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Int. No. 529

By Council Members Yassky, Gennaro, Avella, Brewer, Felder, Gentile, Gerson, Gioia, Koppell, Lopez, Martinez, Liu, Clarke, Comrie, Fidler, James, Jennings, Nelson, Palma, Recchia, Rivera, Vallone, Weprin and Perkins

A Local Law to amend the administrative code of the city of New York, in relation to enforcement of the restrictions regarding engine idling.

Be it enacted by the Council as follows:

Section 1. Section 24-163 of the administrative code of the city of New York is amended by adding thereto a new subdivision b to read as follows:

§24-163 (a) No person shall cause or permit the engine of a motor vehicle other than a legally authorized emergency motor vehicle, to idle for longer than three minutes while parking as defined in section one hundred twenty-nine of the vehicle and traffic law, standing as defined in section one hundred forty-five of the vehicle and traffic law, or stopping as defined in section one hundred forty-seven of the vehicle and traffic law, unless the engine is used to operate a loading, unloading or processing device. When the ambient

temperature is in excess of forty degrees Fahrenheit, no person shall cause or permit the engine of a bus as defined in section one hundred four of the vehicle and traffic law to idle while parking, standing, or stopping (as defined above) at any terminal point, whether or not enclosed, along an established route.

(b) The department, the police department, the department of transportation, the department of parks and recreation and the department of sanitation shall have the authority to enforce subdivision a of this section.

§2. Subdivision a of section 24-182 of the administrative code of the city of New York is amended to read as follows:

§24-182 Citizen's complaint. (a) Any person, other than personnel of the department and employees of the city of New York authorized by law to serve summonses for violations of the code, may serve upon the department a complaint, in a form prescribed by the department, alleging that a person has violated any provision of this code or order or regulation promulgated by the commissioner or the board, except with respect to sections 24-143, 24-150 and 24-163 of this code, but still applicable to buses as defined in section one hundred four of the vehicle and traffic law and trucks as defined in section one hundred fifty eight of the vehicle and traffic law, together with evidence of such violation. With respect to section 24-142 of this code, only such person who has been certified as a smoke watcher, by passing a course of smoke observation approved by the department within three years prior to the observation, may serve such complaint.

§3. This local law shall take effect immediately upon its enactment into law.