



Legislation Text

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Proposed Int. No. 262-A

By Council Member Monserrate, Addabbo, Baez, Barron, Clarke, Provenzano, Jackson, Jennings, Liu, Lopez, Martinez, McMahon, Nelson, Reyna, Rivera, Sanders, Seabrook, Stewart, Vallone, Vann, Weprin, Avella, Gennaro, Sears, Gonzalez, Koppell, Comrie, Recchia and Felder; also Council Members Gerson and Perkins

A Local Law to amend the administrative code of the city of New York, in relation to requiring air-conditioning on any bus or other motor vehicle transporting a child with a disability to and from school.

Be it enacted by the Council as follows:

Section 1. Section 19-605 of the administrative code of the city of New York is renumbered as section 19-607 and as renumbered is amended to read as follows:

[§19-605] §19-607 Penalty. Any person, firm or corporation who shall violate the provisions of this [section] chapter shall be punished by a fine of five hundred dollars, or by imprisonment not to exceed three months or by both such fine and imprisonment.

§2. Chapter six of title 19 of the administrative code of the city of New York is amended by adding thereto a new section 19-605 to read as follows:

§19-605. Air-conditioning. a. Any bus or other motor vehicle transporting a child with a disability to and from a school in the city pursuant to any agreement or contract shall be air-conditioned when the ambient outside temperature exceeds seventy degrees Fahrenheit. Drivers of all such vehicles shall utilize such air conditioning systems in order to make the internal climate of such vehicles comfortable to passengers in order to protect or enhance the health of children with disabilities. Any failure, mechanical or otherwise, of an air-conditioning system required by this section shall be repaired and restored to operable condition as soon as is practicable, but in no event more than three business days subsequent to the failure. For purposes of this section, “child with a disability” shall mean a child with a disability as defined in section 4401(1) of the

education law who requires an air-conditioned environment for health reasons.

b. The penalty provisions set forth in section 19-607 of this chapter shall not apply to any violation of the provisions of this section. Any owner, operator or contractor responsible for transporting a child with a disability to and from a school in the city pursuant to any agreement or contract shall be liable for a civil penalty of four hundred dollars for each violation of this section.

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