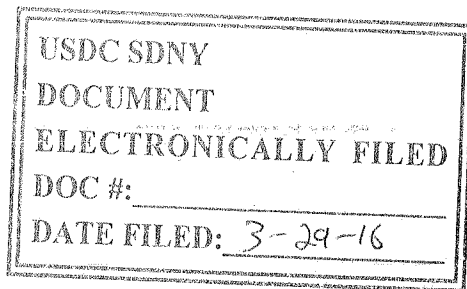


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



----- X  
PREGNANCY CARE CENTER OF NEW YORK  
(Incorporated as Crisis Pregnancy Center of New York), a  
New York Not-for-Profit Corporation; BORO  
PREGNANCY COUNSELING CENTER, a New York Not-  
for-Profit Corporation; and GOOD COUNSEL, INC., a New  
Jersey Not-for-Profit Corporation,

11 Civ. 2342 (WHP)

Plaintiffs,

-against-

THE CITY OF NEW YORK; MICHAEL BLOOMBERG,  
Mayor of New York City, in His Official Capacity; and  
JONATHAN MINTZ, the Commissioner of the New York  
City Department of Consumer Affairs, in His Official  
Capacity;

Defendants.

----- X

**STIPULATION OF SETTLEMENT AND  
DISCONTINUANCE**

**WHEREAS**, on October 13, 2010, New York City Council Member Jessica S. Lappin introduced Council Int. No. 371-2010 ("Council Int. No. 371") to amend Title 20, Chapter 5 of the New York City Administrative Code ("Administrative Code") to add a new Subchapter 17;

**WHEREAS**, the bill proposed to require certain written disclosures by "limited service pregnancy centers"<sup>1</sup>;

**WHEREAS**, in response to testimony at a November 16, 2010 hearing held by the Committee on Women's Issues, the bill was amended and became Council Int. No. 371-A;

<sup>1</sup> The term "limited service pregnancy centers" was subsequently changed to "pregnancy services centers."

**WHEREAS**, on March 16, 2011, then Mayor Michael Bloomberg signed Council Int. No. 371-A into law, whereupon it became Local Law 17 of 2011 (“Local Law 17”);

**WHEREAS**, Local Law 17 was to become effective on July 14, 2011;

**WHEREAS**, Local Law 17 adds Subchapter 17, entitled “Pregnancy Services Centers”, to Chapter 5 of Title 20 of the Administrative Code and is codified at Section 20-815 et. seq of the Administrative Code;

**WHEREAS**, Administrative Code § 20-815(g) defines a “pregnancy services center” as follows:

“Pregnancy services center” shall mean a facility, including a mobile facility, the primary purpose of which is to provide services to women who are or may be pregnant, that either: (1) offers obstetric ultrasounds, obstetric sonograms or prenatal care; or (2) has the appearance of a licensed medical facility. Among the factors that shall be considered in determining whether a facility has the appearance of a licensed medical facility are the following: the pregnancy services center (a) offers pregnancy testing and/or pregnancy diagnosis; (b) has staff or volunteers who wear medical attire or uniforms; (c) contains one or more examination tables; (d) contains a private or semi-private room or area containing medical supplies and/or medical instruments; (e) has staff or volunteers who collect health insurance information from clients; and (f) is located on the same premises as a licensed medical facility or provider or shares facility space with a licensed medical provider. It shall be prima facie evidence that a facility has the appearance of a licensed medical facility if it has two or more of the factors listed in subparagraphs (a) through (f) of paragraph (2) of this subdivision.

A pregnancy services center shall not include a facility that is licensed by the state of New York or the United States government to provide medical or pharmaceutical services or where a licensed medical provider is present to directly provide or directly supervise the provision of all services described in this subdivision that are provided at the facility.

**WHEREAS**, Administrative Code § 20-816 lists the disclosures that a pregnancy services center must make to a client as follows:

- a. A pregnancy services center shall disclose to a client that the New York City Department of Health and Mental Hygiene encourages women who are or who may be pregnant to consult with a licensed medical provider.
- b. A pregnancy services center shall disclose if it does or does not have a licensed medical provider on staff who provides or directly supervises the provision of all of the services at such pregnancy services center.
- c. A pregnancy services center shall disclose if it does or does not provide or provide referrals for abortion.
- d. A pregnancy services center shall disclose if it does or does not provide or provide referrals for emergency contraception.
- e. A pregnancy services center shall disclose if it does or does not provide or provide referrals for prenatal care.

**WHEREAS**, Plaintiffs commenced this action on or about April 6, 2011, seeking a declaratory judgment that Local Law 17 is unconstitutional and in violation of state law and a permanent injunction preventing Defendants from enforcing Local Law 17;

**WHEREAS**, plaintiff Good Counsel, Inc. ("Good Counsel") is a not-for-profit corporation that provides services to pregnant and parenting women, including shelter before and after birth;

**WHEREAS**, as of the date of this Stipulation, plaintiff Good Counsel operates two locations within the City of New York, one in Staten Island and one in the Bronx;

**WHEREAS**, Defendants, by their attorney, Michael A. Cardozo, then Corporation Counsel of the City of New York, filed an Answer to the Complaint on August 18, 2011;

**WHEREAS**, on April 27, 2011, Plaintiffs filed a motion pursuant to Rule 65 of the Federal Rules of Civil Procedure for an order enjoining Defendants from enforcing Local Law 17 against them during the pendency of this action;

**WHEREAS**, by Memorandum and Order dated July 13, 2011, Judge William H. Pauley III granted Plaintiffs' motion for a preliminary injunction in its entirety;

**WHEREAS**, Defendants appealed Judge Pauley's Memorandum and Order to the United States Court of Appeals for the Second Circuit ("Second Circuit");

**WHEREAS**, on or about January 17, 2014, the Second Circuit affirmed in part and vacated in part the District Court's Memorandum and Order, and remanded for further proceedings consistent with the opinion;

**WHEREAS**, the Second Circuit's opinion continued the preliminary injunction against Administrative Code §§ 20-816(a), (c), (d), and (e), and vacated the preliminary injunction with respect to Administrative Code § 20-816(b).<sup>2</sup>

**WHEREAS**, following the Second Circuit's decision, further appellate practice ensued, including a petition by Plaintiffs to the United States Supreme Court for a writ of certiorari;

**WHEREAS**, the United States Supreme Court denied certiorari and the Second Circuit issued a mandate on or about November 13, 2014 affirming in part, vacating in part, and remanding the District Court's order;

**WHEREAS**, following the issuance of the mandate, the parties engaged in settlement discussions;

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<sup>2</sup> The Second Circuit referred to Administrative Code § 20-816(a) as the "Government Message;" § 20-816(b) as the "Status Disclosure;" and §§ 20-816(c), (d), and (e) as the "Services Disclosure."

WHEREAS, on December 12, 2014, the New York City Department of Consumer Affairs (“DCA”) published in *The City Record* proposed rules implementing the disclosure requirements of Local Law 17;

WHEREAS, a public hearing on the proposed rules was held on January 12, 2015;

WHEREAS, in response to the comments received at the hearing, revised and supplemental rules implementing the disclosure requirements of Local Law 17 were published in *The City Record* on December 10, 2015;

WHEREAS, a public hearing on the revised and supplemental rules was held on January 11, 2016;

WHEREAS, Notice of Adoption of the revised and supplemental rules was published in *The City Record* on March 28, 2016, which states, among other things, that the revised and supplemental rules (“Local Law 17’s implementing regulations”) will go into effect sixty days from the date of publication;

WHEREAS, the parties now desire to settle this matter without further discovery and motion practice and avoid any litigation over the revised and supplemental rules; and

**IT IS HEREBY STIPULATED AND AGREED** by and between the undersigned as follows:

1. This action is hereby dismissed with prejudice, each party to bear its own costs.
2. Final judgment is entered in favor of Plaintiffs with respect to the “Government Message” and the “Services Disclosure” and, therefore, Defendants are permanently enjoined from enforcing Administrative Code §§ 20-816(a), (c), (d), and (e).

3. Final judgment is entered in favor of Defendants with respect to the “Status Disclosure” and, therefore, Defendants may enforce Administrative Code § 20-816(b).

4. Plaintiffs, their successors, assigns, and legal representatives agree not to file any new lawsuit alleging the facial invalidity of any section of Local Law 17 and/or Local Law 17’s implementing regulations.

5. In the event of a material change to Local Law 17’s implementing regulations as a result of future rulemaking, Plaintiffs may, subject to the limitations contained in this paragraph, file a lawsuit alleging the facial invalidity of the modified regulations. Plaintiffs may not, however, facially challenge any section of the implementing regulations that was not materially changed. Plaintiffs shall also not file any lawsuit facially challenging the modified regulations without providing advance notice to counsel for Defendants and engaging in a good faith attempt to resolve any claims that Plaintiffs may assert in such lawsuit.

6. For the purposes of this Stipulation, a “material change” is one that substantially and significantly alters the meaning or effect of the provision as a whole.

7. By April 27, 2016, DCA shall conduct an unannounced inspection of Good Counsel’s two New York City locations and issue a written legal interpretation as to whether, at the time of the inspection, either location had the “appearance of a licensed medical facility” as that term is used in Administrative Code § 20-815(g). If it is determined that one or more of the locations had the “appearance of a licensed medical facility,” the written legal interpretation shall describe the reasons why.

8. In the event that the written legal interpretation deems one or both of Good Counsel’s locations to have had the “appearance of a licensed medical facility” at the time of inspection, Good Counsel may not seek reconsideration of the written legal interpretation or a re-inspection for the purposes of issuance of a new written legal interpretation. Nor may Good

Counsel challenge the written legal interpretation by timely commencing a proceeding pursuant to Article 78 of the New York Civil Practice Law and Rules in New York State Supreme Court. This paragraph, however, shall not be construed to prevent Good Counsel from bringing an as applied constitutional challenge.

9. If the written legal interpretation states that one of Good Counsel's locations did not have the "appearance of a licensed medical facility" at the time of inspection, Good Counsel may not rely on this fact in defense of a Notice of Violation alleging that on a subsequent date the same location did have the "appearance of a licensed medical facility." Conversely, if the written legal interpretation states that one of Good Counsel's locations did have the "appearance of a licensed medical facility" when inspected, DCA may not rely on this fact to support a Notice of Violation alleging that on a subsequent date the same location similarly had the "appearance of a licensed medical facility."

10. Subject to any limitation contained in Local Law 17's implementing regulations, in considering whether one of Plaintiffs' facilities has the "appearance of a licensed medical facility," DCA may rely upon the six factors set forth in Administrative Code § 20-815(g) as well as additional factors not explicitly set forth therein. However, DCA shall not rely upon Plaintiffs' viewpoint regarding abortion or emergency contraception in determining whether one of their facilities has the "appearance of a licensed medical facility," unless doing so satisfies the scrutiny applicable to viewpoint-based discrimination under the New York State and United States Constitutions.

11. Nothing contained in the above paragraphs shall be construed to prevent Plaintiffs from filing a lawsuit alleging that the City of New York's enforcement of Local Law 17 and/or Local Law 17's implementing regulations, as applied to them, violated their constitutional rights.

12. By entering into this Stipulation, Plaintiffs do not waive their right to seek any attorneys' fees to which they might be entitled. The parties shall continue to negotiate the resolution of Plaintiffs' claim for attorneys' fees following the execution of this Stipulation. If, after ninety days from the date that this Stipulation is so Ordered, the parties have not reached an agreement regarding attorneys' fees, Plaintiffs may file a motion for attorneys' fees, and Defendants may oppose the amount of fees sought in any such motion. The District Court will retain jurisdiction over this case for purposes of adjudicating any claim for attorneys' fees.

13. Before any party seeks relief from the District Court with respect to this Stipulation, counsel for that party shall provide sixty days advance notice to opposing counsel of his or her intent to seek judicial resolution of the dispute and thereafter engage in a good faith attempt to resolve the issue(s) about which the party intends to seek relief. Should the good faith discussions fail to resolve the issue(s), counsel for the party seeking relief shall include a statement in his or her motion papers certifying, in sum and substance, that he or she has conferred with opposing counsel and the sides were unable to resolve their differences.

14. The District Court shall retain jurisdiction over this case for the purpose of enforcing this Stipulation until the resolution of any and all motions concerning attorneys' fees.

15. This Stipulation, and the settlement it represents, shall not be used by any party, and shall not be admissible in any other proceeding, litigation or settlement negotiation, except in an action or proceeding to enforce the terms of this Stipulation.


16. This Stipulation contains all the terms and conditions agreed upon by the parties, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation regarding the subject matter of the instant action shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.



17. The parties have reviewed and revised this Stipulation, and any rule of construction, by which any ambiguities are to be resolved against the drafting party, shall not be applied in the interpretation of this Stipulation.

18. This Stipulation may be executed in counterparts, and scanned and/or facsimile signatures by the undersigned shall constitute original signatures for filing with the court.

Dated: New York, New York  
March 28, 2016

  
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IT IS SO ORDERED

  
The Honorable William H. Pauley III

3-29-16

- (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  
Acting Corporation Counsel

Date: March 8, 2016

**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:** Amendment of Solar Energy Property Tax Abatement Rules

**REFERENCE NUMBER:** DOB-80

**RULEMAKING AGENCY:** Department of Buildings

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/ Stephen Narloch  
Mayor's Office of Operations

3/9/2016  
Date

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**CONSUMER AFFAIRS**

■ NOTICE

**Notice of Adoption of Rule**

Notice of Adoption of an Amendment to Chapter 5 of Title 6 of the Rules of City of New York by adding a new Subchapter P regarding pregnancy services centers.

**NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN** the Commissioner of the Department of Consumer Affairs (the "Department") by Section 2203 of the New York City Charter and Section 20-816(f)(1) of Chapter 5, Supchapter 17, of Title 20 of the Administrative Code of the City of New York and in accordance with the requirements of Section 1043 of the New York City Charter, of the adoption by the Department of Sections 5-266, 5-267, 5-268, 5-269, 5-270, and 5-271 of Title 6 of the Rules of the City of New York, Chapter 5, Subchapter P, to implement and carry out the provisions of Local Law 17 of 2011 regarding the disclosure that pregnancy service centers must make.

This rule was proposed and published on December 10, 2015. The required public hearing was held on January 11, 2016. The rule will be effective on May 27, 2016.

**Statement of Basis and Purpose of Rule**

Section 20-816(b) of the Administrative Code, enacted as part of Section 2 of Local Law 17 of 2011, provides that a pregnancy services center "shall disclose if it does or does not have a licensed medical provider on staff who provides or directly supervises the provision of all of the services at such pregnancy services center." Section 20-815(g) defines a pregnancy services center as "a facility, including a mobile facility, the primary purpose of which is to provide services to women who are or may be pregnant, that either: (1) offers obstetric ultrasounds, obstetric sonograms or prenatal care; or (2) has the appearance of a licensed medical facility." Section 20-815(g) excludes from this definition "a facility that is licensed by the state of New York or the United States government to provide medical or pharmaceutical services or where a licensed medical provider is present to directly provide or directly supervise the provision of all services described in this subdivision that are provided at the facility."

Section 20-816(f) of the Administrative Code requires that the disclosure must be made "(1) in writing, in English and Spanish in a size and style as determined in accordance with rules promulgated by the commissioner on (i) at least one sign conspicuously posted in the entrance of the pregnancy services center; (ii) at least one additional sign posted in any area where clients wait to receive services; and (iii) in any advertisement promoting the services of such pregnancy services center in clear and prominent letter type and in a size and style to be determined in accordance with rules promulgated by the commissioner". Section 20-816(f) additionally requires that the disclosure must be made orally.

The rules:

- Clarify the meanings of the following terms: "services", "directly provide", "directly supervise", "social media site", and "social network site".
- Clarify which facilities are excluded from the definition of "pregnancy services center".
- Specify the language of the disclosure, and set forth the size, color and location of the signs required to be posted at the pregnancy services center and in advertisements promoting the services of the pregnancy services center.
- Specify the language of the disclosure that must be made orally.
- Clarify that a facility's distribution of a pregnancy test kit shall not, by itself, be sufficient to establish that it has the "appearance of a licensed medical facility," provided that the test is self-administered, self-diagnosed, and self-interpreted.

New material is underlined.

"Shall" and "must" denote mandatory requirements and may be used interchangeably in the rules of this department, unless otherwise specified or unless the context clearly indicates otherwise.

**Rule Amendment**

Section 1. Chapter 5 of Title 6 of the Rules of the City of New York is amended by adding a new subchapter P to read as follows:

**SUBCHAPTER P**

**PREGNANCY SERVICES CENTERS**

**§ 5-266. Definitions.**

As used in this chapter, the following terms have the following meanings:

Directly provide. The term "directly provide" means that the licensed medical provider provides the service.

Directly supervise. The term "directly supervise" means that the licensed medical provider is on site and directly overseeing the provision of the service from beginning to end.

Services. The term "services" means abortion, emergency contraception, obstetric ultrasounds, obstetric sonograms, prenatal care, pregnancy testing, pregnancy diagnosis, and other medical and/or pharmaceutical services.

Social media site or social network site. The term "social media site" or "social network site" means a form of electronic communication, such as a website for social networking or microblogging, which allows users to interact or through which users create online communities to share information, ideas, personal messages, and other content, and includes, but is not limited to, Facebook, Twitter, YouTube, Flickr, LinkedIn, Tumblr and Myspace.

**§ 5-267. Exemption.**

A pregnancy services center shall not include a facility:

- (a) that is licensed by the state of New York or the United States government to provide medical or pharmaceutical services; or
- (b) where a licensed medical provider is present to directly provide or directly supervise the provision of all services defined in Section 5-266 of this Subchapter that are provided at the facility.

**§ 5-268. Display of Sign for Required Disclosure.**

- (a) Every pregnancy services center must display at its facility, including a mobile facility, a sign provided by the Department stating in English and Spanish: "This facility does not have a licensed medical provider on site to provide or supervise all services." The Department will provide both signs on its website for downloading by pregnancy services centers. The sign will measure eleven (11) inches by seventeen (17) inches and the lettering will be one inch high.
- (b) Every pregnancy services center must post the sign at every public entrance. If the pregnancy services center is located in an office building or other structure containing two or more independent units, the sign must be posted at each entrance used exclusively for entry to the pregnancy services center. The sign

must be: (1) posted on the outside of the entrance door and so that the distance from the top of the sign to the floor is between sixty-six (66) and seventy (70) inches and the distance between the frame of the door and the closest edge of the sign is not more than twelve (12) inches; (2) clearly and conspicuously visible to the client as she or he enters the pregnancy services center; and (3) laminated or protected by a clear sheeting or other suitable material so that the text will not be destroyed, soiled, distorted, or rendered illegible.

- (c) Every pregnancy services center must post at least one sign in every area where clients wait to receive services. If the waiting area contains a reception desk, the sign must be posted on the reception desk or on a wall at a location not greater than 12 inches from the reception desk. If the sign is posted on a wall, it must be posted so that the distance from the top of the sign to the floor is between sixty-six (66) and seventy (70) inches.

#### § 5-269. Disclosures in Advertising.

- (a) "Advertisement promoting the services of a pregnancy services center" includes all promotional materials, statements, visual descriptions, or other visual representations of any kind disseminated in print or electronically, including, but not limited to, mailings, postcards, signs, business cards, flyers, hand-outs, brochures, banners, billboards, subway or bus signs, window signs, store-front signs, newspaper print advertisements and listings, telephone directory listings, television advertisements, internet advertisements, social media or social network sites and radio advertisements. "Advertisement promoting the services of a pregnancy services center" does not include communications or statements made by a center in the course of its operations that do not promote the center's services to clients or the general public, and that are directed exclusively to the center's non-client directors, employees, past financial donors, and interns.
- (b) Every advertisement promoting the services of a pregnancy services center must include in English and Spanish the statement: "This facility does not have a licensed medical provider on site to provide or supervise all services." The lettering of such statements in printed materials must be clear, legible, and in the same color and darkness, and in a type size at least one-third as high and one-third as broad, as the largest print in the advertisement. The lettering of such statement in television and internet advertisements must be clear and legible and in close proximity to the description of services provided at the pregnancy services center. The lettering of such statement on business cards may be printed on the back of the cards.
- (c) Every pregnancy services center must also post the statement provided in Subsection (b) of this Section on its website and social media or social network sites. The lettering of such statement must be clear, legible, in the same color and darkness, and in a type size at least one-third as high and one-third as broad, as the largest print on the website or on the social media or social network site. The statement must be posted on every page of the website and social media or social network site. Where a page of the website or social media or social network site contains the description of services provided by such pregnancy services center, the statement must also be contained on that page, in close proximity to the services description.
- (d) In addition to the disclosure requirements provided in subsection (c), the statement provided in subsection (b) must be included in the text of each post made on a social media or social network site. In the event a social media or social network site, such as Twitter, limits the number of characters that may be used in a post, the statement may be attached as a photo image to each post rather than included in the text of each post. Where the statement is included in a photo image, the lettering of such statement shall be consistent with the requirements described in subsection (c). Where a post contains the description of services provided by such pregnancy services center, the statement must also be in close proximity to the services description. Each post that does not comply with this requirement shall constitute a single violation, except that for the purpose of imposing a sealing order pursuant to Section 20-818(b)(1) of the administrative code, each day of noncompliance shall be treated as a separate occasion.

#### § 5-270. Oral Disclosure.

Upon a client or prospective client request for an abortion, emergency contraception and/or prenatal care service, a pregnancy services center shall orally disclose in English and Spanish the statement: "This facility does not have a licensed medical provider on site to provide or supervise all services."

#### § 5-271. Evidence.

- (a) It shall be prima facie evidence that a facility has the appearance of a licensed medical facility if it has two or more of the factors listed in subparagraphs (a) through (f) of Title 20, Subchapter 17, Section 20-815(g)(2) of the New York City Administrative Code.

- (b) A facility's distribution of a pregnancy test kit shall not, by itself, be sufficient to establish that it has the "appearance of a licensed medical facility," provided that the test is self-administered, self-diagnosed, and self-interpreted. Notwithstanding, a facility's distribution of a pregnancy test kit - even if the pregnancy test kit was exclusively self-administered, self-interpreted, and self-diagnosed - may be relied upon, in combination with another legally permissible factor, to establish the "appearance of a licensed medical facility."

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## TRANSPORTATION

### ■ NOTICE

#### Notice of Public Hearing and Opportunity to Comment on Proposed Rules

**What are we proposing?** The purpose of the proposed rule is to update the following provisions of the Highway Rules: Sections 2-01 through 2-09, 2-11 through 2-14, and 2-20.

**When and where is the Hearing?** The New York City Department of Transportation (DOT) will hold a public hearing on the proposed rule. The public hearing will take place at 2:00 P.M. on Thursday, April 28, 2016. The hearing will be in the Bid Room, at 55 Water Street, New York, NY 10041.

- **Website.** You can submit comments to DOT through the NYC rules website at <http://rules.cityofnewyork.us>.
- **Email.** You can email written comments to [rules@dot.nyc.gov](mailto:rules@dot.nyc.gov).
- **Mail.** You can mail written comments to:

Joseph Yacca  
Director of Highway Inspection and Quality Assurance  
Operations  
New York City Department of Transportation - HIQA  
55 Water Street, 7<sup>th</sup> Floor  
New York, NY 10041

**Fax.** You can fax written comments to Joseph Yacca, Director of Highway Inspection and Quality Assurance Operations at 212-839-8867.

- **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 calling (212) 839-6500. You can also sign up in the hearing room before the hearing begins on Thursday, April 28, 2016. You can speak for up to three minutes.

**Is there a deadline to submit written comments?** The deadline to submit written comments is Thursday, April 28, 2016.

**Do you need assistance to participate in the Hearing?** You must tell the Office of Legal Affairs if you need a reasonable accommodation of a disability at the Hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at (212) 839-6500. You must tell us by Wednesday, April 27, 2016.

**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/>. A few days after the hearing, a transcript of the hearing and copies of the written comments will be available to the public at the Office of Legal Affairs.

**What authorizes DOT to make this rule?** Sections 1043(a) and 2903(b) of the City Charter authorize DOT to make this proposed rule. This proposed rule was included in DOT's regulatory agenda for this Fiscal Year.

**Where can I find the Department of Transportation 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 issue rules regarding highway operations in the City pursuant to Section 2903(b) of the New York City Charter.

The purpose of the proposed rule is to provide clearer, more concise language, and to update the following provisions of the Highway Rules: Sections 2-01 through 2-09, 2-11 through 2-14, and 2-20.

More specifically, Sections 2-01, 2-02(c), 2-04(c), 2-04(g), 2-06(b), 2-06(d), 2-08(b), 2-09, 2-11(c), 2-11(e), 2-11(f), 2-12(a), 2-13(g), 2-13(l), 2-13(n),