



Legislation Text

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Int. No. 631-A

By Council Members Liu, Arroyo, Jackson, Brewer, Dickens, Gerson, Gonzalez, James, Koppell, Martinez, Palma, Reyna, Sanders Jr., Foster, Mark-Viverito, Mendez, de Blasio, White Jr., Vann, Garodnick, Gennaro, Rivera, Sears and Stewart

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

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 24-163 of subchapter seven of chapter one of title 24 of the administrative code of the city of New York is amended to read as follows:

§24-163 Operation of motor vehicle; idling of engine restricted. (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, except as provided in subdivision (f) of this section, 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.

§2. Section 24-163 of the administrative code of the city of New York is amended by adding new subdivisions f and g to read as follows:

(f) 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 one minute if such motor vehicle is adjacent, as determined by

rule, to any public school under the jurisdiction of the New York city department of education or to any non-public school that provides educational instruction to students in any grade from pre-kindergarten to the twelfth grade level, 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, and provided that idling of an engine of a school bus may be permitted to the extent necessary: (1) for mechanical work; (2) to maintain an appropriate temperature for passenger comfort; or (3) in emergency evacuations where necessary to operate wheelchair lifts. It shall be an affirmative defense that any such school was not easily identifiable as a school by signage or otherwise at the time a violation of this subdivision occurred.

(g) A report shall be submitted to the city council on an annual basis by: (1) the environmental control board that states the number of notices of violation issued for engine idling violations returnable to the environmental control board, including the total amount of penalties imposed for such notices of violations; and (2) the department of finance that states the number of summonses issued for engine idling violations pursuant to subdivision (p) of section 4-08 of title 34 of the rules of the city of New York, including the total amount of penalties imposed for such summonses.

§3. Subdivision d of section 19-505 of the administrative code of the city of New York, as amended by local law number 115 for the year 1993, is amended to read as follows:

d. Each applicant for a driver's license under the provisions of this chapter, other than a commuter van driver's license, shall be examined as to his or her physical condition by a duly licensed physician designated by the commission; each such applicant shall also be examined by the commission as to his or her knowledge of the city, as well as city and state laws governing the idling of engines, and if the result of [either examination] any of these examinations is unsatisfactory, he or she shall be refused a license.

§4. This local law shall take effect ninety days after it is enacted.

PH/MEA/TN

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