

## 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 sections 4-01 and 4-12 of Chapter 4 of Title 34 of the Rules of the City of New York (“34 RCNY”) to prohibit property other than bicycles and scooters from being attached to City-owned bicycle racks and to provide a mechanism for DOT to enforce this limitation.

**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 Friday, April 24, 2026 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/93901083400?pwd=ARfP3BWz53akGliTTAwBZPVX2LRXB9.1>

Meeting ID: 939 0108 3400

Passcode: 349187

- 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

Meeting ID: 939 0108 3400

Passcode: 349187

**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](mailto:rules@dot.nyc.gov).
- **Mail.** You can mail comments to Shari Gold, Deputy Director of Operations, Furniture & Operations, Office of Livable Streets, New York City Department of Transportation, 55 Water Street, 6<sup>th</sup> Floor, New York, NY 10041.
- **Fax.** You can fax comments to Shari Gold 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](mailto:rules@dot.nyc.gov) by April 23, 2026 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.

**Is there a deadline to submit written comments?** The deadline for written comments is 5pm on April 24, 2026.

**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](mailto:rules@dot.nyc.gov). If you wish to receive a reasonable accommodation, you must do so by April 17, 2026.

**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](mailto: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 rules that DOT is seeking to amend are contained within Chapter 4 of Title 34 of the Rules of the City of New York ("Traffic Rules").

The purpose of this rule is to address two existing and interrelated problems on NYC streets: cluttered sidewalks and the need for additional, secure bicycle and scooter parking. The proposed rule would clarify that a City-owned bicycle rack is exclusively for the parking of bicycles, including e-bikes, and scooters, including electric scooters. The proposed rule would also provide an enforcement mechanism by authorizing DOT or its designated agent to remove any personal property, other than a bicycle or scooter, that is attached to a City-owned bicycle rack.

Specifically, the proposed amendments would be as follows:

- Section 4-01(b) (“Words & Phrases Defined”) would be amended by adding definitions of “City-owned bicycle rack” and “scooter.”
- Section 4-12(p)(7) would be amended by changing “city-owned bike rack” to “City-owned bicycle rack” for consistency purposes and to clarify that this paragraph applies to scooters as well as bicycles.
- Subdivision (p) of Section 4-12 would be amended by adding a new paragraph (9) prohibiting a person from securing, leaving, storing, or placing personal property other than a bicycle or scooter on any City-owned bicycle rack.

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 new definitions to be added in alphabetical order to read as follows:**

**City-owned bicycle rack.** “City-owned bicycle rack” means a permanent structure installed by the New York City Department of Transportation on the right of way for the purpose of providing temporary secure parking for bicycles and scooters.

**Scooter.** “Scooter” means a device weighing less than one hundred pounds that has handlebars, a floorboard or a seat that can be stood or sat upon by the operator, and can be propelled by human power. For the purposes of these rules, the term scooter includes electric scooters.

**§ 2. Paragraph (7) of subdivision (p) of section 4-12 of Chapter 4 of Title 34 of the Rules of the City of New York is amended to read as follows:**

(7) No person or such person's agent or employee shall leave unattended, or permit to be left unattended, any bicycle or scooter, whether or not owned by such person, in any [city owned bike-rack] City-owned bicycle rack within the jurisdiction of the [department] Department of [transportation] Transportation in excess of seven consecutive days. A notice may be affixed to any unattended bicycle or scooter advising that the bicycle or scooter must be removed within seven days from the date of the notice. This notice shall also state that the failure to remove the unattended bicycle or scooter within the designated time period will result in the removal of the unattended bicycle or scooter by the [department] Department of [transportation] Transportation, the [police department] Police Department, or any other agency delegated by the [department] Department of [transportation] Transportation. Nothing in this section [shall preclude] precludes the immediate removal of any bicycle or scooter, or the taking of any other action by any agency if the presence of such bicycle or scooter, creates a dangerous condition by restricting vehicular or pedestrian traffic. Bicycles or scooters removed pursuant to this paragraph shall be treated as lost property pursuant to article 7-B of the Personal Property Law.

**§ 3. Subdivision (p) of Section 4-12 of Chapter 4 of Title 34 of the Rules of the City of New York is amended by adding a new paragraph (9) to read as follows:**

(9) No person shall park, leave, store, or otherwise place any personal property, other than a bicycle or scooter, in any City-owned bicycle rack. A notice may be affixed to any personal property in a City-owned bicycle rack advising that the property must be removed within seven days from the date of the notice. This notice shall also state that the failure to remove the property within the designated time period will result in the removal of the property by the Department of Transportation, the Police Department, or any other agency delegated by the Department of Transportation. In the event of construction, street repaving, streetscape redesign, or special events, including but not limited to film shoots, street fairs, parades, races, or block parties, the Department shall make best efforts to provide notice before removing personal property attached to a City-owned bicycle rack but may remove such property without notice where notice is not practicable. Nothing in this section precludes the immediate removal of any personal property or the taking of any other action by any agency with respect to such property if the presence of such property creates a dangerous condition by restricting vehicular or pedestrian traffic. Personal property removed pursuant to this paragraph shall be treated as lost property pursuant to article 7-B of the Personal Property Law.

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

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

**RULE TITLE:** Rules Relating to City-Owned Bicycle Racks

**REFERENCE NUMBER:** DOT-93

**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 it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

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

February 23, 2026  
Date

**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:** Rules Relating to City-Owned Bicycle Racks

**REFERENCE NUMBER:** 2026 RG 006

**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  
Senior Counsel

Date: February 23, 2026