S T A T E O F N E W Y O R K

2623

2009-2010 Regular Sessions

I N A S S E M B L Y

January 21, 2009

Introduced by M. of A. GALEF, WEISENBERG, SWEENEY -- Multi-Sponsored by -- M. of A. SPANO, ZEBROWSKI -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to prohibiting the idling of motor vehicles in certain counties

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Legislative findings. According to the United States Environmental Protection Agency, the New York metro area does not meet federal guidelines for ground-level ozone and particulate matter. The New York portion of the metropolitan region, outside of New York City, includes Nassau, Suffolk, Putnam, Westchester and Rockland counties.

S 2. The vehicle and traffic law is amended by adding a new section 1202-a to read as follows:

S 1202-A. IDLING OF ENGINE RESTRICTED; CERTAIN COUNTIES. (A) IN THE COUNTIES OF WESTCHESTER, PUTNAM, ROCKLAND, SUFFOLK AND NASSAU, 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 WHILE PARKING AS DEFINED IN SECTION ONE HUNDRED TWENTY-NINE OF THIS CHAPTER, STANDING AS DEFINED IN SECTION ONE HUNDRED FORTY-FIVE OF THIS CHAPTER, OR STOPPING AS DEFINED IN SECTION ONE HUNDRED FORTY-SEVEN OF THIS CHAPTER, 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 THIS CHAPTER TO IDLE WHILE PARKING, STANDING, OR STOPPING, AS DEFINED IN THIS SUBDIVISION, AT ANY TERMINAL POINT, WHETHER OR NOT ENCLOSED, ALONG AN ESTABLISHED ROUTE.

(B) AS PART OF A PROGRAM OF REGULARLY SCHEDULED SIGN INSTALLATION, MAINTENANCE AND UPKEEP, THE DEPARTMENT OF TRANSPORTATION SHALL POST APPROPRIATE SIGNS TO NOTIFY MOTORISTS THAT IDLING IS PROHIBITED WHICH,

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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WHERE PRACTICABLE, SHALL INCLUDE THE MAXIMUM PENALTY THAT MAY BE IMPOSED FOR A VIOLATION OF THIS SECTION.

S 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.