



Legislation Text

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Int. No. 74

By Council Members Restler, Powers, De La Rosa, Abreu, Brewer, Lee, Cabán, Gutiérrez, Hudson, Marte, Hanif and Avilés (in conjunction with the Brooklyn Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to requiring the commissioner of emergency management to develop and implement a comprehensive plan for air quality emergencies

Be it enacted by the Council as follows:

Section 1. Chapter 1 of title 30 of the administrative code of the city of New York is amended by adding a new section 30-117 to read as follows:

§ 30-117 Comprehensive plan for air quality emergencies. a. Definitions. For purposes of this section, the following terms have the following meanings:

Air quality emergency. The term “air quality emergency” means a circumstance during which the air quality index for a particular day is expected to or does exceed 150.

Clean air center. The term “clean air center” means any facility that has an adequate air filtration system and an appropriate air quality testing mechanism that is designated by the city to provide air quality relief to the public whenever there is an occurrence or a forecast of an air quality emergency.

Face covering. The term “face covering” means any face mask or respirator recommended by the department of health and mental hygiene, the federal centers for disease control and prevention, or the national institute for occupational safety and health, including but not limited to KN95, N95, N99, N100, P95, P99, P100, R95, R99, and R100 respirators.

High-occupancy vehicle lane. The term “high-occupancy vehicle lane” means any traffic lane designated for exclusive use by vehicles with 2 or more occupants for all or part of a day.

b. The commissioner, in coordination with any other relevant agency, shall develop and implement a comprehensive and long-term plan for addressing air quality emergencies. Such plan shall include the following protocols:

1. Identification by the office of which other agencies or offices of city, state, or federal government the office shall contact or consult;

2. Identification by the office of circumstances under which the office would activate emergency support functions;

3. Identification by the office of circumstances under which the office would call upon the state office of emergency management within the division of homeland security and emergency services or other jurisdictions for assistance, or request mutual aid assistance from the state or other jurisdictions pursuant to article 2-B of the executive law;

4. Creating or designating clean air centers for use by the public;

5. Any measures deemed appropriate by the office to protect the health of the public during an air quality emergency, including but not limited to the distribution of face coverings and increasing access to shelter for eligible homeless persons as defined in section 21-301;

6. Any measures deemed appropriate by the office to inform the public about an air quality emergency, involving consideration by the office of its plan regarding notifications relating to an air quality emergency that is required pursuant to section 30-115;

7. Limiting use of motor vehicles in the city fleet for essential purposes only during an air quality emergency, as such purposes are determined by the office;

8. Any measures deemed appropriate by the office to reduce the deterioration of air quality, including but not limited to allowing more extensive use of high-occupancy vehicle lanes and prohibiting outdoor charcoal fires during an air quality emergency; and

9. Any other specific actions the office may take during an air quality emergency.

c. No later than 90 days after the effective date of the local law that added this section and annually thereafter, the commissioner shall issue a report to the speaker of the council setting forth the actions taken by the office pursuant to the plan developed and implemented in accordance with subdivision b of this section.

§ 2. This local law takes effect immediately.

Session 13

LS #13679/13749/13849

1/25/2024

Session 12

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LS #13679/13749/13849

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