

3515

2009-2010 Regular Sessions

I N S E N A T E

March 23, 2009

Introduced by Sens. STEWART-COUSINS, ADAMS, HASSELL-THOMPSON, HUNTLEY --
read twice and ordered printed, and when printed to be committed 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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

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

6 S 2. The vehicle and traffic law is amended by adding a new section
7 1202-a to read as follows:

8 S 1202-A. IDLING OF ENGINE RESTRICTED; CERTAIN COUNTIES. (A) IN THE
9 COUNTIES OF WESTCHESTER, PUTNAM, ROCKLAND, SUFFOLK AND NASSAU, NO PERSON
10 SHALL CAUSE OR PERMIT THE ENGINE OF A MOTOR VEHICLE, OTHER THAN A LEGAL-
11 LY AUTHORIZED EMERGENCY MOTOR VEHICLE, TO IDLE FOR LONGER THAN THREE
12 MINUTES WHILE PARKING AS DEFINED IN SECTION ONE HUNDRED TWENTY-NINE OF
13 THIS CHAPTER, STANDING AS DEFINED IN SECTION ONE HUNDRED FORTY-FIVE OF
14 THIS CHAPTER, OR STOPPING AS DEFINED IN SECTION ONE HUNDRED FORTY-SEVEN
15 OF THIS CHAPTER, UNLESS THE ENGINE IS USED TO OPERATE A LOADING, UNLOAD-
16 ING OR PROCESSING DEVICE. WHEN THE AMBIENT TEMPERATURE IS IN EXCESS OF
17 FORTY DEGREES FAHRENHEIT, NO PERSON SHALL CAUSE OR PERMIT THE ENGINE OF
18 A BUS AS DEFINED IN SECTION ONE HUNDRED FOUR OF THIS CHAPTER TO IDLE
19 WHILE PARKING, STANDING, OR STOPPING, AS DEFINED IN THIS SUBDIVISION, AT
20 ANY TERMINAL POINT, WHETHER OR NOT ENCLOSED, ALONG AN ESTABLISHED ROUTE.

21 (B) AS PART OF A PROGRAM OF REGULARLY SCHEDULED SIGN INSTALLATION,
22 MAINTENANCE AND UPKEEP, THE DEPARTMENT OF TRANSPORTATION SHALL POST
23 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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1 WHERE PRACTICABLE, SHALL INCLUDE THE MAXIMUM PENALTY THAT MAY BE IMPOSED
2 FOR A VIOLATION OF THIS SECTION.
3 S 3. This act shall take effect on the one hundred eightieth day after
4 it shall have become a law.