

New York City Administrative Code
Title 24: Environmental Protection and Utilities
Chapter 1: Air Pollution Control
Subchapter 7: Equipment and Apparatus: Use and
Maintenance
Section 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.

(b). The department of transportation shall post signs relating to prohibited idling that shall comply with the standards set forth in the Manual on Uniform Traffic Control Devices and, where practicable, include the maximum penalty that may be imposed for a violation of subdivision a of this section as follows:

(1). a sign shall be posted at each exit within the City of New York of each bridge and tunnel having only one terminus in the City of New York;

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(2). signs shall be posted at a minimum of five locations in each borough where two or more truck routes, whether local or through routes, intersect;

(3). a sign shall be posted at each bus layover area (other than school bus layover areas), designated by the commissioner of transportation pursuant to section 4-10(c)(3) of title 34 of the rules of the City of New York;

(4). a sign shall be posted at each multiple use bus terminal point;

(5). a sign shall be posted in close proximity to each school bus depot; and,

(6). signs shall be posted at other appropriate locations throughout the City as jointly determined by the commissioner and the commissioner of transportation, including but not limited to, locations for which the city receives a substantial number of complaints of idling motor vehicles.

(c). For the purpose of this section only the term "school bus depot" shall mean any garage, lot or other facility where buses that transport children to or from schools are parked overnight and the term "multiple use bus terminal point" shall mean a location that is both a terminal point of at least one bus route (other than a school bus route) and a bus stop (other than a school bus stop) on one or more other bus routes.

(d). In any proceeding relating to a violation of the restrictions on idling it shall not be a defense that a sign required by this section was absent at the time of the violation.

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(e). In addition to the department and the police department, the department of parks and recreation and the department of sanitation shall have the authority to enforce subdivision a of this section and shall have the power to issue summonses, appearance tickets and/or notices of violation for violations of such subdivision.

(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.

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(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) the department of environmental protection that states the number of 311 idling complaints, disaggregated by borough and including any other information related to such complaints the department deems relevant; and

(4) the department of environmental protection that states the number of complaints received by the department of environmental protection pursuant to subdivision

(a) of section [24-182](#) regarding violations of this section, disaggregated by the following:

(i) the number of violations issued by the department pursuant to such complaints and

(ii) the number of complaints filed pursuant to subdivision

(b) of section [24-182](#) with the office of administrative trials and hearings pursuant to section 1049-a of the charter.