

# STATE OF NEW YORK

8558

2017-2018 Regular Sessions

## IN ASSEMBLY

July 10, 2017

Introduced by M. of A. KAVANAGH, ARROYO, GOTTFRIED, PERRY, RIVERA, QUART  
-- Multi-Sponsored by -- M. of A. ABINANTI, CAHILL, COLTON, GLICK,  
RAIA, THIELE -- read once and referred to the Committee on Environ-  
mental Conservation

AN ACT to amend the environmental conservation law, in relation to  
prohibiting idling by heavy-duty vehicles

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

Section 1. The environmental conservation law is amended by adding a  
new section 19-0326 to read as follows:

§ 19-0326. Prohibition on idling by heavy-duty vehicles.

1. No person shall allow or permit the idling of a heavy-duty vehicle  
for more than three minutes except as otherwise provided by the depart-  
ment in regulation.

2. The department may adopt and update, from time to time, regulations  
necessary to implement the provisions of this section. The regulations  
shall include any exemptions deemed by the department to be necessary or  
appropriate.

3. As used in this section "heavy-duty vehicle" means a vehicle that  
has a gross vehicle weight rating exceeding eight thousand five hundred  
pounds designed primarily for transporting persons or properties.

4. The department, in cooperation with the department of motor vehi-  
cles, shall conduct outreach and provide educational materials on the  
provisions of this section to law enforcement officers throughout the  
state.

5. No local law or ordinance governing the idling of heavy-duty vehi-  
cles shall be preempted by this section. This section shall not apply to  
authorized emergency vehicles as defined in section one hundred one of  
the vehicle and traffic law that are exempt from the idling restrictions  
set forth in section 24-163 of the administrative code of the city of  
New York.

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

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

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