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Papers unite to keep vending machines

A move by the City Council to impose new rules and restrictions on newspaper vending machines drew strong opposition yesterday from the city's major newspapers.

Testifying at a hearing of the Council's Transportation Committee, lawyers said streetcorner news racks are protected by the First Amendment and warned that adoption of the bill would lead to free-speech litigation.

"The current proposed legislation is unnecessary, procedurally unfair and unconstitutional," said George Freeman, assistant general counsel of The New York Times, who was also speaking for the Daily News, the New York Post, Newsday, The Village Voice, USA Today and The Wall Street Journal.

For the past 17 years, city newspapers, including distributors of free publications, have placed vending machines around the city under a system of voluntary guidelines worked out in 1984 with then-Mayor Ed Koch.

Citing a proliferation of unsightly news racks and complaints from citizens, supporters of the Giuliani administration-backed bill want new rules that would limit where some vending machines could be located, impose requirements on maintenance and establish a procedure for removing offending news racks.

City Councilman Noach Dear (D-Brooklyn), the committee's chairman, agreed to delay a vote on the bill until tomorrow to give the lawyers an opportunity to try to come up with a compromise.

Frank Lombardi

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