid plates must be properly displayed.* No person shall stand or park a vehicle required to bear a license plate unless such vehicle properly displays the current plate or plates lawfully issued to it. For the purposes of this paragraph (j)(2), New York plates shall not be deemed properly displayed unless they are: (i) conspicuously displayed, one on the front and one on the rear of the vehicle, each securely fastened so as to prevent the same from swinging [and], (ii) placed, whenever reasonably possible, not higher than 48 inches and not lower than 12 inches from the ground, and [they are] (iii) kept clean and in a condition so as to be readable [and shall not be covered by glass or any plastic material, and the view thereof shall not be obstructed by any part of the vehicle or by anything carried thereon, except for a receiver-transmitter issued by a publicly owned tolling facility in connection with electronic toll collection when such receiver-transmitter is affixed to the exterior of a vehicle in accordance with mounting instructions provided by the tolling facility]. New York dealer or transporter plates issued pursuant to § 415 of the Vehicle and Traffic Law shall be deemed properly displayed if, in addition to complying with all other applicable requirements of this subdivision, the one plate issued is placed on the rear of the vehicle as described above. New York motorcycle plates and plates from other states shall be deemed properly displayed if, in addition to complying with all other applicable requirements of this subdivision, at least one plate is fastened on the rear of the vehicle.

§ 2. Paragraph 8 of subdivision (j) 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:

(8) *Vehicle covers prohibited.* No person shall stand or park a vehicle having a cover on it that obscures the make, color, vehicle identification number (VIN), [license plates] and/or registration and inspection stickers, and/or restricts entry to the vehicle, if such vehicle is standing or parked in violation of posted rules.

§3. Subdivision (j) 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) *Obscuring, concealing, or distorting plates prohibited.* No person shall stand or park a vehicle having a license plate that is:

- i. Covered by glass or any plastic material;
- ii. Covered or coated with any material or substance that conceals or obscures such plate or that distorts a recorded or photographic image of such plate;
- iii. Covered with a material appearing to be a number plate for display as proof of lawful registration, but which has not been lawfully issued by the commissioner of the department of motor vehicles, such commissioner's agent, or the equivalent official or agent from another state, territory, district, province, nation or other jurisdiction; or
- iv. Obstructed by any part of the vehicle or by anything carried thereon, except for a receiver-transmitter issued by a publicly owned tolling facility in connection with electronic toll collection when such receiver-transmitter is affixed to the exterior of a vehicle in accordance with mounting instructions provided by the tolling facility.

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Amendment of Rules Relating to License Plate Display

REFERENCE NUMBER: 2024 RG 105

RULEMAKING AGENCY: Department of Transportation

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN

Date: December 10, 2024

Senior Counsel

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400**

**CERTIFICATION / ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Amendment of Rules Relating to License Plate Display

REFERENCE NUMBER: DOT-81

RULEMAKING AGENCY: Department of Transportation

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) Does not provide a cure period because the violation poses significant risks to public health/safety.

/s/ Francisco X. Navarro
Mayor's Office of Operations

December 11, 2024
Date