

8539

2009-2010 Regular Sessions

I N   A S S E M B L Y

May 27, 2009

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Introduced by M. of A. FIELDS -- 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 left unattended

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

1     Section 1. Section 1210 of the vehicle and traffic law, subdivision  
2     (a) as amended by chapter 350 of the laws of 1967, subdivision (b) as  
3     amended by chapter 300 of the laws of 1960 and subdivision (c) as added  
4     by chapter 572 of the laws of 1983, is amended to read as follows:  
5     S 1210. [Unattended] IDLING motor vehicle LEFT UNATTENDED; PROHIBITED.  
6     (a) No person driving or in charge of a motor vehicle shall permit it to  
7     stand unattended without [first]:  
8     1. stopping the engine[,];  
9     2. locking the ignition[, ] AND removing the key from the vehicle[,  
10    and];  
11    3. PLACING THE TRANSMISSION IN "PARK" OR THE GEARS IN "LOW" OR  
12    "REVERSE" IF THE VEHICLE HAS A MANUAL SHIFT; AND  
13    4. effectively setting the brake thereon [and, when standing upon any  
14    grade, turning].  
15    (B) A PERSON SHALL TURN the front wheels to the curb or side of the  
16    highway[, provided, however, the provision for removing the key from the  
17    vehicle shall not require the removal of keys hidden from sight about  
18    the vehicle for convenience or emergency] WHEN STANDING A VEHICLE ON ANY  
19    PERCEPTIBLE GRADE.  
20    [(b)] (C) THE FOLLOWING SHALL BE EXEMPT FROM THE PROVISIONS OF SUBDI-  
21    VISIONS (A) AND (B) OF THIS SECTION:  
22    1. EMERGENCY OR LAW ENFORCEMENT PURPOSES;  
23    2. MAINTENANCE, DIAGNOSTICS, INSPECTION;  
24    3. POWERING AUXILIARY EQUIPMENT;  
25    4. RECHARGING ELECTRIC AND HYBRID VEHICLES;

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

LBD11955-01-9

1 5. SNOW REMOVAL;

2 6. WEATHER CONDITIONS OF LESS THAN TWENTY DEGREES FAHRENHEIT FOR MORE  
3 THAN TWENTY-FOUR CONSECUTIVE HOURS;

4 7. WITHIN MINES OR QUARRIES;

5 8. FARM VEHICLES; OR

6 9. REMOTE STARTERS.

7 (D) A driver may, for the purpose of getting away from the place of  
8 standing, move another vehicle which is so placed he cannot get his  
9 vehicle out; provided, however, that immediately thereafter he shall  
10 reset the brake and, if on a grade, turn the front wheels to the curb or  
11 side of the highway. This privilege is subject to the limitation set  
12 forth in subdivision [(e)] (C) of section twelve hundred two OF THIS  
13 TITLE.

14 [(c)] (E) Towing agencies, which remove vehicles unlawfully parked on  
15 private property at request of the owner of the premises and without the  
16 written consent of the owner of the vehicle, shall immediately notify  
17 the local police station house having jurisdiction over the area where  
18 such vehicle was unlawfully parked, of the description of the car which  
19 was removed, and the time of removal.

20 (F) PERSONS FOUND VIOLATING THE PROVISIONS OF SUBDIVISIONS (A) AND (B)  
21 OF THIS SECTION SHALL BE SUBJECT TO A FINE OF FIFTY DOLLARS FOR THE  
22 FIRST OFFENSE AND FOR SUBSEQUENT OFFENSES THE FINE SHALL NOT EXCEED TWO  
23 HUNDRED FIFTY DOLLARS AND/OR SHALL NOT EXCEED NINETY DAYS OF IMPRISON-  
24 MENT.

25 S 2. This act shall take effect on the ninetieth day after it shall  
26 have become a law.