

Plain Language Summary

Current Introduction Number:

Int. No. 428

Prime Sponsors:

Council Member Constantinides

Co-Sponsors:

Council Member Holden

TITLE:

A local law to amend the administrative code of the city of New York, in relation to idling adjacent to any senior citizen center

BILL SUMMARY:

The local law amends Title 24 of the New York City Administrative Code, adding a new section (h) to 24-163 to prohibit idling for more than one minute adjacent to a plainly identified senior citizen center, effective immediately. The bill provides exemptions for when a vehicle is used to operate a loading, unloading or processing device, for mechanical work when required, to maintain an appropriate temperature for passenger comfort or in emergency evacuations where necessary to operate wheelchair lifts.

CODE SECTION AFFECTED:

Amends subdivision a of § 24-163 and adds new subdivision h to § 24-163.

EFFECTIVE DATE:

120 days after it becomes law

NOTE: In the full bill text online at legistar.council.nyc.gov, language in proposed consolidated laws that is enclosed by [brackets] would be deleted, and language that is underlined would be new. Language in proposed unconsolidated laws, in contrast, will not have brackets or underlining because it would be entirely new. Consolidation means that the law is placed in the New York City Charter or Administrative Code.

LEGISLATIVE IMPACT:

Please select any of the following which apply to this legislation.

- Agency Rulemaking Required:** Is City agency rulemaking required?
- Report Required:** Is a report due to Council required?
- Oversight:** Are there seemingly clear points for City agency oversight and/or evaluation?
- Sunset Date Included:** Does the legislation have a sunset date?
- Grace Period Applies:** In the case of fines or other penalties, is a grace period established?
- Council Appointment Required:** Is an appointment by the Council required?
- Other Appointment Required:** Are other appointments not by the Council required?
- Council Operations:** Might this law affect the Council's own operations?

EVOLV-ELECTRIC TRANSPORTATION

Intro No. 428-2018 Language

Be it enacted by the Council as follows:

Section 1. Subdivision (a) of section 24-163 of the administrative code of the city of New York, as amended by local law number 38 for the year 2015, 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 minutes, except as provided in subdivisions (f) and (h) 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 a new subdivision (h) to read as follows:

(h) 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 senior center, as defined in section 21-201 of this code, while parking, as defined in section 129 of the vehicle and traffic law, standing as defined in section 145 of the vehicle and traffic law, or stopped as defined in section 147 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 vehicle used for the transport of senior

EVOLV-ELECTRIC TRANSPORTATION

citizens 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 senior center was not easily identifiable as a senior center by signage or otherwise at the time a violation of this subdivision occurred.

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

SS/JJ

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