



**TRANSPORTATION
ALTERNATIVES**

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August 19, 2015

Mayor Bill de Blasio
City Hall
New York, NY 10007

Re: Mandatory surcharge for parking violations, including reduced- or zero-fine violations

Dear Mayor de Blasio,

I write to inquire about a potential issue of uncollected revenue.

Section 1809-a(1) of the Vehicle and Traffic Law of the State of New York provides that New York City shall collect a mandatory surcharge of fifteen dollars for any finding of liability or conviction for the "... violation of any statute, local law, ordinance or rule involving the parking, stopping or standing of a motor vehicle..." The law directs that for New York City, half of the surcharge is retained by City government and half is submitted to New York State.

My inquiry is whether vehicle owners enrolled in the City's Stipulated Fine and Commercial Abatement programs are in fact paying this surcharge on tickets where fines are reduced or set at zero under those programs. Vehicle owners enrolled in the two programs do in fact acknowledge liability on every ticket they receive regardless of the base amount set by the programs' fine schedules.

If the City is not levying the surcharge for such tickets it may be in non-compliance with state law and is foregoing significant revenue that New York State allocates partly to fighting drunk driving and other problems, and that the City is required to devote to "local criminal justice programs and purposes."

Transportation Alternatives' understanding is that roughly three million parking tickets per year are issued to companies enrolled in the two reduced-fine parking programs. If the City is not levying the mandatory surcharges on any of these tickets, it may be foregoing over \$22.5 million in direct revenue, with additional losses to the state programs that provide resources to City agencies, such as anti-DWI grants issued by the Governor's Traffic Safety Committee.

If the City is now failing to collect this revenue, remedying the matter could provide the City and State with more resources to reduce traffic fatalities and injuries suffered by New Yorkers. It is an opportunity to reevaluate the allocation of this revenue in the era of Vision Zero. The part of this revenue, if any, that has traditionally been used to fight drunk driving, should continue. However other related criminal justice programs are in dire need of resources, and devoting adequate funding to safe streets programs that save lives has become a major challenge for the City.

The revenue retained directly by the City could be devoted to NYPD/Vision Zero enforcement against dangerous driving behavior. For example, speeding is the leading cause of traffic fatalities in New York City -- nearly three times as deadly as drunk driving. Speeding enforcement can reduce excessive speeding by over 75%, through automated cameras, speed guns and speed measurements communicated to drivers. Other safety programs could include driver education, media campaigns and ongoing high profile crackdowns by

the NYPD on drivers who fail to yield to pedestrians, who speed, violate parking restrictions on sidewalks and bike lanes, who disregard traffic controls and drive recklessly.

Thank you for your attention. Transportation Alternatives looks forward to your reply.

Sincerely,

Paul Steely White
Executive Director
Transportation Alternatives

cc: Jacques Jiha, Commissioner, NYC Department of Finance