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Title: A Local Law to amend the administrative code of the city of New York, in relation to mandating bulletproof glass and necessary security inside bank buildings.

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Int. No. 69

By Council Members Koppell, Comrie, Martinez, Nelson, Seabrook, Stewart, Vann, Weprin, Gerson, Gentile, James and Reed

A Local Law to amend the administrative code of the city of New York, in relation to mandating bulletproof glass and necessary security inside bank buildings.

Be it enacted by the Council as follows:

Section one. Legislative Findings and Intent. According to NYPD statistics, the number of bank robberies in the first few months of 2003 has significantly increased compared to the same time period last year. In a recent press release, Police Commissioner Kelly cited several possible reasons for the upward trend, including a decrease in the use of private, armed security guards by banks, and the banking industry’s increased efforts at offering customers more convenient banking by extending daily and weekend hours. The combination of these two factors, insufficient use of preventive security measures and a movement toward enhancing bank accessibility by offering customers greater banking flexibility, has resulted in banks becoming

increasingly vulnerable to would-be criminals.

As early as May 2002, the FBI reported that bank robberies in the metropolitan area had risen 65%. Further, the post-September 11th economic downturn and law enforcement's subsequent focus on counter-terrorism efforts, have made it even more imperative for the banking industry to take additional security measures for the safety and security of patrons and bank workers. While fighting international terrorism may have deflected some resources from law enforcement's ability to fight traditional crimes such as bank robberies, it has always been vital that the banking industry take a pro-active role in initiating and implementing security measures to protect the safety and well-being of its customers and employees.

Any banking institution doing business within the City has a responsibility to take reasonable and proportional measures to provide a safe and secure environment for those people whom it invites to do business. In February, Mayor Bloomberg sent out letters to bank CEOs, urging them to take necessary steps to improve security. The NYPD is also reaching out to the banking industry, holding numerous meetings with bank managers and security directors to outline robbery- prevention systems.

Banks employ many New York City residents and are an integral part of New York City consumers' lives, being used by millions of New Yorkers on a daily basis. It is the Council's intent and objective to ensure the convenience, safety and security of banking facilities by establishing basic security measure requirements for bank teller windows.

§ 2. Chapter 1 of Title 10 of the administrative code of the city of New York is hereby amended by adding a new section 10-160.1 to read as follows:

§ 10-160.1 Additional Security Measures at Banks. a. A bank, as defined in section 10-160, shall comply with and maintain the following security measures:

- (1) Install bullet-resistant glass and/or partitions that meet or exceed Underwriters Laboratories Level II ballistics standards at all teller windows. Banks shall provide sufficient documentation such as contractor certification or building inspector certification as proof that this requirement has been met.

Underwriters Laboratories Level II ballistics standards partitions must be constructed in such a manner so as to prevent an individual from breaching such partition to gain access to the protected area where the tellers transact business.

(2) Adopt and implement a security program that provides for a schedule of inspecting, testing and servicing of the security devices installed pursuant to this section.

b. Violations and penalties. A bank found to be in violation of any provision of subdivision (a) of this section shall be subject to a civil penalty of not more than one thousand five hundred dollars.

c. Any bank found to be in violation of subdivision (a) of this section shall correct the violation within two weeks after such finding. Failure to correct the violation within two weeks of such finding shall subject the bank to a civil penalty of not less than one thousand dollars and not more than one thousand five hundred dollars and an additional civil penalty of one thousand dollars for each day such violation continues.

d. Enforcement. The police commissioner shall have rulemaking authority in the implementation of this section. The police department, the department of consumer affairs and the department of buildings shall be authorized to enforce this section through notices returnable to the environmental control board.

e. Exemptions. Notwithstanding the foregoing, the provisions of this section shall not apply at banks where transactions are conducted solely by cash-dispensing machines.

§ 3. This local law shall take effect one hundred and eighty days after its enactment into law.