

§ 3-124 Department of Transportation Penalty Schedule

DEPARTMENT OF TRANSPORTATION PENALTY SCHEDULE

A repeat violation is a violation by the same respondent of the same provision of law, with a date of occurrence within 6 months of the date of occurrence of the previous violation.

All citations are to the NYC Administrative Code or to Title 34 of the Rules of the City of New York.

With the exception of Sections 19-136, 34 RCNY 2-02(a)(1)(ii), 34 RCNY 2-09(f)(4)(v), 34 RCNY 2-11(e)(10)(v), pursuant to §3-81(b), a late admit fee of \$30.00 will be added to all the below listed penalties for a failure to submit a payment by mail, as per §3-32, within 30 days of the mailing date of the default order issued against respondent.

SECTION/RULE	DESCRIPTION	Penalty	DEFAULT
Admin. Code 19-102(i) AD01	Use/opening of street w/o permit	1500	5,000
Admin. Code 19-102(i) AD02	Use/opening of protected street w/o permit	1,800	5,000
Admin. Code 19-107 AD03	Street closing without permit	1,800	5,000
Admin. Code 19-108 AD04	Failure to have permit on site or in field office	50	150
Admin. Code 19-109(a) AD05	Failure to provide adequate protection at worksite	400	1,200
Admin. Code 19-109(b) AD06	Identifying signs improperly displayed or missing	100	300
Admin. Code 19-117(a) AD07	Constructing vault w/o license or revocable consent	500	1,500
Admin. Code 19-119 AD08	Vault opening without proper protection	250	750
Admin. Code 19-121(a) AD09	Construction materials/equipment stored on street w/o permit	750	2,250
Admin. Code 19-121(b)(2) AD10	Debris/constr. Materials obstructing gutters/sidewalk, etc.	250	750
Admin. Code 19-121(b)(3) AD11	Construction material/equipment w/o proper reflective markings	250	750
Admin. Code 19-121(b)(4) AD12	Material/equipment without name & address of owner	100	300
Admin. Code 19-121(b)(5) AD13	Construction material/equipment w/in 5 ft. of surface RR track	500	1,500

Admin. Code 19-121(b)(6) AD14	No street protection under construction material/equipment	250	750
Admin. Code 19-121(b)(7) AD15	Obstruction of fire hydrant or bus stop	500	1,500
Admin. Code 19-122 AD16	Sand/dirt/rubbish/debris not removed from site within 7 days	250	750
19-123 ADC4	Commercial refuse container stored on the street w/o a permit	\$750	\$2250
Admin. Code 19-123 AD17	No street protection under commercial refuse container	250	750
Admin. Code 19-124(a) AD18	Canopy without permit	100	300
Admin. Code 19-125 AD19	Post/pole/flagpole socket/lamppost w/o permit/consent	100	300
Admin. Code 19-126 AD20	Use/movement/removal of crane/building/structure w/o permit	1,000	3,000
Admin. Code 19-128(a) AD21	Installation/maintenance of public phone booth w/o license	150	450
19-133 ADC2	Unauthorized projections and encroachments on City Property	250	750
Admin. Code 19-102(ii) AD30	Failure to comply with terms and conditions of DOT permit	1,200	3,600
Admin. Code 19-138(b) AD31	Defacement of roadway or sidewalk	50	150
Admin. Code 19-176(b) AD62	Unlawful bicycle riding	50	100
Admin. Code 19-102(i) AD63	Working w/o permit on controlled access highway	4,000	5,000
Admin. Code 19-102(ii) AD64	Fail to comply with terms of permit(controlled access highway)	4,000	5,000
Admin. Code 19-150 AD65	Fail to comply with Comm. Order re: illegal encroachment/projection	250	400
Admin. Code 19-136 AD66	Goods/wares/merchandise obstructing sidewalk	150	500
Admin. Code 19-147(d) AD8C	Failure to replace loose, slippery or broken utility maintenance hole (manhole) covers, castings	250	750

34 RCNY 2-02(a)(1)(ii) AD67	Failed to provide name and tel no. of emergency contact	250	500
34 RCNY 2-07(a)(5) AD3G	Toolcart stored on sidewalk failed to provide a 5 foot minimum walkway	250	750
34 RCNY 2-07(a)(5) AD3H	Toolcart stored on roadway without a permit	250	750
34 RCNY 2-07(a)(5) AD3J	Toolcart stored on sidewalk obstructing hydrant, bus stop, or driveway	500	1500
34 RCNY 2-02(m) AD3D	Illegally working on a street during an embargo period	1200	3600
34 RCNY 2-07(b)(2) AD3K	Failure to repair defective street condition found within an area extending 12 inches outward from the perimeter of the covers/gratings	250	750
34 RCNY 2-09 (f) (4)(v) AD68	Failed to install expansion joints as per subsection	250	750
34 RCNY 2-09(f)(4)(v) AD69	Failed to seal expansion joints as per subsection	250	750
34 RCNY 2-09(f)(4)(viii) ADA1	Failure to fully replace defective sidewalk flag	250	500
34 RCNY 2-09(f)(4)(xiv) ADA2	Failure to install pedestrian ramp as per DOT drawings	400	1000
34 RCNY 2-09(f)(4)(xvi) ADC3	Failure to obtain DOT approval for distinctive sidewalk	250	750
34 RCNY 2-09(f)(4)(xvi)(A) ADA3	Failure to repair distinctive sidewalk in kind	250	500
34 RCNY 2-11(e)(10)(v) AD70	No Raised Plow sign/Steel plates or fail to countersink plates flush with rd'wy	250	750
34 RCNY 2-07(c)(4)(i) AD1A	Opening of manhole w/o an authorization number	1,000	3,000
34 RCNY 2-11(f)(4)(i)	No notice to DOT before start phase of work on protected street	750	2250

AD1B				
34 RCNY 2-11(c)(1)	Failure to notify Public Service Corp. prior to excavation	250	750	
AD1C				
34 RCNY 2-11(e)(1)	Failure to notify City 24 hrs before street work	250	750	
AD1D				
34 RCNY 2-11(e)(9)(i)	Temporary pavement not flush with surrounding area	500	1,500	
AD1E				
34 RCNY 2-11(e)(12)(ii)	Wearing course not flush with surrounding area	750	2,250	
AD1F				
34 RCNY 2-11(e)(8)(vi)	Temporary restoration sunken more than 2 inches	500	1,000	
AD1G				
34 RCNY 2-07(c)(1)	Doing non-emergency work on a critical roadway during restricted hours	1,000	3,000	
AD1H				
34 RCNY 2-07(b)(3)	Utility cover/street hardware not flush with surrounding area	1,000	3,000	
AD2A				
34 RCNY 2-05(d)(12)	Mixing mortar on roadway w/o protection	250	750	
AD2B				
34 RCNY 2-05(d)(10)	Failure to provide space for loading & unloading of materials	250	750	
AD2C				
34 RCNY 2-05(i)(1)	Crossing s/w with a motorized vehicle w/o permit	250	750	
AD2D				
34 RCNY 2-05(d)(16)	Fail to house overhead cables/hoses/wires with <u>14</u> feet minimum clearance	250	750	
AD2E				
34 RCNY 2-05(h)(1)	Construction shanty/trailer/w/o a permit	150	450	
AD2F				
34 RCNY 2-05(h)(4)	Failure to remove shanties/trailers from roadway/sidewalk	250	750	
AD3A				
34 RCNY 2-05(f)(1)(i)	Failure to install curb separate from sidewalk	250	750	
AD3B				
34 RCNY 2-11(e)(5)	Failure to maintain a 5ft pedestrian walkway on sidewalk	250	750	
AD3C				
34 RCNY 2-11(e)(12)(vii)	Failure to restore pavement/curb/gutter/s/w in kind	250	750	
AD3E				
34 RCNY 2-11(e)(16)(i)(a)	Failure to submit a sketch at the completion of the job	50	150	
AD3F				
34 RCNY 2-11(e)(3)(ii)	Tunneling/jacking without a permit	400	1,200	
AD4A				
34 RCNY 2-11(e)(3)(i)	Excavation down 5 feet or greater w/o shoring	1,500	4,500	
AD4B				
34 RCNY 2-14(b)(1)	Banners w/o permit	150	450	
AD4C				

34 RCNY 2-11(e)(8)(i) AD4D	Unsuitable backfill material used	250	750
34 RCNY 2-11(e)(10) AD4E	Failure to pin and/or ramp steel plates	1,200	3,600
34 RCNY 2-11(e)(12)(x) AD4F	Failure to permanently restore cut within required time	800	2,400
34 RCNY 2-11(e)(10)(vi) AD4G	Failure to use skid resistant plating and/or decking on roadway	1,000	5,000
34 RCNY 2-11(e)(12)(viii) AD5A	Failure to seal street opening joints	100	300
34 RCNY 2-11(e)(12)(ix) AD5B	Failure to restore lane markings	750	2,250
34 RCNY 2-11(e)(14)(i) AD5C	Failure to apply color code identifying permittee	50	150
34 RCNY 2-02(c)(2) AD5D	Failure to display required signs at work site	250	350
34 RCNY 2-11(e)(4)(v) AD5E	Failure to post flagperson at worksite to give directions	800	2,400
34 RCNY 2-11(e)(16)(iii) AD5F	Failure to comply with DOT Standard Specifications	400	1,200
34 RCNY 2-04(f)(1) AD6A	Canopy erected/maintained on a restricted street	150	450
A.C. 19-136(b) AD6B	Vehicle(s) on sidewalk	50	300
34 RCNY 2-11(g)(1)(i) AD6C	Working without a valid emergency number	1,000	3,000
34 RCNY 2-11(g)(1)(ii) AD6D	Doing non-emergency work with an emergency authorization number	1,000	3,000
34 RCNY 2-11(g)(2)(i) AD6E	Failure to begin emergency work within 2 hrs after authorization	500	1,500
34 RCNY 2-11(g)(2)(ii) AD6F	Failure to perform emergency work around the clock	1,000	3,000
34 RCNY 2-11(g)(2)(viii) AD7A	Failure to apply for permit within two business days of emergency work	250	750
34 RCNY 2-07(a)(3) AD7B	Restricting more than 11ft of roadway by opening covers/gratings	500	1,600
34 RCNY 2-07(a)(4) AD7C	Opening more than two consecutive covers/gratings	500	1,600
34 RCNY 2-07(c)(4)(iv) AD7D	Fail to perform emergency work around the clock(covers/gratings)	1,000	3,000

34 RCNY 2-07(c)(4)(v) AD7E	Fail to notify DOT of completion of emergency work (covers/gratings)	250	750
34 RCNY 2-11(e)(4)(ii) AD7F	Failure to plate excavation in driving lane or intersection	1,200	3,600
34 RCNY 2-11(e)(2) AD8A	Use of Ram Hoe/truck mounted pavement breaker to precut pavement	250	400
34 RCNY 2-11 (e)(11)(iv) ADA4	Failure to use correct ration of asphalt binder	400	1200
34 RCNY 2-11 (e)(11)(v) ADA5	Failure to restore concrete base at same grade as existing base	400	1200
34 RCNY2-11 (e)(11)(vi) ADA6	Installing asphalt other than binder as a base course	400	1200
34 RCNY 2-11 (e)(11)(vii) ADA7	Installation of shallow conduit without department approval	250	500
34 RCNY 2-11 (e)(12)(iii) ADA8	Failure to provide minimum thickness of wearing course on full depth asphalt restoration	400	1200
34 RCNY 2-11 (e)(12)(v) ADA9	Failure to restore entire pavement between street opening and curb	400	1200
34 RCNY 2-11 (e)(12)(vi) ADB1	Failure to restore street in kind (non-historic district)	750	2250
34 RCNY 2-11 (e)(12)(ix) ADB2	Installing Construction Signs w/o a Permit	150	450
34 RCNY 2-11(e)(13)(ii) ADB3	Failure to restore concrete pavement at the same depth, strength and finish as original pavement	400	1200
34 RCNY 2-11 (e)(13)(v) ADB4	Installing asphalt on a concrete street or concrete bus stop area	700	2100
34 RCNY 2-11(e)(14)(iii) ADB5	Failure to install a color coding marker at the end of the restoration	50	150
34 RCNY 2-13(l)(2) AD8B	Failure to repair sidewalk covering a vault	250	400
34 RCNY 2-14 (e)(2)(v) AD8D	Failure to maintain and/or replace weatherproof receptacles as necessary for holiday/temp. lighting.	150	300
34 RCNY 2-14 (e)(2)(viii) AD8E	Failure to obtain and maintain the required insurance for holiday/temp. lighting.	250	500
34 RCNY 2-14 (e)(2)(ix) AD8F	Failure to obtain a DOT permit prior to commencing work for holiday/temp. lighting.	250	500

34 RCNY 2-14 (e)(2)(x)	Failure to remove temporary lighting and related equipment when required for holiday/temp. lighting.	250	500
AD8G			
34 RCNY 2-14 (e)(2)(xiii)	Use of electrical service exceeding 120 volts and/or fused larger than 15 amperes for holiday/temp. lighting.	250	500
AD8H			
34 RCNY 2-14 (e)(2)(xiv)	Failure to comply with minimum height clearances for holiday/temp. lighting.	250	500
AD8I			
34 RCNY 2-14 (e)(2)(xv)	Supporting or securing holiday/temp. lighting to a fire escape or drainpipe; failure to insulate temporary lighting.	250	500
AD8J			
34 RCNY 2-14 (e)(2)(xviii)	Failure to obtain DOT approval for adjustments to work on holiday/temp. lighting.	200	400
AD8K			
34 RCNY 2-14 (e)(2)(xix)	Failure to perform changes mandated by the Department on holiday/temp. lighting.	150	300
AD8L			
34 RCNY 2-14 (e)(2)(xxi)	Failure to certify work for holiday/temp. lighting.	150	300
AD8M			
<u>34 RCNY 2-14 (f)(2)(iv)</u>	<u>Commercial refuse container placed in a crosswalk or pedestrian ramp</u>	<u>\$250</u>	<u>\$750</u>
<u>ADC5</u>			
<u>34 RCNY 2-14 (f)(3)</u>	<u>Commercial refuse container causing obstruction or interference</u>	<u>\$250</u>	<u>\$750</u>
<u>ADC6</u>			
<u>34 RCNY 2-14 (f)(4)</u>	<u>Unlabeled or Improperly labeled commercial refuse container</u>	<u>\$250</u>	<u>\$750</u>
<u>ADC7</u>			
<u>34 RCNY 2-14 (f)(5)</u>	<u>Commercial refuse container not parallel to the curb or extended more than 9 feet into the roadway</u>	<u>\$250</u>	<u>\$750</u>
<u>ADC8</u>			
<u>34 RCNY 2-14 (f)(6)</u>	<u>Failure to have the proper street protection under commercial refuse container</u>	<u>\$250</u>	<u>\$750</u>
<u>ADC9</u>			
34 RCNY 2-14 (f)(2)(i)	Commercial refuse container stored or placed in an unauthroized area	250	750
ADB6			
34 RCNY 2-14 (f)(2)(ii)	Commercial refuse container stored or placed within 15 ft of a hydrant	250	750
ADB7			
34 RCNY 2-14 (f)(6)	Improperly labeled commercial refuse container	250	750
ADB8			
34 RCNY 2-14 (f)(7)	Commercial refuse container w/o proper reflective markings on all four sides	250	750
ADB9			
34 RCNY 2-14 (f)(8)	Commercial refuse container/debris obstructing sidewalks, gutters, crosswalks or driveway	250	750

ADC1				
Admin. Code 19-176(c) AD6G	Riding bicycle on sidewalk in manner which endangers any person or property - FIRST OFFENSE	150	300	
Admin. Code 19-176(c) AD6H	Riding bicycle on sidewalk in manner which endangers any person or property - SECOND OFFENSE	300	600	
Admin. Code 19-176(c)	Riding bicycle on sidewalk in manner which endangers any person or property and causes physical contact with a person - FIRST OFFENSE	250	500	
AD6I				
Admin. Code 19-176(c)	Riding bicycle on sidewalk in manner which endangers any person or property and causes physical contact with a person - SECOND OFFENSE	500	1,000	
AD6J				
19-128.1(b)(1)	Newsrack exceeds size limits	100	500	
AD81				
19-128.1(b)(2)	Newsrack used for impermissible advertising/promotional purposes	100	500	
AD82				
19-128.1(b)(3) AD83	Failure to keep coin return mechanism in good working order	100	500	
19-128.1(b)(4) AD84	Failed to affix correct name/address/tel. no. to newsrack as per subsection	100	500	
19-128.1(b)(5),(6) AD85	Newsrack placed/installed/maintained in improper location	25 0	500	
19-128.1(b)(7) AD86	Failed to place/install newsrack in a manner so that it cannot be tipped over	250	500	
19-128.1(c)(1) AD87	Failed to notify DOT of newsrack info and compliance as per subsection	3,000	4,000	
19-128.1(c)(2) AD88	Failed to notify DOT of required newsrack information for 1-99 racks	375	500	
19-128.1(c)(2) AD9A	Failed to notify DOT of required newsrack information for 100-249 racks	550	750	
19-128.1(c)(2) AD9B	Failed to notify DOT of required newsrack information for 250-499 racks	1,100	1,500	
19-128.1(c)(2) AD9C	Failed to notify DOT of required newsrack information for 500-749 racks	1,700	2,250	
19-128.1(c)(2) AD9D	Failed to notify DOT of required newsrack information for 750-999 racks	2,300	3,000	
19-128.1(c)(2)	Failed to notify DOT of required newsrack information	3,000	4,000	

AD9E	for 1,000 + racks		
19-128.1(d) AD89	Failed to maintain/provide req'd indem/ins., info for 1-99 racks.	375	500
19-128.1(d) AD9F	Failed to maintain/provide req'd indem/ins., info for 100-249 racks.	550	750
19-128.1(d) AD9G	Failed to maintain/provide req'd indem/ins., info for 250-499 racks.	1,100	1,500
19-128.1(d) AD9H	Failed to maintain/provide req'd indem/ins., info for 500-749 racks.	1,700	2,250
19-128.1(d) AD9I	Failed to maintain/provide req'd indem/ins., info for 750-999 racks.	2,300	3,000
19-128.1(d) AD98J	Failed to maintain/provide req'd indem/ins., info for 1000+ racks	3,000	4,000
19-128.1(e)(1) AD90	Failed to/inaccurately certified graffiti-removal info for 1-99 racks	375	500
19-128.1(e)(1) AD9K	Failed to/inaccurately certified graffiti-removal info for 100-249 racks	550	750
19-128.1(e)(1) AD9L	Failed to/inaccurately certified graffiti-removal info for 250-499 racks	1,100	1,500
19-128.1(e)(1) AD9M	Failed to/inaccurately certified graffiti-removal info for 500-749 racks	1,700	2,250
19-128.1(e)(1) AD9N	Failed to/inaccurately certified graffiti-removal info for 750-999 racks	2,300	3,000
19-128.1(e)(1) AD9O	Failed to/inaccurately certified graffiti-removal info for 1000 + racks	3,000	4,000
19-128.1(e)(1) AD91	Failed to maintain accurate logs/records as per subsec for 1-99 racks	375	500
19-128.1(e)(1) AD9P	Failed to maintain accurate logs/records as per subsec for 100-249 racks	550	750
19-128.1(e)(1) AD9Q	Failed to maintain accurate logs/records as per subsec for 250-499 racks	1,100	1,500
19-128.1(e)(1) AD9R	Failed to maintain accurate logs/records as per subsec for 500-749 racks	1,700	2,250
19-128.1(e)(1) AD9S	Failed to maintain accurate logs/records as per subsec for 750-999 racks	2,300	3,000
19-128.1(e)(1) AD9T	Failed to maintain accurate logs/records as per subsec for 1000+ racks	3,000	4,000
19-128.1(e)(1) AD92	Failed to provide maint., logs/records as per subsec for 1-99 racks	375	500
19-128.1(e)(1) AD9U	Failed to provide maint., logs/records as per subsec for 100-249 racks	550	750
19-128.1(e)(1) AD9V	Failed to provide maint., logs/records as per subsec for 250-499 racks	1,100	1,500
19-128.1(e)(1) AD9W	Failed to provide maint., logs/records as per subsec for 500-749 racks	1,700	2,250

19-128.1(e)(1) AD9X	Failed to provide maint., logs/records as per subsec for 750-999 racks	2,300	3,000
19-128.1(e)(1) AD9Y	Failed to provide maint., logs/records as per subsec for 1000+ racks	3,000	4,000
19-128.1(e)(2) AD93	Failed to remove refuse from newsrack as per subsection	100	500
19-128.1(e)(3) AD94	Newsrack empty/unsecured door for impermissible time	100	500
19-128.1(e)(4) AD95	Failed to correct newsrack damaged/in need of repair as per subsection	100	500
19-128.1(e)(5) AD96	Failed to repair damage to City property/sidewalk caused by newsrack	100	500

34RCNY 2-08 (e)(3) D2G	Failed to remove refuse from newsrack as per paragraph	100	500
34RCNY 2-08 (e)(5) D2H	Newsrack empty/unsecured door for impermissible time	100	500
34RCNY 2-08 (e)(4) D2I	Failed to correct newsrack damaged/in need of repair as per paragraph	100	500
34RCNY 2-08 (b)(3) D2J	Failed to repair damage to City property/sidewalk caused by newsrack	100	500
34RCNY 2-08 (d)(2) D2K	Failed to affix correct name/address/tel. no. to newsrack as per paragraph	100	500
34RCNY 2-08 (d)(1) D2L	Newsrack exceeds size limits	100	500
34RCNY 2-08 (d)(3) D2M	Newsrack used for impermissible advertising/promotional purposes	100	500
34RCNY 2-08 (c) D2N	Newsrack placed/installed/maintained in improper location	250	500
34RCNY 2-08 (b)(1) D2O	Failed to place/install newsrack in a manner so that it cannot be tipped over	250	500
34RCNY 2-08 (b)(4) D2P	Failed to notify DOT of newsrack info and compliance as per paragraph	3,000	4,000
34RCNY 2-08 (e)(1) D2Q	Failed to certify/inaccurately certified graffiti removal as per DOT requirements		
D2R	1-99 racks	375	500
D2S	100-249 racks	550	750
D2T	250-499 racks	1,100	1,500
D2U	500-749 racks	1,700	2,250
D2V	750-999 racks	2,300	3,000
	1,000 or more racks	3,000	4,000

34RCNY 2-08 (e)(2)	Failed to maintain accurate logs/records per DOT requirements		
D2W	1-99 racks	375	500
D2X	100-249 racks	550	750
D2Y	250-499 racks	1,100	1,500
D2Z	500-749 racks	1,700	2,250
D3L	750-999 racks	2,300	3,000
D3M	1,000 or more racks	3,000	4,000
34RCNY 2-08 (e)(2)	Failed to provide maintenance logs/records to DOT on request		
D3N	1-99 racks	375	500
D3O	100-249 racks	550	750
D3P	250-499 racks	1,100	1,500
D3Q	500-749 racks	1,700	2,250
D3R	750-999 racks	2,300	3,000
DSS	1,000 or more racks	3,000	4,000
34RCNY 2-08 (b)(4)	Failed to notify DOT of newsrack info in accordance with rule requirements		
D3T	1-99 racks	375	500
D3U	100-249 racks	550	750
D3V	250-499 racks	1,100	1,500
D3W	500-749 racks	1,700	2,250
D3X	750-999 racks	2,300	3,000
DSY	1,000 or more racks	3,000	4,000
34RCNY 2-08 (f)	Failed to maintain/provide proper indemnification/insurance info		
D4H	1-99 racks	375	500
D4I	100-249 racks	550	750
D4J	250-499 racks	1,100	1,500
D4K	500-749 racks	1,700	2,250
D4L	750-999 racks	2,300	3,000
D4M	1,000 or more racks	3,000	4,000