



Legislation Text

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Int. No. 150

By Council Members Gennaro, Barron, Brewer, Chin, Crowley, Gonzalez, James, Koppell, Koslowitz, Palma, Recchia, Rodriguez, Dickens and Koo

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting smoking in vehicles where minors are present, and to repeal subdivision f of section 17-505.

Be it enacted by the Council as follows:

Section 1. Subdivision f of section 17-505 of the administrative code of the city of New York is REPEALED.

§2. Section 17-502 of the administrative code of the city of New York is amended to read as follows:

y. "Smoke" or "Smoking" means inhaling, exhaling, burning or carrying any lighted cigar, cigarette, pipe, or any form of lighted object or device which contains tobacco.

oo. "Child" shall mean any person under the age of eighteen.

pp. "Vehicle" shall mean any device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

§3. Section 17-503 of the administrative code of the city of New York is amended by adding a new subdivision e to read as follows:

e. It shall be unlawful for the operator or any passenger in a vehicle to smoke when any child is present.

§4. Subdivision a of Section 17-507 is amended to read as follows:

a. The department shall enforce the provisions of this chapter. In addition, designated enforcement employees of the department of buildings, the department of consumer affairs, the department of environmental

protection, the fire department and the department of sanitation shall have the power to enforce the provisions of this chapter, and the police department shall have the power to enforce subdivision e of section 17-503 of this chapter.

§5. Subdivision d of section 17-508 is amended to read as follows:

d. It shall be unlawful for any person to smoke in any area or vehicle where smoking is prohibited under section 17-503 and section 17-504.

§6. This local law shall take effect ninety days after its enactment into law, provided that the commissioner may promulgate any rules necessary for implementing and carrying out the provisions of this local law prior to its effective date.

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