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Proposed Int. No. 11-A

By The Speaker (Council Member Menin) and Council Members Avilés, Louis, Nurse, Restler, Hanif, Hudson, Joseph, Ung, Marte, De La Rosa, Farías, Williams, Cabán, Narcisse, Schulman, Won, Krishnan, Abreu, Feliz, Ossé, Gutiérrez, Dinowitz, P. Sanchez, Hanks, Riley, Paladino, Wong, Encarnación, J. Sanchez, Banks, Brewer, Hankerson, Maloney and Salaam

A Local Law to amend the administrative code of the city of New York, in relation to increasing civil penalties for idling infractions

Be it enacted by the Council as follows:

Section 1. Section 24-104 of the administrative code of the city of New York is amended by adding new definitions of "bus" and "truck" in alphabetical order to read as follows:

Bus. The term "bus" has the same meaning as set forth in section 104 of the vehicle and traffic law.

Truck. The term "truck" has the same meaning as set forth in section 158 of the vehicle and traffic law.

§ 2. Subdivision a of section 24-163 of the administrative code of the city of New York, as amended by local law number 58 for the year 2023, is amended to read as follows:

(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] 3 minutes, except as provided in subdivision (f) of this section, while parking as defined in section [one hundred twenty-nine] 129 of the vehicle and traffic law, standing as defined in section [one hundred forty-five] 145 of the vehicle and traffic law, or stopping as defined in section [one hundred forty-seven] 147 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] 40 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.

§ 3. The line beginning 24-163 in the table of civil penalties following subparagraph (i) of paragraph (3) of subdivision (a) of section 24-178 of the administrative code of the city of New York, as amended by local law number 32 for the year 2023, is amended to read as follows:

[24-163] 24-163(a) or (f)	[$350] $500	[$2,000] $7,500

§ 4. Section 24-178 of the administrative code of the city of New York is amended by adding a new subdivision (f) to read as follows:

(f) Notwithstanding any other civil penalty amount specified for a violation of subdivision (a) or (f) of section 24-163, a person found to be in violation of subdivision (a) or (f) of section 24-163 shall be subject to a civil penalty of:

(1) Not less than $500 and not more than $1,500 for their first violation;

(2) Not less than $1,500 and not more than $3,000 for their second violation; and

(3) Not less than $3,000 and not more than $7,500 for their third and any subsequent violation.

For purposes of this subdivision, a second, third, or subsequent violation is a violation of subdivision (a) or (f) of section 24-163 by the same respondent within 3 years of the date of occurrence of 1 or more prior violations, whether or not a prior violation involved the same motor vehicle, where the prior violation was for a violation of subdivision (a) or (f) of section 24-163.

§ 5. This local law takes effect 120 days after it becomes law.

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